



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, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Carol Morlan,
Theresa Mungiola and David Walker*

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

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

Monday, February 27, 2023

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

President Deel stated that today marks two weeks since the tragic events that occurred on the campus of Michigan State University (MSU). He shared that it was a senseless tragedy and it is impossible to make sense of what happened that day. He added that the students at MSU deserve to have the same memories that many past students have had there, including himself. He stated that everyone is a Spartan and Rochester Hills supports all the students at MSU.

ROLL CALL

Present 5 - David Blair, Ryan Deel, Dale Hetrick, Carol Morlan and David Walker

Absent 2 - Susan M. Bowyer and Theresa Mungiola

Others Present:

*Bryan Barnett, Mayor
Katie Casey, Administrative Associate II Youth Council
Bill Cooke, Assistant Fire Chief/Fire Marshall
Ann Echols, Captain/Assistant Fire Marshall
Bill Fritz, Public Services Director
Rochelle Lyon, Information Systems Director
Gary Nauts, Facilities Manager
Sara Roediger, Planning and Economic Development Director
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Mike Viazanko, Building/Ordinance/Facilities Director
Maria Willett, Chief of Staff*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced RHGYC Representative **Bella Morris**.

Ms. Morris shared that she is a senior at Rochester Hills Christian School and that this is her third year serving on the RHGYC. She stated that last Tuesday the RHGYC had a Legislative Day in Lansing that included meeting Senator Webber and State Representative Tisdel as well as sit in a Senate Session and tour the Capitol Building. She noted that the RHGYC Cultural Event will take place on May 13, 2023.

President Deel thanked State Senator Mike Webber, State Representative Mark Tisdel and Midwest Strategies for speaking to the RHGYC while they were in Lansing.

PRESENTATIONS

2023-0089 RHGYC Bi-Annual Report to City Council

Attachments: [022723 Agenda Summary.pdf](#)
[Presentation.pdf](#)

Rochester Hills Government Youth Council (RHGYC) Representatives **Bella Morris** and **Caroline Bull** were present.

Ms. Bull stated that she is a junior at Rochester Adams High School and that this is her third year serving on the RHGYC.

Ms. Morris and **Ms. Bull** provided the following RHGYC Bi-Annual Report to Council:

- The RHGYC started its year off with a Swearing-In Ceremony that included five new members to the RHGYC this year.
- The RHGYC assisted at the State of the City Address by directing guests to specific areas and assisted in operating the bounce houses at the event.
- City Directors, City Council and the Mayor joined the RHGYC for their Orientation at City Hall that included a luncheon and conversations with City leaders.
- The Fall Festival was a great event that the RHGYC assisted at by hosting games such as cup stacking and pumpkin rolling.
- The Tailgate took place at the Royal Park Hotel and featured Jim Brandstatter, long-time radio announcer for the Michigan Wolverines football team. The RHGYC sold raffle tickets at this event that benefited the Community Foundation at Greater Rochester.

- The RHGYC participated in the Rochester Hills Fire Department Open House by dressing up in the Sparky mascot costume and posing for pictures with attendees. They also were able to enjoy the Firefighters demonstrations that were very informative and exciting to watch.
- Light the Village was a fun event at the Village of Rochester Hills. The RHGYC handed out snowflake wands that were such a big hit, they ran out of them before the night was over.
- The RHGYC volunteered at the Holiday Parade by directing citizens to warming tents that had complimentary hot chocolate and hand warmers. After the Parade the RHGYC shopped for Christmas presents for the New Day Foundation Family that they adopted.

Ms. Bull and Ms. Morris thanked City Council for allowing them to present an update on behalf of the RHGYC and reminded everyone that the Cultural Event will take place on May 13, 2023.

President Deel thanked Ms. Bull and Ms. Morris for their presentation and shared that he has the honor and privilege to serve on the RHGYC as the City Council liaison. He added that he had enjoyed the first half of the year with the RHGYC and is looking forward to what is in store for the second half of the year.

Mr. Hetrick commended Ms. Bull and Ms. Morris for the terrific report and stated that the RHGYC contribution to the City and the residents is extraordinary.

Mayor Barnett thanked Ms. Morris and Ms. Bull for the report and stated that the RHGYC is a great example of an organization that has grown and are impacting others around them.

Presented.

PUBLIC HEARINGS

2023-0055 FY 2023 1st Quarter Budget Amendment

Attachments: [022723 Agenda Summary.pdf](#)
[1st Qtr Budget Amendments \(Overview\).pdf](#)
[1st Qtr Budget Amendments \(Detail\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that presented before Council is the City of Rochester Hills 2023 First Quarter Budget Amendment. He noted that this Budget Amendment consists of items that were not completed in the prior year; therefore, were carried over to the current year for completion. He stated that most of the budget amendment dollars proposed to be carried over were budgeted in 2022 and were unspent and rolled into the Fund Balance at the end of 2022 and are proposed to be reallocated in 2023. He added that in total

the budget amendments presented tonight propose to increase total revenue by \$6.2 million and increase total expenditures by \$23 million which will result in a net impact on Fund Balances of \$16.8 million.

He provided the following information regarding revenue:

- \$3 million of the \$6.2 million increase is from the recognition of American Rescue Plan Act (ARPA) funding. He added that the City has received a total of \$6.2 million in ARPA funding and these funds are currently in the City's bank account earning interest. He explained that as the funds are planned to be spent, they are recognized on the City's financial statements.*
- \$660,000 from the Drinking Water Asset Management Grant. He stated that this Grant was awarded by the State of Michigan and the City plans to expend the remainder of the funds this year and request full reimbursement.*
- \$2.5 million of net transfers-in from other City funds.*

He provided the following information regarding expenditures:

- \$3.1 million is for operating expenditures and the vast majority of these are for carryovers that were not completed in the previous year. He added that these expenditures include professional services, studies, community promotions in the General Fund, operating equipment in the Fire Capital and Capital Improvement Funds, water meter reader equipment in the Water and Sewer Operating Fund, the Drinking Water Asset Management Consulting Services in the Water and Sewer Capital Fund, various maintenance and repair projects in the Facilities Fund and infrastructure development in the Local Development Finance Authority (LDFA) Fund.*
- \$71,000 of new operating expenditures that include five election drop boxes in the General Fund and added that these drop boxes are required per the new State Law. He stated that the addition of cemetery markers is also included in the expenditures as well as Holiday Lighting at Innovation Hills in the General Fund, memberships and dues in the Major Road Fund, fire inventory services in the Fire Operating Fund and AED cabinets in the Facilities Fund.*
- \$17.3 million in Capital Improvement Projects due to supply chain and material shortages in 2022. He stated that projects such as the Borden Park Office, Innovation Hills Playground Phase Two and the Auburn Road project between Rochester Road and Culbertson were due to material shortages. He added that some projects started in 2022 took longer than expected to complete, such as the Old Perch reconstruction project; therefore, has been requested to be carried over into 2023. He noted that \$13.8 million of the Capital Improvement Projects were projects that were begun in 2022 and not completed in 2022. He added that \$3.5 million are new Capital Improvement Projects: the Drexelgate Water Main relocation totaling \$1.6 million and the Bloomer Park parking lot reconstruction totaling \$1 million and the remainder amount is for an increase of three fire ambulances at Fire Station Five, newly anticipated Oakland/Macomb Interceptor District Sanitary Sewer Assessment, construction of Bloomer Park Cricket Pitch and the Dutton Bridge reconstruction and water main relocation.*
- \$2.5 million of transfers out that consists of funds from the ARPA Fund to the funds performing the ARPA fund work and funds from the Capital Improvement Fund to the Facilities Fund to perform the Bloomer Park parking lot rehabilitation.*

President Deel Opened the Public Hearing at 7:19 p.m. Seeing no public comment President Deel closed the Public Hearing at 7:20 p.m.

President Deel thanked Mr. Snyder for the detailed report and stated that the City is financially on the right track.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

Enactment No: RES0026-2023

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, the Public Hearing for the proposed FY 2023 1st Quarter Budget Amendments was noticed on February 9, 2023; and

Whereas, the proposed FY 2023 1st Quarter Budget Amendments were available for public viewing beginning on February 17, 2023; and

Whereas, at its February 27, 2023 meeting City Council held a Public Hearing on the proposed FY 2023 1st Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following FY 2023 fund totals as amended:

TOTAL BUDGET SUMMARY	2023 Current Budget	Proposed Change	2023 Amended Budget
101 - General Fund	\$ 29,945,630	\$ 202,500	\$ 30,148,130
202 - Major Road Fund	9,692,050	1,605,980	11,298,030
203 - Local Street Fund	10,855,910	-	10,855,910
206 - Fire Department Fund	13,619,790	-	13,619,790
207 - Special Police Fund	10,634,510	-	10,634,510
208 - Parks Millage Fund	680,000	-	680,000
213 - RARA Millage Fund	761,850	-	761,850
214 - Pathway Maintenance Fund	733,870	-	733,870
232 - Tree Fund	169,000	-	169,000
244 - Water Resources Fund	1,033,570	-	1,033,570
265 - OPC Millage Fund	1,700,750	-	1,700,750
285 - ARPA Fund	4,755,460	1,353,000	6,108,460
299 - Green Space Fund	372,030	-	372,030
331 - Water Resources Fund	222,120	-	222,120
402 - Fire Capital Fund	1,409,210	1,788,450	3,197,660
403 - Pathway Construction Fund	175,000	458,750	633,750
420 - Capital Improvement Fund	5,952,090	1,607,630	7,559,720
510 - Sewer Department	16,644,990	225,750	16,870,740
530 - Water Department	22,575,130	225,750	22,800,880
593 - Water & Sewer Capital Fund	16,903,670	7,714,780	24,618,450
595 - Water & Sewer Debt Fund	1,159,370	-	1,159,370
596 - Solid Waste Fund	688,640	-	688,640
631 - Facilities Fund	17,884,940	5,265,810	23,150,750
636 - MIS Fund	3,392,300	220,000	3,612,300
661 - Fleet Fund	7,070,710	1,535,660	8,606,370

677 - Insurance Fund	454,000	-	454,000
736 - Retiree Healthcare Trust Fund	263,330	-	263,330
752 - Cemetery Perpetual Care Trust Fund	5,000	-	5,000
761 - Green Space Perpetual Care Trust Fund	400,220	-	400,220
243 - Brownfield Revolving Fund	-	-	-
844 - Brownfield Redevelopment Fund [Legacy]	327,960	-	327,960
848 - LDFA Fund	500,910	848,000	1,348,910
870 - RH Museum Foundation Fund	100	-	100
GRAND TOTAL - ALL FUNDS	\$ 1,80,984,110	\$ 23,052,060	\$ 204,036,170

ORDINANCE FOR INTRODUCTION

2023-0063 Request for Acceptance for First Reading - an Ordinance to Amend Section 2-275 of Article VI, Purchasing, of Chapter 2 Administration, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to increase the Mayor's purchasing authority limit, and to repeal conflicting ordinances

Attachments: [030623 Agenda Summary.pdf](#)
[022723 Agenda Summary.pdf](#)
[Ordinance Amendments \(Redlined\).pdf](#)
[022723 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that this is the request for the First Reading to update the existing City Purchasing Ordinance from a dollar limit of \$2,000 or more and to obtain a minimum of three quotes to a new dollar limit of \$5,000 or more and to obtain the minimum of three quotes. He stated that the increase would alleviate the burden on the Purchasing Division and City Staff in procuring smaller dollar purchases for goods and services, this would increase efficiency and allow the purchases of the goods and services in a timely manner. He added that it also will enable the ability to allow the Purchasing Staff and City Staff to better focus their efforts of obtaining the best value for a higher priority and higher dollar purchases citywide. He stated that over the last few years the City has transitioned from a few major million dollar projects and a few small to medium hundred thousand dollar projects to a few major million dollar projects to several small to medium hundred thousand dollar projects each year.

President Deel stated that inflation plays a big part in the current projects within the City and this request accounts for the inflation.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungoli

Enactment No: RES0044-2023

Resolved, that an Ordinance to Amend Section 2-275 of Article VI, Purchasing, of

Chapter 2 Administration, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to increase the Mayor's purchasing authority limit, and to repeal conflicting ordinances is hereby Accepted for First Reading.

2023-0091 Request for Acceptance for First Reading - An Ordinance to Amend Article III, Sections 58-57 and 58-58, of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to adopt the 2021 International Fire Code, to specify enforcement authority, and to adopt amendments to the Fire Code; and to repeal conflicting ordinances and prescribe a penalty for violations

Attachments: [030623 Agenda Summary.pdf](#)
[Ordinance Amendments \(Updated Redlined\).pdf](#)
[022723 Agenda Summary.pdf](#)
[Ordinance Amendments \(Redlined\).pdf](#)
[022723 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Cooke, Assistant Fire Chief/Fire Marshall, and **Ann Echols**, Captain/Assistant Fire Marshall, were present.

Mr. Cooke shared that this is the First Reading for an Ordinance Amendment to request to Adopt a new Fire Prevention Code for the City of Rochester Hills. He explained that during the Fire Department's Strategic Planning Process, staff had identified an opportunity to advance in the Community Risk Reduction Division and added that the new Fire Prevention Code is a significant upgrade for the community. He noted that the 2021 International Fire Code has been reviewed and is what the Fire Department is recommending for adoption. He added that this Code is the most current model code available for the Fire Service and is a great fit for the community.

Mr. Cooke stated that Section 58-58, Section 307 Open Burning has been reworked to provide a document that is easy to read and understand, to define the different types of Open Burning along with the permits required for Open Burning.

Mr. Hetrick stated that the primary amendments include describing the types of Open Burning; however, more importantly the amendments include the type of permit required for Open Burning.

Mr. Cooke responded that the Open Burning permits have been in place for years; however, he felt they needed to be better defined in the Ordinance.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

Enactment No: RES0045-2023

Resolved, that an Ordinance to Amend Article III, Sections 58-57 and 58-58, of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to adopt the 2021 International Fire Code, to specify enforcement authority, and to adopt amendments to the Fire Code; and to repeal

conflicting ordinances and prescribe a penalty for violations is hereby Accepted for First Reading.

2023-0092 Request for Acceptance for First Reading - An Ordinance to Amend Article V, Division 2A, Section 54-200, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add a fee for preparation of Mortar File Permit; repeal conflicting ordinances, and prescribe a penalty for violations

Attachments: [030623 Agenda Summary.pdf](#)
[022723 Agenda Summary.pdf](#)
[Ordinance Amendments \(Redlined\).pdf](#)
[022723 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Cooke, Assistant Fire Chief/Fire Marshall, and **Ann Echols**, Captain/Assistant Fire Marshall, were present.

Mr. Cooke explained that the Mortar Fire Permits have always been in place along with the fees in a general category of Open Burning. He stated that Open Burning includes recreational fires, preparation fires and the use of portable outdoor fire places and the 2006 Code did not clearly define these types of fires. He added that with the 2021 International Fire Code update, it was time to address the Open Burning Section in the City of Rochester Hills Code of Ordinances. He noted that typically the City will have one to two requests for a Mortar Fire Permit per year and that there are no new fees, they are just clearly defined.

Public Comment:

Mr. Zendel, 1575 Dutton, questioned whether one permit is needed for each fire or is it one permit for the entire site. He added that he does not see a valid reason to regulate something that has very few requests.

Mr. Cooke responded that a permit is required for a project as a whole. He added that buildings under construction are dangerous and buildings that do not have drywall or are not fully contained can result in significant fire losses. He stated that the Fire Department feels it is important to make sure people are doing things the right way to avoid potential fires.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

Enactment No: RES0046-2023

Resolved, that an Ordinance to Amend Article V, Division 2A, Section 54-200, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add a fee for preparation of Mortar File Permit; repeal conflicting ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

ORDINANCE FOR ADOPTION

2022-0393 Request for Second Reading and Adoption - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone approximately 12 acres of land located west of Rochester Rd. and south of Cloverport Ave., Parcel Nos.15-15-429-026, 15-15-429-027, 15-15-405-004 and 15-15-429-034 from I Industrial to R-4 One Family Residential District, and Parcel 15-15-429-035 from I Industrial to B-2 General Business District, and to repeal conflicting Ordinance and to prescribe a penalty for violations

Attachments: [022723 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Agenda Summary 020623.pdf](#)
[Staff Report Rezoning 011723.pdf](#)
[Updated Public Comment 011723.pdf](#)
[PC Minutes 011723 \(Draft\).pdf](#)
[PC Regular Minutes 111522.pdf](#)
[Roediger Memo 111522.pdf](#)
[Updated Public Comment 111522.pdf](#)
[PC Regular Minutes 092022.pdf](#)
[Roediger Memo 091422.pdf](#)
[Public Comment 092122.pdf](#)
[Public Hearing Notice.pdf](#)
[Agenda Summary 082922.pdf](#)
[Resolution 082922.pdf](#)
[Resolution 020623.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, explained that this is the Second Reading for the rezoning located at Rochester Road and Cloverport. She noted that there have been no changes to the amendment since the First Reading.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Munglioli

Enactment No: RES0027-2023

Resolved, that An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone approximately 12 acres of land located west of Rochester Rd. and south of Cloverport Ave., Parcel Nos.15-15-429-026, 15-15-429-027, 15-15-405-004 and 15-15-429-034 from I Industrial to R-4 One Family Residential District, and Parcel 15-15-429-035 from I Industrial to B-2 General Business District, and to repeal conflicting Ordinances and to prescribe a penalty for violations is hereby Accepted for Second Reading and Adoption and shall become effective Monday, March 6, 2023 following its publication in the Oakland Press on Sunday, March 5, 2023.

PUBLIC COMMENT for Items not on the Agenda

Glenn Moore, 2195 Bretton, suggested that the City perform monthly health and safety inspections of group homes and added that the City should limit the number of group homes allowed. He shared that last year he paid \$700 to run

his sprinkler system and that the City of Detroit water rates are unreasonable. He suggested that the City look into other water sources such as Port Huron to reduce the water rates.

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.

- 2023-0053** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for 3M Reflective Sheeting in the amount not-to-exceed \$43,000.00 through January 25, 2025; Minnesota Mining Manufacturing, St. Paul, MN

Attachments: [022723 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Enactment No: RES0028-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 3M Reflective Sheeting to Minnesota Mining Manufacturing, St. Paul, Minnesota in the amount not-to-exceed \$43,000.00 through January 25, 2025.

- 2023-0088** Request for Acceptance of Agreement - DPS/ENG: Agreement for the installation, operations, and maintenance of the traffic signal located at the Hamlin Road crossover east of Adams Road; LRH Development, LLC, Beachwood, OH

Attachments: [022723 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Oakland County Agreement.pdf](#)
[Install Plan.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0029-2023

Resolved, that the Rochester Hills City Council hereby authorizes the agreement between LRH Development, LLC, Beachwood, Ohio and the City of Rochester Hills for the installation operations, and maintenance of the traffic signal to be located at the Hamlin Road crossover east of Adams Road and further authorizes the Mayor to execute the agreement on behalf of the City.

- 2023-0045** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 6AC Natural Stone and Class II Fill Sand Aggregate in the amount not-to-exceed \$22,880.00 through December 31, 2024; Bedrock Express LTD,

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0030-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 6AC Natural Stone and Class II Fill Sand Aggregate to Bedrock Express LTD, Ortonville, Michigan in the amount not-to-exceed \$22,880.00 through December 31, 2024.

2023-0048 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 21AA Limestone Aggregate in the amount not-to-exceed \$71,340.00 through December 31, 2024; Gary's Transport Inc., Macomb, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0031-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 21AA Limestone Aggregate to Gary's Transport Inc., Macomb, Michigan in the amount not-to-exceed \$71,340.00 through December 31, 2024.

2023-0061 Request for Purchase Authorization - DPS/FLEET: Increase to the blanket purchase order for Parts and Service for Pierce Fire Trucks in the amount of \$15,000.00 for a new not-to-exceed amount of \$40,000.00; Halt Fire Inc., Wixom, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0032-2023

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the blanket purchase order for Parts and Service for Pierce Fire Trucks to Halt Fire, Inc., Wixom, Michigan in the amount of \$15,000.00 for a new not-to-exceed amount of \$40,000.00 through June 30, 2023.

2023-0062 Request for Purchase Authorization - DPS/FLEET: Purchase of four (4) Zero-Turn Commercial Lawn Mowers in the amount not-to-exceed \$55,100.00; Midwest Power Equipment, Okemos, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0033-2023

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of four (4) Zero-Turn Commercial Lawn Mowers from Midwest Power Equipment, Okemos, Michigan in the amount not-to-exceed \$55,100.00.

2023-0065 Request for Purchase Authorization - FIRE: Blanket Purchase Order for the

purchase of emergency medical supplies in the amount not-to-exceed \$63,820.00 through February 10, 2024; Bound Tree Medical, LLC., Dublin, OH

Attachments: [022723 Agenda Summary.pdf](#)
[Contract Addenda Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0034-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the purchase of emergency medical supplies to Bound Tree Medical, LLC., Dublin, Ohio in the amount not-to-exceed \$63,820.00 through February 10, 2024.

2023-0069 Request for Purchase Authorization - MIS: Purchase of equipment and hardware maintenance for the upgrade and continued use of a Fortinet network gateway security system in the amount of \$85,785.81; Princeton IT Services, Princeton Junction, New Jersey

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0035-2023

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of equipment and hardware maintenance for the upgrade and continued use of a Fortinet network gateway security system to Princeton IT Services, Princeton Junction, New Jersey in the amount of \$85,785.81.

Passed the Consent Agenda

A motion was made by Hetrick, 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, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

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

2023-0090 Request for Purchase Authorization - OCSO: Waiver of Section 2-275(1) of the Purchasing Ordinance; Award of contract/blanket purchase order for the lease of ten (10) Automated License Plate Reader cameras in the amount not-to-exceed \$78,500.00 for a three-year term from the contract execution date; Flock Group, Inc., Atlanta, GA

Attachments: [022723 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, and **Detective Whitman**, Oakland County Sheriff's Office (OCSO), were present.

Mr. Snyder explained that he had been working with Captain Yeiser on the request for ten automated license plate readers that would be placed at strategic places throughout the City. He added that the readers would be connected to the Oakland County Sheriff's Office system to allow all of the reader devices in the County to communicate together.

President Deel questioned whether this purchase was part of the 2023 Budget.

Mr. Snyder replied that this was part of the 2023 Budget.

Public Comment:

Lee Zendel, 1575 Dutton, stated that in the request it states that the Rochester Hills Oakland County Sheriff's Office has had great success utilizing these readers, he requested elaboration on this success. He questioned why Oakland County Board of Commissioners denied this request to their own Sheriff's Department. He asked what happens if two cars are along side each other, does the reader pick up both license plate numbers or just one.

Detective Whitman responded on behalf of the OSCO and explained that he cannot answer Mr. Zendel's question in regard to the Oakland County Board of Commissioners denying the request. He added that Captain Yeiser would be better able to answer that question. He stated that in reply to the operation of the reader cameras, each camera is designated for one direction and is responsible for two lanes. He added that the devices have the speed and clarity to capture license plates in two lanes that are heading the same direction. He noted that the successes of the readers help provide investigatory leads that without the devices the OCSO would not have. He stated for example, retail fraud is a problem that there are times the suspect is gone before the OCSO arrives onsite. He added that with a camera reader, the OCSO would have leads that they would not necessarily have otherwise. He noted that Oakland County is not the only County utilizing the readers and that the authorities will be able to know the general location of a vehicle. He expressed that the successes of the Rochester Hills Oakland County Sheriff's Office substation have been exceptional.

Mr. Blair stated that he wants the OCSO to have the tools needed to get their job done safely. He shared that he has concerns about the privacy of the system and requested more information on how the OCSO will use the information provided by the readers. He questioned if the OCSO takes the information received from the reader and inputs that information into a system that will provide the results, or if there is a database that collects the information of all the vehicles that have passed the reader daily that will be stored in a cloud and available to the OCSO to look through as needed. He questioned how residents will know for sure that the system will not be abused and possibly used against them from a privacy standpoint.

Detective Whitman explained that they are able to do a vehicle search of a specific make and model of a car that passed the reader during a specific time frame. He added that the readers are not capturing an image of the people in the

vehicle, it is specifically meant to capture license plates and vehicles. He noted that the technology is not as intrusive as people think. He stated that he has never seen the readers used in a negative way and they are not used for general surveillance.

Mr. Blair questioned that if there is not a specific case being investigated, could an employer go to the OCSO and get information on a specific employee going to and from work.

Detective Whitman responded that every system or database that the OCSO uses has a disclaimer that states 'this is for law enforcement purposes only'.

President Deel stated that the data from the readers are stored with a third party and inquired if a subpoena was issued to the third party for a civil court case regarding where someone was going at a specific time of the day, whether the third party would have to honor the subpoena. He stated that if the data is housed with the OCSO it could be shielded from subpoenas for various reasons, and questioned if the data is housed with a third party could the data be subject to subpoenas.

Detective Whitman replied that he does not have the expertise to answer that question.

Mr. Staran stated that the County Corporation Counsel that advises the OCSO would have a response to whether the data would be subject to subpoenas. He stated that he was concerned about the data being subject to the Freedom of Information Act (FOIA) and added that FOIA has specific exemptions in regard to pending criminal investigations. He added that there is a possibility that the data could be obtained and used by people unaffiliated with the OCSO through a FOIA request or subpoena. He suggested directing this concern to the County Corporation Counsel for a clear answer on whether the data is subject to FOIA and subpoena.

Mr. Hetrick stated that Detective Whitman explained that the readers would be used to accelerate the ability to catch criminals. He inquired whether the OCSO would use the readers to ticket drivers that are speeding.

Detective Whitman responded that Michigan Law does not allow law enforcement to use traffic cameras to issue tickets; therefore, the readers would not be used to issue speeding tickets.

President Deel stated that the concern is that residents do not expect these readers to be used in a non-criminal manner that could personally affect them. He added that most residents would be ok with foregoing a fraction of their security to catch a criminal in their neighborhood, but they do not expect the data to be used in matters unrelated to law enforcement. He stated that the data is not housed by the City or by Oakland County; therefore, the data is not protected as if it was housed at the OCSO.

Mr. Blair reiterated that the system is a database that reports can be run to search for specific information such as vehicle model and make.

Detective Whitman replied that the system can also alert the authorities when a specific license plate number is read and added that it allows the OCSO to know when a specific vehicle is in the community.

Mr. Blair responded that he loves the idea of inputting information into the system and the authorities are alerted when the suspect passes a reader. He shared that he does not love a system that a license plate number of anyone can be inputted into and the authorities can see where that vehicle has traveled for the last 30 days. He questioned whether the system brings up additional information related to the driver or is it specific to just license plate information.

Detective Whitman responded that as far as he is aware the system is not connected to the Secretary of State's system that would produce additional information.

Mr. Walker stated that this started as a pilot program in the County and that the City of Rochester Hills had four readers that allowed the authorities to track suspects throughout the County. He questioned how effective the readers will be if the pilot program was not extended in other cities throughout the County.

Detective Whitman responded that participation region wide is necessary to make the readers as effective as possible. He shared that the Michigan State Police have recently purchased readers to place along I-75 that will assist in eliminating car chases. He added that car chases are extremely dangerous, especially at high speeds and almost always end with severe injuries or fatalities.

Mr. Walker stated if the suspect chooses a path that Michigan State Police have readers on then we have the information we need without the risk of a high-speed chase. He inquired that if the suspect chooses a path without readers, how the suspect is tracked.

Detective Whitman responded that within the City alone, the reader should pick up the information needed. He added that without region wide participation, the readers still provide value to the City.

Mr. Walker questioned whether ten readers would be enough to cover the City of Rochester Hills.

Detective Whitman replied that ten readers would effectively cover two-way traffic in at least five major intersections in the City.

Mr. Walker stated that there appears to be an effective benefit to the readers and added that he believes they would be more effective if the surrounding municipalities also utilized the readers. He noted that he shares the same concerns that Mr. Blair and President Deel have expressed, but believes that there is an effective benefit to the readers.

President Deel questioned how long the data is retained by the third party.

Detective Whitman responded that he does not know for sure, but believes the data is retained for 30 days.

Mayor Barnett stated that the OCSO feels very strong about having these readers in the City. He added that the concerns of Council are appropriate and suggested that if Council is not comfortable making a decision on this item tonight, this item could be postponed to another City Council meeting.

Ms. Morlan questioned what the process is once the information is obtained from this system and how many other surrounding communities have the readers.

Detective Whitman replied that the process is dependent upon the situation and that there are a handful of different databases that the information can be used to search the respective database to collect more information. He stated that he is unsure of how many communities have readers; however, there are many communities that already have the readers in place.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Munglioli

Enactment No: RES0036-2023

Resolved, that the Rochester Hills City Council hereby waives Section 2-275(1), formal competition required for contracts exceeding \$25,000, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Further Resolved, that the Rochester Hills City Council hereby authorizes the award of a contract/blanket purchase order for the lease of ten (10) automated license plate reader cameras to Flock Group, Inc., Atlanta, Georgia in the amount not-to-exceed \$78,500.00 for a three-year term from the contract execution date and further authorizes the Mayor to execute a contract on behalf of the City.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett provided the following City updates:

- The Community Outlook Breakfast was a great event that involved leaders from Oakland Township, Rochester, Rochester Hills and Rochester Community Schools. He added that it was great to see the support from Rochester Hills team members as well as the community.

- A little over one inch of ice had accumulated in the City over the last week. He displayed photos of the ice storm throughout the City and stated that there were several positive comments on the photos on social media. He thanked the Department of Public Services and the Forestry team for their hard work with the challenging weather.

- Rochester United, the combined Robotics Team from Rochester Adams High School, Stoney Creek High School and Rochester High School stopped by the

Mayor's Office today and celebrated their great work. He added that they are headed to the Robotics State Finals and he wished them luck.

- Rochester Adams High School Varsity Cheer Team and Rochester High School Varsity Cheer Team will be heading to the State Championship this weekend.
- Rochester Community Schools is one of the largest feeder schools into Michigan State University. He stated that there is not a family that is not impacted or connected to Michigan State University. He added that the next four Fridays the City Employees will donate to the Spartan Strong Fund through casual days. He shared that 30 deputies from Rochester Hills were dispatched to East Lansing to assist with the active shooter situation. He stated that he is proud of the way the community responded to this tragedy.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2023-0068 Request to Confirm the Mayor's Appointment of Russell Luxton, Jr. to the Citizens Pathway Review Committee for a one-year term to expire December 31, 2023

Attachments: [022723 Agenda Summary.pdf](#)
[Luxton CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

Enactment No: RES0037-2023

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Russell Luxton, Jr. to the Citizens Pathway Review Committee for the remainder of a vacant one-year term to expire December 31, 2023.

NEW BUSINESS

2023-0070 Request for Purchase Authorization - FACILITIES: Contract/Blanket Purchase Order for the LED lighting project at the Department of Public Services Garage in the amount of \$106,936.68 with a 10% project contingency in the amount of \$10,693.67 for a total not-to-exceed project amount of \$117,630.35; Tech-Electric Company, Macomb, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Proposal Tabulation BAFO Tech Electric.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Mike Viazanko, Building/Ordinance/Facilities Director, **Gary Nauts**, Facilities Manager, and Adam Dirth, DTE Account Manager, were present.

Mr. Nauts stated that the Facilities Division had been working with DTE since August of 2021 on the City's LED Lighting Project. He shared that changes were identified at the Department of Public Services (DPS) building to conserve energy. He added that LED lighting was added to the HVAC in 2021 and the City saved \$7,500 and are projected to save between \$9,000 and \$10,000 in 2023. He stated that there are more changes at the DPS building in regard to installing LED lighting and the request is for approval to move forward with the DPS building lighting changes.

President Deel stated the information in the packet states that an annual savings of \$24,000 is expected with these changes.

Mr. Hetrick stated that a savings of \$24,000 per year is excellent and inquired that it is a four-year payback agreement.

Mr. Nauts stated that is correct, it is a four-year payback agreement.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Munglioli

Enactment No: RES0038-2023

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for the LED lighting project at the Department of Public Services Garage to Tech-Electric Company, Macomb, Michigan in the amount of \$106,936.68 with a 10% project contingency in the amount of \$10,693.67 for a total not-to-exceed project amount of \$117,630.35 and further authorizes the Mayor to execute an agreement 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.

2023-0067 Request for Purchase Authorization - DPS/ENG: Purchase authorization for membership dues in the amount of \$29,800.00; Transportation Improvement Association, Troy, MI

Attachments: [022723 Agenda Summary.pdf](#)
[TIA Invoice.pdf](#)
[TIA Membership.pdf](#)
[TIA Support Letters.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for approval for the purchase of the Transportation Improvement Association (TIA) annual membership dues. He shared that the TIA is the organization that assists the Department of Public Services (DPS) with traffic studies.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungoli

Enactment No: RES0039-2023

Resolved, that the Rochester Hills City Council hereby authorizes a purchase order to Transportation Improvement Association, Troy, Michigan in the amount of \$29,800.00 for membership dues for continued participation in the organization.

2023-0047 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 21AA and 23A Natural Stone - Road Gravel and 21AA Crushed Concrete Aggregates in the amount not-to-exceed \$111,860.00 through December 31, 2024; Dani's Transport, S. Rockwood, MI,

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for authorization to purchase the stone and gravel that is used on most of the construction projects throughout the City.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungoli

Enactment No: RES0040-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 21AA and 23A Natural Stone - Road Gravel and 21AA Crushed Concrete Aggregates to Dani's Transport, S. Rockwood, Michigan in the amount not-to-exceed \$111,860.00 through December 31, 2024.

2023-0066 Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for preliminary engineering services for Leach Road Paving Project in a not-to-exceed amount of \$199,285.60; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for approval to authorize the preliminary engineering for the Leach Road paving project. He noted that the project is included in the Capital Improvement Plan and in cooperation with the Local Development Finance Authority (LDFA).

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Munglioli

Enactment No: RES0041-2023

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for preliminary engineering services for Leach Road paving project to Hubbell, Roth & Clark, Inc., Bloomfield Hills, Michigan in the amount not-to-exceed \$199,285.60 and further authorizes the Mayor to execute an agreement on behalf of the City.

2023-0084 Request for Purchase Authorization - DPS: Purchase authorization for one (1) Water System Service Truck in the amount of \$219,743.00 with a 5% project contingency in the amount of \$10,987.15 for a total not-to-exceed amount of \$230,730.15; Wolverine Freightliner-Eastside, Mt. Clemens, MI

Attachments: [022723 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for approval to purchase a utility vehicle that will replace an existing vehicle that has several thousand hours of service life on it.

Mr. Walker questioned whether the picture attached in the packet is the picture of the vehicle to be purchased.

Mr. Fritz replied that the picture attached is a picture of the old vehicle to be replaced, the new vehicle is custom built; therefore, there is not a photo to attach.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Munglioli

Enactment No: RES0042-2023

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) water system service truck to Wolverine Freightliner-Eastside, Mt. Clemens, Michigan, in the amount of \$219,743.00 with a 5% project contingency in the amount of \$10,987.15 for

a total not-to-exceed amount of \$230,730.15.

- 2023-0071** Request for Purchase Authorization - CLERKS: Waiver of Section 2-273(b) of the Purchasing Ordinance; Award of contract/project budget for the software, maintenance, design, setup, implementation and training for an Enterprise Content Management System in the amount not-to-exceed \$2,000,000.00 for a period of ten (10) years from the contract execution date; ICC Community Development Solutions, LLC., Rochester, New York

Attachments: [022723 Agenda Summary.pdf](#)
[Best and Final Offers Proposal Tabulation.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Leanne Scott, City Clerk, and **Rochelle Lyon**, Information Systems Director, were present.

Ms. Scott explained that the request before Council is for approval to authorize a contract for the software maintenance design setup, implementation and training for the City's enterprise content management system. She added that this project is a city-wide project that will be rolled out in phases and every department will utilize this software. She noted that it will take a number of years to completely roll out. She stated that the purpose of the system is to reduce physical onsite storage space, enhance document security, improve compliance, create an efficient document retrieval process, enhance backup and recovery, increase staff productivity and readily provide residents access to appropriate documents. She added that in 2008, City Council President Hooper had encouraged the City to move away from microfilm and start digitizing documents. She explained that this project has been a long time coming and will cut down on time spent on Freedom of Information Act (FOIA) requests, increase transparency and create better access amongst departments when it comes to shared documents.

President Deel expressed his support for the enterprise content management system and stated that the ability to access documents between departments will provide more efficiencies within the City. He added that residents having access to appropriate documents online is a huge benefit for both the residents and the City.

Mr. Hetrick questioned whether the annual amount will include upgrades to the system and necessary maintenance.

Clerk Scott responded that system upgrades and maintenance is included in the annual cost.

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

Aye 5 - Blair, Deel, Hetrick, Morlan and Walker

Absent 2 - Bowyer and Mungioli

Enactment No: RES0043-2023

Resolved, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Further Resolved, that the Rochester Hills City Council hereby authorizes the award of a contract/project budget for the software, maintenance, design, setup, implementation and training for an Enterprise Content Management System to ICC Community Development Solutions, LLC., Rochester, New York in the amount not-to-exceed \$2,000,000.00 for a period of ten (10) years from the contract execution date 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.

ANY OTHER BUSINESS

NEXT MEETING DATE - - Regular Meeting - Monday, March 6, 2023 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Walker and seconded by Morlan to adjourn the meeting at 8:46 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

*LEANNE SCOTT, MMC, Clerk
City of Rochester Hills*

*AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office*

Approved as presented at the (insert date, or dates) Regular City Council Meeting.