



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
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Home Page:
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*David J. Blair, Jason Carlock, Ryan Deel, Carol Morlan, Theresa Mungioli,
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, February 10, 2025

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

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

Absent 1 - David Blair

Others Present:

*Dennis Andrews, Parks & Natural Resources Deputy Director
Dan Christ, City Attorney
Ken Elwert, Parks & Natural Resources Director
Bill Fritz, Public Services Director
Tim Hollis, Building Department Deputy Director
Sara Roediger, Planning & Economic Development Director
Leanne Scott, City Clerk
Christina Wang, Rochester Hills Government Youth Council*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Mungioli, seconded by Neubauer, that the Agenda be Approved as Amended to include Discussion regarding proposed amendments to City Council Rules of Procedure Article VIII. Citizens' Rights under Any Other Business. The motion carried by the following vote:

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

Absent 1 - Blair

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced RHGYC Representative, Christina Wang.

Ms. Wang stated that she is a ninth grader at Rochester Adams High School, that this is her first year serving on RHGYC and that she also sits on the Human Resource Management Committee. She shared that during the past month, the Youth Council planned, organized, and hosted the Social Reset event at the Rochester Hills Public Library and had a total of 72 people in attendance. She announced upcoming events the Youth Council is participating in; Legislative Day on February 8, 2025, the Clinton River Watershed cleanup on April 19, 2025, and the Cultural Fair on April 26, 2025. She described that this month the Youth Council is in the planning stage for the Cultural Fair, finding possible sponsors, brainstorming event ideas, and marketing and preparation. She reported that the next RHGYC meeting will be held on Wednesday, March 5, 2025, at 6:00 p.m. at the Rochester Hills City Hall.

Older Persons' Commission (OPC):

David Walker, Chairman of the Older Persons' Commission, stated that anyone 50 and older in Rochester Hills, Rochester, and Oakland Township will receive a complimentary special edition of the OPC March newsletter mailed to their homes. He shared that in addition to the many classes and activities offered by the OPC, Wellness Week is featured with special programs, celebrity speakers, and creative demos to benefit mental health physically, mentally, and emotionally from March 10, 2025, through March 14, 2025. He encouraged all 50 and older residents of Rochester Hills to fill out a membership form with a one-time fee of \$6.00 to participate in the March programs and encouraged those who are already members to come to Wellness Week.

Rochester Area Youth Assistance (RAYA):

Ms. Mungoli reminded Council that there is still time to submit nominations for the RAYA Youth Recognition Awards.

Rochester-Avon Recreation Authority (RARA):

Ms. Mungoli encouraged everyone to register for the resident summer camps because they fill up quickly.

Ms. Mungoli shared that Council previously discussed solid waste hauler concerns and that she has not heard anything in months or weeks and gave kudos to the staff and the work that was done with Priority Waste. She encouraged everyone to utilize the Plow Tracker app to ensure they know where the plows are going to be.

Rochester Hills Museum Foundation:

Ms. Morlan shared the Rochester Hills Museum at Van Hoosen Farm visitor newsletter and described the event on February 14, 2025. She stated that the movie *The Fish Thief*, about the Great Lakes, narrated by JK Simmons, will be

shown at 7:00 p.m. She encouraged residents to go to the City website to view the newsletter to see all of the activities happening at the museum.

PRESENTATIONS

2025-0058 Administrative Update on Michigan Department of Environment, Great Lakes and Energy (EGLE) Grant No. 2023-2540; Tom Wackerman, ASTI, Presenter

Attachments: [021025 Agenda Summary.pdf](#)
[ASTI Letter 013025.pdf](#)

Tom Wackerman, outgoing ASTI Director of Environmental Services, and **Jaime Timmins-Bertan**, incoming ASTI Director of Environmental Services were present.

Mr. Wackerman shared that he is retiring at the end of the month and that Jaime will be taking on his role, but he is staying on to work on this project so he will be available for phone calls. He provided an overview and stated that they are moving into the remediation phase in their two biggest projects which will be done simultaneously with the site review process. He referenced the notes he provided to Council regarding the Hamlin Road site and the Highland Park Wood Fill site and remarked that the Hamlin Road Landfill asked for \$50 million to move them into the remediation phase, which was denied. He stated that they had a meeting with the Hamlin Road Landfill and asked them to move through getting definitive work plans one and two and number three which is a geotechnical investigation to determine building requirements. He noted that all of these pieces will come to Council to discuss the end game and how they are going to get there. He stated that the Highland Park Wood Fill is in a similar position, their work plans one and two have been completed and he is waiting for work plan three, which is a data gap work plan. He explained that they have now asked for an increase from \$9 million to \$17 million for remedy, and that ASTI is working through the same process with them as the Hamlin Road Landfill. He shared that the sewer extension on Hamlin and Adams has been completely approved and is ready to go, they are waiting on easements and once they have the easements they will set up the pre-treatment system to discharge the effluent if there is any need for groundwater pumping for the two park properties. He stated that the most exciting project is Allen Park, where the work plan has been approved or is about to be approved. He explained that for the St. Theodore properties, they are still waiting on a work plan to move forward. He provided an update from the January 10, 2025 Committee meeting that discussed the status of the budget and explained that they have set a deadline for July 1, 2025, to reconsider every project that is being driven by September 2027. He shared that they have received positive news from EGLE regarding extending the grant to ensure that the large long-term projects are able to be completed. He stated that they have also requested to extend the boundaries for area A east to Crooks Rd; the extension does not obligate them to do anything but provides the option. He noted that they are working with EGLE on additional eligible activities, specifically foundations and he is hopeful that EGLE will be able to issue a position on foundation cost as an eligible cost. He explained that they will continue to monitor the EGLE methane policy and the statewide EGLE PFAS investigation. He mentioned that they have had requests for \$61 million of the \$75 million and that they turned down a \$50 million request and a \$9 million request from the two

major projects, which means that they were not approved at this point but could be eventually. He expressed concern regarding the deadline and reiterated his hope of getting the deadline extended. He noted that they have developed a schedule to keep them on track; they are hoping to have a decision on the extended grant deadline by March 1, 2025, but there is a July 1, 2025 date to start considering alternative projects.

Mr. Walker thanked Mr. Wackerman for his 32-plus years of service in the City of Rochester Hills. He stated that they are approaching one-hundred million dollars for the Madison Park project and shared concerns regarding how much it will take to make it work. He questioned what they are asking for and why it costs that much. He remarked that Lake Village received a letter notifying them that there was methane migrating off property, which was confirmed by Mr. Wackerman. He shared that Council wants to see a copy of the letters that are being sent so that they are aware of what the residents are receiving. He noted that the Highland Park Developers upped their request from \$9 million to \$17 million, and that there was a small piece of land that they needed to purchase.

Mr. Wackerman confirmed that the additional parcel was purchased and explained that they originally thought they were purchasing the small parcel, but confusion led to them only walking away with the deed to the large parcel. He shared that they are waiting on receiving an access agreement on the small parcel.

Mr. Walker referenced the grant team working on an extension and expressed how imperative it is to the success of the project.

Mr. Wackerman stated that the EGLE staff changes are going to pose a problem due to the long-lasting relationships they had with the people that were previously involved in the projects. He shared that the new people are very good, and they have several meetings set up to bring them up to speed on the project.

Ms. Mungoli inquired whether the landowner or the rental property would send correspondence to the residents that live in the Lake Village complex or if they sent it to one person with the hope that they do something.

Mr. Wackerman shared that it is the responsibility of the landowner to send the correspondence to the owner of the adjacent properties. He stated that they are focusing on getting the landowner of Madison Park, the Hamlin Road Landfill, to investigate the existing methane management system that is on that property. He explained that they believe that is the quickest and best way to determine whether there is an issue, notification happens when you identify a contaminant near the property line.

Ms. Mungoli asked if near is defined.

Mr. Wackerman shared that near or point of compliance is not defined. He explained that they need to look at the system put in to find out what is going on with it.

Ms. Mungoli questioned if the perpetual flame is still burning from the methane or if it has burned out.

Mr. Wackerman stated that he does not think it will ever burn out on its own. He shared that he was out there recently and did not see it and pointed out that it is another system. He shared that Eagle put in both methane management systems and that they are working with them to figure out what is happening with it, who is managing it, what the data is, what the state of the system is because it is the best defense for methane migration.

Ms. Mungoli recommended reaching out to Sue White because she has been very active with the Brownfield Development Committee for years. She offered Ms. White's contact information, and stated that they want to ensure that the residents are safe and alleviate any concerns.

President Deel asked how the \$48 million TIF ranks in terms of Brownfield redevelopment projects that the City has done.

Mr. Wackerman stated that it would be the biggest TIF the City has ever done.

Presented.

2025-0063 Midwest Strategy Group Presentation

Attachments: [021025 Agenda Summary.pdf](#)
[Presentation.pdf](#)

Adam Wright, Government Relations at Midwest Strategy Group, updated the City Council that the final week of lame duck was wild, the House Republicans walked out of session in protest and a House Democrat also had a protest, leading to a lack of quorum. He shared that the Senate continued work and were in session for 30 straight hours which led to the passing of House Bill 6058, which impacts health insurance coverage. He stated that the bill was not presented to the Governor before the new legislature took over and that the new Republican Speaker of the house said that he has no interest in presenting the bill to the Governor, which led to the Senate suing the House and it is now up to the Courts to decide if there is an obligation to present the Bill to the Governor for her to consider. He noted that House Bill 5695 passed, which allows the ground emergency medical transport to be able to draw down federal dollars for Medicaid transportation that the City has. He shared that House Bill 6088 would end public transit opt-out, which mostly impacts Wayne County. He gave an update on an issue that died in lame duck; the revenue sharing trust fund, while the revenue sharing was increased overall for the budget, the revenue sharing trust fund did not make it over. He shared that this is important for local governments because it would take a portion of the State sales tax and put it in a trust fund that says it will be utilized for revenue sharing. He stated that even though it did not pass, it remains a priority of local governments throughout the state. He noted that the Public Safety and Violence Prevention Trust Fund also died in lame duck, which would have taken a certain amount of money and put it aside to distribute to communities based on their violent crime statistics. He provided an update on the short-term rental legislation that would have created a short-term rental legislation act which would have ensured local control was preserved and that the City would still be able to do everything they wanted to

regulate short-term rentals, and it would have had an excise tax that was included to bring money back to local communities. He shared that the water affordability legislation, which the City opposed because there is already a mechanism in place in this region, also died in lame duck. He stated that the paid leave and minimum wage fixes will go into effect as was passed by the legislature. He provided an update on the House of Representatives which is now in the hands of the Republican majority, the new Speaker is Matt Hall, the Speaker Pro-Tem is Rochelle Smit, the Majority Floor Leader is Bryan Posthumus, and the Minority Floor Leader is John Fitzgerald. He shared that he believes the Oversight Committee can review and look at some of the issues with EGLE that were previously discussed. He noted that the House of Representatives has passed changes to the paid leave of minimum wage plan, which will go into effect on February 21, 2025. He mentioned that the Consensus Revenue Estimating Conference took place where economists from the non-partisan Senate in-house fiscal agency and someone from the State Budget Office meet to look at the economy to determine where they believe the revenues for the state will be for the year. He provided an update on the budget presentation that took place last week and shared that the Governor will give her State of the State address, which will outline a road map for the state. He apologized that the Governor's new road plan was not included in the Council packet, it was announced the same day and provided highlights of the plan and shared that he will be providing more information on the plan in the future. He stated that the Speaker of the House also released a plan which includes a lot more cutting than what the Governor's plan does.

President Deel questioned how the unspecified cuts in the budget work.

Mr. Wright stated that it was just written that there would be a \$500 million cut, it did not state where the Governor would cut it from.

Ms. Mungoli asked how the tip wages would impact Rochester Hills or Oakland County if it does not pass by February 21.

Mr. Wright shared that it would have a significant impact on all of Michigan, there will be many businesses that are estimated to close because of it.

Ms. Mungoli stated that the City has many non-national companies that have restaurants in the area or small stores and asked if there is anything that can be done before February 21 to ensure the legislation is passed.

Mr. Wright recommended contacting State Senators that sit on the Regulatory Affairs Committee. He stated that most of the tipped employees have asked for this to be changed because they made more money under the current system than minimum wage.

Ms. Mungoli asked what committee Senator Webber sits on.

Mr. Wright shared that Senator Webber is on the same committee assignments from last term which includes the Senate Regulatory Affairs Committee.

Ms. Mungoli recommended that Council Members contact Senator Weber after the meeting.

Mayor Barnett thanked Adam and his team for all of the work they do. He stated that the \$75 million Grant to the City would not have been possible without them.

Presented.

PUBLIC COMMENT for Items not on the Agenda

None.

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.

2024-0657 Approval of Minutes - City Council Regular Meeting - May 20, 2024

Attachments: [CC Min 052024.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0019-2025

Resolved, that the Minutes of the Rochester Hills City Council Regular Meeting held on May 20, 2024 be approved as presented.

2025-0042 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 5G Slag in the amount not-to-exceed \$27,140.00 through December 31, 2026; Edw. C. Levy, Dearborn, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0020-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 5G Slag to Edw. C. Levy, Dearborn, Michigan in the amount not-to-exceed \$27,140.00 through December 31, 2026.

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.

2025-0043 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 6AC Natural Stone and Class II Fill Sand in the amount not-to-exceed \$25,040.00 through December 31, 2026; Bedrock Express LTD., Ortonville, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0021-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 6AC Natural Stone and Class II Fill Sand to Bedrock Express LTD., Ortonville, Michigan in the amount not-to-exceed \$25,040.00 through December 31, 2026.

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.

2025-0044 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 23A Natural Stone Road Gravel and 21AA Crushed Concrete in the amount not-to-exceed \$96,960.00 through December 31, 2026; Osburn Industries, Taylor, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0022-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 23A Natural Stone Road Gravel and 21AA Crushed Concrete to Osburn Industries, Taylor, Michigan in the amount not-to-exceed \$96,960.00 through December 31, 2026.

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.

2025-0047 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Brine in the amount not-to-exceed \$15,000.00 through December 31, 2026; Big Barney's Road Maintenance, Inc. Howell, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0023-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Brine to Big Barney's Road Maintenance, Inc., Howell, Michigan in the amount not-to-exceed \$15,000.00 through December 31, 2026.

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.

- 2025-0048** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Cold Patching Materials in the amount not-to-exceed \$63,840.00 through December 31, 2026; Ajax Materials Corporation, Troy, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0024-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Cold Patching Materials to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$63,840.00 through December 31, 2026.

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.

- 2025-0053** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Asphalt Paving Materials in the amount not-to-exceed \$86,320.00 through December 31, 2026; Ajax Materials Corporation, Troy, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0025-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Asphalt Paving Materials to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$86,320.00 through December 31, 2026.

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.

- 2025-0056** Request for Purchase Authorization - DPS/ENG: Purchase Authorization for membership annual dues in the amount of \$29,800.00: Transportation Improvement Association, Troy, MI

Attachments: [021025 Agenda Summary.pdf](#)
[2025 Invoice and Contract.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0026-2025

Resolved, that the Rochester Hills City Council hereby authorizes the payment of membership annual dues to Transportation Improvement Association, Troy, Michigan in the amount of \$29,800.00.

Passed the Consent Agenda

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

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

Absent 1 - Blair

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett provided the following updates:

- *The City's snowplowing policy requires over four inches of accumulation before deploying staff on overtime. The snowplowing policy is not inclusive of the ice policy and over the last weekend over 700 miles were salted, including the hills and the neighborhoods with the most dramatic elevation.*
- *He showed the plow tracker and stated that in January there was snow on 16 of the 31 days and nearly 24,000 miles were salted and plowed in that month. The City's website and Facebook are great places to get updates.*
- *A new episode of Down the Street podcast included the Home Bakery; a story about a great entrepreneur.*
- *The Rochester Hills Resiliency Center opened over the last few weeks. It is entirely free and set up for children and adults who may still be processing the challenges from the Splash pad shooting or any other challenges. The goal is to help people in the community.*
- *There have been great tournaments on Carter Lake at Spencer Park and there are more events to come. There is also skating at Innovation Hills.*
- *There were roughly 1.7 million visits to the parks in the City in 2024.*
- *The Free Street Tree program is up and running and has sold out in the last few years. He recommended people visit the City's website to get on the list to receive a tree.*
- *Avondale's Gate Magnet School was recognized as one of the top schools in the state.*

ATTORNEY'S REPORT**NEW BUSINESS**

2025-0065 Request for Approval of Michigan Department of Natural Resources Canada

Goose Nest/Egg Destruction and Canada Goose Capture, Transport, Hold and Euthanize applications and permits for Avon Lakes Homeowners' Association

Attachments: [Agenda Summary.pdf](#)
[Homeowner Association Letter.pdf](#)
[MDNR Applications.pdf](#)
[Resolution \(Draft\).pdf](#)

Bruce Graves, President of the Avon Lakes Village Homeowners Association, shared that the subdivision has been around for roughly 30 years and there has always been a problem with Canadian geese. He stated that the geese cause problems in people's backyards and in these two parks. He explained that the passing of this resolution is needed to apply to the DNR for permits. He elaborated that the nest egg destruction takes place every year and they have participated in that for roughly 15 to 20 years and pointed out that they have also participated in the capture and transport until it was discontinued roughly five years ago. He shared that the permits need to be submitted to the MDNR by March.

Mr. Walker stated that in Mr. Graves' letter, it describes that he has been attempting to gather the required signatures; an alternative to coming to City Council for approval is getting 70% of the residents to sign a petition, which would be 110 of the 156 homes in the subdivision. He asked if Mr. Graves could describe the efforts in obtaining 70% of the signatures.

Mr. Graves shared that they had four people go out three times so far and 28 signatures have been collected. He stated that the issue is that they are not able to get ahold of people, either they are not home, or they are not answering their doors. He explained that at a recent meeting it was discussed how to proceed in time to meet the MDNR deadline and they did not think they would be able to get all of the signatures in time.

Mr. Walker clarified that they have been participating in the nest egg destruction program for a period of years and asked if they every obtained 70%.

Mr. Graves stated this is the last year for the five-year nest egg destruction program and that he joined the HOA Board in 2021, so he was not involved in the process.

Mr. Walker shared that based on his research, euthanizing the Canadian goose population just came into effect last year and that it is the MDNR's solution for Canadian geese in Michigan. He stated that they are estimating the goose population to be 300,000 and they want to get that number down to roughly 225,000.

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

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

Absent 1 - Blair

Enactment No: RES0027-2025

Resolved, that the City of Rochester Hills requests the Michigan Department of natural

Resources to allow Avon Lakes Homeowners' Association to conduct a program of Canada Goose Nest/Egg Destruction and Canada Goose Capture, Transport, Hold and Euthanize for a period of five (5) years.

- 2024-0061** Request for Purchase Authorization - FACILITIES: Increase to Blanket Purchase Order for the delivery of electric energy for City Facilities in the amount of \$15,000.00 for a new not-to-exceed amount of \$555,800.00 for payment of remaining 2024 usage charges; DTE Energy, Detroit, MI

Attachments: [021025 Agenda Summary.pdf](#)
[021224 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Tim Hollis, Building/Ordinance/Facilities Deputy Director, explained that this request is a result of the rate increases the City has experienced.

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

Aye 6 - Carlock, Deel, Morlan, Mungiolli, Neubauer and Walker

Absent 1 - Blair

Enactment No: RES0028-2025

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for the delivery of electric energy for City Facilities to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount of \$15,000.00 for a new not-to-exceed amount of \$555,800.00 for payment of remaining 2024 usage charges.

- 2025-0037** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order for 2025 Electric Energy for City Facilities in the amount not-to-exceed \$562,430.00 through December 31, 2025; DTE Energy, Detroit, MI; Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Tim Hollis, Building/Ordinance/Facilities Deputy Director, stated this request is for energy charges the City will incur in 2025.

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

Aye 6 - Carlock, Deel, Morlan, Mungiolli, Neubauer and Walker

Absent 1 - Blair

Enactment No: RES0029-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the delivery of electric energy for City Facilities to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount not-to-exceed \$562,430.00 through December 31, 2025.

- 2025-0045** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for

21AA Limestone and 21AA Natural Stone-Road Gravel in the amount not-to-exceed \$103,980.00 through December 31, 2026; Mierzwa Construction LLC., Pontiac, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, requested authorization to enter into a two-year contract for the City's usage of limestone and gravel.

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

Aye 6 - Carlock, Deel, Morlan, Mungiolli, Neubauer and Walker

Absent 1 - Blair

Enactment No: RES0030-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 21AA Limestone and 21AA Natural Stone-Road Gravel to Mierzwa Construction LLC., Pontiac, Michigan in the amount not-to-exceed \$103,980.00 through December 31, 2026.

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.

2025-0046 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Calcium Chloride for dust control in the amount not-to-exceed \$250,000.00 through December 31, 2026; Liquid Calcium Chloride Sales, Kawkawlin, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated this request is for a two-year contract for the City's usage of liquid calcium chloride.

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

Aye 6 - Carlock, Deel, Morlan, Mungiolli, Neubauer and Walker

Absent 1 - Blair

Enactment No: RES0031-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Calcium Chloride for dust control to Liquid Calcium Chloride Sales, Kawkawlin, Michigan in the amount not-to-exceed \$250,000.00 through December 31, 2026.

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.

2025-0054 Request for Purchase Authorization - PARKS: Contract/Blanket Purchase Order to provide Architectural/Engineering Services for the Nowicki Park

Development in the amount not-to-exceed \$159,305.00; A3C Collaborative Architecture, Ann Arbor, MI

Attachments: [072125 Agenda Summary.pdf](#)
[A3C Proposal for Additional Services.pdf](#)
[021025 Agenda Summary.pdf](#)
[A3C Proposal for Services.pdf](#)
[021025 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, and **Dennis Andrews**, Deputy Parks & Natural Resources Director, were present.

Mr. Elwert shared that the two proposals are to start the design process for the Nowicki Park, which is approximately 35 acres. He stated that over the last several years they have gone through a conceptual design process with the public, the Planning Commission, City Council, and the Mayor's Office. He explained that this request and the one to follow are for two different professional services contracts; one is for architecture, and the other is for engineering. He shared that the timeline for the design is roughly one year, with a target of late fall or early winter to start the bid process, which would come before City Council. He stated that if Council approves this and the bid in the future, the build will likely take most of 2026. He explained that they are working on several partnerships for the project and they hope to have more news in the spring.

Mr. Walker stated that his comments are relevant to parks in general; 9,536 people voted for the parks millage in November 2021 with 12,000 people voting in total. He shared that 75% of the residents voted to invest in the parks.

Ms. Morlan asked if the architectural design is for putting in a pavilion or a building for the ability to use it for early voting.

Mr. Elwert shared that the proposal includes an alternative which will allow the City Council to decide if they want a building extension or not. He stated that a community room would certainly assist elections, but that it also has a large benefit to the general community. He explained that the current budget does not include an addition.

Ms. Morlan asked if the plans currently include any building.

Mr. Elwert stated that the park has to have year-round restrooms, which is included in the budget. He shared that if the alternate plan was approved, it would be an extension of this building.

Ms. Morlan asked if there was an estimated additional cost for the extension.

Mr. Elwert shared that the rough cost estimate was approximately 1.5 million. He stated that through the design process, they would be able to get a stronger estimate.

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

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

Absent 1 - Blair

Enactment No: RES0177-2025

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order to provide architectural/engineering services for the Nowicki Park Development to A3C Collaborative Architecture, Ann Arbor, Michigan in the amount not-to-exceed \$159,305.00 and further authorize the Procurement Manager 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.

2025-0055 Request for Purchase Authorization - PARKS: Contract/Blanket Purchase Order to provide Engineering Services for the Nowicki Park Development in the amount not-to-exceed \$548,430.00; Nowak & Fraus Engineers, Pontiac, MI

Attachments: [021025 Agenda Summary.pdf](#)
[NFE Proposal for Services.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, stated that this is the other two thirds of the Nowicki Park Development, essentially involving everything except for the building and the pavilion, which includes the dog park, both rustic and paved trails, some parking, utilities, entrance designs, landscaping and the possible waterfall.

Ms. Mungoli shared that safety is the number one priority and that the traffic surrounding the park is concerning, specifically in regard to how to design the entrance and exit when there are a passing lane and no middle lane for turning, and any changes could incur additional costs and require coordination with the County. She stated that creating an additional entrance on to the road can make it a more accident-prone area and asked if that has been part of the road conversation.

Mr. Elwert stated that the Road Commission has been engaged in discussions regarding safety and that DPS, Planning and Parks have engaged HRC for a road study of the area with the intention of safe park entrances. He shared that they are discussing safety and pedestrian access to the park and that the design process will only aid in giving them the ability to look at options in more detail.

Ms. Mungoli stated that the inability to park on the streets of Brookdale Woods is something to be considered and that the road study should be done while school is in session to get an accurate picture of traffic.

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 - Carlock, Deel, Morlan, Mungoli, Neubauer and Walker

Absent 1 - Blair

Enactment No: RES0033-2025

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order to provide engineering services for the Nowicki Park Development to Nowak & Fraus Engineers, Pontiac, Michigan in the amount not-to-exceed \$548,430.00 and further authorize the Procurement Manager 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.

2025-0024 Request for Purchase Authorization - PARKS: Project Budget for the purchase and installation of a playground at Brooklands Plaza in the amount of \$305,054.06 with a 5% project contingency in the amount of \$15,252.70 for a total not-to-exceed project budget amount of \$320,306.76; Penchura, Brighton, MI; Landscape Structures, Inc., Delano, MN

Attachments: [021025 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Playground 1.pdf](#)
[Playground 2.pdf](#)
[Playground 3.pdf](#)
[Playground 4.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, shared that this project has been through a few challenges and that there are several things that caused them to consider different options, they have gone through the process several times and re-engineered the project down to the bare minimum to still have a quality project. He stated that the original items that came in for the project with the designs were almost \$400,000 more than what is currently being shown. He explained that they made the calming water fountain smaller and did move forward with the lighted lettering, so they have done everything they can to bring the project cost down but still adhere to the spirit of what the neighborhoods and individuals were looking for. He described that the first phase is the playground, which will have a significant vegetation barrier on both sides. He stated that the project does not follow the regular bidding process because they have a company called Gordian already under contract with the City that has connections and goes through a mini bidding process. He shared that if approved, the process will start in the spring beginning with the playground elements. He explained that Niagara Murano will provide research assistance and that there is not anything that requires an architect to be involved but that the project does include improvements to the splash pad.

President Deel inquired whether the plaza was designed by Niagara Murano. He shared that he had an opportunity to look at the renderings and feels like they did a fantastic job.

Mr. Elwert confirmed that Niagara Murano designed the plaza.

Ms. Mungoli shared that she heard the Mayor say in his State of the City address that he wanted to make sure that the City has the best parks in the State, if not the Country, which is a very high goal. She stated that the Parks team has done an exceptional job and thanked them for all of the work that is being done. She added that a shelter area is important not only from a security standpoint but also because Michigan weather can fluctuate rapidly.

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

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

Absent 1 - Blair

Enactment No: RES0034-2025

Resolved, that the Rochester Hills City Council hereby authorizes a project budget for the purchase and installation of a playground at Brooklands Plaza to Penchura, Brighton, Michigan for the installation and Landscape Structures, Inc., Delano, Minnesota for the playground equipment in the project budget amount of \$305,054.06 with a 5% project contingency in the amount of \$15,252.70 for a total not-to-exceed project budget amount of \$320,306.76 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.

2025-0049 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for the Brooklands Plaza Construction in the amount of \$1,319,648.09 with a 5% project contingency in the amount of \$65,982.40 for a total not-to-exceed project amount of \$1,385,630.49; Lang Constructors, Inc., Flint, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Work Order & Cost Proposal.pdf](#)
[Brooklands Plaza Rendering 1.pdf](#)
[Brooklands Plaza Rendering 2.pdf](#)
[Brooklands Plaza Rendering 3.pdf](#)
[Brooklands Plaza Rendering 4.pdf](#)
[Brooklands Plaza Rendering 5.pdf](#)
[Brooklands Plaza Rendering 6.pdf](#)
[Brooklands Plaza Rendering 7.pdf](#)
[Brooklands Plaza Rendering 8.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File #2025-0024 for discussion.

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

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

Absent 1 - Blair

Enactment No: RES0035-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the Brooklands Plaza Construction to Lang Constructors, Inc., Flint, Michigan in the amount of \$1,319,648.09 with a 5% project contingency in the amount of \$65,982.40 for a total not-to-exceed project amount of \$1,385,630.49 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.

2025-0052 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for design construction support services for the construction phase of the Brooklands Plaza Project in the amount not-to-exceed \$17,200.00; Niagara Murano, Rochester, MI

Attachments: [021025 Agenda Summary.pdf](#)
[Proposal](#)
[Resolution \(Draft\).pdf](#)

See Legislative File #2025-0024 for discussion.

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

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

Absent 1 - Blair

Enactment No: RES0036-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for design construction support services for the construction phase of the Brooklands Plaza Project to Niagara Murano, Rochester, Michigan in the amount of \$17,200.00 and further authorizes the Procurement Manager 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.

2025-0050 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for professional services and license fees required for the Brooklands Plaza Construction in the amount of \$65,982.40; Gordian, Greenville, South Carolina

Attachments: [062325 Agenda Summary.pdf](#)
[021025 Agenda Summary \(Revised\).pdf](#)
[021025 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[021025 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File #2025-0024 for discussion.

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

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

Absent 1 - Blair

Enactment No: RES0146-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for professional services and license fees for the Brooklands Plaza Construction to Gordian, Greenville, South Carolina in the amount of \$65,982.40 and further authorizes the Procurement Manager 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.

2025-0051 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for construction engineering services for the Brooklands Plaza Project in the amount not-to-exceed \$175,856.00; Spalding DeDecker, Rochester Hills, MI

Attachments: [021025 Agenda Summary \(Revised\).pdf](#)
[021025 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File #2025-0024 for discussion.

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

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

Absent 1 - Blair

Enactment No: RES0038-2025

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for construction engineering services for the Brooklands Plaza Project to Spalding DeDecker, Rochester Hills, Michigan in the amount not-to-exceed \$175,856.00 and further authorizes the Procurement Manager 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.

ANY OTHER BUSINESS

2025-0079 Discussion regarding the proposed amendment to City Council Rules of Procedure Article VIII. Citizens' Rights

Attachments: [030325 Agenda Summary.pdf](#)
[CC Rules Article VIII \(proposed amendments\).pdf](#)
[City Attorney Email.pdf](#)
[FIRE Letter 010625.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel shared that this item was brought following the City receiving a letter from the Foundation of Individual Rights and Expression indicating that certain aspects of the City Council Rules of Procedure might be out of line with certain Sixth Circuit decisions regarding the First Amendment. He stated that Clerk Scott informed him that following reading the letter she forwarded the Council Rules of Procedure to City Attorney Mr. Christ, who did provide suggested modifications.

Dan Christ, City Attorney, shared that he had the opportunity to review the cases referenced in the letter, specifically a 2019 case, and that there is at least a colorable argument that two areas the Council's Rules of Procedure that could be modified in a manner that would insulate them from the argument that they violate the First Amendment. He suggested an edit to Article 8, Section .05, Sub A, deleting the word 'personal' because the Courts have rules that the public has a right during public comment to disagree with elected representatives of the city and make personal comments, with the deletion of 'personal' it would read 'any slanderous remarks towards the Council, Mayor, staff, or other individuals will be grounds for terminating the citizens' comment that is as edited or as proposed'. He recommended an edit to Article 8, Section .05, Sub B, to replace the word 'inappropriate' with 'disruptive' because inappropriate is vague and subjective so it would read 'disruptive and or slanderous remarks'. He stated that the proposed modifications to the Rules of Procedure will be for Council's consideration at the next meeting.

President Deel stated that Article 9 of the City Council Rules of Procedure, indicated that rules may be amended or supplemented by a vote of the majority of City Council currently holding office, provided that no vote to amend shall take place at the same meeting at which such an amendment or supplement is initially proposed.

Ms. Mungoli asked if there is a standard that better clarifies what disruptive is versus inappropriate.

Mr. Christ shared that disruptive is subject to the Chair of the meeting; disruptive would be to not allow for the meeting to continue the consideration of the items on the agenda, so while there is not a specific definition disruptive does provide clarity as it relates to the type of conduct which would be out of order during public comment. He stated that inappropriate is typically based on the content or subject of what is being said, whereas disruptive is usually as it related to the tone or volume of the proceeding.

Ms. Mungoli inquired if there is a way to have the words defined in that way to ensure that President Deel and any subsequent facilitator of the City Council meeting will know what is disruptive and give them course to have someone's microphone shut off or removed from a meeting.

Mr. Christ stated that it can happen but that it would be a definition that invariably would not include all possibilities of disruptive conduct.

Ms. Mungoli suggested Mr. Christ provide examples in a presentation at the March 3, 2025, meeting to give Council more guidance as to when someone is being disruptive to ensure consistency across situations.

President Deel recommended using language such as, including but not limited to the following and stated that typically where an item is undefined, the rules of statutory construction say that it is given its plain and ordinary meaning. He shared that the difficulty in defining terms like this is that you think you have covered every way someone can be disruptive but then someone finds a brand-new way of being disruptive that no one had thought about before.

Ms. Neubauer suggested that the vaguer Council is with respect to the definition would be more prudent. She stated that there are civil and criminal and other standards that can be used to cover their bases.

Mayor Barnett shared that the group that sent the letter sent it to a lot of different communities across Michigan and that he does not suspect that the City is one of anything unusual and that he is not too worried because the City runs a very clean operation.

Discussed.

NEXT MEETING DATE

Regular Meeting - Monday - March 3, 2025 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungiola and seconded by Neubauer to adjourn the meeting at 9:44 p.m.

RYAN DEEL, President
Rochester Hills City Council

LEANNE SCOTT, MMC, Clerk
City of Rochester Hills

KAMRYN HOADLEY
City Clerk's Office

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

