



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 733-3700
F: (248) 733-3170
www.rochestermi.org

CITY COUNCIL

REGULAR MEETING AGENDA

Mayor Debbie Jones
Mayor Pro Tem Stuart Bikson
Council Members Jessica Clauser, Christian Hauser,
Sara King, Nancy Salvia and Marilyn Trent

400 Sixth Street	July 13, 2026	7:00 PM
-------------------------	----------------------	----------------

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment Scheduled/Non-Scheduled/Presentations
 - A. Swearing in new Fire Department employees.
 - B. Recognition of Eagle Scout Gazebo and Ludlow Tot Lot.
 - C. Presentation by Nicholas Russo, Superintendent of Rochester Community Schools.
5. Approval of the Consent Agenda
 - A. Consideration of the minutes of the Regular Meeting of June 22, 2026.
 - B. Receipt of the Check Registers.
6. Old Business/Tabled Items
7. Public Hearings
8. Legislative Deliberation
 - A. Consideration of a Bicycle/E-Bike Ordinance - Second Reading and adoption.
9. Reports and Regular Business

- A. Consideration of Metro Act Permit - Gateway Infrastructure.
 - B. Consideration of a resolution opposing House Bills 5529-5532 and 5581-5585 regarding local municipal zoning authority.
 - C. Consideration to approve the appointment of the Election Workers.
 - D. Consideration to authorize the pre-processing of absentee ballots on Monday August 3, 2026.
10. Receive a Report from the Various Boards and Commissions
- A. Receipt of a report from the Historical Commission
 - B. Receipt of a report from the OPC Social and Activity Center.
 - C. Receipt of a Report from the Cemetery Advisory Board.
 - D. Receipt of a report from the Planning Commission.
 - E. Receipt of a report from the City Beautiful Commission.
11. Public Comment
12. General Miscellaneous
- A. Request for Closed Session for City Council to consider Attorney/Client Privileged Opinion Letter.
 - B. Request for Closed Session for City Council to consider Periodic Personnel Evaluation of City Clerk.
13. Adjourn

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-733-3700 forty-eight (48) hours prior to the meeting. Staff will be pleased to make the necessary arrangements to provide necessary reasonable accommodations, including auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting.



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 733-3700
F: (248) 733-3170
www.rochestermi.org

Procedure for Hybrid Public Meeting

The City has returned to in-person public meetings as of March 14, 2022, with limited online capabilities. The public bodies (our boards and commissions) are meeting in-person; however, some staff, consultants, and guests will still be able to participate remotely. While in-person audience seating is now available, with limited COVID-19 procedures in place, staff asks that anyone who feels sick not attend in-person.

If you choose to participate virtual, please follow the links and information below:

- Live stream audio and video content on two (2) separate streaming platforms available at the City's [YouTube](#) and at the City's website at www.rochestermi.org/201/City-Webcasts. (Click the "Live" links to go there.)
- The City remains committed to accessibility; however, due to the limitations of technology, City staff encourages residents to send an email with your comments to rspv@rochestermi.org prior to the meeting, but not later than Noon on the day of the meeting, so that your comments can be read into the record. This will decrease the demand on our virtual meeting infrastructure. (After Noon on the day of the meeting, email comments to: mfrazho@rochestermi.org.)
- For those who prefer to use a telephone to participate, you will need to call (646) 558-8656 and enter meeting **ID: 883 9889 5876**. When prompted, enter a participant number or just touch the # key. During the call, use *9 to raise hand and you will be "called on" by the last 4-digits of your phone number. (For example, my last digits are 8029. Callers will be asked to speak by referencing the last 4-digits of their phone number.) Note: Phone participants will have their numbers masked, for privacy.
- To provide additional opportunity to participate, members of the public are welcome to join the meeting by copying and pasting the following link in their browser: <https://us02web.zoom.us/j/88398895876> (Downloading Zoom is required.)
- We appreciate your understanding as staff will do our best to assist everyone; but, **please be advised for virtual meetings there is a three (3) minute limit for public comments.**

For assistance, or questions accessing and/or making public comment during the meeting, or other support, please reach out to our Deputy City Clerk Megan Frazho by email:

mfrazho@rochestermi.org.

1. CALL TO ORDER

Mayor Jones at 7:00 p.m.

2. ROLL CALL

PRESENT: Mayor Debbie Jones, Mayor Pro Tem Stuart Bikson, Councilmembers Jessica Clauser, Christian Hauser, Nancy Salvia and Marilyn Trent.

ABSENT: Sarah King.

3. PLEDGE OF ALLEGIANCE

Mayor Jones led the Pledge of Allegiance.

4. PUBLIC COMMENT SCHEDULED/NON-SCHEDULED/PRESENTATIONS

4A. Presentation from Rob Harper of My Green Michigan. My Green Michigan is a program that promotes sustainability through recycling and mitigating food waste and is looking to see if Rochester is interested in participating in the program.

5. CONSENT AGENDA

5A. Regular meeting minutes for June 8th, 2026.

MOTION: Trent moved to approve the consent agenda, Hauser seconded,
To approve the regular meeting minutes for June 8th, 2026.

VOTE: YES: Jones, Bikson, Clauser, Hauser, King, Salvia and Trent.

NO: None.

ABSENT: None.

Motion Carried.

5B. Accept receipt of the Check Register report for June 4th through June 15th

MOTION: Trent moved, Hauser seconded,
To approve the use of an Absentee Counting Board, Receiving Board, and to establish an Early Voting Site.

VOTE: YES: Jones, Bikson, Clauser, Hauser, King, Salvia and Trent.

NO: None.

ABSENT: None.

Motion Carried.

6. OLD BUSINESS/ TABLED ITEMS.

NONE.

7. PUBLIC HEARINGS

7A. Public Hearing regarding the transfer of a liquor license from D'Marcos Italian Restaurant and Wine Bar to the owner of AYFN Hospitality, LLC.

Petitioner is seeking approval and is available for questions regarding the transfer.

Police Chief Rouhib has no issues with the transfer.

Public hearing opens at 7:14 p.m.

Public hearing closes at 7:14p.m.

Mayor Pro Tem asks about the property tax relating to the property owner of the location.
Council asks regarding the hours of the establishment and to clarify that there is no rooftop bar.

MOTION: Hauser moved to approve the City Manager to approve the transfer and proceed with the transfer of the liquor license from D'Marcos to AYFN Hospitality, Trent seconded, To approve the transfer of the liquor license.

VOTE: YES: Jones, Bikson, Clauser, Hauser, Salvia, Trent.

NO: None.

ABSENT: King.

Motion NOT Carried.

8. LEGISLATIVE DELIBERATIONS

NONE.

9. REPORTS AND REGULAR BUSINESS

9A. Consideration of a nomination to the Board of Review

MOTION: Bikson moved, Salvia seconded,
To nominate Lynn Oates for the Board of Review alternate position.

VOTE: YES: Jones, Bikson, Clauser, Hauser, Salvia, Trent.

NO: None.

ABSENT: King.

Motion Carried.

9B. Consideration to designate the City Clerk and Deputy City Clerk to conduct the public accuracy test on behalf of the Election Commission.

MOTION: Bikson moved, Trent seconded,

To designate the City Clerk and Deputy City Clerk to conduct the public accuracy test.

VOTE: YES: Jones, Bikson, Clauser, Hauser, Salvia, Trent.

NO: None.

ABSENT: King.

Motion Carried.

10. BOARDS AND COMMISSIONS REPORTS.

10A. Report from the City Beautiful Commission

No report for this meeting.

10B. Report from the Paint Creek Trailways Commission

No report for this meeting.

10C. Report from the Sustainability Committee

Trent talks about the My Green Michigan presentation and what that contract would look like as well as what the communication to the community will look like.

10D. Report from the Downtown Development Authority

Jones reports the Graham project is moving along forward and what the upcoming holiday expo will look like. City Manager Banda also gave an economic development update. There was also discussion about the bike ordinance and their thoughts on communication.

10F. Report from the Budget and Finance Committee

Trent reports that there have been department examinations going department by department. The Police Department was the first discussion and examined what their challenges are and what their goals are regarding staffing and technology. The 2nd meeting of the committee was a review of the Department of Public Works. There was a breakdown of each of the divisions within the department and what each looks to improve on. There was also discussion that a workshop be scheduled at the beginning of next budgeting cycle for each department to have their review before all of Council.

11. PUBLIC COMMENT

NONE.

12. GENERAL MISCELLANEOUS.

City Clerk D'Annunzio notifies Council that absentee ballots will be starting to go out tomorrow and absentee ballots will be available over the counter. Next meeting will also be the approval of the election workers.

Bikson informs Council about the Summer Soire event as well as the upcoming Rochester Tennis Open.

Salvia would like to say a happy Fourth of July to everyone.

Jones reports that Board of Review will no longer meet here and will instead meet at the Rochester Hills City Hall due to the changing in assessing services. Also, the skate park is being finalized and thank you to the parks division for their part in getting it ready.

13. ADJOURN

Mayor Jones adjourned the meeting at 7:40 p.m.

Brian D'Annunzio, City Clerk

Debbie Jones, Mayor

CHECK REGISTER FOR CITY OF ROCHESTER

CHECK DATE 06/18/2026 - 06/22/2026

Check Date	Check	Vendor	Vendor Name	Amount
Bank A1 ACCOUNTS PAYABLE				
06/18/2026	143472	07403	AARON SCHULTZ	55.70
06/18/2026	143473	08675	ACCUSHRED LLC	105.00
06/18/2026	143474	00613	AMERICAN SPEEDY PRINTING	73.00
06/18/2026	143475	10237	AMY BENNETT	285.24
06/18/2026	143476	10395	ANNA LAWRENCE	202.46
06/18/2026	143477	09267	APPLIED INNOVATION	144.21
06/18/2026	143478	09267	APPLIED INNOVATION	661.71
06/18/2026	143479	10446	ARBOR PROFESSIONAL SOLUTIONS	45.95
06/18/2026	143480	10393	AUGER KLEIN ALLER ARCHITECTS	28,247.57
06/18/2026	143481	MISC	AVERY MILLER	120.00
06/18/2026	143482	08950	BARCO PRODUCTS COMPANY	256.43
06/18/2026	143483	09385	BEST CHOICE PRINT & PROMOTION	18,745.86
06/18/2026	143484	MISC	CARTER RUSSELL	65.00
06/18/2026	143485	MISC	CELLO QUINN	60.00
06/18/2026	143486	02324	CERTASITE, LLC	2,344.20
06/18/2026	143487	09347	CTS COMPANIES INC	9,939.52
06/18/2026	143488	00976	CUMMINS BRIDGEWAY, LLC	1,323.01
06/18/2026	143489	MISC	DANI HOSLER	30.00
06/18/2026	143490	10389	DC BYERS COMPANY	218,280.00
06/18/2026	143491	09877	EMS MANAGEMENT & CONSULTANTS,	17,592.20
06/18/2026	143492	07509	ENVIRONMENTAL WOOD SOLUTIONS	46.60
06/18/2026	143493	07099	FRIENDS OF CLINTON RIVER TRAI	257.29
06/18/2026	143494	09055	G2 CONSULTING GROUP LLC	2,193.00
06/18/2026	143495	04977	GIVE THANKS BAKERY & CAFE	50.00
06/18/2026	143496	10003	JANNAH GARBACK	75.00
06/18/2026	143497	MISC	JEN GONZALEZ	200.00
06/18/2026	143498	MISC	JOHN LOW	130.00
06/18/2026	143499	08912	JULIE CZERWINSKI	260.00
06/18/2026	143500	05266	KAESER AND BLAIR INCORPORATED	597.10
06/18/2026	143501	06371	KEITH HARPER	94.95
06/18/2026	143502	09166	KEITH HERMANS	11.23
06/18/2026	143503	09960	KIMBALL MIDWEST	524.60
06/18/2026	143504	MISC	LEO BELL	100.00
06/18/2026	143505	MISC	LILA BRAZEAU	35.00
06/18/2026	143506	10556	LUTZ ROOFING	925.00
06/18/2026	143507	07860	MATTHEW GORMAN	149.97
06/18/2026	143508	09336	MICHAEL KNIGHT	73.36
06/18/2026	143509	MISC	MICHIE, SHANNON	2,025.15
06/18/2026	143510	10612	MICHIGAN STATE POLICE	30.00
06/18/2026	143511	00431	MISS DIG SYSTEM, INC.	2,162.66
06/18/2026	143512	10066	MR C'S CAR WASH #6 LLC	297.50
06/18/2026	143513	10761	OUTDOOR EQUIPMENT CO	89.98
06/18/2026	143514	10915	PARK WAREHOUSE LLC	2,960.17
06/18/2026	143515	00460	ROAD COMMISSION OF OAKLAND CO	735.49
06/18/2026	143516	00562	ROCHESTER HILLS TIRE & SERVIC	1,469.25
06/18/2026	143517	10566	ROCHESTER PLUMBING & HEATING	9,207.00
06/18/2026	143518	10818	SCHMOOKIES COOKIES & BREAD	48.00
06/18/2026	143519	MISC	SKYE LYNN WEED	120.00
06/18/2026	143520	07867	SPENCER OIL COMPANY	14,779.87
06/18/2026	143521	00423	STATE OF MICHIGAN	18,000.00
06/18/2026	143522	09995	SUPERIOR EXCAVATING	4,020.00
06/18/2026	143523	10908	TITAN PAVEMENT	1,800.00
06/18/2026	143524	MISC	TITAN SEALCOATING INC	3,000.00
06/18/2026	143525	MISC	TREVOR ADAMS	200.00
06/18/2026	143526	MISC	WHITE SAGE SPA	260.00
06/18/2026	143527	10916	WINDEMULLER ELECTRIC	1,654.00
06/18/2026	143528	MISC	ZOE CONWAY	50.00
06/22/2026	1468(A)	03116	CONTRACTORS CONNECTION INC.	464.00
06/22/2026	1469(A)	08962	FIFTH THIRD BANK	39,281.23
06/22/2026	1470(A)	08587	NYE UNIFORM	3,578.30
06/22/2026	1471(A)	08210	SUN LIFE FINANCIAL	11,732.14
06/22/2026	1472(A)	09933	TK ELEVATOR	481.03
A1 TOTALS:				
Total of 62 Checks:				422,745.93
Less 0 Void Checks:				0.00
Total of 62 Disbursements:				422,745.93

CHECK REGISTER FOR CITY OF ROCHESTER

CHECK DATE 06/25/2026 - 06/29/2026

Check Date	Check	Vendor	Vendor Name	Amount
Bank A1 ACCOUNTS PAYABLE				
06/25/2026	143531	10903	911 TRAINING INSTITUTE	1,300.00
06/25/2026	143532	07580	ALPHA PSYCHOLOGICAL SERVICES	810.00
06/25/2026	143533	00613	AMERICAN SPEEDY PRINTING	83.00
06/25/2026	143534	06364	ANDERSON, ECKSTEIN AND	63,151.50
06/25/2026	143535	06364	ANDERSON, ECKSTEIN AND	24,314.80
06/25/2026	143536	10515	BOUND TREE MEDICAL, LLC	1,771.76
06/25/2026	143537	MISC	CHARLOTTE WESTBROOK	20.00
06/25/2026	143538	00138	CONSUMERS ENERGY	1,420.78
06/25/2026	143539	00880	DTE ENERGY	587.91
06/25/2026	143540	09055	G2 CONSULTING GROUP LLC	3,623.00
06/25/2026	143541	10150	HENRY FORD EMPLOYER SOLUTIONS	4,502.00
06/25/2026	143542	10791	INDUSTRIAL BROOM SERVICE LLC	539.00
06/25/2026	143543	00395	MASONIC BUILDING AUTHORITY	1,378.13
06/25/2026	143544	10690	PSX	1,018.67
06/25/2026	143545	10901	SPOHN RANCH, INC	300,000.00
06/25/2026	143546	06874	SUPERIOR LOCK & KEY, LLC	1,054.00
06/25/2026	143547	MISC	WILLIAM PIETRZYK	188.14
06/29/2026	1474(A)	03116	CONTRACTORS CONNECTION INC.	5,900.00
06/29/2026	1475(A)	00346	JCI JONES CHEMICALS INC.	2,561.00
06/29/2026	1476(A)	06156	PITNEY BOWES BANK INC	238.95
A1 TOTALS:				
Total of 20 Checks:				414,462.64
Less 0 Void Checks:				0.00
Total of 20 Disbursements:				414,462.64

CHECK REGISTER FOR CITY OF ROCHESTER

CHECK DATE 07/02/2026 - 07/06/2026

Check Date	Check	Vendor	Vendor Name	Amount
Bank A1 ACCOUNTS PAYABLE				
07/02/2026	143548	07170	ABSOPURE WATER COMPANY	112.84
07/02/2026	143549	09415	AMERICAN PRINTING SERVICES IN	2,135.00
07/02/2026	143550	06364	ANDERSON, ECKSTEIN AND	786.50
07/02/2026	143551	00037	APARTMENT SERVICES CO.	7,309.52
07/02/2026	143552	09267	APPLIED INNOVATION	241.21
07/02/2026	143553	00063	BADGER METER INC.	283.68
07/02/2026	143554	05888	BANGKOK CUISINE	20.00
07/02/2026	143555	08950	BARCO PRODUCTS COMPANY	933.55
07/02/2026	143556	08666	BETTER PAINTING	9,478.00
07/02/2026	143557	MISC	BUCK'S OIL COMPANY INC	125.00
07/02/2026	143558	10527	CHARLES SIBERT	2,825.10
07/02/2026	143559	08296	CHOMP DELI & GRILL	335.00
07/02/2026	143560	MISC	CITY HOMES BY LOMBARDO LLC	1,500.00
07/02/2026	143561	MISC	CJ CONCRETE & CONSTRUCTION LL	1,500.00
07/02/2026	143562	00892	COLONY CLEANERS & LAUNDRY INC	9.50
07/02/2026	143563	00990	COMMUNITY FOUND OF GR ROCHEST	1,000.00
07/02/2026	143564	10581	CREATIVE CONCRETE RAISING INC	1,550.00
07/02/2026	143565	10546	CULLIGAN OF ROMEO	34.95
07/02/2026	143566	10546	CULLIGAN OF ROMEO	34.95
07/02/2026	143567	10546	CULLIGAN OF ROMEO	43.00
07/02/2026	143568	10546	CULLIGAN OF ROMEO	85.00
07/02/2026	143569	10546	CULLIGAN OF ROMEO	254.00
07/02/2026	143570	00976	CUMMINS BRIDGEWAY, LLC	635.89
07/02/2026	143571	09862	DAN DIEHL	153.70
07/02/2026	143572	00177	DINOSAUR HILL NATURE PRESERVE	7,000.00
07/02/2026	143573	00880	DTE ENERGY	22,207.70
07/02/2026	143574	10645	ELEMENT 22 COMMERCIAL GROUP	6,268.97
07/02/2026	143575	07509	ENVIRONMENTAL WOOD SOLUTIONS	37.90
07/02/2026	143576	10254	EXPRESSIVE STONE	60.00
07/02/2026	143577	10919	FBI-LEEDA	795.00
07/02/2026	143578	02915	FRANK REWOLD & SON	433,495.14
07/02/2026	143579	MISC	FREE & SIMPLE FOODS	9.00
07/02/2026	143580	09055	G2 CONSULTING GROUP LLC	9,544.00
07/02/2026	143581	09117	GREAT AMERICA FINANCIAL SVCS	295.54
07/02/2026	143582	09702	GREAT HARVEST BREAD CO	130.00
07/02/2026	143583	10883	HIGHERGROUND INC	6,000.00
07/02/2026	143584	10325	IDENTISYS INC	731.00
07/02/2026	143585	10825	IMPERIAL DADE	565.56
07/02/2026	143586	05176	INTERGOVERNMENTAL CABLE COMM-	7,239.50
07/02/2026	143587	MISC	JEANINE OFFER	462.19
07/02/2026	143588	10920	KEN SHEPARD PAINTING	11,475.00
07/02/2026	143589	08937	KOGELMANN'S CREEK-SIDE SOD	163.80
07/02/2026	143590	10917	KRISTIN GRAHAM	560.00
07/02/2026	143591	02300	KRUSE AND MUER ON MAIN	2,020.00
07/02/2026	143592	10616	KRUSE'S PAINT CREEK TAVERN	1,100.00
07/02/2026	143593	10514	KRYZIA'S KITCHEN	15.00
07/02/2026	143594	MISC	LET'S POP	69.00
07/02/2026	143595	MISC	Levine and Sons Plumbing, Hea	1,500.00
07/02/2026	143596	10654	MACQUEEN	1,493.33
07/02/2026	143597	09390	MATTINA, KENT & GIBBONS, P.C.	150.00
07/02/2026	143598	10756	MCDOWELL & ASSOCIATES	4,486.00
07/02/2026	143599	08476	MCKENNA ASSOCIATES	2,655.00
07/02/2026	143600	10730	MICHIGAN BUSINESS CONNECTION,	15,143.31
07/02/2026	143601	00412	MICHIGAN MUNICIPAL LEAGUE	67.09
07/02/2026	143602	00413	MICHIGAN MUNICIPAL LEAGUE	49,369.00
07/02/2026	143603	10505	NICHOLAS SCHAEFER	260.10
07/02/2026	143604	08643	OAKLAND COUNTY MEDICAL	75.00
07/02/2026	143605	03529	OAKLAND COUNTY PARKS	3,300.00
07/02/2026	143606	08442	PLATINUM OFFICE CLEANING LLC	275.00
07/02/2026	143607	04783	PROTEC	2,118.00
07/02/2026	143608	07145	RANDALL PARKER	321.68
07/02/2026	143609	00460	ROAD COMMISSION OF OAKLAND CO	748.71
07/02/2026	143610	02805	ROCHESTER CHOP HOUSE AND	1,455.00
07/02/2026	143611	10657	ROCHESTER CORNER BAR	300.00
07/02/2026	143612	00569	ROCHESTER EVENT & EQUIPMENT	5,142.60
07/02/2026	143613	00059	ROCHESTER HILLS PUBLIC LIBRAR	209,672.50
07/02/2026	143614	00562	ROCHESTER HILLS TIRE & SERVIC	87.90
07/02/2026	143615	10566	ROCHESTER PLUMBING & HEATING	948.00
07/02/2026	143616	10818	SCHMOOKIES COOKIES & BREAD	34.00
07/02/2026	143617	10821	SCHULTZ AND YOUNG PC	799.00
07/02/2026	143618	08184	SHARKAR FARM	91.00

CHECK REGISTER FOR CITY OF ROCHESTER

CHECK DATE 07/02/2026 - 07/06/2026

Check Date	Check	Vendor	Vendor Name	Amount
Bank A1 ACCOUNTS PAYABLE				
07/02/2026	143619	10614	SIGNS & MORE	697.50
07/02/2026	143620	08518	SOUTH STREET SKATESHOP	25.00
07/02/2026	143621	10878	SPACECAT	3,950.00
07/02/2026	143622	07867	SPENCER OIL COMPANY	13,417.39
07/02/2026	143623	MISC	SPENCER'S APIARIES	86.00
07/02/2026	143624	10875	STEVE TRUDELL ENTERTAINMENT,	3,750.00
07/02/2026	143625	06413	STONY CREEK RIDGE	6,793.09
07/02/2026	143626	07335	STONY POINTE NORTH	1,589.20
07/02/2026	143627	10720	STONY POINTE VILLAGE EAST	85.90
07/02/2026	143628	05899	STONY POINTE VILLAGE WEST	205.69
07/02/2026	143629	09995	SUPERIOR EXCAVATING	2,378.24
07/02/2026	143630	06874	SUPERIOR LOCK & KEY, LLC	973.00
07/02/2026	143631	10351	SUSAN M MCCULLOUGH	150.00
07/02/2026	143632	MISC	THE LITTLE DONUT FACTORY	96.00
07/02/2026	143633	10918	THIRD EXCURSION GROUP	900.00
07/02/2026	143634	05035	ULYSSES HERNANDEZ	500.00
07/02/2026	143635	03668	USZTAN L.L.C.	266,569.56
07/06/2026	1477(A)	05089	AMY DREHMER	164.29
07/06/2026	1478(A)	10637	BOND ELECTRIC, LLC	2,736.20
07/06/2026	1479(A)	10358	BRIAN CLAYCOMB	2,596.50
07/06/2026	1480(A)	08538	DTN LLC	148.76
07/06/2026	1481(A)	10655	JODY ALLEN KINJORSKI	1,813.50
07/06/2026	1482(A)	10323	JUSTIN CHISHOLM	166.90
07/06/2026	1483(A)	08587	NYE UNIFORM	7,010.60
07/06/2026	1485(A)	06156	PITNEY BOWES BANK INC	6,807.12
A1 TOTALS:				
Total of 96 Checks:				1,165,733.35
Less 0 Void Checks:				0.00
Total of 96 Disbursements:				1,165,733.35

ROCHESTER POLICE DEPARTMENT

400 SIXTH STREET
ROCHESTER, MICHIGAN 48307
PHONE (248) 651-9621
FAX (248) 651-3607
<http://www.rochestermi.org>

GEORGE T. ROUHIB JR.
CHIEF OF POLICE

MEMORANDUM

Date: May 12, 2026
To: Nik Banda, City Manager
From: George T. Rouhib Jr., Chief of Police
Subject: E-Bike Ordinance-Council Agenda

Mr. Banda,

Attorney Kragt and I have drafted a proposed local ordinance that would prohibit certain motorized vehicles from operating on sidewalks within the downtown district. As you are aware, our downtown area experiences heavy pedestrian traffic throughout the year. Many sidewalks are narrow, heavily traveled, and contain benches, outdoor dining areas, garbage receptacles, and other obstructions that limit pedestrian space. The increased use of e-bikes, electric scooters, and other motorized devices traveling at high rates of speed on these sidewalks has created significant public safety concerns.

The Rochester Police Department has received numerous complaints from residents, visitors, and business owners regarding unsafe operation of these devices during all hours of the day. These concerns include near-collisions with pedestrians, excessive speed, distracted riding, and unsafe maneuvering in crowded areas.

This ordinance is intended to improve pedestrian safety, reduce the risk of injury, and preserve the walkability and family-friendly atmosphere of our downtown district. The goal is not only enforcement, but also education and voluntary compliance through community outreach.

Safety Considerations

- Protecting pedestrians, especially children, seniors, and individuals with mobility limitations.
- Reducing the likelihood of collisions and injuries in congested sidewalk areas.

- Improving visibility and reaction time for pedestrians exiting businesses or crossing sidewalks.
- Enhancing safety during special events, festivals, and peak summer activity periods.
- Preventing conflicts between pedestrians and motorized devices in outdoor dining and shopping areas.
- Encouraging responsible operation of e-bikes and scooters on roadways and designated paths rather than sidewalks.
- Supporting a safer environment for residents, visitors, and downtown business owners.

Education and Public Awareness

- Send notifications to all local schools through our School Resource Officers explaining the new ordinance and safety expectations.
- Coordinate with local newspapers and media outlets to publicize the ordinance.
- Post ordinance information on the City and Police Department websites.
- Utilize social media platforms to educate the public regarding the new restrictions and safety concerns.
- Send informational letters to downtown business owners.
- Encourage businesses to distribute informational flyers to customers and visitors.
- Install clear signage in key downtown locations identifying the designated safety zone and prohibited activities.
- Develop educational handouts illustrating the types of vehicles covered under the ordinance.

Enforcement Plan

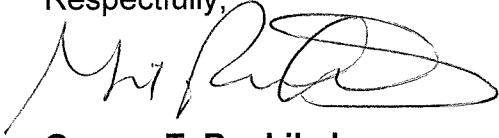
- Once signage has been installed, the Police Department will implement a 30-day grace period focused primarily on education and warnings.
- Following the grace period, enforcement efforts will begin. Our bike officers and foot patrol officers, particularly during the summer months and special events, will play a significant role in the enforcement process.
- The department will maintain statistical data during the first year of implementation to evaluate the effectiveness of the ordinance, identify trends, and determine whether adjustments are necessary.

Included in the Packet

1. Introductory memo from Chief George Rouhib Jr.
2. Memorandum from Attorney Jeff Kraght
3. Copy of the proposed ordinance
4. Informational sheet depicting the vehicles to be prohibited and descriptions of each
5. Briefing sheet explaining how these vehicles relate to Michigan law
6. Copy of the Michigan Motor Vehicle Code authorizing our local government to regulate sidewalk-vehicle use
7. Photographs of downtown sidewalk conditions illustrating pedestrian congestion and limited sidewalk width
8. Two optional maps showing the proposed downtown safety zone boundaries

If you need anything further, please let me know.

Respectfully,

A handwritten signature in black ink, appearing to read "George T. Rouhib Jr.", with a large, stylized flourish at the end.

George T. Rouhib Jr.
Chief of Police



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

MEMORANDUM

Date: May 5, 2026
To: Nik Banda, City Manager
From: Jeffrey S. Kragt
Subject: Ordinance Amendment – E-Bikes
Copies: Jeremy Peckens, Holly Meyers, Megan Frazho

Issue: Consideration of a Bicycle/E-Bike Ordinance.

Analysis: In late 2025, City Council considered the issue of regulations of bicycles and e-bikes on City sidewalks. At its request, Administration presented and Council reviewed draft language that would prohibit riding of bikes, e-bikes, scooters, minibikes, etc. in the downtown area and other areas. In sum, the ordinance would prohibit the riding of bikes and electrified devices on City sidewalks in the City's downtown area. At the end of the discussion, Council opted to table the matter for further consideration.

Chief Rouhib and I have made additional modifications, which now sets forth boundaries for the proposed Downtown Area within which such devices would not be permitted. While violations continue to be categorized as municipal civil infractions, the draft ordinance provides for increasing fines for subsequent violations, as well as possible impoundment of the device under certain circumstances.

The requested action would be for City Council to review and consider language presented and give direction to administration. If Council likes the draft language, it could move forward with the ordinance amendment process.

Requested Action: For City Council to discuss the attached draft ordinance. If Council is satisfied and wishes to move forward, the requested action would be to move the ordinance amendment for first reading and introduction.

Attachment: Proposed Ordinance Restricting Bicycles and E-Bikes from downtown areas.

AN ORDINANCE TO AMEND CHAPTER 52, TRAFFIC AND VEHICLES, OF THE ROCHESTER CITY CODE, TO ADD A NEW ARTICLE IV TO BE KNOWN AS THE “BICYCLE AND MOTORIZED DEVICES ORDINANCE” WHICH WILL PROVIDE FOR THE REGULATION OF BICYCLES, ELECTRIC BICYCLES, AND OTHER SIMILAR DEVICES.

THE CITY OF ROCHESTER ORDAINS:

Section 1. Chapter 52, Traffic and Vehicles, of the Rochester Code shall be amended to a new Article IV as follows:

ARTICLE IV. BICYCLE AND MOTORIZED DEVICES ON SIDEWALKS

Sec. 52-231. Title.

This Ordinance shall be known and cited as the “Bicycle and Motorized Devices Ordinance.”

Sec 52-232. Purpose.

The purpose of this Ordinance is to protect public safety and promote safe pedestrian access within the City, particularly in the Downtown Area, by regulating the use of bicycles, electric bicycles, motorized scooters, Segways, electric skateboard, electric unicycles/uniwheel devices, mopeds, and other similar personal transportation devices. The City finds that use of such devices on sidewalks and pedestrian crosswalks in the Downtown Area creates conflicts with pedestrians and increases the risk of accidents. This Ordinance supplements applicable Michigan laws governing the operation of these devices and is intended to provide additional local regulation tailored to conditions in the City.

Sec 52-233. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means a device propelled by human power upon which a person may ride, having two or more wheels in tandem or tricycle arrangement, with fully operative pedals.

Downtown Area means both sides of Main Street, including all sidewalks adjacent thereto, beginning at the intersection of Main Street and Second Street and extending northerly to the intersection of Main Street and Romeo Street, and all publicly maintained pedestrian walkways, plazas, and sidewalk extensions within this corridor. A detailed map shall be maintained by the City Clerk and shall be available for inspection and copying and shall be incorporated by reference into this Ordinance.

Electric Bicycle means a device with two or three wheels equipped with fully operable pedals and an electric motor of not more than 750 watts, as defined under Michigan law (MCL 257.13e). Electric bicycles shall be further classified into Class 1, Class 2, and Class 3 consistent with Michigan law.

Electric Skateboard (e-skateboard) means any skateboard, longboard, or similar wheeled device propelled in whole or in part by an electric motor, whether controlled by handheld remote, weight-shift, or other means.

Electric Unicycle/Uniwheel Device means a self-balancing device with a single wheel, powered by an electric motor, designed to transport one person, and not otherwise defined as a bicycle or electric bicycle under Michigan law.

Mobility Device means any wheelchair, motorized wheelchair, electric mobility scooter, or other power-driven mobility device used by an individual with a mobility disability, as recognized under the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq., and its implementing regulations.

Moped means a two- or three-wheeled vehicle to which both of the following apply: (a) It is equipped with a motor that does not exceed 100 cubic centimeters piston displacement, produces 2.0 brake horsepower or less, and is not capable of propelling the vehicle at a speed greater than 30 miles per hour on a level surface; and (b) Its power drive system does not require the operator to shift gears. (MCL 257.32b)

Motorized Scooter means any two- or three-wheeled device that is powered by an electric or gas motor, upon which a person may ride while standing or seated, that is not otherwise defined as a motorcycle, moped, or electric bicycle under Michigan law.

Segway (or Self-Balancing Personal Assistive Mobility Device) means a self-balancing device with two nontandem wheels, designed to transport one person, powered by an electric propulsion system with a maximum speed of 15 miles per hour.

Sec. 52-234. Prohibited Uses in the Downtown Area and Other Areas.

- (1) No person shall ride, operate, or otherwise use a bicycle, electric bicycle, motorized scooter, Segway, electric skateboard, electric unicycle/uniwheel device, or moped on any public sidewalk or pedestrian crosswalk located within the Downtown Area. Additional prohibited areas may be included by resolution of Rochester City Council.
- (2) Should a state law provision provide more restrictive restrictions, the state law provision shall control.
- (3) A person may walk, push, or otherwise dismount and move such device along a sidewalk or crosswalk within the Downtown Area.

Sec. 52-235. Operation and Right of Way.

- (1) When operating a bicycle, electric bicycle, motorized scooter, moped, Segway, electric skateboard, or electric unicycle/uniwheel device upon a street, path, or other location where operation is permitted, the operator shall:
 - (a) Yield the right of way to pedestrians at all times.
 - (b) Give an audible signal before overtaking and passing a pedestrian.

Sec. 52-236. Exceptions.

This Ordinance shall not apply to:

- (1) Police officers, firefighters, or other City employees operating a bicycle, electric bicycle, motorized scooter, Segway, electric skateboard, electric unicycle/uniwheel device, or moped while in the performance of their official duties.
- (2) Operation of a Mobility Device for persons with disabilities, consistent with the Americans with Disabilities Act and applicable federal and state law.

- (3) Operation upon any roadway or designated bicycle lane lawfully open to such devices, in accordance with the Michigan Vehicle Code and other applicable law.
- (4) Any use otherwise specifically authorized by resolution of the City Council.

Sec. 52-237. Applicability of State Law.

The operation of bicycles, electric bicycles, motorized scooters, Segways, electric skateboard, electric unicycles/uniwheel devices, and mopeds within the City remains subject to all applicable provisions of Michigan law, including the Michigan Vehicle Code. This Ordinance is in addition to and supplements such state laws.

Sec 52-238. Enforcement and Penalties.

This Ordinance shall be enforced by the Rochester Police Department and other authorized City officials.

Any person who violates this Ordinance shall be responsible for a municipal civil infraction and subject to the following civil fines, plus costs and other sanctions as provided by law:

1. First offense: a civil fine of not less than \$50.00 and not more than \$100.00.
2. Second offense within twelve (12) months: a civil fine of not less than \$100.00 and not more than \$250.00.
3. Third or subsequent offense within twelve (12) months: a civil fine of not less than \$250.00 and not more than \$500.00.

In lieu of, or in addition to, a civil fine, an enforcement officer may issue a written warning for a first-time offense at the officer's discretion, particularly where the violator demonstrates good-faith unfamiliarity with the Ordinance.

In addition to any civil fine imposed under this Section, an enforcement officer may impound a device used in violation of this Ordinance in any of the following circumstances:

- The violation constitutes a second or subsequent offense by the same operator within twelve (12) months;
- The operator refuses to dismount or cease operation of the device when directed to do so by an enforcement officer;
- The operator fails or refuses to provide identification sufficient to permit issuance of a citation; or
- The device has been left unattended or abandoned within the Downtown Area.

An impounded device shall be returned to its lawful owner upon payment of all outstanding civil fines, towing costs, and storage costs, assessed in accordance with the City's existing impound procedures and applicable law. The City shall provide written notice to the owner of an impounded device, including the procedure and timeframe for reclaiming the device, consistent with the requirements of due process.

Section 2. SEVERABILITY

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

THIS ORDINANCE shall become effective immediately upon publication.

A true copy of this ordinance may be purchased or inspected at the office of the City Clerk at the Rochester Municipal Building, 400 Sixth Street, Rochester, Michigan, 48307, during regular business hours, 8:00 a.m. to 5:00 p.m. daily, except weekends and holidays.

Made and passed by the City Council of the City of Rochester, State of Michigan, this ____ day of _____, 2026.

CITY OF ROCHESTER

A Michigan Municipal Corporation

By: _____
Debbie Jones, Mayor

By: _____
Megan Frazho, Interim Clerk

Personal Mobility Devices: Visual Reference

A quick guide to distinguishing motorized and human-powered devices

 **Motorized** — gas or electric motor  **Human-powered** — no motor

IMAGE	DEVICE	POWER	TOP SPEED	WEIGHT	HOW TO IDENTIFY
	E-Bike — Class 1 <i>pedal-assist only</i>	MOTORIZED	up to 20 mph	45–70 lbs	Motor engages only while the rider pedals and cuts off at 20 mph. No throttle. Most common e-bike class sold in the U.S.
	E-Bike — Class 2 <i>throttle-capable</i>	MOTORIZED	up to 20 mph	55–80 lbs	Motor can propel the bike <i>without</i> pedaling, via a hand throttle on the handlebar — like a moped. Cuts off at 20 mph.
	E-Bike — Class 3 <i>high-speed pedal-assist</i>	MOTORIZED	up to 28 mph	50–75 lbs	Pedal-assist only, but cuts off at 28 mph — faster than most cars travel downtown. Rider must be 14+; helmet required under 18.
	Bicycle <i>traditional / non-electric</i>	HUMAN	10–15 mph	20–30 lbs	No battery, no motor — just pedals, chain, and wheels. Rider's legs are the only power source.
	Moped <i>gas or electric scooter-style</i>	MOTORIZED	25–30 mph	150–250 lbs	Step-through frame with a seat, foot platform, and small wheels. Motor under seat (gas or electric). Requires registration, plate, and license in Michigan. Common rental: Revel.
	Electric Motorcycle <i>street motorcycle, e-moto</i>	MOTORIZED	60–100+ mph	300–500 lbs	Full-size motorcycle frame, no pedals. Significantly heavier and faster than e-bikes. Requires a motorcycle license in most states.
	Electric Scooter <i>e-scooter, stand-up scooter</i>	MOTORIZED	15–25 mph	25–55 lbs	Standing platform between two small wheels with handlebars. Battery in the deck or stem; throttle on the handlebar. Common rentals: Lime, Bird.
	Kick Scooter <i>push scooter, non-electric</i>	HUMAN	5–10 mph	5–15 lbs	Same general shape as an e-scooter, but no battery pack or throttle. Rider pushes off the ground with one foot.
	Segway PT <i>self-balancing transporter</i>	MOTORIZED	10–12 mph	100+ lbs	Two wheels side-by-side with a standing platform and tall vertical handlebar column. Self-balancing — leans forward/back to move. Wider footprint than other devices.
	Electric Unicycle <i>EUC</i>	MOTORIZED	15–40 mph	30–80 lbs	Single large wheel with foot pegs sticking out either side. No handlebars — rider balances by shifting weight. Quiet, fast, and easy to miss in peripheral vision.
	Onewheel <i>uniwheel board</i>	MOTORIZED	15–20 mph	25–35 lbs	Skateboard-like deck with one wide tire in the middle (instead of four small ones). Self-balancing — no remote needed. Rider stands sideways.
	Electric Skateboard <i>e-skateboard, e-board</i>	MOTORIZED	15–25 mph	15–25 lbs	Skateboard shape, but with a motor housing visible under the deck and a wireless remote held in the rider's hand to control speed.
	Skateboard <i>traditional, longboard</i>	HUMAN	5–10 mph	5–10 lbs	Wooden deck with four wheels, no electronics or motor. Rider pushes off the ground with one foot.

Michigan e-bike law (MCL §257.13e, §257.662a): All three classes are treated as bicycles under state law — no license, registration, or insurance required; motor capped at 750 watts. **Sidewalk authority (MCL §257.660c):** State law expressly permits local ordinances to prohibit sidewalk riding. Speeds and weights above reflect typical consumer models.

Personal Mobility Devices: Michigan Law

How each device is classified under state law — and what authority the City has to restrict it

State authority for a downtown sidewalk ordinance. MCL §257.660c permits local ordinances prohibiting bicycle and e-bike riding on sidewalks. MCL §257.660(12) expressly allows a city to prohibit electric skateboards, electric scooters, and Segway-type devices "in a downtown or central business district," provided signs are conspicuously posted. Mopeds and motorcycles are already barred from sidewalks under MCL §257.660(7).

■ **Already banned** — state law prohibits
 ■ **City may ban** — state authorizes local prohibition
 ■ **Gray area** — name explicitly in ordinance

DEVICE	MICHIGAN CLASSIFICATION	OPERATOR REQUIREMENTS	STATE SIDEWALK RULE	CITY AUTHORITY
E-Bike — Class 1 MCL §257.13e, §257.662a	Bicycle (not a motor vehicle).	None — no license, plate, registration, or insurance.	Allowed unless locally prohibited; must yield and signal (§257.660c).	CITY MAY BAN
E-Bike — Class 2 MCL §257.13e, §257.662a	Bicycle (not a motor vehicle).	None.	Same as Class 1.	CITY MAY BAN
E-Bike — Class 3 MCL §257.13e, §257.662a	Bicycle (not a motor vehicle).	Rider 14+; helmet required under 18.	Same as Class 1.	CITY MAY BAN
Bicycle MCL §257.656–§257.662	Bicycle.	None.	Allowed unless locally prohibited; must yield and signal (§257.660c).	CITY MAY BAN
Moped MCL §257.32b	Moped — motor vehicle (≤100cc, max 30 mph).	Moped or operator's license; rider 15+; plate & registration; helmet under 19.	Prohibited on sidewalks — §257.660(7).	ALREADY BANNED
Electric Motorcycle MCL §257.31	Motorcycle — full motor vehicle.	CY motorcycle endorsement; plate, registration, insurance; helmet for new riders & under 21.	Prohibited on sidewalks as a motor vehicle.	ALREADY BANNED
Electric Scooter MCL §257.13f	Electric skateboard (statute's definition is broad enough to cover handlebar e-scooters).	Rider 12+; helmet under 19.	Allowed; must yield and signal (§257.660(6)).	CITY MAY BAN
Kick Scooter not defined in MVC	Not a vehicle — toy/pedestrian-style device.	None.	No state restriction.	CITY MAY BAN
Segway PT MCL §257.13c (EPAMD)	Electric Personal Assistive Mobility Device (self-balancing 2-wheel, ≤750W, ≤15 mph).	None.	Allowed; must yield and signal (§257.660(6)).	CITY MAY BAN
Electric Unicycle not defined in MVC	No clean fit: not a Segway (only 1 wheel), not an electric skateboard (no floorboard). May default to "motor vehicle" (§257.33).	If treated as motor vehicle: registration & license required — no path exists to obtain them.	Ambiguous: barred if "motor vehicle," otherwise no rule.	NAME IN ORDINANCE
Onewheel MCL §257.13f (likely)	Likely fits electric skateboard definition (floorboard, ≤2,500W, ≤25 mph) despite having one wheel.	Rider 12+; helmet under 19.	If treated as electric skateboard: allowed; must yield and signal.	NAME IN ORDINANCE
Electric Skateboard MCL §257.13f, §257.660	Electric skateboard (not a motor vehicle).	Rider 12+; helmet under 19.	Allowed; must yield and signal (§257.660(6)).	CITY MAY BAN
Skateboard not defined in MVC	Not a vehicle — toy/pedestrian-style device.	None.	No state restriction.	CITY MAY BAN

Drafting notes: §257.660(12) requires signs "conspicuously posted" where the prohibition applies — budget for signage at every downtown entry. For gray-area devices (EUCs, onewheels), list each by name and include a catch-all such as "any other self-balancing or motor-driven personal mobility device."

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.660 Electric personal assistive mobility device, low-speed vehicle, commercial quadricycle; electric skateboard, or moped; operation; limitations; applicability to police officer; regulation by local government; prohibitions; regulation by department of natural resources.

Sec. 660.

(1) A person operating an electric personal assistive mobility device, low-speed vehicle, electric skateboard, or moped upon a roadway shall ride as near to the right side of the roadway as practicable, shall exercise due care when passing a standing vehicle or a vehicle proceeding in the same direction, and shall not block, delay, or otherwise interfere with the movement of a streetcar on a streetcar track.

(2) A motorcycle is entitled to full use of a lane, and a motor vehicle must not be driven in such a manner as to deprive a motorcycle of the full use of a lane. This subsection does not apply to motorcycles operated 2 abreast in a single lane or to the operation of a motorcycle in a manner that blocks, delays, or otherwise interferes with the movement of a streetcar on a streetcar track.

(3) A person riding an electric personal assistive mobility device, motorcycle, electric skateboard, or moped upon a roadway shall not ride more than 2 abreast except on a path or part of a roadway set aside for the exclusive use of those vehicles.

(4) Where a usable and designated path for bicycles is provided adjacent to a highway or street, a person operating an electric personal assistive mobility device or electric skateboard may, by local ordinance, be required to use that path.

(5) A person operating a motorcycle, moped, low-speed vehicle, electric personal assistive mobility device, or electric skateboard shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a 2-way street or on the left or right of traffic in the case of a 1-way street, in an unoccupied lane.

(6) A person operating an electric personal assistive mobility device or electric skateboard on a sidewalk constructed for the use of pedestrians shall yield the right-of-way to a pedestrian and shall give an audible signal before overtaking and passing the pedestrian.

(7) A moped, low-speed vehicle, or commercial quadricycle must not be operated on a sidewalk constructed for the use of pedestrians.

(8) A low-speed vehicle or commercial quadricycle must not be operated at a speed of more than 25 miles per hour. A low-speed vehicle must not be operated on a highway or street with a speed limit of more than 35 miles per hour except for the purpose of crossing that highway or street. A commercial quadricycle must not be operated on a highway or street with a speed limit of more than 45 miles per hour except for the purpose of crossing that highway or street. An individual shall not operate a commercial quadricycle that is equipped with a motor unless he or she has a valid operator's license issued under this act. The state transportation department may prohibit the operation of a low-speed vehicle or commercial quadricycle on any highway or street under its jurisdiction if it determines that the prohibition is necessary in the interest of public safety.

(9) This section does not apply to a police officer in the performance of his or her official duties.

(10) An electric personal assistive mobility device must not be operated at a speed of more than 15 miles per hour and must not be operated on a highway or street with a speed limit of more than 25 miles per hour except to cross that highway or street.

(11) An electric skateboard must not be operated at a speed of more than 25 miles per hour. An electric skateboard that does not have handlebars must not be operated on a highway or street with a speed limit of more than 25 miles per hour except to cross that highway or street, and an electric skateboard equipped with handlebars must not be operated on a highway or street with a speed limit of more than 45 miles per hour except to cross that highway or street.

(12) The governing body of a county, a city, a village, an entity created under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or a township may, by ordinance based on the health, safety, and welfare of the citizens, regulate the operation of electric personal assistive mobility devices, electric skateboards, or commercial quadricycles on sidewalks, highways or streets, or crosswalks. Except as otherwise provided in this subsection, a governing body of a county, city, village, entity created under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or township may prohibit the operation of electric personal assistive mobility devices, electric skateboards or commercial quadricycles in an area open to pedestrian traffic adjacent to a waterfront or on a trail under its jurisdiction, in a downtown or central business district, or on a street that includes streetcar tracks. Signs indicating the regulation must be conspicuously posted in the area where the use of an electric personal assistive mobility device, electric skateboard, or commercial quadricycle is regulated.

(13) Operation of an electric personal assistive mobility device or electric skateboard is prohibited in a special

charter city and a state park under the jurisdiction of the Mackinac Island State Park commission.

(14) Operation of an electric personal assistive mobility device or electric skateboard may be prohibited in a historic district.

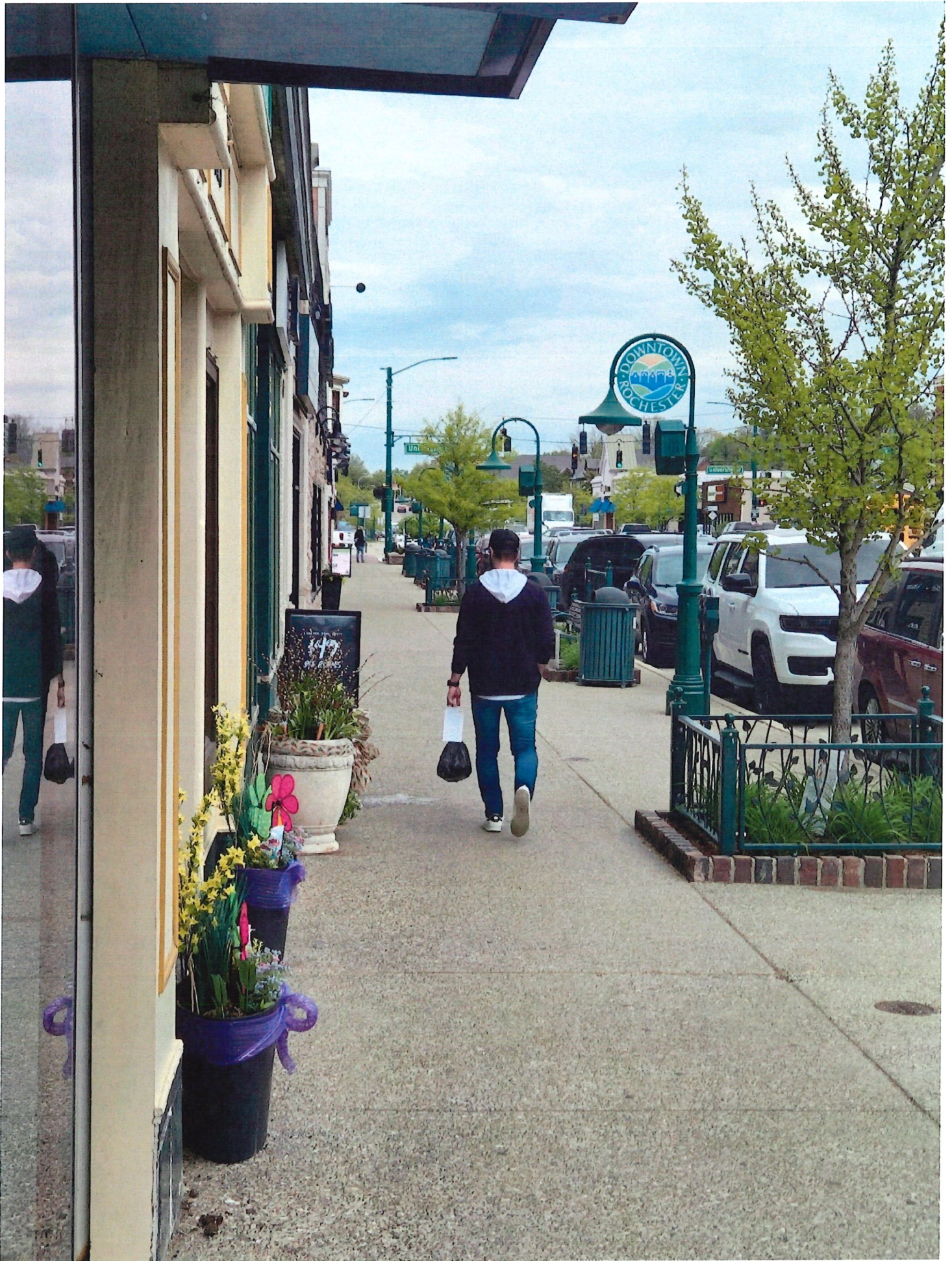
(15) The department of natural resources may by order regulate the use of electric personal assistive mobility devices or electric skateboards on all lands under its control.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1966, Act 207, Eff. Mar. 10, 1967 ;-- Am. 1969, Act 134, Eff. June 1, 1970 ;-- Am. 1975, Act 209, Imd. Eff. Aug. 25, 1975 ;-- Am. 1975, Act 273, Eff. Mar. 31, 1976 ;-- Am. 1976, Act 439, Imd. Eff. Jan. 13, 1977 ;-- Am. 1994, Act 348, Eff. Mar. 30, 1995 ;-- Am. 2000, Act 82, Eff. July 1, 2000 ;-- Am. 2002, Act 494, Imd. Eff. July 3, 2002 ;-- Am. 2006, Act 339, Imd. Eff. Aug. 15, 2006 ;-- Am. 2015, Act 126, Imd. Eff. July 15, 2015 ;-- Am. 2018, Act 204, Eff. Sept. 18, 2018 ;-- Am. 2018, Act 394, Eff. Mar. 19, 2019 ;-- Am. 2021, Act 43, Imd. Eff. July 1, 2021

Compiler's Notes: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919. For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.



[Yahoo Mail: Search, Organize, Conquer](#)

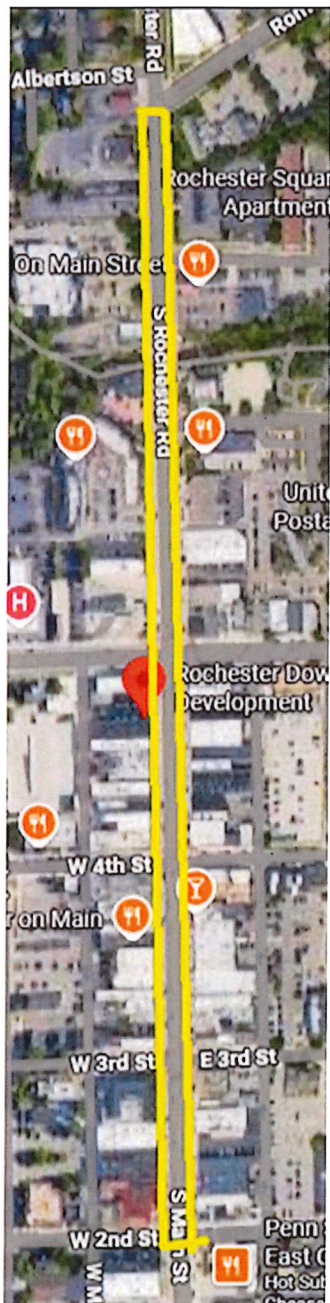




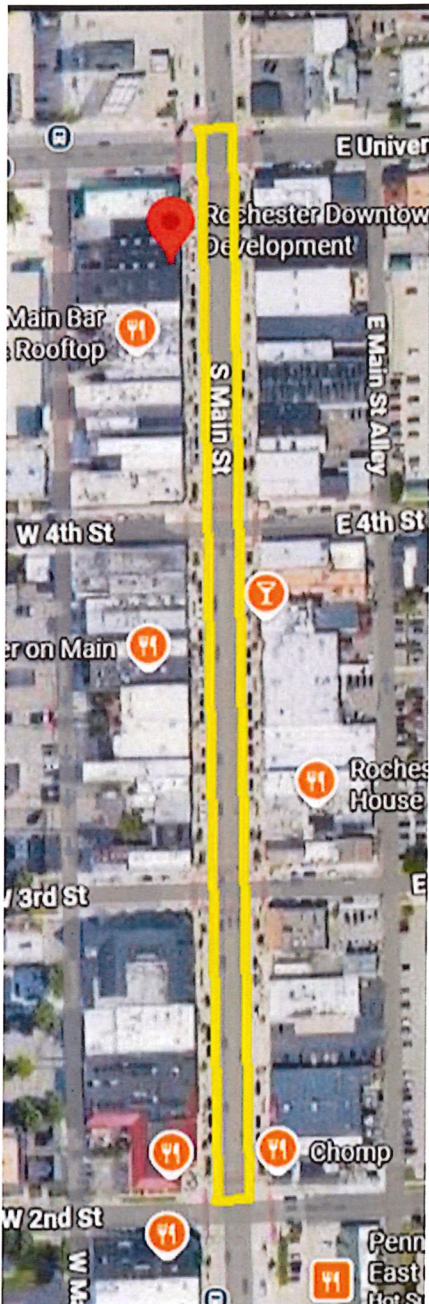




OPTION 1 – ROMEO TO 2ND.



OPTION 2 – UNIVERSITY TO 2ND.





City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

MEMORANDUM

Date: June 19, 2026

To: Nik Banda, City Manager

From: Jeffrey S. Kragt

Subject: Metro Act Permit – Gateway Infrastructure, LLC (“Gateway”)

Copies: Brian D’Annunzio, Nick Schaefer, Holly Meyers, Megan Frazho, Jason Warner

Issue: Consideration of Metro Act Permit application from Gateway Infrastructure, LLC.

Analysis: The City has received a request from Gateway under the Metro Act to use public right-of-way to install fiberoptic facilities as further described in the materials.

By statute, the City must approve or deny access under the Metro Act within 45 days of the date that a provider submits an application for access to the public right-of-way. The MPSC can impose substantial fines for failing to do so. In essence, so long as the applicant submitted the Metro Act forms and the application is otherwise complete, municipalities must approve these in due course, unless there is a significant issue in what is being proposed.

As to the timing of consideration and approval, MCL 484.3115(3) states:

A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way. A provider's right to access and use of a public right-of-way shall not be unreasonably denied by a municipality. A municipality may require as a condition of the permit that a bond be posted by the provider, which shall not exceed the reasonable cost to ensure that the public right-of-way is returned to its original condition during and after the provider's access and use.

Gateway submitted its application by email to the City on April 29, 2026. I reviewed the application and materials and deemed them incomplete. I sent them a letter with such determination on May 6, 2026. Gateway revised and updated the application and other

paperwork and submitted them to the City, which was received on June 12, 2026. I deemed this submittal complete and advised them of said determination as required. The City's consideration on July 13, 2026 would therefore be timely.

We are now bringing Gateway's Application to City Council for approval of the requested Bilateral Right-of-Way Telecommunications Permit. Bilateral permits have a 15-year term.

When it comes time for Gateway to actually install the lines, it is still required to come to the City administration and present its final plans for location and type of installation. Gateway understands that they will need to contact Director Schaefer to coordinate.

I believe that the application packet is complete as it contains the intended route maps, currently existing information, insurance provisions, corporate good standing evidence, etc. These materials are all in the packet for City Council to consider. In light of the foregoing, it is my recommendation that the Application be approved and the Permit issued.

Requested Action: The requested action is for City Council to approve Gateway Infrastructure's telecommunications permit and authorize the City Clerk and City Manager to execute the permit.

Attachment: Metro Act Permit Application Form with Exhibits;
Right-of Way Telecommunications Permit; and
Certificate of Good Standing issued by the Department of Licensing and
Regulatory Affairs

METRO Act Permit Application Form
Revised February 2, 2015

Rochester, Michigan
Name of Local Unit of Government

APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS
UNDER
METROPOLITAN EXTENSION TELECOMMUNICATIONS
RIGHTS-OF-WAY OVERSIGHT ACT
2002 PA 48
MCL SECTIONS 484.3101 TO 484.3120

BY

Gateway Infrastructure, LLC
("APPLICANT")

Unfamiliar with METRO Act?--Assistance: Municipalities unfamiliar with Michigan Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act") permits for telecommunications providers should seek assistance, such as by contacting the Telecommunications Division of the Michigan Public Service Commission at 517-284-8190 or via its web site at http://www.michigan.gov/mpsc/0,4639,7-159-16372_22707---,00.html.

45 Days to Act—Fines for Failure to Act: The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3). The Michigan Public Service Commission can impose fines of up to \$40,000 per day for violations of the METRO Act. It has imposed fines under the Michigan Telecommunications Act where it found providers or municipalities violated the statute.

Where to File: Applicants should file copies as follows [municipalities should adapt as appropriate—unless otherwise specified service should be as follows]:

-- Three (3) copies (one of which shall be marked and designated as the master copy) with the Clerk at [insert address].

Rochester , Michigan
Name of local unit of government

**APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS**

By
Gateway Infrastructure, LLC
("APPLICANT")

This is an application pursuant to Sections 5 and 6 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48 (the "METRO Act") for access to and ongoing usage of the public right-of-way, including public roadways, highways, streets, alleys, easements, and waterways ("Public Ways") in the Municipality for a telecommunications system. The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3).

This application must be accompanied by a one-time application fee of \$500, unless the applicant is exempt from this requirement under Section 5(3) of the METRO Act, MCL 484.3105(3).

1 GENERAL INFORMATION:

- 1.1 Date: 4/29/26
- 1.2 Applicant's legal name: Gateway Infrastructure, LLC
Mailing Address: 2342 Technology Dr.
Ste. 103
O'Fallon, MO 63368
Telephone Number: 888-201-4339
Fax Number: N/A
Corporate website: www.gatewayfiber.com

Name and title of Applicant's local manager (and if different) contact person regarding this application:

Brandon Ferngren, Director of Construction
Mailing Address: 452 Northco Dr. NE
Ste. 180
Fridley, MN 55432
Telephone Number: 612-986-1453

Fax Number: N/A

E-mail Address: brandon.ferngren@gatewayfiber.com

1.3 Type of Entity: (Check one of the following)

- ☐ Corporation
☐ General Partnership
☐ Limited Partnership
☒ Limited Liability Company
☐ Individual
☐ Other, please describe: _____

1.4 Assumed name for doing business, if any: d/b/a Gateway Fiber

1.5 Description of Entity:

1.5.1 Jurisdiction of incorporation/formation; Delaware

1.5.2 Date of incorporation/formation; August 28, 2020

1.5.3 If a subsidiary, name of ultimate parent company; CBRE Infra Fiber Holdings, LLC

1.5.4 Chairperson, President/CEO, Secretary and Treasurer (and equivalent officials for non-corporate entities).

Chair – Noi Spyrtatos

President/CEO – Chris Surdo

Secretary – Craig Ceranna

Treasurer – Craig Ceranna

1.6 Attach copies of Applicant's most recent annual report (with state ID number) filed with the Michigan Department of Licensing and Regulatory Affairs and certificate of good standing with the State of Michigan. For entities in existence for less than one year and for non-corporate entities, provide equivalent information.

See Applicant's Certificate of Good Standing with the State of Michigan attached. Applicant has not yet been required to file an annual report with the Michigan Department of Licensing and Regulatory Affairs

1.7 Is Applicant aware of any present or potential conflicts of interest between Applicant and Municipality? If yes, describe: No.

1.8 In the past three (3) years, has Applicant had a permit to install telecommunications facilities in the public right of way revoked by any Michigan municipality?

Circle: Yes ☒ No

If "yes," please describe the circumstances.

1.9 In the past three (3) years, has an adverse finding been made or an adverse final action been taken by any Michigan court or administrative body against Applicant under any law or regulation related to the following:

1.9.1 A felony; or

1.9.2 A revocation or suspension of any authorization (including cable franchises) to provide telecommunications or video programming services?

Circle: Yes ☒ No

If "yes," please attach a full description of the parties and matters involved, including an identification of the court or administrative body and any proceedings (by dates and file numbers, if applicable), and the disposition of such proceedings.

1.10 [If Applicant has been granted and currently holds a license to provide basic local exchange service, no financial information needs to be supplied.] If publicly held, provide Applicant's most recent financial statements. If financial statements of a parent company of Applicant (or other affiliate of Applicant) are provided in lieu of those of Applicant, please explain.

1.10.1 If privately held, and if Municipality requests the information within 10 days of the date of this Application, the Applicant and the Municipality should make arrangements for the Municipality to review the financial statements.

If no financial statements are provided, please explain and provide particulars.

Financial statements are attached. However these statements are proprietary and confidential and we ask that they be excluded from public record.

2 DESCRIPTION OF PROJECT:

2.1 Provide a copy of authorizations, if applicable, Applicant holds to provide telecommunications services in Municipality. If no authorizations are applicable, please explain. See Applicant's Intrastate Telecommunications Service Providers (ITSP) Registration with the Michigan Public Service Commission attached.

2.2 Describe in plain English how Municipality should describe to the public the telecommunications services to be provided by Applicant and the telecommunications facilities to be installed by Applicant in the Public Ways.

Gateway Fiber provides broadband internet and voice over internet protocol (VoIP) service to residential and business customers. This includes residential and commercial VOIP services.

2.3 Attach route maps showing the location (including whether overhead or underground) of Applicant's existing and proposed facilities in the public right-of-way. To the extent known, please identify the side of the street on which the facilities will be located. (If construction approval is sought at this time, provide engineering drawings, if available, showing location and depth, if applicable, of facilities to be installed in the public right-of-way).

See route maps attached.

2.4 Please provide an anticipated or actual construction schedule.

Month	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Footage	0	0	0	0	0	46747	51421	51421	46747	46747	46747	46747	336,577

2.5 Please list all organizations and entities which will have any ownership interest in the facilities proposed to be installed in the Public Ways.

Gateway Infrastructure, LLC

2.6 Who will be responsible for maintaining the facilities Applicant places in the Public Ways and how are they to be promptly contacted? If Applicant's facilities are to be installed on or in existing facilities in the Public Ways of existing public utilities or incumbent telecommunications providers, describe the facilities to be used, and provide verification of their consent to such usage by Applicant.

Gateway Fiber builds, owns, and maintains all infrastructure facilities. General contact should be made through Gateway Fiber's primary phone number at 888-201-4339. Construction or maintenance complaints can also be reported online by visiting <https://connect.gatewayfiber.com/issue>.

3 TELECOMMUNICATION PROVIDER ADMINISTRATIVE MATTERS:

Please provide the following or attach an appropriate exhibit.

3.1 Address of Applicant's nearest local office;
452 Northco Dr. NE
Ste. 180
Fridley, MN 55432

3.2 Location of all records and engineering drawings, if not at local office;
2342 Technology Dr.
O'Fallon, MO 63368

3.3 Names, titles, addresses, e-mail addresses and telephone numbers of contact person(s) for Applicant's engineer or engineers and their responsibilities for the telecommunications system;
Kirk Thaelke
2342 Technology Dr.
O'Fallon, MO 63368
kirk.thaelke@gatewayfiber.com,
314-495-6318

3.4 Provide evidence of self-insurance or a certificate of insurance showing Applicant's insurance coverage, carrier and limits of liability for the following:

3.4.1.1 Worker's compensation; Please see certificate of insurance attached.

3.4.1.2 Commercial general liability, including at least:

3.4.1.3 Combined overall limits;

3.4.1.4 Combined single limit for each occurrence of bodily injury;

3.4.1.5 Personal injury;

3.4.1.6 Property damage;

3.4.1.7 Blanket contractual liability for written contracts, products, and completed operations;

3.4.1.8 Independent contractor liability;

3.4.1.9 For any non-aerial installations, coverage for property damage from perils of explosives, collapse, or damage to underground utilities (known as XCU coverage);

3.4.1.10 Environmental contamination;

3.4.2 Automobile liability covering all owned, hired, and non-owned vehicles used by Applicant, its employee, or agents.

3.5 Names of all anticipated contractors and subcontractors involved in the construction, maintenance and operation of Applicant's facilities in the Public Ways.

Verita Telecommunications Corporation
HBK Engineering, LLC

4 CERTIFICATION:

All the statements made in the application and attached exhibits are true and correct to the best of my knowledge and belief.

4/29/26

Date

NAME OF ENTITY ("APPLICANT")

Gateway Fiber

By: Signed by: Chris Surdo

CAD9582ADEE47
Type or Print Name: Chris Surdo

President & CEO

Title

S:\metroapplicationform.doc

RIGHT-OF-WAY TELECOMMUNICATIONS PERMIT

TERMS AND CONDITIONS

1 Definitions

- 1.1 Company shall mean Gateway Infrastructure, a limited liability company organized under the laws of the State of Delaware whose principal address is 2342 Technology Drive, Suite 103, O'Fallon, Missouri 63368.
- 1.2 Effective Date shall mean the date set forth in Part 13.
- 1.3 Manager shall mean Municipality's Mayor or his or her designee.
- 1.4 METRO Act shall mean the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended.
- 1.5 Municipality shall mean City of Rochester, a Michigan municipal corporation.
- 1.6 Permit shall mean this document.
- 1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public right-of-way does not include a federal, state, or private right-of-way.
- 1.8 Telecommunication Facilities or Facilities shall mean the Company's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, 2-way communications device.
- 1.9 Term shall have the meaning set forth in Part 7.

2 Grant

- 2.1 Municipality hereby grants a permit under the METRO Act to Company for access to and ongoing use of the Public Right-of-Way to construct, install and maintain Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A on the terms set forth herein.
- 2.1.1 Exhibit A may be modified by written request by Company and approval by Manager.
- 2.1.2 Manager shall not unreasonably condition or deny any request for a modification of Exhibit A. Any decision of Manager on a request for a modification may be appealed by Company to Municipality's legislative body.
- 2.2 Overlashing. Company shall not allow the wires or any other facilities of a third party to be overlashed to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.
- 2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.

3 Contacts, Maps and Plans

- 3.1 Company Contacts. The names, addresses and the like for engineering and construction related information for Company and its Telecommunication Facilities are as follows:
- 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Company's local office (in or near Municipality) is Kirk Thielke – kirk.thielke@gatewayfiber.com – 314-495-6318.
- 3.1.2 If Company's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is Kirk Thielke – kirk.thielke@gatewayfiber.com – 314-495-6318.

3.1.3 The name, title, address, e-mail address and telephone numbers of Company's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is: Kirk Thaelke, 2342 Technology Drive, Suite 103, O'Fallon, MO 63368 kirk.thaelke@gatewayfiber.com, 314-495-6318.

3.1.4 The address, phone number and contact person (title or department) at Company's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is Jason Johns, 2342 Technology Drive, Suite 103, O'Fallon, MO 63368 jason.johns@gatewayfiber.com, 916-296-8520.

3.1.5 Company shall at all times provide Manager with the phone number at which a live representative of Company (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency.

3.1.6 The preceding information is accurate as of the Effective Date. Company shall notify Municipality in writing as set forth in Part 12 of any changes in the preceding information.

3.2 Route Maps. Within ninety (90) days after the substantial completion of construction of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

3.3 As-Built Records. Company, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Company shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

4 Use of Public Right-of-Way

4.1 No Burden on Public Right-of-Way. Company, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Company's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or

interference, due to changed circumstances, Company, at its sole expense, shall modify the Telecommunication Facilities or take such other actions as Municipality may determine is in the public interest to remove or alleviate the burden, and Company shall do so within a reasonable time period. Municipality shall attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.

- 4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Company over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.
- 4.3 Restoration of Property. Company, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at Company's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Company's option, better) condition as that which existed prior to the disturbance. In the event that Company, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Company shall pay the costs Municipality incurred for such repair.
- 4.4 Marking. Company shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Company's lines on alternate poles which shall state Company's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Company's cable (if such cable is nonconductive); (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Company's name and a toll-free number indicating that there is buried telephone cable below. Bored underground portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Company, shall be marked at its entrance into and exit from each manhole and handhole with Company's name and a toll-free telephone number.

- 4.5 Tree Trimming. Company may trim trees upon and overhanging the Public Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Company shall dispose of all trimmed materials. Company shall minimize the trimming of trees to that essential to maintain the integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.
- 4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Company shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Company's use, or the facilities of all users of the poles are required to go underground then Company shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Company may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Company shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.
- 4.7 Pavement Cut Coordination. Company shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").
 - 4.7.1 The goals of such coordination shall be to encourage Company to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.
- 4.8 Compliance with Laws. Company shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is commenced, Company shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Municipality shall not unreasonably delay or deny issuance of any such permits, licenses or approvals. Company shall comply in all respects with applicable codes and industry standards,

including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and the National Electric Code (latest edition). Company shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be amended. This section does not constitute a waiver of Company's right to challenge laws, statutes, ordinances, rules or regulations now in force or established in the future.

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Company's Facilities in the vacated Public Right-of-Way, Company shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Company shall relocate its Facilities to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards.
- 4.10 Relocation. If Municipality requests Company to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Company shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Company if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality shall attempt to provide notice to Company. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Company shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Company shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 174 of the Public Acts of 2013, as amended, MCL § 460.721 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.
- 4.13 Underground Relocation. If Company has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications

provider relocates its system underground, then Company shall relocate its Facilities underground in the same location at Company's sole cost and expense.

- 4.14 Identification. All personnel of Company and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Company's name, their name and photograph. Company shall account for all identification cards at all times. Every service vehicle of Company and its contractors or subcontractors shall be clearly identified as such to the public, such as by a magnetic sign with Company's name and telephone number.

5 Indemnification

- 5.1 Indemnity. Company shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Company, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Company's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Company, its officers, agents, employees, contractors, successors and assigns.
- 5.2 Notice, Cooperation. Municipality shall notify Company promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality shall cooperate with Company in every reasonable way to facilitate the defense of any such claim. Municipality shall consult with Company respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.
- 5.3 Settlement. Municipality shall not settle any claim subject to indemnification under this Part 5 without the advance written consent of Company, which consent shall not be unreasonably withheld. Company shall have the right to defend or settle, at its own expense, any claim against Municipality for which Company is responsible hereunder.

6 Insurance

- 6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Company shall obtain insurance as set forth below and file certificates evidencing same with

Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Company may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality's acceptance of such self-insurance shall not be unreasonably withheld.

- 6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities, commonly known as XCU coverage, in an amount not less than Five Million Dollars (\$5,000,000).
- 6.1.2 Liability insurance for sudden and accidental environmental contamination with minimum limits of Five Hundred Thousand Dollars (\$500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.
- 6.1.3 Automobile liability insurance in an amount not less than One Million Dollars (\$1,000,000).
- 6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.
- 6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.
- 6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Company shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than

environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.

- 6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Company.
- 6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of \$50,000, they shall be approved by Manager in advance in writing. Company shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any premium on any insurance policy required to be furnished hereunder.
- 6.5 Contractors. Company's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability, environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Company, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Company's policies).
- 6.6 Insurance Primary. Company's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Company's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

7 Term

- 7.1 Term. The term ("Term") of this Permit shall be until the earlier of:
 - 7.1.1 Fifteen years (15) from the Effective Date; provided, however, that following such initial term there shall be three subsequent renewal terms of five (5) years. Each renewal term shall be automatic unless Municipality notifies Company in writing, at least twelve (12) months prior to the end of any term then in effect, that due to changed circumstances a need exists to

negotiate the subsequent renewal with Company. Municipality shall not unreasonably deny a renewal term; or

7.1.2 When the Telecommunication Facilities have not been used to provide telecommunications services for a period of one hundred and eighty (180) days by the Company or a successor of an assign of the Company; or

7.1.3 When Company, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or

7.1.4 Upon either Company or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or

7.1.5 Unless Manager grants a written extension, one year from the Effective Date if prior thereto Company has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Effective Date if by such time construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Company to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)].

9 Fees

9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

10.1 Removal; Underground. As soon as practicable after the Term, Company or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening

of the Public Right-of-Way. Company shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Company's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

10.2 Removal; Above Ground. As soon as practicable after the Term, Company, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Company as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

11 Assignment. Company may assign or transfer its rights under this Permit, or the persons or entities controlling Company may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Company's business, or by other means, subject to the following:

11.1 No such transfer or assignment or change in the control of Company shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Effective Date until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.

11.2 After the completion of such construction, Company must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,

11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements

under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and

11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Company's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Company shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.

11.3 Company may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, to City of Rochester Attn: City Clerk 400 Sixth St. Rochester, MI 48307.

12.1.2 If to Company, to Gateway Fiber 2342 Technology Dr. O'Fallon, MO 63368.

12.2 Change of Address. Company and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

13 Other items

13.1 No Cable, OVS. This Permit does not authorize Company to provide commercial cable type services to the public, such as "cable service" or the services of an "open video system operator" (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).

13.2 Duties. Company shall faithfully perform all duties required by this Permit.

13.3 Effective Date. This Permit shall become effective when issued by Municipality and Company has provided any insurance certificates and bonds required in Parts 6 and 8, and signed the acceptance of the Permit.

13.4 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].

- 13.5 Amendment. Except as set forth in Section 2.1 this Permit may be amended by the written agreement of Municipality and Company.
- 13.6 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Company and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.
- 13.7 Governing Law. This Permit shall be governed by the laws of the State of Michigan.

City of Rochester

Attest:

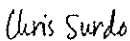
By: _____
Clerk

By: _____
Its: Mayor of Rochester
Date: _____

“Company accepts the Permit granted by Municipality upon the terms and conditions contained therein.”

Gateway Infrastructure, LLC

Signed by:



By: Chris Surdo

Its: President & CEO

Date: 4/29/26

::ODMA\PCDOCS\GRR\759319\6

Exhibit A

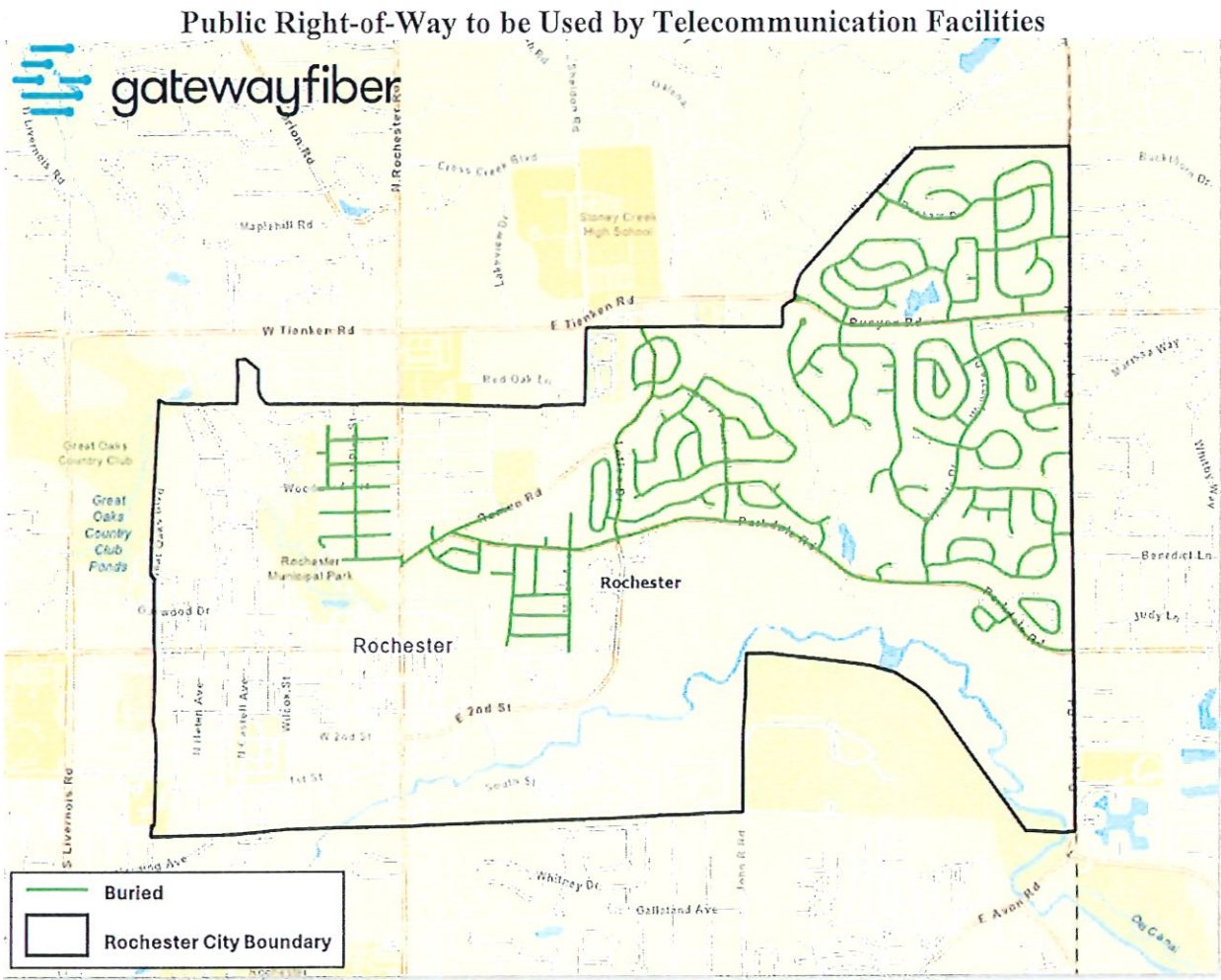


Exhibit B

Bond



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/11/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER RogersGray, A Baldwin Risk Partner 410 University Ave Westwood MA 02090		CONTACT NAME: PHONE (A/C, No, Ext): 800-553-1801 FAX (A/C, No): 877-816-2156 E-MAIL ADDRESS: mail@rogersgray.com	
License#: PC-514082 GATEFIB-01		INSURER(S) AFFORDING COVERAGE	
INSURED CBRE Infrastructure GW Holdings Inc., CBRE Infrastructure GW Holdings LP, Gateway Interim 2 LLC, Gateway Fiber Operating LLC, Gateway Interim 1 LLC, Gateway Infrastructure LLC, Gateway Fiber LLC 2342 Technology Dr Ste 103		INSURER A: Federal Insurance Company	
		INSURER B: Chubb National Insurance Compa	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES**CERTIFICATE NUMBER:** 1036471539**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ X,C,U GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC OTHER:	Y	Y	36094137	9/21/2025	9/21/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y	Y	73655297	9/21/2025	9/21/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0	Y	Y	56731014	9/21/2025	9/21/2026	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N N		Y	71845016	9/21/2025	9/21/2026	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

When Required by Written Contract, the Following Applies:

General Liability - Additional Insured (80-02-2367 05/07), Ongoing Operations (80-02-2367 05/07), Completed Operations (80-02-2000 4/01), Primary and Non-Contributory Basis (80-02-2367 05/07), Waiver of Subrogation (80-02-2000 4/01)

Auto Liability - Additional Insured (16-02-0292 04/24), Primary and Non-Contributory Basis (16-02-0292 04/24), Waiver of Subrogation (16-02-0292 04/24)

Workers Compensation - Waiver of Subrogation (WC 00 13 13 04/84)

Excess/Umbrella - Additional Insured Follows form over underlying General Liability, Automobile, and Employers Liability

City of Rochester is included as cited above.

CERTIFICATE HOLDER**CANCELLATION**City of Rochester
400 Sixth Street
Rochester MI 48307

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.



This is to certify:

Entity Name: GATEWAY FIBER, LLC

Foreign Name:

Entity ID#: 900102771

Entity Type: Foreign Limited Liability Company

Initial Filing Date: 10/08/2025

Delayed Effective Date:

Formation Jurisdiction: Delaware

Act Subject To: 023-1993 Michigan Limited Liability Company Act

That the above referenced entity was validly authorized to transact business in Michigan on 10/08/2025 and that said entity holds a valid Certificate of Authority to Transact Business in this state and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23, as amended, to attest to the fact that the Limited Liability Company or Professional Limited Liability Company is in good standing in Michigan as of this date and is duly authorized to transact in this state any business that a domestic Limited Liability Company or Professional Limited Liability Company formed under this act may lawfully transact, except as limited by statements in its Application for Certificate of Authority or under the law of its jurisdiction of organization.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, on November 12, 2025.

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau

Certificate Number: 36460

Verify this certificate at: www.michigan.gov/corpverifycertificate



This is to certify:

Entity Name: GATEWAY FIBER OPERATING, LLC

Foreign Name:

Entity ID#: 900102762

Entity Type: Foreign Limited Liability Company

Initial Filing Date: 10/08/2025

Delayed Effective Date:

Formation Jurisdiction: Delaware

Act Subject To: 023-1993 Michigan Limited Liability Company Act

That the above referenced entity was validly authorized to transact business in Michigan on 10/08/2025 and that said entity holds a valid Certificate of Authority to Transact Business in this state and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23, as amended, to attest to the fact that the Limited Liability Company or Professional Limited Liability Company is in good standing in Michigan as of this date and is duly authorized to transact in this state any business that a domestic Limited Liability Company or Professional Limited Liability Company formed under this act may lawfully transact, except as limited by statements in its Application for Certificate of Authority or under the law of its jurisdiction of organization.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, on November 12, 2025.

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau

Certificate Number: 36459

Verify this certificate at: www.michigan.gov/corpverifycertificate



This is to certify:

Entity Name: GATEWAY INFRASTRUCTURE, LLC

Foreign Name:

Entity ID#: 900102742

Entity Type: Foreign Limited Liability Company

Initial Filing Date: 10/08/2025

Delayed Effective Date:

Formation Jurisdiction: Delaware

Act Subject To: 023-1993 Michigan Limited Liability Company Act

That the above referenced entity was validly authorized to transact business in Michigan on 10/08/2025 and that said entity holds a valid Certificate of Authority to Transact Business in this state and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23, as amended, to attest to the fact that the Limited Liability Company or Professional Limited Liability Company is in good standing in Michigan as of this date and is duly authorized to transact in this state any business that a domestic Limited Liability Company or Professional Limited Liability Company formed under this act may lawfully transact, except as limited by statements in its Application for Certificate of Authority or under the law of its jurisdiction of organization.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

In testimony whereof, I have hereunto set my hand, in the City of Lansing, on November 12, 2025.

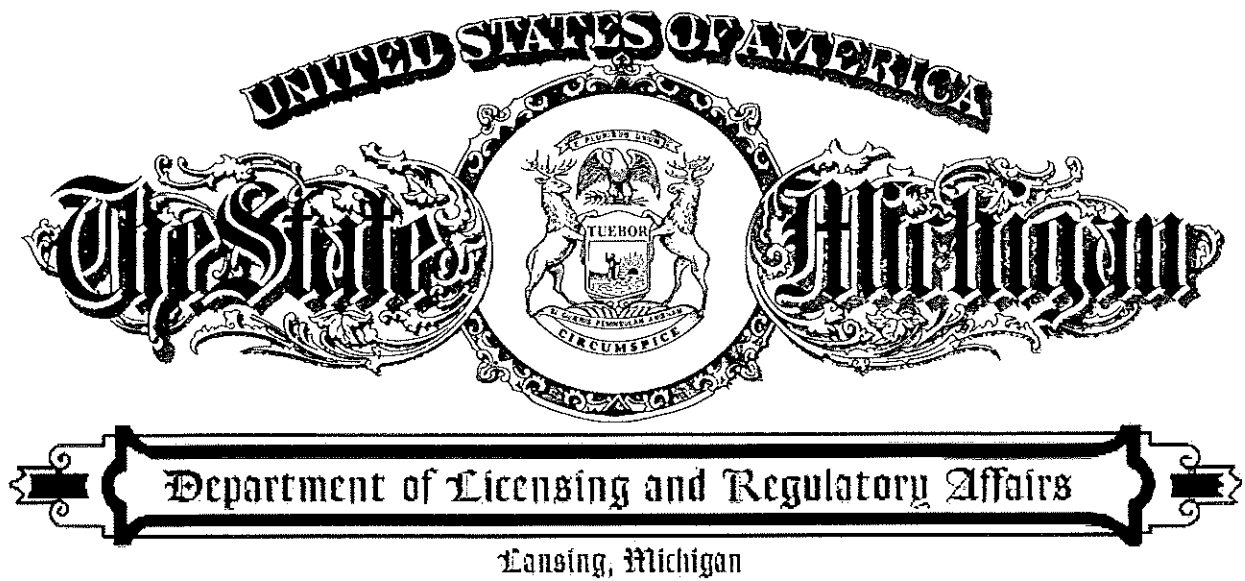
Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau



Certificate Number: 36457

Verify this certificate at: www.michigan.gov/corpverifycertificate



This is to certify:

Entity Name: GATEWAY FIBER, LLC

Foreign True Name:

Identity ID#: 900102771

Initial Filing Date: 10/08/2025

Delayed Effective Date:

Entity Type: Foreign Limited Liability Company

Filing Type: Application for Certificate of Authority to Transact Business or Conduct Affairs in Michigan

Formation Jurisdiction: Delaware

Act Subject To: 023-1993 Michigan Limited Liability Company Act

The above referenced entity existing under the laws of the formation jurisdiction was validly authorized to conduct affairs in Michigan on the initial filing date, in conformity with the Act(s) it is formed under and subject to.

Said entity is authorized to transact in this state any business of the character set forth in its application which a domestic entity is formed under said statutes may lawfully transact. The authority shall continue as long as the above referenced entity retains its authority to transact such business in the jurisdiction of its formation and its authority to transact business in this state has not been surrendered, suspended, or revoked.

Pursuant the act subject to, the entity shall use the entity name, as it is set forth in this Certificate in all its dealings with this Department and in the transaction of business in this state.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, on October 8, 2025.

Linda Clegg, Director
Corporations, Securities & Commercial Licensing Bureau



This is to certify:

Entity Name: GATEWAY FIBER OPERATING, LLC

Foreign True Name:

Identity ID#: 900102762

Initial Filing Date: 10/08/2025

Delayed Effective Date:

Entity Type: Foreign Limited Liability Company

Filing Type: Application for Certificate of Authority to Transact Business or Conduct Affairs in Michigan

Formation Jurisdiction: Delaware

Act Subject To: 023-1993 Michigan Limited Liability Company Act

The above referenced entity existing under the laws of the formation jurisdiction was validly authorized to conduct affairs in Michigan on the initial filing date, in conformity with the Act(s) it is formed under and subject to.

Said entity is authorized to transact in this state any business of the character set forth in its application which a domestic entity is formed under said statutes may lawfully transact. The authority shall continue as long as the above referenced entity retains its authority to transact such business in the jurisdiction of its formation and its authority to transact business in this state has not been surrendered, suspended, or revoked.

Pursuant the act subject to, the entity shall use the entity name, as it is set forth in this Certificate in all its dealings with this Department and in the transaction of business in this state.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

In testimony whereof, I have hereunto set my hand, in the City of Lansing, on October 8, 2025.

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau



From: [Jennifer Weikel-Ockert](#)
To: [Derek Leffert](#)
Subject: ITSP Registration Approved
Date: Wednesday, October 15, 2025 6:25:53 AM

[You don't often get email from weikel-ockertj@michigan.gov. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

October 15, 2025

Dear Derek Leffert,

Thank you for submitting your ITSP registration. Your registration has been reviewed and approved. The company information can now be found on the Commission's website at <https://mpsc.force.com/itsp/>. If you have any questions or concerns please feel free to contact Jennifer Weikel-Ockert at weikel-ockertj@michigan.gov.

Thank you!
Michigan Public Service Commission

Below is a copy of the information you provided on your registration form:

Company Information:

Name: Gateway Fiber, LLC
Federal ID: 85-2789342
Status: Approved

DBA:

DBA 1: Gateway Infrastructure, LLC
DBA 2:
DBA 3:
DBA 4:
DBA 5:
DBA 6:
DBA 7:
DBA 8:
DBA 9:
DBA 10:

Address Information:

Billing Street: 2342 Technology Dr. Ste. 103
Billing City: O'Fallon
Billing State: Missouri
Billing Zip/Postal Code: 63368
Billing Country: United States
Home/Business Phone: (888) 201-4339
Fax:
Email: derek.leffert@gatewayfiber.com
Website: www.gatewayfiber.com

Provider Service Information:

Eligible Telecommunications Carrier (ETC): No
ETC Docket Number:
Lifeline Provider:
Broadband Type: Fiber

Competitive Access Provider (CAP): false
CAP Tariff Information Provided:
Competitive Local Exchange Carrier (CLEC): false
CLEC Tariff Information Provided:
CLEC Docket Number:
Incumbent Local Exchange Carrier (ILEC): false
Interexchange Carrier (IXC): false
IXC Tariff Information Provided:
Operator Service Provider (OSP): false
Pay Phone Provider (PP): false
Toll Reseller (TR): false
Voice Over Internet Protocol Provider (VoIP): true
Wireless Type:
Other: false
Other Description:

Company Contacts:

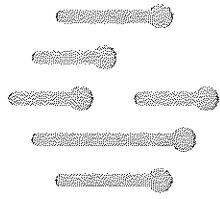
Type: Authorized Agent
Name: Craig Ceranna
Title: Chief Financial Officer
Street Address:
City:
State:
Postal Code:
Country: United States
Phone: (314) 585-6630
Phone Ext:
Fax:
Email: craig.ceranna@gatewayfiber.com

Type: Customer Service Contact
Name: Jim Rosema
Title: SVP, Customer Operations
Street Address: 2342 Technology Dr. Suite 103
City: O'Fallon
State: Missouri
Postal Code: 63368
Country: United States
Phone: (616) 401-8643
Phone Ext:
Fax:
Email: jim.rosema@gatewayfiber.com

Type: Officer 1
Name: Chris Surdo
Title: Chief Executive Officer
Street Address:
City:
State:
Postal Code:
Country: United States
Phone: (404) 683-3223
Phone Ext:
Fax:
Email: chris.surdo@gatewayfiber.com

Type: Officer 2
Name: Derek Leffert
Title: Head of Government Affairs
Street Address:
City:
State:
Postal Code:
Country: United States
Phone: (573) 280-8500
Phone Ext:
Fax:
Email: derek.leffert@gatewayfiber.com

Verification and Submission:
Federal ID: 85-2789342
Title: Head of Government Affairs
Verifier Name: Derek Leffert
Phone: (573) 280-8500
Email: derek.leffert@gatewayfiber.com



gatewayfiber

June 19, 2026

Mr. Jeffrey Kragt
410 W. University Dr., Ste. 200
Rochester, MI 48307

RE: Gateway Fiber METRO Act Application

Dear Mr. Kragt:

Per our correspondence, please add myself as the public emergency contact as is required by section 3.1.5 of the METRO Act application. I may be reached at 573-280-8500.

Alternatively, please add Jason Johns as a secondary contact. He can be reached at 916-296-8520.

Should you need any additional information, please do not hesitate to reach out.

Thank you for your assistance.

Regards,

Derek S. Leffert
Head of Government Affairs



June 19, 2026

Mr. Jeffrey Kragt
410 W. University Dr., Ste. 200
Rochester, MI 48307

RE: Gateway Fiber METRO Act Application

Dear Mr. Kragt:

Per our correspondence, please add myself as the public emergency contact as is required by section 3.1.5 of the METRO Act application. I may be reached at 573-280-8500.

Alternatively, please add Jason Johns as a secondary contact. He can be reached at 916-296-8520.

Should you need any additional information, please do not hesitate to reach out.

Thank you for your assistance.

Regards,

Derek S. Leffert
Head of Government Affairs

**RESOLUTION OPPOSING MICHIGAN HOUSE BILLS 5529-5532 AND 5581-5585
REGARDING LOCAL MUNICIPAL ZONING AUTHORITY**

WHEREAS, the City of Rochester is organized and existing under the laws of the State of Michigan and is charged with protecting the public health, safety, and welfare; and

WHEREAS, the Michigan House of Representatives recently introduced a package of bills, including HBs 5529-5532 and HBs 5581-5585 (the “Bills”), which have the purpose and effect of preempting local governments from exercising their traditional authority to plan and zone for residential land uses within their communities; and

WHEREAS, among other things, the Bills restrict the ability of municipalities to regulate lot sizes, accessory buildings, minimum home square footage requirements, and architectural and/or façade material requirements, and would allow second homes, duplexes and mobile homes on any residential lot; and

WHEREAS, while the sentiment and intention of some of the proposed statewide change reflected in the Bills are appropriate considerations for housing policy at both the State and local level, as an essentially statewide abolishment of longstanding place-based planning and zoning rules, the Bills would upend many decades of community planning that has shaped current residential neighborhoods (and in fact whole cities, townships, and villages), and that has been relied on by residents in making their own housing choices; and

WHEREAS, if enacted into law, the Bills would drastically change the process pursuant which local communities review plans for new development and buildings, by greatly limiting the local government’s ability to effectively require the submission of plans that meet ordinance requirements, and by imposing a completely arbitrary and unrealistic uniform timeframe in every community, regardless of its size and staffing, for the review of plans and the issuance of decisions with respect to plans;

WHEREAS, these limitations will result in communities either being denied the opportunity to appropriately assure compliance with public health, safety, and other development requirements for all developments (commercial, retail, industrial and residential) or being obligated to deny approval of plans under the arbitrary time limits, thus actually delaying full and final review of some development proposals; and

WHEREAS, local communities are best situated to 1) assess infrastructure capabilities, such as whether a particular local government can provide residents with enough drinkable water and enough sanitary sewer capacity, so that future development and re-development may be properly planned and the health of its residents are protected, 2) design adequate stormwater management systems to accommodate development while avoiding flooding and environmental degradation; 3) evaluate whether that government can provide adequate police, fire and emergency first responder protect to all of its current and future residents, and 4) plan for the use of public facilities and spaces in a way that does not discriminate against some residents or limit opportunities for use of such resources; and

WHEREAS, local zoning and housing standards are carefully developed to reflect unique housing needs and align with the capacity of roads, stormwater systems, water and sewer

infrastructure, and police and fire services, and such regulations are closely integrated with locally unique long-range comprehensive plans, capital improvement plans, and municipal budget forecasting; and

WHEREAS, increasing residential density without adequate local review and mitigation planning may result in overburdened utilities, unsafe traffic conditions, strained public safety resources, unfunded service demands, loss of greenspace, and other unintended consequences that may adversely impact residents, including overcrowding; and

WHEREAS, local planning processes are transparent and participatory as required by law, providing residents with direct access to public meetings, hearings, and elected officials, thereby ensuring accountability and community engagement in land use decisions; and

WHEREAS, the Bills will impose significant costs on local governments with no corresponding effort to provide or acknowledge the need for a source of funding those costs, further contributing to the precarious financial position local governments already find themselves in given Headlee and Proposal A-based limitation on taxation, reduced and unpredictable State revenue sharing, limitations on raising rates or fees in connection with development and the provision of public utility services, and other forces now affecting the ability of local governments to serve existing residents and the public in general; and

WHEREAS, the Bills are dismissive of the role of governments in protecting residents and public through careful and transparent land use regulations at the community level, and they appear to have resulted in part from untrue or inaccurate criticisms of how local governments process development approvals, and propose limitations on that process that are unworkable, unnecessary and ultimately harmful to residents who's protection it is the fundamental purpose of local government.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Rochester City Council does hereby formally oppose passage of HBs 5529-5532 and HBs 5581-5585; and
2. That the Rochester City Council urges members of the Michigan Legislature to vote against the Bills and to instead engage collaboratively with local governments to develop housing policies that promote affordability while preserving local planning and zoning authority and protecting public infrastructure systems; and
3. That the Rochester City Council supports efforts to reward and incentives communities that adopt certain housing best practices and programs, rather than punishing local municipalities and the residents by preempting and eliminating local control and restricting rights of residents and business owners to speak and voice their support or concerns at public hearings relating to important community planning and zoning matters; and
4. That the Rochester City Clerk is directed to transmit a copy of this Resolution to Governor Whitmer, the Senators and Representatives representing the City of Rochester, and the Michigan Municipal League.

Made and passed this _____ day of _____, 2026.

CERTIFICATION

I, Brian D'Annunzio, the duly authorized Clerk of the City of Rochester, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City of Rochester City Council on _____ 2026.

Brian D'Annunzio, City Clerk



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

MEMORANDUM

Date: July 7th, 2026
To: City Council and Election Commission
From: Brian D'Annunzio, City Clerk
Subject: Appointing Election Inspectors for the August 4th Primary Election

For each election it is the responsibility of the Election Commission to appoint workers for the election, known as election inspectors. These inspectors staff and operate the precincts, the absentee counting board, the early voting final tabulation, and the receiving board. These inspectors must designate a party for balance purposes in fulfilling State law. Party affiliation is not applicable for the receiving board.

Requested Action: The Election Commission to review and approve the list of election inspectors for the August 4th, 2026 Primary Election.

Precinct 1

Mary Jo Showalter (Chair) – Democrat
Juliann DiTommaso – Democrat
Sandra Ondra – Republican
Lawrence Perkins – Democrat

Precinct 2

Margaret Oswald (Chair) – Democrat
David Gasko – Republican
John Cieslik – Republican
Christian Hauser – Democrat
Carol Lamb – Democrat
Steve Traister – Democrat

Precinct 3

Barb Gasko (Chair) – Republican
Marie Mangus – Democrat
Wesley Mangus – Democrat
Tom Mines – Democrat

Absentee Board

Judy Privasky (Chair) – Democrat
Jana Yezak – Republican
Jeremy Peckens – Democrat

Early Voting Only

Bonnie Lawrence – Democrat
Suzanne Dupler – Democrat
Donald Dupler – Republican
Diana Mellerowicz – Republican
Nancy Goodsmith-Cieslik – Republican
Cheryl Petrey – Republican
Ken Fackler – Green
Amy Schultz – Green

Early Voting Tabulation

Mary Jo Showalter (Chair) – Democrat
Juliann DiTommaso – Democrat
Sandra Ondra – Republican
Lawrence Perkins – Democrat

Receiving Board

Brian D'Annunzio
Megan Frazho
Holly Meyers



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

MEMORANDUM

Date: July 9th, 2026
To: City Council and Election Commission
From: Brian D'Annunzio, City Clerk
Subject: Approval of Preprocessing for Absentee Board

The State of Michigan allows for early preprocessing of absentee ballots to help local municipalities process their absentee ballots in a timely manner so results are readily available on Election Day. Whereas PA 195 of 2022 allowed for clerk's offices to open ballot envelopes and sort these ballots, PA 81 of 2023 went further in allowing clerk's offices to open ballots and begin tabulating. Jurisdictions greater than 5,000 population are allowed to begin 8 days prior to an election, jurisdictions smaller than 5,000 population are allowed only for the Monday before Election Day.

Due to the increasing number of voters choosing absentee, and due to the larger expected voter turnout, I believe it is in our interest to have the absentee counting board begin this preprocessing on August 3rd, 2026 from the hours of 12:00 pm – 5:00 pm. This will allow for a head start as well as acclimate new workers to the absentee board prior to Election Day.

Requested Action: The Election Commission to review and approve this resolution pertaining to the preprocessing of absentee ballots.



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

RESOLUTION

PREPROCESSING OF ABSENTEE BALLOTS

WHEREAS, PA 81 of 2023 states that local jurisdictions may approve and utilize the ability to have preprocessing and tabulation of the absentee ballots up to 8 days prior to the Election if a jurisdiction is greater than 5,000 population

THEREFORE, BE IT RESOLVED THAT, the Rochester City Council and Election Commission adopt this Resolution authorizing the City Clerk to convene the Absentee Counting Board on Monday, August 3rd, 2026 from the hours of 12:00 p.m. to 5:00 p.m. in the conference room of the Municipal Building, 400 Sixth Street, Rochester MI 48307, to begin the preprocessing of absentee ballots.

I, Brian D'Annunzio, the duly authorized Clerk of the City of Rochester do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Rochester City Council and Election Commission on the 13th day of July 2026.

Brian D'Annunzio, City Clerk



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 733-3700
F: (248) 733-3170
www.rochestermi.org

Rochester Historical Commission Regular Meeting Agenda

Chairperson: William Pietrzyk, Vice Chairman: TBD
Secretary: TBD, Treasurer: Cy Saverino, Archives & Accessions Liaison: Lynn Anderson
Greater Rochester Heritage Days Liaison: Don Sienkiewicz, Rochester Cemetery Commission:
William Pietrzyk, Downtown Development Authority (DDA): Don Sienkiewicz,
RHC Members: Robert Michalka, Julia Johnaon, Donald Washeleski, Jo Soko, Tim Petro,
Rochester City Council Liaison: Mayor Jones, Alternate Kay Johnson

400 Sixth Street	June 25, 2026	7:00 pm
-------------------------	----------------------	----------------

- Call to order
- Approval of RHC meeting minutes for May 28, 2026- All
- Treasurers Report – Cy
 - 2027 Budget Report Ending Date May 31, 2026
- Secretary Report – Communications – Bill/Cy
- Update on Historical Plaque Program – Lynn
- Van Hoosen Museum Update on Archive Project- Julia
- RHC Liaison Reports
 - Archives & Accessions – Julia
 - Founder's Day March 21, 2027– Bill
 - DDA – Don
 - Resulta Greater Rochester Hertiage Days May 30-31, 2026 – Don
 - Rochester Cemetery Commission Jul y 7, 2026– Bill
 - Number of Sales of DUR Book – Cy
 - Unfinished and New Business
- Miscellaneous
- Adjournment: **Next Meeting July 23, 2026**



OLDER PERSONS' COMMISSION GOVERNING BOARD MEETING AGENDA
650 Letica Drive | Rochester, MI 48307 | 248.656.1403 | OPCcenter.org

Commissioners:

Stuart Bikson – Chairman, Micheline Sommers - Vice-Chairman, Robin Buxar – Treasurer, Al Fisk - Secretary
James Gill, Diana Mannino, Carol Morlan, Theresa Mungioli

Mission: *Providing innovative programs and high-quality services that stimulate and advance healthy living for the 50+ community.*

Vision: *To continue to be the premier community resource for adults 50 and over.*

Thursday, June 25, 2026	5:00 PM	Classrooms 2&3
--------------------------------	----------------	---------------------------

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Public Comment (Comments not on the agenda and limited to 3 minutes)
5. Approval of the Minutes of the June 4, 2026, regular meeting
6. Approval of the Closed Session Minutes of the June 4, 2026, meeting
7. New Business -
 - a. Public Hearing and Adoption of the FY 2027-2029 Budget
 - b. OPC Transportation Presentation and Update
8. Director's Report
9. Committee Reports
 - a. Finance Committee
 - b. Facility Committee
10. Commissioners' Comments
11. Adjournment

Distribution:
Members (8)
Renee Cortright
Rochester Hills Clerk
Rochester City Clerk
Charter Township of Oakland Clerk
Dan Christ, Attorney
Posted: OPC Lobby
OPC Website



OLDER PERSONS' COMMISSION GOVERNING BOARD MEETING AGENDA
650 Letica Drive | Rochester, MI 48307 | 248.656.1403 | OPCcenter.org

Commissioners:

Stuart Bikson – Chairman, Micheline Sommers - Vice-Chairman, Robin Buxar – Treasurer, Al Fisk - Secretary
James Gill, Diana Mannino, Carol Morlan, Theresa Mungioli

Mission: *Providing innovative programs and high-quality services that stimulate and advance healthy living for the 50+ community.*

Vision: *To continue to be the premier community resource for adults 50 and over.*

Thursday, July 9, 2026

5:00 PM

Classroom 4

1. Call to Order
2. Roll Call
3. Approval of a resolution authorizing execution of estate beneficiary documents on behalf of OPC
4. Adjournment

Distribution:

Members (8)

Renee Cortright

Rochester Hills Clerk

Rochester City Clerk

Charter Township of Oakland Clerk

Dan Christ, Attorney

Posted: OPC Lobby

OPC Website



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

Cemetery Advisory Board Agenda July 7, 2026

1. Call to Order
2. Martha DeMiro Introduction
3. Public Comment
4. Fundraising/Gates
5. Other cemetery projects
6. Board Member Comments
7. Adjournment



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 733-3700
F: (248) 733-3170
www.rochestermi.org

PLANNING COMMISSON REGULAR MEETING AGENDA

Chair Richard Kendziuk
Vice Chair & Council Member Christian Hauser
Mayor Debbie Jones
Members: Daniel Bachmann, David Berletich, Jenna Campbell,
David Hardin, Laura Murphy & Matthew Stone

See Attached Document for Virtual Meeting Instructions

400 Sixth Street	July 6, 2026	7:00 PM
-------------------------	---------------------	----------------

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Public Comment
4. Approval of the Minutes
 - A. Consideration of the Minutes of the Regular Meeting of June 1, 2026.
5. Public Hearings
 - A. Notice of Public Hearing: 265 E 2nd St: Site Plan Review for Facade Modification.
 - B. Notice of Public Hearing: 419 S. Main: Request for Payment in Lieu of Parking. Request to Set a Public Hearing.
6. Considerations:
 - A. Consideration of 134 S. Main St: Site Plan Review for Facade Modification. Request to Set a Public Hearing.
 - B. Consideration of 139 Romeo: Site Plan Review & Special Exception Related to Parking. Request to Set Public Hearing.

- C. Consideration of 530 Pine St: Site Plan Review. Request to Set Public Hearing.
- 7. Miscellaneous
 - A. Election of 2026-2027 Planning Commission Officers
 - B. Bylaw Amendments Update
 - C. Training and Onboarding Update
 - D. Zoning Ordinance Revisions Update
- 8. Public Comment
- 9. Adjourn

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-733-3700 forty-eight (48) hours prior to the meeting. Staff will be pleased to make the necessary arrangements to provide necessary reasonable accommodations, including auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting.



City of Rochester

400 Sixth Street
Rochester, MI 48307
P: (248) 651-9061
F: (248) 651-2624
www.rochestermi.org

CITY BEAUTIFUL COMMISSION REGULAR MEETING AGENDA

***Chairperson Jeanine Offer, Vice Chair Laura Murphy, Secretary Sue Butala
Members: Tammy Byers, Julia Johnson, Sandra Montes, Tracy Gottschalk,
Carrie Briskin, Darlene Reimann
City Council Liaison: Jessica Clauser
Student Liaisons: Emma Loosvelt***

400 6th Street	July 8th, 2026	7:00 pm
-----------------------	-----------------------	----------------

- 1) Call to Order
- 2) Roll
- 3) Approval of June meeting minutes
- 4) New member introduction
- 5) Nik & DPW update
- 6) 2025/2026 Goals & Objectives
 - a) Project updates/ideas:
 - i) Nature Sounds Amplifier update and ribbon cutting
- 7) 2026/2027 Goals and Objectives
 - a) Tile Pillar update
 - b) Metal Sculpture in Pollinator Garden
 - c) Garden upgrades in town
 - d) Native Grasses and landscape block along bathroom in park
 - e) Revitalize Scott Street Plantings
 - f) Bird City renewal
- 8) Misc / New Business

July 1, 2026

Nik Banda, City Manager
City of Rochester
400 Sixth Street
Rochester, Michigan 48307

**Re: *Request for Closed Session for City Council on July 13, 2026 to consider
Attorney/Client Privileged Opinion Letter***

Dear Mr. Banda:

I am requesting that a closed session be scheduled for July 13, 2026 for City Council to consider an Attorney/Client Privileged Opinion Letter pursuant to Sec. 8(h) of the Open Meetings Act, MCL 15.268(h).

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ Jeffrey Kragt

Jeffrey S. Kragt

C: Brian D'Annunzio
 Megan Frazho
 Holly Meyers

July 7, 2026

Nik Banda, City Manager
City of Rochester
400 Sixth Street
Rochester, Michigan 48307

**Re: *Request for Closed Session for City Council on July 13, 2026 - To Consider
Periodic Personnel Evaluation of City Clerk***

Dear Mr. Banda:

I am requesting that a closed session be scheduled for July 13, 2026, pursuant to Sec. 8 of the Open Meetings Act, MCL 15.268(1)(a), for City Council to consider a periodic personnel evaluation of Brian D'Annunzio as the City Clerk. Such consideration is permitted to be in closed session if the person being evaluated requests it, which Clerk D'Annunzio has done.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Jeffrey Kragt

cc: Brian D'Annunzio