



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

*David J. Blair, Jason Carlock, Ryan Deel, Carol Morlan, Theresa Mungiola, Marvie Neubauer and David Walker*

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

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

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Monday, February 12, 2024

7:00 PM

1000 Rochester Hills Drive

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#### 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 - David Blair, Jason Carlock, Ryan Deel, Carol Morlan, Marvie Neubauer and David Walker

**Absent** 1 - Theresa Mungiola

#### Others Present:

*Bryan Barnett, Mayor  
Chief Sean Canto, Fire Chief/Emergency Services Director  
Matt Einheuser, Natural Resources Manager  
Bill Fritz, Public Services Director  
Larry Gambatto, Captain/Training Officer  
Shelby Henderson, Administrative Associate II - Youth Council  
Brooke Insana, Human Resources Director  
Chris McLeod, Planning Manager  
Sara Roediger, Planning and Economic Development Director  
Leanne Scott, City Clerk  
John Staran, City Attorney  
Laurie Taylor, Assessing Director  
Mike Viazanko, Building/Ordinance/Facilities Director  
Jodi Welch, Manager of Ordinance Services*

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

A motion was made by Blair, seconded by Walker, that the Agenda be Approved as Amended to move Legislative File 2024-0060 "Request for the Michigan Liquor Control Commission approval of an application for a Transfer of a Class C & SDM License with Sunday Sales Permit submitted by Five and Dime Hospitality Group, LLC d/b/a/ Dime Store" from New Business to Planning and Economic Development immediately following Legislative File 2024-0011. The motion carried by the following vote:

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungiolli

## COUNCIL AND YOUTH COMMITTEE REPORTS

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

*President Deel* introduced RHGYC Representative, Maya Vijayakumar.

*Ms. Vijayakumar* shared that at their last RHGYC meeting on January 3, 2024, they focused on electing new members for leadership positions and they also focused on brainstorming ideas for the Annual Cultural Event. She explained that members interested in leadership positions gave a speech, and then nominations were made and a vote was conducted. She announced that Aaron Yoon was elected as Chairperson, Eliza Pizzuti was elected as Vice Chairperson, and Siddh Sheth was elected as Secretary. She continued that they did a writing activity to compile all of their ideas for the upcoming Cultural Event.

## RECOGNITIONS

**2024-0057** Proclamation in Recognition of the West Middle School Boys Basketball Team

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)

*Ms. Neubauer* presented a proclamation to the West Middle School Eighth Grade Boys Basketball team for their City Championship.

*Mayor Barnett* encouraged the team and their fellow classmates to apply for the Rochester Hills Government Youth Council in their high school years.

**Presented.**

**2024-0090** Proclamation in Recognition of Oceania Inn

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)

*Mr. Blair* presented a proclamation to the owners of the Oceania Inn.

*Paul Leung*, owner of Oceania Inn, shared that he has enjoyed every day of

*running a business in Rochester Hills and that Oceania Inn will continue to serve the best Chinese food.*

**Presented.**

## PRESENTATIONS

**2024-0065** Swearing-In Ceremony for Eight New Fire Staff Members

**Attachments:** [021224 Agenda Summary.pdf](#)

**Chief Sean Canto**, Fire Chief / Emergency Services Director, stated that this Swearing-In Ceremony is confirmation to the incoming candidates that they are becoming a part of a very special family. He continued that it is also confirmation that they are going to be held accountable, as it is a privilege to wear and honor the badge.

**Clerk Scott** administered the Oath of Office to Kyrstin Sheridan, Justin Maher, Anthony Summers, Jay Coaster, Nicholas Matz, Garrison Elliott, Logan Curtis, and Robert Trevino.

**Presented.**

**2024-0089** Presentation on Rochester Community Schools Operating Millage Proposal; Rochester Community Schools, Matthew McDaniel, Assistant Superintendent of Business Operations, presenter

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Presentation.pdf](#)

**Matthew McDaniel**, Assistant Superintendent of Business Operations for Rochester Community Schools, presented the following information regarding the Rochester Community Schools Operating Millage Proposal:

- All Michigan school districts must levy 18 mills on non-homestead property to receive their full per-pupil foundation allowance.

- The operating millage is not a tax on owned primary residents (\$0/year).

- It is an 18-mill levy that applies to properties, such as businesses, vacations homes, investment and rental properties.

- If the millage does not pass, RCS per-pupil funding would fall from \$9,608 to \$8,060 which equates to a loss of \$24.5 million per year from the general fund.

- This represents approximately 10.7% of current budgeted general fund revenues.

- The district general fund covers everything necessary to provide educational programs and services for RCS students, such as:

- Salaries and benefits
  - Safety and security
  - Custodial and grounds
  - Supplies
  - Transportation
  - Athletics
- In all Michigan school districts, the 18-mill, non-homestead levy is subject to rollbacks, per the 1978 Headlee Amendment to the Michigan Constitution.
- While school districts cannot levy more than 18 mills on non-homestead property, Rochester Community Schools is requesting that voters consider a 19.0004 millage authorization to protect against future rollbacks if and when they should happen over the next five years.
- What every taxpayer needs to know:
- The operating millage is not a tax on owned primary residences.
  - Approval of the millage would not cause tax rates to increase for non-homestead properties, only applies to properties such as businesses, investment, rental, and vacation homes.
  - This millage would maintain the per-pupil foundation allowance set by the state. If it does not pass, RCS per-pupil funding would fall from \$9,608 to \$8,060, which equates to a loss of approximately \$24.5 million per year.
  - A loss of \$24.5 million per year from the RCS general fund would be a significant loss of funding for education programs and services for our students.

**Mayor Barnett** thanked Mr. McDaniel for his presentation and encouraged all residents to get out and vote.

**Presented.**

**2024-0088** Rochester Hills Government Youth Council Bi-Annual Report

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Presentation.pdf](#)

Rochester Hills Government Youth Council (RHGYC) Representatives **Maya Vijayakumar** and **Henry Hall** were present.

**Ms. Vijayakumar** and **Mr. Hall** provided the following RHGYC Bi-Annual Report to Council:

- Their first meeting of the year was an Orientation with new RHGYC members, where they had lunch with City Council members, Department Heads, and other key employees within the City.
- The RHGYC assisted with Mayor Barnett's State of the City address
- The RHGYC attended the Rochester Hills Fire Department Open House and were able to witness demonstrations conducted by the firefighters.
- The RHGYC assisted with the Community Foundation Tailgate and it was a great event.
- They RHGYC served as ushers and assistants during the Oath of Office

*Ceremony for Mayor Barnett and incoming City Council Members.*

*- One of their first meetings of the year was a tour of the Department of Public Services Garage, where they were able to learn about the services that department provides to the City.*

*- The RHGYC adopted a family through the New Day Foundation and went shopping for meals for the family during the Holiday Season.*

*- The Holiday Party was at Van Hoosen Farms and it was a great event where they also got to learn about the history of the City.*

*- Light the Village was a success and the RHGYC assisted with passing out free wands to children that were provided by the Mayor's Office.*

*- The RHGYC marched in the Hometown Parade with the City Council*

*- The Exam Cram Event was cancelled due to the snow storm, but they look forward to holding it next year.*

**Mr. Hall** stated that it was his last year on the RHGYC and that he is looking forward to the upcoming Cultural Event.

**President Deel** expressed his appreciation for the RHGYC and thanked them for the hard work they are doing for the City.

Presented.

## ORDINANCE FOR INTRODUCTION

**2024-0066** Request for Acceptance of First Reading - An Ordinance to add Section 30-33 to Chapter 30, Community Development, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to provide service charge in lieu of taxes and authorize provisions relating to Avon Towers Preservation Limited Dividend Housing Association Limited Partnership eligible under the State Housing Development Authority Act of 1966, and repeal conflicting ordinances, and prescribe a penalty for violations

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

**Laurie Taylor**, Assessing Director, shared that on January 8, 2024, City Council approved the establishment of a Payment in Lieu of Taxes (PILOT) Agreement and authorized the City Attorney to draft an ordinance to exempt Avon Towers from property taxes and establish an annual service fee of six and three quarters percent of sheltered rents. She continued that this request is for First Reading of the ordinance draft of this agreement.

**President Deel** commented that he had the opportunity to review the ordinance and that it includes everything they have discussed in the past regarding this agreement. He added that the agreement will help to recapture the revenue that the City would have normally received if Avon Towers was not classified as a tax-exempt entity.

**Vice President Walker** noted that this was already agreed to and that this is just a part of the process to put the ordinance in place.

**Ms. Taylor** stated that was correct.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0072-2024

**Resolved**, that an Ordinance to add Section 30-33 Avon Towers Preservation Limited Dividend Housing Association Limited Partnership (a/k/a Avon Towers) to Chapter 30, Community Development, of the Code of Ordinances of the City of Rochester Hill, Oakland County, Michigan, repeal conflicting Ordinances, and prescribe a penalty for violations is hereby accepted for First Reading.

**2024-0071** Request for Acceptance of First Reading - An Ordinance to add Article IV, Geese Management to Chapter 14, Animals, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to prohibit geese feeding, repeal conflicting ordinances, and prescribe a penalty for violations

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

**Mike Viazanko**, Building/Ordinance/Facilities Director, and **Jodi Welch**, Manager of Ordinance Services, were present.

**Mr. Viazanko** stated that this request is to expand the restrictions for the feeding of geese that was brought to the City's attention by some of the Homeowners Associations. He explained that the ordinance was silent when it came to this issue.

**President Deel** noted that he is on the board of his Homeowner's Association and that geese are an annual issue for them, so he is happy an ordinance will be in place for this.

**Mr. Blair** commented that this ordinance is long overdue and questioned what is required as proof for someone reporting the feeding of the geese.

**Mr. Viazanko** responded that inspectors will make a site visit to the property.

**Ms. Welch** added that they would likely ask permission to view it from a neighboring property. She noted that residents have also emailed them videos and photos to be used as evidence.

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

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0073-2024

**Resolved**, that an Ordinance to add Article IV, Geese Management to Chapter 14, Animals, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to prohibit geese feeding, repeal conflicting ordinances, and prescribe a penalty for violations is hereby accepted for First Reading.

**2024-0073** Request for Acceptance of First Reading - An Ordinance to repeal Section 78-171 and to amend Sections 78-210 and 78-213 of Chapter 78, Peddlers, Solicitors and Itinerant Merchants, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define "Ice Cream Vendor"; require an ice cream vendor to undergo a background check; prescribe a penalty for violations and repeal conflicting ordinances

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

**Mike Viazanko, Building/Ordinance/Facilities Director, and Jodi Welch, Manager of Ordinance Services, were present.**

**Mr. Viazanko** stated that there is nothing new being presented for this ordinance, it is just moving the ordinance to a new section that addresses food trucks and itinerant merchants.

**President Deel** questioned if ice cream trucks and food trucks are subject to the requirements established by the Oakland County Health Department.

**Mr. Viazanko** responded that was correct. He added that the requirements for a background check for ice cream trucks are necessary because they tend to deal with children more than food trucks.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0074-2024

**Resolved**, that an Ordinance to repeal Section 78-171 and to amend Sections 78-210 and 78-213 of Chapter 78, Peddlers, Solicitors and Itinerant Merchants, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define "Ice Cream Vendor"; require an ice cream vendor to undergo a background check; prescribe a penalty for violations and repeal conflicting ordinances is hereby accepted for First Reading.

- 2024-0074** Request for Acceptance of First Reading - An Ordinance to amend Sections 54-501 and 54-502 in Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for itinerant merchants and ice cream vendors and repeal conflicting ordinances, and prescribe a penalty for violations

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

**Mike Viazanko**, Building/Ordinance/Facilities Director, and **Jodi Welch**, Manager of Ordinance Services, were present.

**Mr. Viazanko** noted that they are once again moving the ordinance to a new section that is more appropriate for the ordinance.

#### **Adopted by Resolution**

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0075-2024

**Resolved**, that an Ordinance to amend Sections 54-501 and 54-502 in Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for itinerant merchants and ice cream vendors and repeal conflicting ordinances, and prescribe a penalty for violations is hereby accepted for First Reading.

## **PLANNING AND ECONOMIC DEVELOPMENT**

- 2024-0086** Administrative Update on Michigan Department of Environment, Great Lakes, and Energy (EGLE) Restoration and Remediation Grant; Tom Wackerman, ASTI Environmental, Presenter

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Memo Asti 013124.pdf](#)

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

**Ms. Roediger** shared that this is a quarterly update regarding the EGLE Grant that was received.

**Mr. Wackerman** commented that the applications for the Grant went live on January 2, 2024, and that the first two applications were received on January 10, 2024 for City properties: The Hamlin Road Sewer Extension and the Helen V Allen Park. He noted that these were reviewed by EGLE and that the next step will be to get access agreements and work plans ready for the assessments. He continued that they petitioned EGLE in December to add additional areas within the City to the Grant, and that was granted on January 24, 2024. He stated that on January 26, 2024 the City made application for two additional

*properties: two potential parks on Livernois Road and Auburn Road. He added that on January 22, 2024, they made their first reimbursement request of \$14,302 for the policy preparation and meetings that were done. He announced that on January 25, 2024, they received their first real application for the Highland Woodfill area on the north end of Area B for a redevelopment of residential property in the amount of over \$9 million. He explained that the application is administratively complete and that it has also been reviewed by the Advisory Committee, so the next step is to bring it to City Council. He shared that there has been other interest made, but no other formal applications have been made yet. He continued that to date, they have had requests for about \$12 million in expenditures and \$2.1 million has been approved. He added that they have expended about \$14,000.*

**President Deel** noted that the Woodfill area in Area B is the property located between John R and Dequindre on the south side of the road.

**Mayor Barnett** remarked that this is an exciting and complicated process and that they have three years to complete it. He thanked Mr. Wackerman and his team for their work on this on behalf of the City. He stated that it is the City's desire to be fully transparent on how the funds are spent.

**Vice President Walker** commented that the more assessments they are able to do on these contaminated properties, the better for the City. He noted that he is on the subcommittee with President Deel that is dedicated to the implementation of this Grant.

**President Deel** expressed his excitement for this Grant and that it is unprecedented for the City.

**Ms. Morlan** stated that it is a wonderful opportunity for the City to be able to clean up the contaminated properties.

**President Deel** questioned when the next update on this Grant will be.

**Mr. Wackerman** stated that it depends on the amount of activity they receive, but it should be in two to three months.

**Presented.**

**2024-0011** Request for Conditional Use Approval for alcoholic beverage sales for onsite consumption at The Dime Store Restaurant, located at 6920 N. Rochester Road within the Papa Joe's Shopping Center on the west side of Rochester Road and north of Tienken Road; Mitchell Freem, Five and Dime Hospitality Group, Applicant

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Staff Report Corrected 020224.pdf](#)  
[Staff Report 011024.pdf](#)  
[Minutes PC 011624 \(Draft\).pdf](#)  
[Plans.pdf](#)  
[Development Application.pdf](#)  
[Environmental Impact Statement.pdf](#)  
[Menu.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)  
[Suppl Presentation.pdf](#)

**Chris McLeod**, Planning Manager, **Mitchell Freem**, The Dime Store, **George Sleator**, The Dime Store, **Jeffrey Alexander**, The Dime Store, **Ann-Marie Murphy**, The Dime Store, and **Larry Khan**, The Dime Store, were present.

**Mr. McLeod** presented the following information regarding the Conditional Use Permit request for The Dime Store:

- Current Site
  - West of Rochester Road, North of Tienken
  - Tenant space is former Grand Traverse Pie Company
- Applicant
  - Five and Dime Hospitality Group LLC
- Request
  - Conditional Use Permit for On Premise Consumption of Alcohol
    - Hours of Operation: 8:00 a.m. to 3:00 p.m.
    - Breakfast and Lunch Menu
    - Employees: 38
    - Seating: Indoor/Outdoor (\*As noted at the Planning Commission meeting, outdoor seating may be utilized at a later date once the use is established)
- Surrounding Context
  - Site:
    - Zoning: NB Neighborhood Business District with FB Flex Business District (Planned Unit Development)
    - Existing Land Use: Papa Joes, RH Social, Cellular store, salon, fitness, etc.
    - Future Land Use: Commercial Residential Flex 2
  - North:
    - Zoning: NB Neighborhood Business District and Office with FB Flex Business District
    - Existing Land Use: Beaumont Medical Center, Cellular Tower
    - Future Land Use: Commercial Residential Flex 2
  - South:
    - Zoning: NB Neighborhood Business District with FB Flex Business District
    - Existing Land Use: Huntington Bank and Rochester Periodontics and Dental
    - Future Land Use: Commercial Residential Flex 2
  - East:

- Zoning: Office with FB Flex Business District
- Existing Land Use: Starbucks and Rite Aid
- Future Land Use: Commercial Residential Flex 2 (across Orion Road) and Residential Office Flex (across Rochester Road)
- West:
  - Zoning: NB Neighborhood Business District with FB Flex Business District
  - Existing Land Use: Avon North Hill Lanes
  - Future Land Use: Residential Office Flex
- Review Criteria
  - Will promote the intent and purpose of (the Ordinance).
  - Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.
  - Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
  - Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
  - Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**Mr. Freem** stated that this will be their second location, with the first location being in Downtown Detroit. He commented that The Dime Store has been in business for ten years and that it is a neighborhood restaurant that provides the best service and food that their guests deserve. He shared that about 20 percent of the original staff is still employed with them. He explained that while they are looking to serve alcohol, it is not their main focus, their main focus is their food.

**Vice President Walker** welcomed The Dime Store to Rochester Hills.

**Mr. Carlock** shared that he has visited their location in Detroit and thanked them for choosing Rochester Hills for their second location.

**Ms. Neubauer** thanked him for his presentation at the Planning Commission and for answering all of their questions.

**Mayor Barnett** commented that this community loves to support local businesses and that he is glad they are coming to the City.

**Ms. Morlan** questioned when they plan to open.

**Mr. Freem** responded that they are planning for the first week of June, but that they are hoping for a little bit earlier.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0053-2024

**Resolved**, that the Rochester Hills City Council hereby Approves the Conditional Use to allow sales for on premises alcoholic beverage consumption associated with a restaurant use, based on documents received by the Planning Department on November 30, 2023 with the following findings:

### **Findings**

1. The proposed use will promote the intent and purpose of the Zoning Ordinance.
2. The existing building and proposed conditional use have been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposed restaurant use should have a positive impact on the community as a whole and the surrounding area by providing additional eating and gathering opportunities within the Neighborhood Business District and Papa Joe's Development.
4. The existing building and proposed use are served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The existing building and proposed use should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**2024-0060**

Request for the Michigan Liquor Control Commission approval of an application for a Transfer of a Class C & SDM License with Sunday Sales Permit submitted by Five and Dime Hospitality Group, LLC d/b/a/ Dime Store

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

**Chris McLeod**, Planning Manager, **Mitchell Freem**, The Dime Store, **George Sleator**, The Dime Store, **Jeffrey Alexander**, The Dime Store, **Ann-Marie Murphy**, The Dime Store, and **Larry Khan**, The Dime Store, were present.

**Clerk Scott** stated this request is for Council to recommend that the Michigan Liquor Control Commission (MLCC) approves their request to transfer in a Class C and SDM License with a Sunday Sales Permit. She explained that the

*Liquor License Technical Review Committee met on January 25, 2024 and voted unanimously to recommend approval to the MLCC, contingent upon the approval of the Conditional Use Permit.*

*Mr. Blair shared that their application was in good order and that they answered their questions satisfactorily. He stated that there is no issue from the City in regards to Liquor sales at their restaurant and wished them success.*

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

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0054-2024

**Resolved**, that the Rochester Hills City Council recommends that the application for a Transfer of a Class C & SDM License with Sunday Sales Permit submitted by Five and Dime Hospitality Group, LLC d/b/a Dime Store to be located at 6920 N. Rochester Road be considered for approval by the Michigan Liquor Control Commission.

**2024-0003**

Request for Conditional Use Approval for Oakland Gospel Hall to convert the existing residence to be used as a place of worship in the R-2 One Family Residential zoning district at 1590 Walton Boulevard, located on the north side of Walton and west of Livernois; Trevor Hewitt, Detroit Meeting Rooms, Inc., Applicant

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Email Hewitt 012424.pdf](#)  
[Minutes PC 011624 \(Draft\).pdf](#)  
[Staff Report 011024.pdf](#)  
[Plans-Reviewed.pdf](#)  
[Development Application.pdf](#)  
[Environmental Impact Statement.pdf](#)  
[Letter Bennett 031023.pdf](#)  
[Public Comment 011824.pdf](#)  
[Public Comment 010924.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)  
[Suppl Presentation.pdf](#)

**Chris McLeod**, Planning Manager, **Trevor Hewitt**, Oakland Gospel Hall, **Larry Ursell**, Oakland Gospel Hall, and **Jonathan Truan**, Oakland Gospel Hall, were present.

**Mr. McLeod** presented the following information regarding the Conditional Use Permit request for Oakland Gospel Hall:

- Site
  - West of Livernois, north side of Walton Boulevard
  - Existing Vacant Residence
- Applicant

- Trevor Hewitt
- Surrounding Context
  - Site:
    - Zoning: R-2 One Family Residential District
    - Existing Land Use: Vacant
    - Future Land Use: Commercial Residential Flex-2
  - North:
    - Zoning: R-2 One Family Residential District
    - Existing Land Use: Single Family Residential (Lochmoor Hills)
    - Commercial Residential Flex-2
  - South:
    - Zoning: RM-1 (across Walton Boulevard)
    - Existing Land Use: Huntington Park (multiple family) (across Walton Boulevard)
    - Future Land Use: Commercial Residential Flex-2 (across Walton Boulevard)
  - East:
    - Zoning: R-2 One Family Residential District
    - Existing Land Use: Abiding Presence Lutheran Church
    - Future Land Use: Commercial Residential Flex-2 and Residential 4
  - West:
    - Zoning: R-2 One Family Residential District
    - Existing Land Use: Single Family Residential (Lochmoor Hills)
    - Future Land Use: Residential 4
- Request
  - Conditional Use Permit for a Place of Worship
    - Sunday and Monday Gatherings
    - Minimal number of hours
    - Intended Occupancy of 42 - Parking Onsite is 14 spaces
    - No Outdoor Services
    - Reduced Building Size, New Building Façade
    - New Lighting in Parking Area
    - Additional Landscaping
    - Additional Pedestrian Amenities
    - Additional Stormwater Improvements
- Review Criteria
  - Will promote the intent and purpose of (the Ordinance).
  - Will be designed, constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.
    - Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, refuse disposal, or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
    - Will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

- Will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community
- Design Standards for Specific Uses
  - Section 138-4.427 - Places of Worship or Assembly
    - Places of worship or assembly may be permitted in any zoning district subject to the following conditions:
      - The site shall be so located as to provide for ingress and egress from such site directly onto a major or secondary thoroughfare having an existing or planned right-of-way at least 120 feet in width as shown on the current City Master Thoroughfare Plan. For places of worship or assembly established before the adoption of this ordinance, ingress and egress onto a major or secondary thoroughfare with an existing or planned right-of-way of at least 86 feet in width shall meet this condition.
      - Buildings of greater than maximum height as allowed by Section 138-5.100 of this Ordinance may be allowed, provided front, side, and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.
      - Steeples, bell towers, and similar architectural features are exempt from the height requirements of this Ordinance
      - For places of worship or assembly greater than 5,000 square feet, abutting a property that contains a residential use, a Landscape Buffer D shall be required in the rear and side yards.

**Mr. Hewitt** shared that their group has about 300 members in Metro-Detroit and that they have migrated to the northern suburbs over the last ten years. He shared that they were attracted to Rochester Hills because of the diversity and inclusion that they have experienced. He continued that the main location is in Troy, where they meeting for the main Gospel preaching and readings of the scriptures. He added that they meet in smaller groups on Sunday mornings for Communion and on Monday evenings for Prayer. He stated that they want to improve the site and fit into the neighborhood.

**President Deel** noted that it looks like they are making stormwater improvements to the location and that the traffic load on Walton Boulevard will be very minimal.

**Ms. Neubauer** commented that they came before the Planning Commission and that it was unanimously approved. She remarked that she noticed there will not be an agreement for parking with the next door property.

**Mr. Hewitt** responded that was correct and that the neighboring property owners were open to an agreement, but they decided they were just going to keep the fourteen parking spaces.

**Vice President Walker** expressed that he likes when a property has been repurposed and renovated, as they have done. He questioned if anyone will be reporting to the property daily and stated that the property needs to be maintained if it is vacant for the majority of the week.

**Mr. Hewitt** responded that they typically will not be reporting to it daily and that

*they have a rotation of who will routinely check on and care for the property.*

**Ms. Morlan** questioned if the days the property will be used will ever differ from the proposed Sunday and Monday schedule.

**Mr. Hewitt** stated that he does not want to commit that there will never be something that comes up, but that the majority of things are handled privately elsewhere.

**Ms. Morlan** inquired whether they have outgrown their other locations and if there are other locations that small groups meet.

**Mr. Hewitt** commented that they have 38 people in their small group and that they are currently meeting out of their homes. He added that there are two other small group locations in Rochester Hills: one on Auburn Road and one on South Boulevard, one in Troy, and three others that are in other communities.

**Mr. Blair** remarked that churches provide so much for a community and thanked them for coming to the City.

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

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungoli

Enactment No: RES0055-2024

**Resolved**, that the Rochester Hills City Council hereby approves the Conditional Use to allow a place of worship at 1590 Walton Boulevard, based on plans received by the Planning Department on November 29, 2023, with the following findings.

#### **Findings**

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by offering an additional place of worship.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**Conditions**

1. That the total occupancy of the building shall not exceed 42 persons based on the total number of parking spaces being provided onsite.
2. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing.
3. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

**2024-0087** Request for Acceptance of the Historic District Study Committee Report on the Winkler Mill Pond Historic District

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Memo McLeod 010324.pdf](#)  
[Staff Report 010224.pdf](#)  
[Adopted Final Report 011124.pdf](#)  
[Contributing Property Inventory Forms.pdf](#)  
[Non-Contributing Property Inventory Forms.pdf](#)  
[Letters Sent 102523.pdf](#)  
[Research Sources.pdf](#)  
[Minutes HDSC \(Draft\) 011124.pdf](#)  
[Minutes HDSC \(Draft\) \(Revised\) 011124.pdf](#)  
[Minutes HDSC 110923.pdf](#)  
[Minutes HDSC 101223.pdf](#)  
[Minutes PC 091923.pdf](#)  
[Minutes HDSC 081023.pdf](#)  
[Minutes HDSC 060823.pdf](#)  
[Minutes HDC 030923.pdf](#)  
[Public Hearing Notice and Reminder.pdf](#)  
[041723 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)  
[Suppl Presentation.pdf](#)

**Chris McLeod**, Planning Manager, and **Kristine Kidorf**, Kidorf Preservation Consulting, were present.

**Mr. McLeod** explained that this came from a 2002 study that stated the City needed to reevaluate the Winkler Mill Pond Historic District. He stated that in 2019, the City engaged Ms. Kidorf to conduct that study and that the Historic Districts Study Committee recommended that the Winkler Mill Pond Historic District remain unchanged. He expressed that this was a surprise and that the initial recommendation was that it would be altered to reduce its size by at least half. He continued that it became clear to the Historic Districts Study Committee that the Historic District remains whole. He concluded that this request would be to accept that plan.

**President Deel** noted that this is why these matters are referred to be studied and that the residents understand the cohesiveness of the entire Historic District.

**Ms. Morlan** commented that there is a lot of history in Rochester Hills and thanked Ms. Kidorf for her time studying this matter.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0056-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the Final Winkler Mill Pond Historic District as written, and not amend the boundaries of the current district.

**2024-0043** Request for Acceptance of the 2023 Planning and Economic Development Department Annual Report

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Annual PED Report 2023.pdf](#)  
[Memo Roediger-McLeod 012924.pdf](#)  
[Minutes PC-CC 012924 \(Draft\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Planning and Economic Development Director, and **Chris McLeod**, Planning Manager, were present.

**Ms. Roediger** stated that this request is for the acceptance of the 2023 Planning and Economic Development Department Annual Report that highlights activities from the past year. She added that this is required by State law.

**Ms. Neubauer** remarked that the City has the best Planning and Economic Development team and thanked them for the work that they do.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0057-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the 2023 Planning and Economic Development Department Annual Report.

## **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.

**2023-0631** Approval of Minutes - City Council Regular Meeting - September 11, 2023

**Attachments:** [CC Min 091123.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0032-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Regular Meeting held on September 11, 2023 be approved as presented.

**2023-0632** Approval of Minutes - City Council Regular Meeting - September 25, 2023

**Attachments:** [CC Min 092523.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0033-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Regular Meeting held on September 25, 2023 be approved as presented.

**2023-0633** Approval of Minutes - City Council Special Meeting - October 9, 2023

**Attachments:** [CC Special Min 100923.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0034-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Special Meeting held on October 9, 2023 be approved as presented.

**2023-0634** Approval of Minutes - City Council Regular Meeting - October 9, 2023

**Attachments:** [CC Min 100923.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0035-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Regular Meeting held on October 9, 2023 be approved as presented.

**2023-0635** Approval of Minutes - City Council Special Meeting - October 23, 2023

**Attachments:** [CC Special Min 102323.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0036-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Special Meeting held on October 23, 2023 be approved as presented.

**2023-0636** Approval of Minutes - City Council Regular Meeting - October 23, 2023

**Attachments:** [CC Min 102323.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0037-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Regular Meeting held on October 23, 2023 be approved as presented.

**2024-0033** Request for Purchase Authorization - HUMAN RESOURCES: Blanket Purchase Order/Contract for Labor and Employment Legal Services in the amount not-to-exceed \$90,000.00 through January 31, 2025; Keller Thoma, P.C., Southfield, MI

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

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

Enactment No: RES0038-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for labor and employment legal services to Keller Thoma, P.C., Southfield, Michigan in the amount not-to-exceed \$90,000.00 through January 31, 2025.

**2024-0064** Request to Adopt the Updated Poverty Exemption Guidelines

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Poverty Exemption Guidelines 2024.pdf](#)  
[Poverty Exemption Guidelines With Changes.pdf](#)  
[MCL 211.7u Prior To 2023 Amendment.pdf](#)  
[MCL 211.7u Amended Nov 7, 2023.pdf](#)  
[STC Bulletin 3 Of 2021.pdf](#)  
[STC Bulletin 22 Of 2023.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0039-2024

**Whereas**, the adoption of guidelines for poverty exemptions is within the purview of the City Council; and

**Whereas**, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and Public Act 253 of 2020; and

**Whereas**, pursuant to Public Act of 1994, the City of Rochester Hills, Oakland County, Michigan adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding two years;

**Now, Therefore, Be It Resolved**, that the City Council adopts the guidelines for poverty exemptions.

**2024-0076** Request for Purchase Authorization - FIRE: Blanket Purchase Order for the purchase of emergency medical supplies in the amount not-to-exceed \$67,010.00 through February 10, 2025; Bound Tree Medical., LLC., Dublin, OH

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

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

Enactment No: RES0040-2024

**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 \$67,010.00 through February 10, 2025.

**2024-0054** Request for Purchase Authorization - FACILITIES: Contract/Blanket Purchase Order for 2024 Plant Health and Lawn Care for City-owned sites in the amount not-to-exceed \$62,000.000 through December 31, 2024; Owen Tree Service, Attica, MI

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

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

Enactment No: RES0041-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for 2024 plant health and lawn care for city-owned sites to Owen Tree Service, Attica, Michigan in the amount not-to-exceed \$62,000.00 through December 31, 2024 and further authorizes the Mayor to execute an agreement on behalf of the City.

**2024-0081** Request for Purchase Authorization - FACILITIES: Purchase of one (1) new LED Screen to replace the LED screen located in the Monument Sign at the City Hall entrance in the amount not-to-exceed \$33,686.00; MI Custom Signs, Taylor, MI

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

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

Enactment No: RES0042-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes the Purchase of one (1) new LED Screen to replace the LED screen located in the Monument Sign at the City Hall entrance to MI Custom Signs, Taylor, Michigan in the amount not-to-exceed \$33,686.00.

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

- 2024-0082** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for generator preventative maintenance and repairs in the amount not-to-exceed \$30,000.00 for a one-year period; American Generators Sales and Service; Waterford, MI

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

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

Enactment No: RES0043-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for generator preventative maintenance and repairs to American Generators Sales and Service in the amount not-to-exceed \$30,000.00 for a one-year period and further authorizes the Mayor to execute an agreement on behalf of the City.

- 2024-0050** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order/Contract for as-needed professional services for the management, integration, upgrade and repair of the City's SCADA System including communications in the amount not-to-exceed \$60,000.00 through December 31, 2024; Decima LLC., Dearborn, MI

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

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

Enactment No: RES0044-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for as-needed professional services for the management, integration, upgrade and repair of the City's SCADA System, including communications to Decima LLC., Dearborn, Michigan in the amount not-to-exceed \$60,000.00 through December 31, 2024 and further authorizes the Mayor to execute an agreement on behalf of the City.

### **The following four (4) Legislative Files are related to the Leach Road Paving Project:**

- 2024-0068** Request for Acceptance of a permanent highway easement for 2710 Leach Road for the Leach Road Paving Project from Auburn to Waterview and approve payment of \$1.00 to Bedient Land Development, LLC.

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

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

Enactment No: RES0045-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent highway easement for 2710 Leach Road and approves payment of \$1.00 to Bedient Land Development, LLC., for the Leach Road Paving Project from Auburn to Waterview for the construction, operation, maintenance, repair and/or replacement of pavement over, on, under, through and across land more particularly described as Parcel No. 15-30-451-016 and authorizes the payment to the landowners in the amount of \$1.00.

**Further Resolved**, that the City Clerk is directed to record the permanent highway easement for the Oakland County Register of Deeds.

- 2024-0067** Request for Acceptance of a permanent highway easement for the permanent highway easement for 2740 Leach Road and approve payment of \$1.00 to Bedient Land Development, LLC. for the Leach Road paving project from Auburn to Waterview

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

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

Enactment No: RES0046-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent highway easement for 2740 Leach Road and approve payment of \$1.00 to Bedient Land Development, LLC. for the Leach Road paving project from Auburn to Waterview for the construction, operation, maintenance, repair and/or replacement of pavement over, on, under, through and across land more particularly described as Parcel No. 15-30-451-037 and authorizes the payment to the landowners in the amount of \$1.00

**Further Resolved**, that the City Clerk is director to record the Highway Easement for the Oakland County Register of Deeds.

- 2024-0069** Request for Acceptance of a permanent highway easement for 2752 Leach Road for the Leach Road Paving Project from Auburn to Waterview and approve payment of \$1.00 to Steve and Elmer's Sprinklers, LLC

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

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

Enactment No: RES0047-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent highway easement for 2752 Leach Road and approves payment of \$1.00 to Steve and Elmer's Sprinklers, LLC., for the Leach Road Paving Project from Auburn to Waterview for the construction, operation, maintenance, repair and/or replacement of pavement over, on, under, through and across land more particularly described as Parcel No. 15-30-451-019 and authorizes the payment to the landowners in the amount of \$1.00.

**Further Resolved**, that the City Clerk is directed to record the permanent highway easement for the Oakland County Register of Deeds.

**2024-0070** Request for Acceptance of a permanent highway easement for 2910 Leach Road for the Leach Road Paving Project from Auburn to Waterview and approve payment of \$1.00 to Eric Fouladabah

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

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

Enactment No: RES0048-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent highway easement for 2910 Leach Road and approves payment of \$1.00 to Eric Fouladabah for the Leach Road Paving Project from Auburn to Waterview for the construction, operation, maintenance, repair and/or replacement of pavement over, on, under, through and across land more particularly described as Parcel No. 15-30-451-034 and authorizes the payment to the landowners in the amount of \$1.00.

**Further Resolved**, that the City Clerk is directed to record the permanent highway easement for the Oakland County Register of Deeds.

## Passed the Consent Agenda

**A motion was made by Walker, 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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Deel** shared that he received communication from the Oakland County Treasurer that the Tax Foreclosure deadline for 2021 or prior years taxes is on April 1, 2024. He continued that if the taxes are not paid by the deadline, or if a payment plan has not been entered into by the deadline, the property will be foreclosed. He noted that if anyone is having trouble paying their property taxes they can contact the Oakland County Treasurer for more assistance.

*He wished everyone a Happy Valentine's Day.*

**Vice President Walker** commented that he attended a Ribbon Cutting Ceremony for the Michigan Schools & Government Credit Union on January 30, 2024.

**Clerk Scott** announced that the Presidential Primary Election is Tuesday, February 27, 2024 and that voters can return their absentee ballots at one of the four drop boxes located at City Hall, The Oakland County Sheriff's Office, Borden

Park, and Rochester Adams High School. She continued that Early Voting starts on Saturday, February 17, 2024 and goes through Sunday, February 25, 2024 at the Rochester Hills Public Library. She added that there will also be 32 precincts open on Election Day. She shared that if a voter received an absentee ballot and they would like to vote in-person instead, they can bring their absentee ballot with the stub attached to the precinct on Election Day or the Early Voting location.

**Mayor Barnett** provided the following City updates:

- The Mondays with the Mayor event was at the DPS Garage where senior citizens got to tour the facility and learn more about the department.
- The last snow storm from January 30, 2024 to February 1, 2024 cost the City \$85,753 and the snow storm from January 11, 2024 to January 17, 2024 cost the City \$154,359.
- The City's Crossing Guards were honored last week, which is a difficult position to recruit for due to the flexible schedule.
- The Help America Vote College Program in conjunction with Oakland University, Pontiac, and Auburn Hills is a program that trains college students to be election poll workers. He announced that a Grant was awarded in the amount of \$80,000 to fund this program.
- The Coffee With The Permit Techs event will be on Wednesday, February 21, 2024 from 10:00 a.m. to 12:00 p.m. at Rochester Hills City Hall.
- The latest episode of the Right Down the Street with Mayor Bryan K. Barnett Podcast is out, which contains an interview with New Orleans Mayor LaToya Cantrell.

**President Deel** thanked Mayor Barnett for sharing the snow storm data and remarked that he does not receive many complaints from residents when a snow storm occurs, which shows the hard work the DPS team does to clear the snow.

## ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

## NOMINATIONS/APPOINTMENTS

**2024-0056** Request to Confirm the Mayor's Appointment of Manar Siba to the Board of Review for the remainder of a three (3) year term to expire December 31, 2026

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Siba CQ.pdf](#)  
[Mroz Appointment.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0058-2024

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's Appointment of Manar Siba to the Board of Review for the remainder of a three (3) year term to expire December 31, 2026.

## NEW BUSINESS

**2024-0059** Request for Purchase Authorization - FIRE: Blanket Purchase Order for the purchase of protective ensemble for structural firefighting to include the purchase of the turnout coat, pants, and structural firefighting boots in the amount not-to-exceed \$215,000.00 for a one-year period; MacQueen Emergency Group, Romeo, MI

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

**Larry Gambatto**, Captain/Training Officer, stated that this request is for turnout gear for the new Firefighter employees that the City has hired.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0059-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the purchase of protective ensemble for structural firefighting to include the purchase of the turnout coat, pants, and structural firefighting boots to MacQueen Emergency Group, Romeo, Michigan in the amount not-to-exceed \$215,000.00 for a one-year period.

**2021-0425**

Request for Purchase Authorization - PARKS: Increase to the Blanket Purchase Order for tree maintenance services in the amount of \$120,250.00 for a new not-to-exceed amount of \$542,540.00 through October 31, 2024; CHOP, Grand Rapids, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[111521 Agenda Summary.pdf](#)  
[Proposal Tabulation.pdf](#)  
[111521 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Matt Einheuser**, Natural Resources Manager, commented that this request is for an increase to the blanket purchase order for tree maintenance services to Chop in order to align with the approved budgets.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0060-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes an Increase to the Blanket Purchase Order/Contract for tree maintenance services to CHOP, Grand Rapids, Michigan in the amount of \$120,250.00 for a new not-to-exceed amount of \$542,540.00 through October 31, 2024.

**2024-0061** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order for the delivery of electric energy for City Facilities in the amount not-to-exceed \$540,800.00 through December 31, 2024; DTE Energy, Detroit, MI; Michigan Municipal Risk Management Authority, Livonia, MI

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

**Mike Viazanko**, Building/Ordinance/Facilities Director, noted that this request is to approve funding for electric energy to DTE Energy, through a partnership with the Michigan Municipal Risk Management Authority.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0061-2024

**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 not-to-exceed amount of \$540,800.00 through December 31, 2024.

**The following two (2) Legislative Files are related to the Avon Industrial Water Main Replacement Project:**

**2024-0077** Request for Acceptance of a permanent watermain and temporary construction easement for 2140 Avon Industrial Drive for the Avon Industrial Water Main Replacement Project and approve payment of \$1.00 to R & G Development, LLC.

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

**Bill Fritz**, Public Services Director, noted that this item and the next item are for water main easements for the Avon Industrial Water Main Replacement Project. He shared that the water main that was installed decades ago was located outside of the easement.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0062-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent watermain and temporary construction easement for 2140 Avon Industrial Drive and approves payment of \$1.00 to R & G Development, LLC., for the Avon Industrial Water Main Replacement Project for the construction, operation, maintenance, repair and/or replacement of watermain over, on, under, through and across land more particularly described as Parcel No. 15-29-228-003 and authorizes the payment to the landowners in the amount of \$1.00.

**Further Resolved**, that the City Clerk is directed to record the permanent watermain and temporary construction easement for the Oakland County Register of Deeds.

**2024-0078** Request for Acceptance of a permanent watermain and temporary construction easement for 2222 Crooks Road for the Avon Industrial Water Main Replacement Project and approve payment of \$3,000.00 to Santia Family - Crooks Corner, LLC., Clinton Township, MI

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

**See Legislative File 2024-0077 for Council Discussion.**

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0063-2024

**Resolved**, that the Rochester Hills City Council hereby accepts the permanent watermain and temporary construction easement for 2222 Crooks Road and approves payment of \$3,000.00 to Santia Family - Crooks Corner, LLC., for the Avon Industrial Water Main Replacement Project for the construction, operation, maintenance, repair and/or replacement of watermain over, on, under, through and across land more particularly described as Parcel No. 15-29-228-004 and authorizes the payment to the landowners in the amount of \$3,000.00.

**Further Resolved**, that the City Clerk is directed to record the permanent watermain and temporary construction easement for the Oakland County Register of Deeds.

**2024-0062** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the Barclay Circle Rehabilitation in the amount of \$2,671,031.34 with a 10% project contingency in the amount of \$267,103.13 for

a total not-to-exceed project amount of \$2,938,134.47; Pro-Line Asphalt Paving Corporation, Washington, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, stated this is a construction contract to rehab Barclay Circle, which has deteriorated.

**President Deel** noted that this project is within the City's budget.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0064-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes the award of a Blanket Purchase Order/Contract for the Barclay Circle Rehabilitation Project to Pro-Line Asphalt Paving Corporation, Washington, Michigan in the amount of \$2,671,031.34 with a 10% project contingency in the amount of \$267,103.13 for a total not-to-exceed project amount of \$2,938,134.47 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.

**2024-0063**

Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for Construction Engineering services for the Barclay Circle Rehabilitation project in the amount not-to-exceed \$400,000.00; OHM Advisors, Auburn Hills, Michigan

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Proposal for Services.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Deel** commented that the construction for this project was just approved, so this is now the engineering for the project.

**Bill Fritz**, Public Services Director, stated that was correct.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0065-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes the award of a Blanket

Purchase Order/Contract for construction engineering services for the Barclay Circle Rehabilitation project to OHM Advisors, Auburn Hills, Michigan in the amount not-to-exceed \$400,000.00 and further authorize 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.

- 2024-0055** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the relocation of the pressure reducing valve (PRV) facility located at the northeast corner of Walton Boulevard and Brewster Road and installation of water main to connect the new facility to the existing water system in the amount of \$276,522.00 with a 10% project contingency in the amount of \$27,652.20 for a total not-to-exceed project amount of \$304,174.20; Bidigare Contractors, Inc., Plymouth, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, shared that the Pressure Reducing Valve (PRV) pit is in curb lane of Walton Boulevard, which is going to redone this year by the Road Commission of Oakland County. He continued that they are moving the PRV pit out of the roadway so that they have easier access to it.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0066-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for the relocation of the pressure reducing valve (PRV) facility located at the northeast corner of Walton Boulevard and Brewster Road and installation of water main to connect the new facility to the existing water system to Bidigare Contractors, Inc., Plymouth, Michigan in the amount of \$276,522.00 with a 10% project contingency in the amount of \$27,652.20 for a total not-to-exceed project amount of \$304,174.20 and further authorizes the Mayor to execute the 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.

- 2024-0079** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for construction engineering services related to the PRV 09 Relocation Project in the amount of \$39,580.00; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Proposal for Services.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Deel** commented that the construction for this project was just approved, so this is now the engineering for the project.

**Bill Fritz**, Public Services Director, stated that was correct.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0067-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for construction engineering services related to the PRV 09 Relocation Project to Hubbell, Roth & Clark, Inc., Bloomfield Hills, Michigan in the amount of \$39,580.00 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.

**2024-0058** Request for Purchase Authorization - DPS/ENG: Approval of Standard Agreement for the installation of two (2) municipal street lights on poles at the proposed Adams Road crosswalks in the amount of \$15,850.23; The Detroit Edison Company, Belleville, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Contract.pdf](#)  
[Adams Road Crosswalk Info.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, noted that the new pedestrian crossing by the Clinton River Trail requires overhead lighting fixtures and this is a contract for The Detroit Edison Company to install them and they will bill the City annually.

**President Deel** questioned if this is by the Walmart near Marketplace Circle.

**Mr. Fritz** responded that was correct.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0068-2024

**Resolved**, that the Rochester Hills City Council hereby approves the Standard Agreement and provides purchase authorization for the installation of two (2) municipal street lights on poles at the proposed Adams Road crosswalks in the amount of \$15,820.23 to The Detroit Edison Company, Belleville, Michigan and further authorizes the Mayor to execute the agreement on behalf of the City.

**2024-0048** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for joint sealant materials in the amount not-to-exceed \$112,680.00 through December 31, 2025; National Highway Maintenance Systems, LTD., LLC., Akron, OH

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, stated that this request is for the crack-sealing material that is used to maintain the roads.

**President Deel** inquired whether this is just for concrete or if it can be used for asphalt as well.

**Mr. Fritz** responded that it can be used for both, but that it is mainly used for asphalt.

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

**Aye** 6 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0069-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for joint sealant materials to National Highway Maintenance Systems, LTD., LLC., Akron, Ohio in the amount not-to-exceed \$112,680.00 through December 31, 2025

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

**2024-0049** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Ready Mix Concrete materials in the amount not-to-exceed \$177,200.00 through December 31, 2025; Protocon RM, Sterling Heights, MI; Superior Materials, Farmington Hills, MI

**Attachments:** [021224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, commented that this request is for Ready Mix Concrete materials for the City's roadways.

**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 - Blair, Carlock, Deel, Morlan, Neubauer and Walker

**Absent** 1 - Mungioli

Enactment No: RES0070-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for ready mix concrete materials to Protocon RM, Sterling Heights, Michigan as the primary vendor, and Superior Materials, Farmington Hills, Michigan as the secondary vendor, in the amount not-to-exceed \$177,200.00 through December 31, 2025.

**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 - City Council Regular Meeting - March 4, 2023 - 7:00 p.m.**

## **ADJOURNMENT**

*There being no further business before Council, it was moved by Morlan and seconded by Neubauer to adjourn the meeting at 9:23 p.m.*

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*RYAN DEEL, President  
Rochester Hills City Council*

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

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*AARON GEER  
Administrative Coordinator  
City Clerk's Office*

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