**JULY, 2018**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Location</th>
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<tbody>
<tr>
<td>09</td>
<td>Downtown Development Authority Special Meeting, 5:30 p.m.</td>
<td>Admin Conference Room</td>
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<tr>
<td>09</td>
<td>City Council, 7:00 p.m.</td>
<td>Council Chamber</td>
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<tr>
<td>10</td>
<td>Tax Increment Finance Authority, 4:00 p.m.</td>
<td>Admin Conference Room</td>
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<td>11</td>
<td>Planning Commission, 7:00 p.m.</td>
<td>Council Chamber</td>
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<tr>
<td>12</td>
<td>Zoning Board of Appeals, 7:00 p.m.</td>
<td>Council Chamber</td>
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<tr>
<td>17</td>
<td>Brownfield Redevelopment Authority, 6:00 p.m.</td>
<td>Admin Conference Room</td>
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<tr>
<td>18</td>
<td>Beautification Advisory Commission, 6:00 p.m.</td>
<td>Council Conference Room</td>
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<tr>
<td>23</td>
<td>City Council, 7:00 p.m.</td>
<td>Council Chamber</td>
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<tr>
<td>26</td>
<td>Library Board, 7:00 p.m.</td>
<td>Auburn Hills Public Library</td>
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<tr>
<td>30</td>
<td>Election Commission, 10:00 a.m.</td>
<td>City Clerk’s Office</td>
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- City Council Chamber (Conf. Rm.) – 1827 N. Squirrel Road
- Administrative Conference Room – 1827 N. Squirrel Road
- Public Safety Building – 1899 N. Squirrel Road
- Community Center – 1827 N. Squirrel Road
- Department of Public Works (DPW) – 1500 Brown Road
- Fieldstone Golf Course - 1984 Taylor Road
- Library - 3400 Seyburn Drive
- Downtown Chamber Offices – 3395 Auburn Road, Suite A
- University Center, 3350 Auburn Road, Main Floor, Classroom AHUC-02
AUGUST, 2018

09  Zoning Board of Appeals, 7:00 p.m., Council Chamber ◆
13  City Council Workshop, 5:30 p.m., Admin Conference Room ❖
13  City Council, 7:00 p.m., Council Chamber ◆
14  Tax Increment Finance Authority, 4:00 p.m., Admin Conference Room ❖
15  Beautification Advisory Commission, 6:00 p.m., Council Conference Room ◆
15  Planning Commission, 7:00 p.m., Council Chamber ◆
20  Downtown Development Authority, 5:30 p.m., Admin Conference Room ❖
21  Brownfield Redevelopment Authority, 6:00 p.m., Admin Conference Room ❖
23  Library Board, 7:00 p.m., Auburn Hills Public Library 📚
27  City Council, 7:00 p.m., Council Chamber ◆

◆ City Council Chamber (Conf. Rm.) – 1827 N. Squirrel Road
❖ Administrative Conference Room – 1827 N. Squirrel Road
▲ Public Safety Building – 1899 N. Squirrel Road
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📚 Library - 3400 Seyburn Drive
📍 Downtown Chamber Offices – 3395 Auburn Road, Suite A
נטר University Center, 3350 Auburn Road, Main Floor, Classroom AHUC-02
1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COUNCIL
4. APPROVAL OF MINUTES
   4a. Regular City Council Minutes – June 25, 2018
   4b. City Council Goals and Objectives Workshop Minutes – June 30, 2018
5. APPOINTMENTS AND PRESENTATIONS
   5a. Introduction Cristina Rau of Kitchen & Volunteer Coordinator for the Senior Services Department
6. PUBLIC COMMENT
7. CONSENT AGENDA
   All items listed are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
   7a. Board and Commission Minutes
      7a1. Tax Increment Finance Authority – June 12, 2018
      7a2. Brownfield Redevelopment Authority – June 19, 2018
      7a3. Election Commission – June 28, 2018
   7b. Motion – To receive and file the 2017 Retirement System Annual Report
   7c. Motion – To approve the installation of Public Art at Riverside Park
   7d. Motion – To approve contribution to Escanaba’s Legal Defense for Dark Stores
8. OLD BUSINESS
9. NEW BUSINESS
   9a. Motion - To Approve the Scope of Engineering Services associated with South Squirrel Road Reconstruction and Water Main Improvements.
   9b. Motion – To approve the resolution for the Management of Wireless Equipment within City Rights-of-Way.
10. COMMENTS AND MOTIONS FROM COUNCIL
11. CITY ATTORNEY’S REPORT
12. CITY MANAGER’S REPORT
13. ADJOURNMENT

City Council meeting minutes are on file in the City Clerk's Office. 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 248.370.9402 or the City Manager’s Office at 248.370.9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.
CALL TO ORDER: Mayor McDaniel at 7:00 p.m.

LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor McDaniel, Council Members Hammond, Kittle, Knight, Moniz, and Verbeke

Absent: Council Member Burmeister

Also Present: City Manager Tanghe, City Attorney Beckerleg, City Clerk Pierce, Police Lt. Gagnon, Director of Community Development Cohen, DPW Director Melchert, Deputy DPW Director Stahly, Management Assistant Intern Benoit

8 Guests

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes – June 11, 2018

Moved by Hammond, Seconded by Moniz.

RESOLVED: To approve the City Council Workshop Minutes of June 11, 2018.

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke

No: None

Resolution No. 18.06.088 Motion Carried (6 - 0)

4b. Regular City Council Minutes – June 11, 2018

Moved by Verbeke, Seconded by Kittle.

RESOLVED: To approve the City Council Minutes of June 11, 2018.

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke

No: None

Resolution No. 18.06.089 Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

6. PUBLIC COMMENT

Mike McCready, State Rep 40th District, stated that he has been following the sound study from the I-75 corridor, when results are available they will be sent to the City Manager’s Office. A second sound study will be conducted later in the year.

7. CONSENT AGENDA

All items listed are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

7a. Board and Commission Minutes

7a1. Planning Commission – June 13, 2018
RESOLVED: To receive and file the Board minutes.

7b. Motion – To Receive and Place on File / Master Land Use Plan Update

RESOLVED: To receive and place on file the amendment to the City of Auburn Hills Master Land Use Plan, which was adopted by the Planning Commission on June 13, 2018.

Moved by Kittle, Seconded by Knight.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke
No: None

Resolution No. 18.06.090 Motion Carried (6 - 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Motion – Approval of Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit / Oakland Technology Park – I-75 Signs

Mr. Cohen explained the three new monument signs that would be installed within the easement area along I-75. The signs will be evenly spaced and similar in height and size. This addition will help with those businesses that are hidden behind the wooded area that operate in Oakland Technology Park. The signs will be no taller than 20 feet in height and will range between 10-15 feet in width. The signs will sit on the high portion of the land and will not affect the ravine that is nearby. It has not been decided if all three signs will go in at one time or one at a time. In the future if more signs were to be added it would require a revision on the PUD.

Bruce Brickman of the General Development Company was available to answer any questions. He stated that the drawings were done intentionally to leave the natural barrier where it was as well as to obtain signage for new potential businesses. The tree replacements will not be near any wet area. It was shared that if a business leaves the sign stays with the property, not the business owner.

Moved by Moniz, Seconded by Verbeke.

RESOLVED: To accept the Planning Commission’s recommendation and approve the combined PUD Step One – Qualification / Step Two – Site Plan approval, along with Tree Removal Permit approval, for Oakland Technology Park – I-75 Signs subject to the terms and conditions of the Development Agreement.

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke
No: None

Resolution No. 18.06.091 Motion Carried (6 - 0)

9b. Motion – Approval of rezoning from R-1A, One-Family Residential District to T&R, Technology and Research District / Rochester Soccer Club

Mr. Cohen explained how the property located at 3200 Dutton Road is in compliance with the Master Plan use. There are two options that the Rochester Soccer Club is proposing and the T&R zoning allows for these options. The City has held public hearings regarding this issue. The residents that are affected by this rezoning are aware of the change and have requested that they be notified of any further changes with the property.

Mr. Scott Maynard of the Rochester Soccer Club was available to answer any questions. He shared that this property will not be used 24 hours a day. The desire is to design the property properly so that it meets the needs of everyone, including the neighbors.

Moved by Hammond, Seconded by Moniz.

RESOLVED: To accept the Planning Commission’s recommendation and approve the rezoning of 3200 Dutton Road (Sidwell Nos. 14-01-100-026, 14-01-100-027, and 14-01-100-029) from R-
1A. One-Family Residential District to T&R, Technology & Research District. The rezoning shall be referenced as Ordinance No. 18-902. (Attachment A)

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke
No: None

Resolution No. 18.06.092 Motion Carried (6 - 0)

9c. Motion – Amend the Text of the Zoning Ordinance / Article XIII. I-1, Light Industrial Districts

Mr. Cohen explained that in August the City will initiate a proposal regarding the rezoning of this property. By amending the text of the zoning ordinance now it will allow OCC to remain compliant with the land use once it is rezoned.

Moved by Knight, Seconded by Kittle.

RESOLVED: To accept the Planning Commission’s recommendation and approve the enclosed Text Amendment to Article XIII. I-1, Light Industrial Districts of the Zoning Ordinance. It shall be referenced as Ordinance No. 18-903. (Attachment B)

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke
No: None

Resolution No. 18.06.093 Motion Carried (6 - 0)

9d. Motion - To Approve Development Incentives for Bacall Multi-Family Downtown Development

Mr. Tanghe explained that at this time the City has before them a conceptual development of a 252 multi-family housing unit in the downtown area. The developer has done his due diligence and is ready to move swiftly with the next steps.

Mr. Jacob Bacall, 30407 West 13 Mile Road, Farmington Hills was present to answer any questions. He shared that they are excited to move forward with this project and it is in their best interest to move as quickly as possible.

Discussion was had regarding the road engineering. Mr. Melchert shared that OHM will be participating in the review of that process due to it being a city road

Moved by Kittle, Seconded by Moniz.

RESOLVED: To authorize the City Manager to convey the incentives contained herein to Auburn Road Holdings, LLC for a proposed 252-unit market rate multi-family residential development on the properties known as 3505 and 3507 Auburn Road, and to amend the Purchase Agreement to reflect a sales price of $300,000; for a total incentive of approximately $801,970. Fee reduction incentives and the contribution from the water/sewer fund shall only occur once the associated work is substantially underway. Furthermore, direct the City Manager to amend the Purchase Agreement to reflect the change in the purchase price.

VOTE: Yes: Hammond, Kittle, Knight, McDaniel, Moniz, Verbeke
No: None

Resolution No. 18.06.094 Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Verbeke –
- Expressed her concern for the development and zoning on Collier Rd. Mr. Cohen explained that communities need to offer a heavy industrial zoning for legal purposes.
- Wanted to follow up with the audit report from the last meeting and expressed her desire to know if there were any changes. Mayor McDaniel stated that the information had been sent to the Council Members.
• Showed concern for how the businesses were doing in the downtown area with the heavy construction. Mr. Tanghe shared that he has not heard any negative feedback.

Mr. Moniz –
• Shared that You Me and Bubble Tea downtown has had some electrical surges recently and was concerned that it was due to the construction.
• Expressed concern for the City losing three key people from the DPW. They are hard working men with great knowledge. He wants to ensure that DPW will feel supported during this transition and that the exit interviews go well.
• Commented that the Ice Cream social went well as well as the Pet Parade for Summerfest.

Ms. Hammond –
• Sought clarification to the issue the Kia dealership presented to City Council previously. It was shared that Mr. Keenan did speak with them and the matter was taken care of.
• Would like follow up with the planters downtown. Mr. Grice stated that he will be sending information to Council shortly regarding this issue.
• Shared her appreciation that the construction is moving along. However, she has great concern regarding the traffic and observing people driving in the oncoming lanes. Mayor McDaniel also shared his concern. Mayor McDaniel asked Lt. Gagnon if barrels could be placed further along the road to ensure that residents are driving in the correct lanes. Lt. Gagnon stated that he would look into it.
• There was also discussion regarding the possibility of a temporary traffic control order for large trucks to be established.

Mr. Knight
• Shared his concern for large trucks disregarding the signs in the downtown area and feels something should be done to correct the issue.
• Expressed his pleasure that Summerfest went well in spite of the weather.
• Reported that the Brownfield Redevelopment Authority (BRA) is investigating the large 100 acre site west of Joslyn south of 75. The Brownfield Redevelopment Authority also surveyed the property on Dutton Road and found slightly raised levels of arsenic and mercury but there is nothing that would cause any problems. The BRA is an independent group and uses no city funds for their projects.

Mayor McDaniel
• Expressed his appreciation to all of those that participated in Summerfest. There was a great turnout by the residents.
• Shared that there were concerns expressed regarding a water hose attached to a spicket in the downtown area. It was clarified that DPW was testing to ensure the water was safe.
• Shared that many were effected by a water main issue but applauded DPW staff for their quick handling of the situation.

11. CITY ATTORNEY’S REPORT
12. CITY MANAGER’S REPORT
• Updated that at 6:32PM, he received notification that the valve that was broken had been fixed.
• Reported that there was concern expressed from Council that the purchase of airpacks were to be purchased for the Fire Department before the new Fire Chief was on staff. Assistant Chief Macias has discussed the purchase with the incoming Fire Chief and she has reviewed and is in agreement with the purchase.
• Explained that there is still discussion taking place regarding a truck route around the downtown area.
• Reported that the Rochester Patch listed the City of Auburn Hills 12th out of 20 places for millennials to live in 2018.

13. ADJOURNMENT
Hearing no objections the meeting was adjourned at 8:14PM
ATTACHMENT A

CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN

ORDINANCE NO. 18-902
AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 372

THE CITY OF AUBURN HILLS ORDAINS:
That Ordinance No. 372, being the City of Auburn Hills Zoning Ordinance, be amended as follows:
The City of Auburn Hills Ordinance No. 372, designated “City of Auburn Hills Zoning Ordinance”, adopted December 16, 1985, and effective December 19, 1985, and the zoning district map attached thereto and made part thereof, are hereby amended by rezoning the following described property in the City of Auburn Hills, Oakland County, Michigan, from R-1A, One-Family Residential District to T&R, Technology and Research District, as requested by the Rochester Soccer Club:

3200 Dutton Road
Sidwell Nos. 14-01-100-026, 14-01-100-027, and 14-01-100-029
Auburn Hills, Michigan 48326

Location Map
SECTION II

The penalty for violation of this Ordinance shall be same as those penalties set forth in Article XX of the City of Auburn Hills Zoning Ordinance No. 372.

SECTION III

This Ordinance shall be published in a newspaper circulated within the City of Auburn Hills within fifteen (15) days following the adoption thereof. This Ordinance shall become effective immediately upon publication. All Ordinances in conflict herewith are hereby repealed.

AYES: 6
NAYS: None
ABSENT: 1 (Burmeister)
ABSTENTIONS: None

ORDINANCE 18-902 MOTION CARRIED

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 18-902 adopted at a regular meeting of the City Council held on the 25th day of June, 2018.

____________________________________ ______________________________
Kevin R. McDaniel, Mayor Laura M. Pierce, City Clerk
ATTACHMENT B

CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN

ORDINANCE NO. 18-903
TEXT AMENDMENT TO ZONING ORDINANCE

AN ORDINANCE TO AMEND ARTICLE XIII.
I-1, LIGHT INDUSTRIAL DISTRICTS
OF THE AUBURN HILLS ZONING ORDINANCE NO. 372

THE CITY OF AUBURN HILLS ORDAINS

Section 1.
Section 1301. Special Land Uses Permitted in Article XIII. I-1, Light Industrial Districts, of Auburn Hills Zoning Ordinance No. 372, as amended, is hereby amended to add a new Sections 21-22 and re-number existing Sections 21-22 as 23-24, which shall read as follows:

21. Colleges, universities and other such institutions of higher learning, both public and private, provided the property is located on the land bounded by M-59 and Featherstone Road, between I-75 and Squirrel Road.

22. Training facilities, located on parcels that are twenty-five (25) acres or greater in size, that provide a scenario-based learning environment for career preparation and continuing education in law enforcement, firefighting, and emergency medical services as well as civilian emergency preparedness.

23. Accessory buildings and accessory uses customarily incidental to any of the above special land uses permitted; however, accessory uses shall not exceed fifty (50) percent of the gross building area.

24. Special land uses determined to be similar to the above special land uses in accordance with the criteria set forth in Section 1828.

Section 2. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.
The proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 25th day of June, 2018, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES:  6
NAYES: None
ABSTENTIONS:  1 (Burmeister)

STATE OF MICHIGAN  )
) ss.
COUNTY OF OAKLAND  )

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 18-903 adopted by the Auburn Hills City Council on the 25th day of June, 2018.

________________________________ _____________________________
Kevin R. McDaniel, Mayor     Laura M. Pierce, City Clerk
Dr. Patrick Piskulich facilitated the discussion to establish the goals and objectives for 2019. City Council and staff broke into small groups to review the 2018 goals. Some goals were modified to reflect completion or ongoing efforts toward achievement.

2019 Strategic Goals & Objectives

I. Focus relentlessly on fiscal and operational sustainability
   - Maintain long-term unrestricted general fund balance of expenditures no less than 25%
   - Continue to evaluate need for future millage election based on financial performance
   - Implement system of employee recognition and incentives, funded in annual budget; explore changes in workplace culture to meet today’s norms
   - Continue to monitor and seek out new revenue streams, acting upon opportunities as they become available
   - Continue to explore shared services with other entities, toward enhancing efficiency and sustainability while not compromising service quality
   - Address additional funding for legacy costs

II. Deliver outstanding city services
   - Maintain citywide PASER standard for roads
   - Seek tech improvements generally, including
     - new app(s) for stronger community engagement
     - information kiosks in various city locations
   - Identify new opportunities for city council & staff to engage citizens
- Respond to generational & cultural needs
  - Connect kids to mentors – job skills (engage Teen Council)
  - Opportunity for growth: 21-50 year olds (incl. our corporate community)
  - Establish a Student Government Day
- Maintain a talented, customer-focused workforce
- Create internships in other city departments
- Increase police presence in neighborhoods
- Create a police youth academy
- Advocate for improved educational opportunities for students in Auburn Hills

III. Drive strategic community development
- Create and implement a marketing strategy & incentive package for redevelopment of the Palace site (e.g., tech, R&D, corporate HQ) via abatements, discounted fees, special authorizations, expedited approvals
- Continue downtown development & expansion
  - encourage vertical development to 4 stories
  - incentivize creation of entertainment district
- Utilize Brownfield Redevelopment Authority to facilitate cleanup & development, e.g., Mulligan’s Golf Dome
- Further develop M-24/Opdyke Road Corridor
- Implement plan for Country Kitchen site, including effort to increase water flow in river corridor
- Implement Mound Steel & Superior Concrete plan
- Execute property purchases for redevelopment
- Implement rental housing inspection ordinance
- Improve Hawk Woods

IV. Continue to grow a vibrant, sustainable & connected community
- Enhance community engagement via communications, e.g., construction, developments, events
- Make pathway connections in undeveloped areas, where desired by residents
- Invest in NW section of the city
- Increase corporate engagement
- Connect with school-age children
- Keep Auburn Hills friendly for all ages

City Manager Tanghe presented an update on potential development opportunities within the City.

The meeting adjourned at 1:55 PM.
CALL TO ORDER: Chairman Hassett called the meeting to order at 4:03 PM.

ROLL CALL:
Present: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
Absent: Dolly, Price, Thornton
Also Present: Samantha Seimer, Director of Authorities; Tom Tanghe, City Manager; Don Grice, Assistant City Manager; Mark Michling, Manager of Public Utilities
Guests: Eric Gorges, Voodoo Choppers

LOCATION: City Hall Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326

PERSONS WISHING TO BE HEARD
None.

CORRESPONDENCE AND PRESENTATIONS
A. Eric Gorges, Voodoo Choppers – Riverside Park Art Piece
Ms. Seimer reviewed that public art has long been a goal of the TIFA Board for many years given its continuous place in the budget. Staff including Parks and Recreation Director Brian Marzolf, and City Planner Shawn Keenan have been engaged in dialogue with Mr. Eric Gorges about the addition of a substantial art piece to be included in the renovations taking place at Riverside Park.

She introduced Mr. Eric Gorges of Voodoo Choppers based in Auburn Hills. Mr. Gorges is the host of PBS TV Show, “A Craftsman’s Legacy.” Mr. Gorges revealed a scaled model of his proposed art piece for Riverside Park. He added that in creating his piece, he reviewed many history books about Auburn Hills and how it grew into the community that it is today. Mr. Gorges focused on the importance of water and the river to the community. The piece is made of varying sizes of metal ribbons twisted like water ripples situated in a circular fashion, but open and pointing upwards towards the top of the piece. The openness and growth at the top of the sculpture represents the upward growth of the community from a mill town, to a world class community.

Mr. Molnar asked about the size of the finished product. Mr. Gorges stated that the final product will be approximately 6 feet wide and 10 feet tall.

Chairman Hassett asked about the durability of the proposed metal. Mr. Gorges replied that he has worked with a variety of metals and believes that heat treated steal will be the most durable for the art piece. He added that the heat treatment adds color to the metal and gives each ribbon its uniqueness. Chairman Hassett asked Mr. Gorges if he would take a sample ribbon and leave it out in the elements to see how the metal reacts over time.

Mr. Molnar asked if lighting, fence or water feature was considered for the piece for added safety. Mr. Grice added that staff has explored different colored lights on the scaled model. He added that a fence may take away from the artwork, but a water basin could be considered. He cautioned that the water feature would come with added maintenance. Chairman Hassett stated that water could be circulated from the splash pad.

Mr. Molnar asked if consideration has been given to unveiling the art piece with the splash pad and amphitheater. Mr. Tanghe stated that the plan is to unveil the art piece at the same time the amphitheater and splash pad open as one large grand opening ceremony. Therefore, the opening will more than likely occur in the Spring of 2019.
Moved by Mr. Molnar to commission an art piece as proposed by Eric Gorges for Riverside Park in the not-to-exceed amount of $25,000 with funding provided from TIFA Account #251-735-970.000. Such piece will be approximately 6’ wide and 10’ tall and made of materials as presented by the artist and will include appropriate mounted and secured installation. Additionally, waive the purchasing ordinance competitive bid requirement and award the commission to a single source vendor due to the unique nature of the public art project. Supported by Ms. Roberts.

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: none

Motion carried

APPROVAL OF MINUTES

A. Regular Meeting Minutes – May 8, 2018

There was no additional discussion about the meeting minutes.

Moved by Mr. Goodhall to approve the Regular TIFA Minutes from May 8, 2018 as presented.
Supported by Mr. Molnar

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: none

Motion carried

FINANCIAL REPORT

A. Period ending May 31, 2018

Ms. Seimer presented the financial report for period ending May 31, 2018. She reviewed the investment accounts stating that district A has $1.64 million cash and $1.2 million invested between three separate accounts including Investment Pooling, Cutwater and MiClass, District B has $2.23 million cash, and $7.83 million invested with Cutwater and District D has $902,476 cash on hand and $1.85 million invested with Cutwater. The investment funds have seen a slight increase since the previous month.

TIFA has received 64% of its budgeted property tax revenue and utilized 27% of its expenditures. TIF B has received 60% of its budgeted property tax revenue and has only utilized 1.1% of its anticipated expenditures. Ms. Seimer explained that expenditure utilization will increase as water main replacement begins on Opdyke Road in the next several months. TIF D has no budgeted property tax revenue due to the loss of personal property tax. Over the last month 18% of budgeted expenditures have been utilized, majority of these expenditures have been for utilities and administrative charges.

There was no additional discussion about the financial report.

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Moved by Mr. Roberts to approve the Financial Report of May 31, 2018 as submitted.
Supported by Mr. Waltenspiel.

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: none

Motion carried

OLD BUSINESS

A. Opdyke Road Scope of Construction Services

Mr. Michling presented a memo dated June 12 to the Tax Increment Finance Authority Board of Directors for the approval request for the scope of construction services with OHM Advisors for the Water Main Improvements associated with the Opdyke Road Rehabilitation Project.
Mr. Michling reviewed that on May 2 the TIFA approved a cost participation agreement with the City of Auburn Hills and Road Commission for Oakland County. The total scope of services includes construction engineering and observation as well as contract administration. The total cost of the scope of construction services is $275,000 with TIFA B’s proportional share of 59% totaling $163,000.

Mr. Michling also included the bid tab for the project as let by RCOC on May 4 and tabulated by May 21, 2018.

Moved by Mr. Kneffel to Approve the Scope of Construction Services with OHM Advisors for the Water Main Improvements associated with the Opdyke Road Rehabilitation Project in the not-to-exceed amount of $163,000 paid with budgeted funds from account #252-736-971.000

Supported by Mr. Molnar.

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: none

Motion carried

NEW BUSINESS
A. TIFA Sponsorship – Auburn Hills Chamber of Commerce Taste of Auburn Hills
Ms. Seimer presented a memo dated June 7, 2018 for an opportunity for TIFA to be a sponsor of the Chamber of Commerce Taste of Auburn Hills. Ms. Seimer reviewed that the Taste of Auburn Hills has been hosted at a variety of places including the Chrysler Museum as well as the Palace of Auburn Hills. The 2018 Taste of Auburn Hills is at the HUB, located in TIF District B.

By being the Presenting Sponsor for the 2018 Taste of Auburn Hills, Ms. Seimer reviewed that TIFA will receive second placement level on all digital and print media, information about TIFA on all publicity and advertising, a banner at the event, name on the website and logo on the event handout. Additionally, TIFA will receive 25 tickets to the event.

Ms. Seimer added that by sponsoring this signature event, at a location within TIF District B, it will give greater exposure to the tax Increment Finance Authority and its investment and benefit to the community. Ms. Seimer also stated that each year a portion of the proceeds benefit local area charities. The 2017 recipients were the Auburn Hills Community Foundation and Senior Services Meal Program.

Chairman Hassett asked why TIFA did not have the lead sponsorship for the event. Ms. Seimer added that FCA had already pledged itself as the lead sponsor for the Taste of Auburn Hills.

Moved by Mr. Molnar to approve $4,000 Presenting Sponsorship for the 2018 Taste of Auburn Hills and create budget in General Ledger account #252-736-885.000 for approved funding.

Supported by Ms. Roberts.

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: none

Motion carried

B. TIF-A Business Recruitment Incentive Discussion
Mr. Tanghe discussed a couple incentive opportunities in which the TIFA Board may be involved in the near future. He has a legal opinion and state statute that states the TIFA may loan money to other TIF districts as well as the DDA. He discussed an incentive opportunity for a for-sale development in downtown. TIF District B would loan money for the incentive to the DDA with a low interest rate and four year pay-back period. He presented another opportunity where TIF B could loan money to TIF D to assist in a development on the community campus. The Board was receptive to the opportunity to be involved in project incentives. Mr. Tanghe explained that the next step with the downtown incentive is to present a resolution to the DDA Board at their next meeting.

C. TIF-B Marketing Discussion
Mr. Tanghe gave a brief history about how marketing throughout the community has been perceived. He discussed an idea for a commercial years ago. Ms. Seimer discussed a proposal from Corp! Magazine to place ads from TIFA marketing the Auburn Hills business community. Mr. Kneffel passed around a copy of Corp! for board members to review. Mr. Waltenspiel talked about his business Podcast Detroit and that new media is trending towards things like YouTube commercials and
Pandora commercials, places where active listening occurs. The consensus of the board was to hold off until a greater marketing plan is devised in greater detail.

BOARD MEMBER COMMENTS
None.

ANNOUNCEMENT OF NEXT MEETING
The next regularly scheduled TIFA Board of Directors meeting is Tuesday, July 10, 2018 at 4:00 PM at Auburn Hills City Hall Administrative Conference Room 1827 N. Squirrel Road, Auburn Hills, MI 48326.

ADJOURNMENT
There being no objections, the TIFA Board of Directors meeting adjourned at 5:48.

Respectfully submitted,

Steve Goodhall          Samantha Seimer
Secretary of the Board          Executive Director
CALL TO ORDER: Vice Chairperson Hawley called the meeting to order at 6:01 p.m.

ROLL CALL:  
Present:  Douglas, Hawley, Knight, Slocum  
Absent: Capen  
Also Present: Samantha Seimer Director of Authorities; Kirstie Hardy, AKT Peerless;  
Guests: none

LOCATION: Auburn Hills City Hall, Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, MI 48326

PERSONS WISHING TO BE HEARD
None.

CORRESPONDENCE AND PRESENTATIONS
Item 3a. Radius Map Updates
Ms. Seimer reviewed the updated Radius Maps per the requests of the Brownfield Redevelopment Authority at their March 20, 2018 meeting. The maps no longer contain satellite view making them more legible. Additionally a map was created with the point file shared by AKT peerless. This point file indicated any sites throughout the community with previous environmental work, and can be tied back to an excel spreadsheet containing the site address, type of environmental work completed and name of the business. Additionally, the map which contained city abatements, and city owner properties, the term ‘greenfield’ was changed to ‘buildable site’ to avoid any confusion about the potential conditions on the site. A separate map was added to show all active brownfield plans in the community.

The Board reviewed the maps. Mr. Douglas asked how this information may be helpful to people. Ms. Seimer reviewed that it is helpful when speaking with developers about potential developments throughout the community. Mr. Seimer gave a recent example of a meeting staff had with a development firm looking at a large site in the community. The development team was interested in all of the available environmental information for the site. Ms. Seimer was able to use the report and spreadsheet to direct the parties to the most relevant information available for the site.

Mr. Seimer concluded that the maps will be made available on the website soon. She will send an email to notify the board when the updates have been made.

APPROVAL OF MINUTES
Item 4a. Brownfield Redevelopment Authority Meeting Minutes – March 20, 2018
There was no additional discussion about the minutes as presented.

Moved by Mr. Douglas to approve the March 20, 2018 Auburn Hills Brownfield Redevelopment Authority Meeting Minutes as submitted.
Supported by Mr. Slocum.
Yes: Douglas, Hawley, Knight, Slocum
No: None

Motion carried

FINANCIAL REPORT
Item 5a. Financial Report for period ending May 31, 2018
Ms. Seimer presented the financial report for period ending May 31, 2018. She reviewed that throughout the first quarter of 2018, the AHBRA has received $69,528 in tax increment revenue specific to Dutton Corporate Center. She reviewed that expenditures to date include a final draw request for The Residences at Thirty Two 50, administrative costs, and some additional consultant costs for the Galloway Creek Wetlands Restoration as well as the Galloway Creek Evaluation. Additionally, Ms. Seimer reminded the Board of an approval in October 2017 for up to $100,000 for the Galloway Creek Wetlands Restoration and the June 2017 Approval for concrete removal at Mound Steel and Superior Concrete. Ms. Seimer stated that these expenditures will occur in 2018 and be reflected at the time budget amendments are made.

Mr. Douglas asked why some items appear to be over budget. Ms. Seimer reviewed that some of the consultant expenditures appear to be over budget because motions were made by the Board after the budget was closed for 2018. She referenced consultant fees related to the Galloway projects. Ms. Seimer stated that the budget opens at the end of the month and will be presented to the Board in August, and then reevaluated later in the year to ensure that everything is in compliance. She stated that since the Brownfield Budget is project driven, it is hard to pinpoint exact expenditures from year to year, so amendments are made throughout the year to account for large fluctuations. Mr. Douglas asked if the Board will have an opportunity to review. Ms. Seimer assured that the Board will have its first review in August and most likely again in October if there are any additional changes necessary post-August approval.

Moved by Mr. Knight to approve the financial report for period ending May 31 28, 2018 as submitted
Supported by Mr. Douglas.

Yes: Douglas, Hawley, Knight, Slocum
No: None

Motion carried

OLD BUSINESS
Item 6a. Galloway Creek Evaluation
Ms. Seimer presented a memo dated June 11, 2018 for the summary of the Galloway Creek Evaluation. She reviewed that in December of 2017, the Board elected to pursue further evaluation of the Galloway Creek to determine if there was any contamination in the water flowing through the rest of the community. Due to cold weather conditions, samples were collected on April 12, 2018. Two location were selected by the Board, the first nearest accessible point was nearest the Dutton Landfill and the second at the northeast corner of Lapeer Road and I-75 near the Galloway Wetlands restoration project. Three samples were taken from each location, two sediment samples and one surface water sample. Each soil sample identified arsenic above the MDEQ Residential Drinking Water Protection, Chromium and Selenium above the MEDQ Groundwater Surface Water Interface Protection Criteria and Mercury was found in sediment sample 1 (SS1), but it did not exceed the MDEQ GSIP Criteria. There were some metals detected in the surface water samples, but the parameters identified did not exceed MDEQ Residential Cleanup Criteria.

Mr. Knight asked what these results mean for future testing and developments. Ms. Hardy stated that the items that fell above MDEQ Criteria were minimally contaminated. She stated that there was nothing in the sampling and subsequent reports that was of concern or need for future testing. Ms. Seimer added that the parameters lowered as the water filtered downstream. She stated that during a call with Mary Hoeh of AKT, Ms. Hoeh stated that the level identified could also be due to the weather conditions and thawing of the soils. Mr. Douglas asked if Ms. Hoeh’s opinion of the findings could be placed on file with the report. Ms. Seimer stated that she would reach out to Ms. Hoeh and have her put her findings and opinion of the report in writing for the Board.

NEW BUSINESS
Item 7a. Discussion about 3951 Joslyn Road
Ms. Seimer discussed conversations happening with 3951 Joslyn Road, where Great Lakes Golf Academy was and which Mr. Knight confirmed used to be Mobile Waste of Kentucky. Ms. Seimer reviewed that the site is the current location of Xceleration Fitness, and the land is currently owned by a bank in Minnesota. The bank appears to be interested in selling the property and reached out to Colliers International who then approached the City with a proposal asking for the City to purchase the property for $150,000. The City’s position is to help facilitate a relationship with a party who may be interested in purchasing the site. However, the City does not want to be in the chain of title for the property.

Ms. Seimer reviewed that the City has preliminary meetings with Mid-America, a corporation that works with large retail and commercial clients who may be interested in obtaining a parcel of this size. She added that in this meeting, the radius map project proved extremely helpful to give information to their environmental counsel. Ms. Seimer cautioned that the primary concern of Mid-America was if there was funding available for further geotechnical investigation on the site. Ms. Seimer had Ms. Hoeh review all of
the environmental work and she gave an overview of the previous reports findings. There were a variety of concerns on the site, the most important being methane, monitoring wells not working and the potential for illicit discharge into the Galloway Creek. Ms. Seimer stated that the position of Mid-America is not of environmental concern, rather profit driven about whether the land can withstand a large retail development. Mr. Slocum asked if Ms. Seimer could send Ms. Hoeh’s email to the Board for review. Ms. Seimer said she would provide the email with notes from previous environmental work on the site to the Board.

The consensus of the Board is to have AKT put together a proposal with a cost breakdown and approach to clean up. Ms. Seimer cautioned that exact numbers for the proposal may be hard to pin down because of the multitude of the site, and intricacies involved with each phase of the plan and potential sampling needed. Ms. Hardy confirmed, but stated that they could put together a draft and potential cost range of possible testing needed.

Moved by Mr. Knight to authorize Executive Director to execute formal proposal of environmental cleanup approach for 3951 Joslyn Road to be presented for review at subsequent Board meeting.

Supported by Mr. Slocum

Yes: Douglas, Hawley, Knight Slocum
No: None

Motion carried

DIRECTOR UPDATES
Ms. Seimer gave updates on the current projects that involve the Brownfield Board. The two downtown projects, The Residences at Thirty Two 50 and Primary Place both received LSRRF Loans. The Residences at Thirty Two 50 has used all of its loan has experienced some uncommon delays due to HUD financing for a multifamily development. Ms. Seimer stated that she recently received a letter in the mail by third party consultants stating that the development is in a 100-year flood plain. There is an eight step process to a public hearing to move through that step of the HUD financing. The Site Plan for the development expires in October, therefore construction will have to begin prior to its expiration.

Ms. Seimer shared that Mound Steel and Superior concrete remain under contract with the city and the developer is continuing due diligence on the site. The developer had originally considered multi-generational housing options and recently completed a market study that indicated the most viable development opportunity for the site is market rate apartments. Mr. Tanghe and the City Council have worked to put together an incentive package for the developer to ensure that the site is redeveloped. The developer has retained AKT Peerless as their environmental consultants. Ms. Seimer stated that there may be additional brownfield work necessary for the site regarding detention. The Board was not receptive to investing any more money on the site. The consensus of the Board was that money was spent removing concrete and hydro-seeding a site were costs a developer should incur as part of redeveloping the site. Mr. Knight stated that he could not imagine what else they may ask of us. He explained that Mr. Tanghe’s incentive package did not include any funds from Brownfield.

Ms. Seimer concluded by stating that the Galloway Wetlands Restoration Project is on hold until Mr. Keenan can obtain further financing from the EPA to complete the project. If there is not additional money, the project will not be completed.

BOARD MEMBER COMMENTS
Mr. Douglas asked if the Brownfield Redevelopment Authority had previously contributed to the cleanup of 415 Collier. Ms. Seimer stated that she did not know for certain, but remembered seeing information about the site in previous treasury reports and Ms. Carroll’s files. Ms. Seimer said that she would look into what she could find specifically about 415 Collier. Mr. Douglas would like to know if we did clean it up, what exactly was done and where is at today.

ADJOURNMENT
There being no objections, the meeting adjourned at 7:34 PM

Respectfully submitted:

Samantha Seimer
Executive Director
1. CALL TO ORDER
   The Clerk called the meeting to order at 10:01 AM.

2. ROLL CALL
   Present: Jack Brocklebank
   Terry Carpenter
   Laura Pierce
   Absent: None

3. APPROVAL OF THE MINUTES
   None

4. NEW BUSINESS
   4a. Review List of Election Inspectors
       MOTION: Motion by Carpenter, Seconded by Brocklebank:
       RESOLVED: To approve the list of election inspectors August 7, 2018 Primary Election pursuant to MCL 168.674(1) and to authorize the City Clerk to make revisions as needed.
       VOTE: Yes: All
             No: None           MOTION CARRIED

   4b. Review List of Precincts
       MOTION: Motion by Brocklebank, Seconded by Carpenter:
       RESOLVED: To approve the list of Precincts, 1 through 9, for the August 7, 2018 Primary Election.
       VOTE: Yes: All
             No: None           MOTION CARRIED

   4c. Review of Ballots
       MOTION: Motion by Carpenter, Seconded by Brocklebank:
       RESOLVED: To approve the ballot styles for Precincts 1 through 9 for the August 7, 2018
Primary Election.

VOTE:  Yes: All
       No: None  MOTION CARRIED

5. OTHER ITEMS
   5a. Next meeting: Monday, July 30th at 10:00 AM for the purpose of conducting the Public Accuracy Test.

6. ADJOURNMENT
   The meeting adjourned at 10:22 AM.

Laura M. Pierce, City Clerk
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director/Treasurer  
Submitted: 6/28/2018  
Subject: Motion – Receive and file the 2017 Retirement System Annual Report  

INTRODUCTION AND HISTORY  
In accordance with Public Act 202 of 2017, pension and retiree health care reports for retirement systems are now required to be electronically filed with the Michigan Department of Treasury no later than six months after the end of the local unit of government’s fiscal year. The unit must have submitted their most recent audited financial statements to Treasury prior to the submission of the retirement system annual report. Specific instructions provided by Treasury for both Pension and Retiree Health Care were followed and required utilization of the audited financial statements including certain portions of the footnotes and other supplemental information. The Retiree Health Care report was completed utilizing instructions under GASB 45. For fiscal year 2018, the report will be completed utilizing instructions under GASB 75.

Form 5572 is required to be submitted in the original excel file as provided for on the Treasury. Receipt of the form was confirmed by Treasury on June 27, 2018.

Further, compliance requires the local unit of government electronically submit the report to the governing body of the local unit of government. A formal vote of approval or governing body resolution, however, is not required for this report. Thus, a PDF copy of the submission is provided herein.

The report must also be posted to the local unit’s website.

Any questions, charges, or deficiencies, if any, in the report will be communicated to staff after Treasury completes review. Should the report attached herein be modified, it will be resubmitted for receipt by City Council at that time.

STAFF RECOMMENDATION  
Staff recommends City Council receive and file the submitted Retirement System Annual Report to comply with the notification requirement as required by Public Act 202 of 2017 as referenced about.

MOTION  
Move to receive and file the 2017 Retirement System Annual Report.

I CONCUR:  
THOMAS A. TANGHE, CITY MANAGER
### Public Act 202 of 2017 Pension Report

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<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Source of Data</th>
<th>Statute Reference</th>
<th>System 1</th>
<th>System 2</th>
<th>System 3</th>
<th>System 4</th>
<th>System 5</th>
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<tbody>
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<td>1</td>
<td>Provide the name of your retirement pension system</td>
<td>Most Recent Actuarial Valuation Report</td>
<td>Sec. 5(e)</td>
<td>City of Auburn Hills Employee Pension Plan</td>
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<td>Most Recent Audit Report</td>
<td>Sec. 5(4)(b)</td>
<td>52,366,158</td>
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<td>Sec. 5(4)(b)</td>
<td>70,685,205</td>
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<td>Most Recent Audit Report</td>
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<td>Actuarially Determined Contribution (ADC)</td>
<td>Most Recent Audit Report</td>
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<td>1,034,387</td>
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<td>Pension Trigger Summary</td>
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<td>8</td>
<td>Is this unit a primary unit (County, Township, City, Village)?</td>
<td>From Municode</td>
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<td>YES</td>
<td>YES</td>
<td>YES</td>
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<td>Funded ratio</td>
<td>Calculated</td>
<td>Sec. 5(4)(b)</td>
<td>74.1%</td>
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<td>10</td>
<td>All systems combined ADC/Governmental fund revenues</td>
<td>Calculated</td>
<td>Sec. 5(4)(b)</td>
<td>3.2%</td>
<td>0.0%</td>
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<td>Does this system trigger &quot;underfunded status&quot; as defined by PA 202 of 2017?</td>
<td></td>
<td></td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
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</table>

By emailing this report to the Michigan Department of Treasury, the local unit of government acknowledges that this report is complete and accurate in all known respects. Act 202 of 2017 also requires the local unit of government to electronically submit the report to its governing body.
### Public Act 202 of 2017 Health Care (OPEB) Report

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Source of Data</th>
<th>Statute Reference</th>
<th>System 1</th>
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<th>System 3</th>
<th>System 4</th>
<th>System 5</th>
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<td>Provide the name of your retirement health care system</td>
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<td>Sec. 5(6)</td>
<td>City of Auburn Hills Retiree Health Care Trust</td>
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<td><strong>Health Care Trigger Summary</strong></td>
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<tr>
<td>9</td>
<td>All systems combined ARC/Governmental fund revenues</td>
<td>Calculated</td>
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<td>1,457,864</td>
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### Instructions/Questions
For a list of detailed instructions on how to complete and submit this form, visit michigan.gov/LocalRetirementReporting. For questions, please email LocalRetirementReporting@michigan.gov. Return this original Excel file. Do not submit a scanned image or PDF.

If your OPEB system is separated by divisions, you would only enter one system. For example, one could have different divisions of the same system for union and non-union employees. However, these would be only one system and should be reported as such on this form.

By emailing this report to the Michigan Department of Treasury, the local unit of government acknowledges that this report is complete and accurate in all known respects. Act 202 of 2017 also requires the local unit of government to electronically submit the form to its governing body.
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Samantha Seimer, Director of Authorities  
Submitted: July 3, 2018  
Subject: Motion – Approval of Public Art Installation at Riverside Park  

INTRODUCTION AND HISTORY

A public art initiative has been an established goal for the Tax Increment Finance Authority for many years. Cities gain value through public art, as it invigorates public space, is freely accessible to the community and reflects on the uniqueness of Auburn Hills. Prior to the upgrades at Riverside Park, including the splash pad and construction of the amphitheater, staff began to engage in dialogue about the addition of a substantial piece of art to be included in the newly renovated space.

At their meeting on June 12, 2018 the Tax Increment Finance Authority approved the commission of an art piece proposed by Eric Gorges. Mr. Gorges is a local business owner and celebrity. He is the host of PBS television show “A Craftsman’s Legacy.” “A Craftsman’s Legacy” tours the United States in search of craftsmen who take pride in a particular skill. Mr. Gorges interviews the men and women behind the craft and explains the history and importance of building in America.

In addition to his television show, Mr. Gorges is an Auburn Hills business owner. He owns Voodoo Choppers located at 2720 Auburn Road. Mr. Gorges has made his living as a craftsman by producing custom built motorcycles right here, in our hometown. Mr. Gorges takes his craft, and the craft of others extremely seriously as he believes working with your hands, talent, imagination and creativity is very personal. Mr. Gorges plans to take all of this into consideration as he constructs a custom public art piece for his hometown. He plans to combine elements from Auburn Hills’ history, and growth to create a unique art piece for the newly improved Riverside Park.

The public art piece is intended to be approximately 6’ wide and 10’ tall. It will be secured to a concrete base in the plaza area between the amphitheater and splash pad. The art piece will be lit with LED lights so it can be seen in the evening hours and its final location will be selected based upon where people can interact with the artwork safely as well as view the piece when traveling along Squirrel Court.

It is anticipated that the art piece will be unveiled at the grand opening celebration for the amphitheater and splash pad, in spring 2019.

STAFF RECOMMENDATION

Staff recommends City Council approve the installation of public art at Riverside Park at a location along the plaza as determined to best fit by city staff and the artist. The art piece, the artist, and the funding have all been approved by the TIFA Board of Directors. However, City Council simply needs to authorize its installation on City-owned land; an authorization that can only be granted by the City Council.

MOTION

Move to approve the installation of a Tax Increment Finance Authority commissioned art piece at Riverside Park, at a location to be determined once construction is complete. The art piece will be approximately 6’ wide and 10’ tall it will include appropriate secured mounting and installation with assistance from City staff.

I CONCUR: Thomas A. Tanghe, City Manager
At a regular meeting of the Tax Increment Finance Authority of the City of Auburn Hills, Oakland County, Michigan, held in the Administrative Conference Room at 1827 N. Squirrel Road, Auburn Hills MI, 48326 on the 12th day of June, 2018,

The following resolution was offered by Mr. Molnar and supported by Ms. Roberts:

**MOTION:** To commission an art piece as proposed by Eric Gorges for Riverside Park in the not-to-exceed amount of $25,000 with funding provided from TIFA Account #251-735-97C.000. Such piece will be approximately 6’ wide and 10’ tall and made of materials as presented by the artist and will include appropriate mounted and secured installation. Additionally, waive the purchasing ordinance competitive bid requirement and award the commission to a single source vendor due to the unique nature of the public art project.

Yes: Goodhall, Hassett, Kneffel, Molnar, Roberts, Waltenspiel
No: None

**MOTION CARRIED**

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed Clerk of the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Tax Increment Finance Authority held on the 12th day of June, 2018, the original of which is on file in the Community Development Department.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 2nd day of July, 2018.

Laura M. Pierce, City Clerk
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager  
Submitted: July 5, 2018  
Subject: Motion – Approve Contribution to Escanaba’s Legal Defense for Dark Stores

INTRODUCTION AND HISTORY
City Council will recall that it was better than a year ago that the City of Auburn Hills contributed to the legal defense of Escanaba in the case of Menard’s Inc., vs. Escanaba. Along with several other Michigan communities, the Michigan Tax Tribunal case was reversed by the Michigan Court of Appeals. However, the Court asked the Tribunal to provide a thorough analysis of the market dynamics underlying the “dark store theory”. More can be read in the communication we have received from Escanaba City Manager Patrick Jordan. Essentially, Escanaba is facing the next round of making the compelling argument for changing our Michigan Laws to prevent the Dark Store situation from continuing.

When we first decided to support Escanaba, there was not a significant amount of support from southeast Michigan. This was of concern to me since you can bet that southeast Michigan has far more big box retailers, and thus, big box stores, than any other region in the state. This also means that we have a great deal at risk. Auburn Hills has a number of big box stores such as Sam’s Club, Costco, Home Depot, and Target, just to name a few. If some of the means that big box retailers have utilized to drastically reduce their values were to successfully sweep through Auburn Hills, it could certainly be very detrimental to our revenue and in turn, negatively impact our service levels.

For those who wish to reacquaint themselves with the subject, we have included a Q & A published by the Michigan Municipal League which will do a very good job of reminding you of the potential impact. Mr. Jordan of Escanaba has been successful in obtaining financial assistance from the Michigan Department of Treasury to assist Escanaba with expenses related to its ongoing defense of this issue. Our office has reached out to his office and learned that there are communities across the state who are contributing generally at the level of $1,000 to $10,000. The Michigan Municipal League, Michigan Township Association, and Michigan Association of Counties are all supporting this issue. I believe it is incumbent upon us to participate not only for the greater good, but for what is at risk here alone in Auburn Hills.

STAFF RECOMMENDATION
Staff recommends that the City Council authorize a contribution in the amount of $5,000 to the Michigan Municipal League’s Legal Defense Fund earmarked for the Menard case.

MOTION
Move to authorize the City Manager to issue a check in the amount of $5,000 to the Michigan Municipal League’s Legal Defense Fund for the purpose of supporting the City of Escanaba in the Menard’s Inc. vs. Escanaba case. Such funds shall be used or returned in accordance with the communication received by Escanaba City Manager Patrick Jordan dated June 29, 2018.

I CONCUR:  

THOMAS A. TANGHE, CITY MANAGER
June 29, 2018

Dear Michigan Municipal Leaders:

Two months ago, I requested that you join the City of Escanaba’s fight to permanently change the State of Michigan’s acceptance of the “Dark Store Theory.”

The Court of Appeals’ decision Menard Inc. v City of Escanaba, 315 Mich App 512 (2016), questioned the Tax Tribunal’s adoption of the “dark store theory,” which reduces the assessed values of “big box” stores in Michigan far below any assessed values elsewhere in the in the United States or Canada. Indeed, the City of Escanaba’s current assessment is within the range of settlements that Menard is reaching in other states.

Although the Court of Appeals reversed the Tribunal’s Menard decision, the Court asked the Tribunal to provide a thorough analysis of the market dynamics underlying the “dark store theory,” which the parties may establish using studies, valuation reports, and a nearly unlimited assembly of data and testimony. Recognizing the importance of this case, the Tribunal designated three Tribunal members (judges) to hear the evidence and determine, once and for all, the treatment of big box appeals in Michigan. The hearing is an opportunity that will likely never reoccur for any local unit litigating against a big box or similar property.

National retailers have been waiting and preparing for the Menard remand hearing due to its long-term implications. We are aware of one retailer study that analyzed over 200 sales of big box stores nationwide to demonstrate that deed-restrictions do not affect the sale price. Responding to that study (and likely others like it) will require access to expensive databases and significant expert research and analysis. Escanaba is aware that it cannot simply “show up” for this critical hearing. It must provide what the Tribunal and the Court of Appeals are looking for: a comprehensive study of the Dark Store Theory. Because of this, the issues on remand far exceed the scope and detail of a typical valuation disclosure in a Tribunal case. The City appreciates that it is fighting on behalf of all other taxing units in the state.

The Michigan Department of Treasury recognizes the magnitude of the work involved and has agreed to share some of the City’s expenses for expert work; however, the State’s assistance is less than half of the anticipated expert witness expenses. Townships, cities, and two counties have also contributed to the City’s expenses, and the City is encouraged by their support. But the potential costs are daunting and may eclipse funding sources. The City estimates that it will need to raise $200,000 from sources outside the City to ensure that the City and its local cost-sharing units can cover litigation through the conclusion of the hearing. To date, the City has received $30,000 in assistance from other local units. The City will need additional funds quickly because extensive evidence must be compiled and submitted to the Tribunal in early August.

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Mission Statement:

Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.

The City of Escanaba is an equal opportunity employer and provider.
Rest assured, local units are authorized to support litigation of statewide significance, even if the local unit is not a party. See MCL 211.43; Hess v. Cannon and Grattan Townships, 265 Mich. App. 582, 696 N.W.2d 742 (2005). Alternatively, local units can make a donation to the legal defense funds of the MTA or the MML, or directly to MAC. These groups have agreed to collect and remit the contributions to aid in fighting the Menard case. The City has agreed not to spend those contributions until it has received enough funding to wage the fight. If the funds collected exceed the City’s costs, the City will refund the excess pro-rata to those local units that joined this fight.

As the Menard case proceeds, the City may be approached with settlement offers from the taxpayer. The City is mindful that if it were to settle, all local units in this state would lose a unique opportunity to end the dark store war once and for all. Other local units would then be forced to litigate the meaning of the Menard decision without the benefit of precedent in the Tribunal that the forthcoming remand hearing could have established. Because of the impact of a settlement on other local units, the City will refund all contributions if it settles the case.

This fight is a fight for all local units and not Escanaba’s fight alone, as no single local unit can afford the challenge alone. The MTA, MML and MAC are pleased to support the local units’ position in this matter and have been actively engaged in seeking support, answering questions, working with the State, and assisting with the unique legal issues that this important case presents. Feel free to contact us or those organizations if you have questions.

Sincerely,

Patrick Jordan
City Manager, City of Escanaba
(906) 786-9402

83636:00001:3729154:1
“A Dark Store is not a weapon Darth Vader used in Star Wars, but it’s beginning to loom over many municipalities like the menacing Death Star.”
– Steve Cohen, Director of Community Development, City of Auburn Hills

The Latest

- Business Groups Push Back Against Dark Stores Fix. Read more.
- Dark Stores Fix Wins Approval in the House. Read More.
- Time is of the Essence, Contact Lawmakers this Weekend! Read more.
- Committee approves Dark Store fix – Contact Your Legislators. Read more.
- Send a letter today through our Action Center telling your lawmakers to support HB 5578.
- Dark Store Sample Resolution - Traverse City

The Problem

Large retailers, popularly known as “Big Box” stores, have convinced the Michigan Tax Tribunal to give them special treatment as it pertains to the market value of their property.

Prior to the Dark Store theory, Michigan Big Box stores were assessed an average of $55 per square foot. Here’s where they are now compared to states where various Big Box stores are located:

- In Michigan, Lowes stores are assessed at $22.10 per square foot. In Lowes home state of North Carolina, the same stores are valued at $79.08 per square foot.
- In Michigan, Mendards and Target are valued at $24.97 per square foot. In Mendard’s home state of Wisconsin, the same stores are valued at $61.23 per square foot.
- Sam’s Clubs and Wal-Mart now average around $25.68 per square foot in Michigan. Studies of those buildings in the home state of Arkansas are being done, but they are likely to be much higher than they are in Michigan.

Source: Testimony from Jack Van Coevering, a Grand Rapids attorney, former Chief Judge and Chairman of the Michigan Tax Tribunal. Van Coevering now represents Michigan communities on tax assessment cases.
The Solution

Legislation is being proposed to block future use of the Dark Store theory by:
1. Restricting the consideration of comparable sales that have deed restrictions if those deed restrictions are imposed by the seller to keep competitors of the seller from the market.
2. Recognizing the use of all three assessment approaches (cost, sales comparison and income) based on the particular circumstances, in line with accepted national standards.
3. Examining the Michigan Tax Tribunal process to provide needed guidelines for uniform and fair treatment of appeals.

Issue Summary

The “Dark Store” theory of property tax assessment is looming large over communities throughout the state of Michigan and unfortunately could soon be coming to a city, village, township or county near you. In fact, it may already be there.

In essence, the Dark Store theory is a tax loophole scheme being used by Big Box retailers to lower the amount they pay in property taxes. Retailers such as Meijer, Lowe’s, Target, Kohl’s, Menards, IKEA, Wal-Mart and Home Depot across Michigan are arguing that the market value of their operating store should be based on the sales of similar size “comparable” properties that are vacant and abandoned and may not even be located in Michigan.

What? You mean a fully operational store, like a new Super Wal-Mart, gets to pay the same property taxes as a closed, empty and “dark” Wal-Mart down the street? Yes, that’s exactly what the retailers are fighting for and it’s what is starting to happen more and more frequently.

The political appointees on the Michigan Tax Tribunal have upheld this “Dark Store theory” and cut property tax assessments in some cases by as much as 50 percent – impacting local revenues and subsequently local services and making Michigan one of the only places in the country that assess Big Box retail buildings in this manner. These rulings have resulted in a loss of millions of dollars in tax revenue for local governments across Michigan. This theory has a devastating effect in that municipalities don’t just lose future revenue, but have to pay back the retailers for “over-taxing them” in prior years.

Questions and Answers

Was it always like this?
No. In the past, Michigan has determined a property’s “true cash value,” or fair market value, through an individualized determination of all of the factors relevant to that building, including the “cost approach.” This cost approach means the cost of construction less depreciation and the use of true comparable sales data that takes the area’s economy into account.

How and when did this all start happening?
The Dark Stores loophole was created in a 2013 decision by bureaucrats and political appointees to the largely obscure Michigan Tax Tribunal in Lansing. The large, national retailers convinced the Tax Tribunal to rely on the “sales approach” to evaluation regardless of market context. This tactic has become known as the “Dark Store” theory.

What’s the impact of this?
Huge. As an example, an appeal involving a Lowe’s store in Marquette Township left the community on the hook to repay the company more than $755,000 in property taxes it was found to have overcharged the retailer. The state Court of Appeals in 2014 upheld the Tax Tribunal’s ruling that the Marquette Lowe’s store had a taxable value (half of true cash value) of $1.5 million in 2012, rejecting the township’s assessment of $5.2 million. The store was built in 2008 at a cost of $10 million. As a result of Lowe’s successful appeal, the community has been forced to cut numerous services, such as public library hours, to its residents. These unfair tax reductions are having a ripple effect throughout communities around the state as schools, libraries, community colleges, local governments and public safety are all forced to refund money to these retailers and reduce the services they offer or increase taxes and fees on every other taxpayer in that community. Ottawa County alone has lost $14.8 million in assessments, and $745,000 in tax revenue since 2010, through big box store appeals, the Detroit Free Press reported.
Won't the problem with Big Box value reductions eventually change as the state's economy improves and property values recover from the recession?
No. Under Proposal A, the taxable value (the amount on which taxes are calculated) may not increase more than inflation or 5 percent, whichever is less. The issue isn't limited to Big Box stores either. Now that Big Box stores have received these tax breaks, others are also starting to use the Dark Stores theory to seek lower assessments, including drug stores, auto supply businesses, and even industrial facilities.

Is this just a Michigan issue?
Yes and No. The tactics being used by these retailers are virtually unique to Michigan. In other states where these same arguments are being attempted, courts and legislatures have moved quickly to rebuff these appeals. Indiana had been the only other state where this theory had been used and their legislature passed a bill in May of 2015 to block the dark store claims. Lawmakers in Wisconsin are also considering action. Michigan's commercial property tax values are now a fraction of what they are in surrounding states. Lenawee County Equalization Director Martin Marshall is president of the International Association of Assessing Officers. In this international role, he travels throughout the U.S. and Canada for various meetings and events and said his peers in other states and countries now routinely ask him "what the heck is happening in Michigan with your Big Box stores?" Marshall testified on this issue in Lansing on Nov. 4, 2015.

Could this be an issue of local assessors “over-assessing” property?
That's what the Big Box store officials like to say. Quoting from Big Box store propaganda, the retailers claim, “Local governments are now encouraging assessors to overstep their boundaries and assess business property at a higher rate in order to pay for their government operations and benefits without ‘harming communities.’” This statement is quite frankly insulting, inflammatory and simply not true. The claim is false and, like the Dark Store theory itself, is entirely unsubstantiated when comparing data from similar stores in other states. The concern raised by local government is not about raising taxes on any one industry, or raising taxes at all. It is about maintaining a fair and equitable system of taxation for all taxpayers in a community.

Why aren't homeowners doing this?
Homeowners have the same rights as businesses to appeal their tax assessments on the local and state level. But homes are much different than big box stores because of the use of comparable structures in determining the taxable value. There are ample amounts of like-homes or comparable homes for assessors to use when calculating the property valuation for your house. But finding comparable structures for big box stores isn’t as easy because these buildings are rarer. Plus, there’s a catch.

There's a catch, what catch?
Two words: Deed restrictions. It is common for retailers to put deed restrictions on their properties before, during and after the building/property is used. These restrictions severely limit how the building can be used once it’s vacant. These deed restrictions serve two purposes:

1. They limit who can move into those buildings and potentially compete with the big box’s other stores in the area;
2. They limit potential buyers for those buildings, driving down the sales prices of those buildings that they turn around and use as an excuse to lower their taxes on their open and operating sites.

This has resulted in buildings being kept empty and adding to the blight problem in a community. Now the trend is that more and more retailers are starting to use deed restrictions to appeal their assessments. They claim that these self-imposed deed restrictions have lowered the value of their property.

Sample Deed Restrictions
Walmart - Frencftown Township, MI
Walmart - Auburn Hills, MI
Geesh, what’s being done to fix all this?
The legislation being worked on would hopefully address most of these issues. The League supports a legislative fix that assesses all properties, including big box stores, at their highest and best use; would prevent the use of anti-competitive deed restrictions in determining a property’s true cash value; and the Michigan Tax Tribunal be required to consider all three methods of assessing – cost minus depreciation, sales comparison and income when determining a property’s true cash value.

Is the Michigan Municipal League alone in this fight?

What’s happened so far in Lansing and what’s next?
The issue has gotten the attention of the House Tax Policy committee and its chairman, Jeff Farrington, R-Utica. The committee held information hearings on the issue Nov. 4 and Dec. 9. The Tax Policy committee also has formed a workgroup to study the issue. Representatives from all sides on the issue, including the League, are members of this workgroup.

How can I help?
Contact your state Representative and State Senator today and ask them if they are aware of this Dark Stores issue and what they are doing about it. Tell your lawmakers that the “dark store” theory must end. If your community has been affected, tell your legislators how the lost tax dollars will impact local services and your residents. Legislators need to hear from you that their action on this issue is vital. Your efforts could mean the difference between stopping the epidemic and allowing it to spread even further. Go to the League’s Action Center to find the contact information for your state lawmakers.
MEETING DATE: July 9, 2018

AGENDA ITEM NO. 9A.

DEPARTMENT OF PUBLIC WORKS

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Aaron Stahly, Deputy Public Works Director
Submitted: July 9, 2018
Subject: Motion to Approve Scope of Engineering Services Associated with South Squirrel Road Reconstruction and Water Main Improvements.

INTRODUCTION AND HISTORY
The project will consist of roadway and water main improvements along South Squirrel Road from Primary Street to South Boulevard. The existing two lane section will remain and will pick up from the Downtown Rehabilitation project to be completed in 2018. The southbound lane will be fully reconstructed for the placement of new water main. The northbound lane will be milled and resurfaced to provide a consistent surface throughout the project. Note that replacing the existing 16-inch concrete water main along South Squirrel Road has been on the City’s long term plan for some time. The upgrade of this water main will allow the City to provide better water service through material upgrades and increased reliability along Squirrel Road.

The scope of engineering services (Exhibit 1) includes project initiation and plan development. The cost for engineering services is anticipated to be $218,000, plus an additional $18,000 for geotechnical services. It is anticipated that the field work for the design would take place in mid-2018, and the project could be let in March 2019.

As it relates to overall project funding, the City applied for and received $550,000 in Federal funds to improve South Squirrel Road in the 2019 calendar year. As such, funds were allocated and approved as part of the 2018 Annual Budget to support the needed preliminary design in support of this project. City staff does anticipate spending an additional $235,000 to match the road funds and $1.7 million for the water main improvements. The combined project cost is anticipated to be $2.5 million and will be reflected in the 2019 Annual Budget for City Council review and approval.

STAFF RECOMMENDATION
Staff recommends approval of the scope of engineering services associated with South Squirrel Road reconstruction and water main improvements.

MOTION
Move to approve the scope of engineering services associated with South Squirrel Road reconstruction and water main improvements. Engineering services provided to be paid with budgeted funds from account #202-452-935.000 for road reconstruction improvements and account #592-536-977.001 for water main improvements.

EXHIBIT
Exhibit 1 – Scope of Engineering Services

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER
June 7, 2018

City of Auburn Hills
1500 Brown Road
Auburn Hills, MI 48326

Attention: Mr. Ronald Melchert
Director of Public Works

Regarding: South Squirrel Road Reconstruction and Water Main Improvements
Scope of Engineering Services

Dear Mr. Melchert:

Thank you for this opportunity to provide professional engineering services for the above referenced project. We have prepared the following project understanding and scope of services to be provided by OHM Advisors based on our previous discussions, concept estimates, and City direction.

PROJECT UNDERSTANDING

The project will consist of roadway and water main improvements along South Squirrel Road from Primary Street to South Boulevard. The existing two lane section will remain and will pick up from the Downtown Rehabilitation project to be completed in 2018. The southbound lane will be fully reconstructed for the placement of new water main. The northbound lane will be milled and resurfaced to provide a consistent surface throughout the project. The City applied for and received approximately $550,000 in federal funds (STPU) to improve South Squirrel Road in 2019. It is our understanding that the City has budgeted approximately $235,000 to match the road funds and approximately $1.7 million in the water fund for the water main improvements. The combined project is anticipated to cost approximately $2.5 million.

Replacing the existing 16” concrete water main along South Squirrel has been on the City’s long term plan for some time. The water main work will be done simultaneously with the road work to in savings on restoration, traffic control, and mobilization costs. The upgrade of this water main will allow the City to provide better water service through material upgrades and increased reliability along Squirrel Road.

The federal funding for the project must be administered through the Michigan Department of Transportation (MDOT) Local Agency Programs Unit. The plans for this project will be developed in accordance with MDOT guidelines such that the project could be administered through the MDOT LAP Unit. Additional project administration effort resulting from the federal aid process (program applications, crash analysis, mobility analysis, GI meeting, etc.) have been included in this scope. Please note that the normal bidding services provided to the City will not be completed since this project will be going through the federal aid process, in which the project would be bid through MDOT.

SCOPE OF SERVICE

Task 1 – Project Initiation and Obtain Information
Under this task, we will initiate the project and obtain necessary information to proceed with the design. Specific work efforts include:

- Organize and attend a kickoff meeting with City staff to review project objectives, prepare design criteria, and establish a specific delivery schedule.
• Review existing utility information and record drawings for the Squirrel Road corridor.
• Perform a site review to identify elements that are sensitive to project, i.e. crosswalks, driveway locations and other access issues, utility facilities in the area, geometric deficiencies, and drainage features.
• Obtain specific topographic survey information for the project.
• Complete a Crash Analysis per MDOT requirements. We will obtain traffic crash data for the last three-year period showing the location and type of crashes. A report will be developed and submitted to the City outlining what was discovered and possible corrective actions that can be implemented into the design to help mitigate any possible deficiencies that may have contributed to accidents.
• Notify known utility agencies of the proposed work and verify locations of existing known utilities, including both public and private, within the project limits for conflicts and coordinate relocations if necessary.
• Coordinate with a Geotechnical Engineer to obtain soil borings and pavement cores along the project route.

Task 2 – Base Plan Development
Under this task, develop preliminary geometrics for the project. The design will be developed in accordance with the current version of MDOT’s Local Agency Programs Guidelines for Geometrics and AASHTO’s A Policy on Geometric Design of Highways and Streets, 2011. The Base Plan Phase represents approximately 20% of the total design. Specific work efforts include:

• Review field information collected to identify any deficient areas in the existing geometrics.
• Prepare typical roadway cross-sections for the project.
• Develop preliminary geometrics based on selected pavement section and any necessary geometric corrections.
• Review alignments and determine potential adjustments for pedestrian crosswalks, including ADA impacts.
• Evaluate impacted sidewalk ramps to be upgraded to current requirements along the project route, per MDOT requirements.
• Evaluate grading and ROW impacts associated with reconstructed areas and their construction limits.
• Prepare a Maintenance of Traffic concept for the City’s review and general concurrence.
• Develop a preliminary alignment of the proposed water main.
• Prepare a preliminary Engineer’s Opinion of Probable Cost.
• Arrange and attend one (1) project meeting with City staff to review the project and identify concerns.
• Complete final Base Plans and submit to the City for review. A meeting will be held with City staff to review the plans.

Task 3 – Preliminary Plan Development
Based on comments received from the Base Plan review, Preliminary Plans (GI plans) will be created. These plans will include input from several elements, including roadway geometrics, utility evaluation, traffic crash analysis, geotechnical evaluation, and special provisions. The Preliminary Plan Phase represents almost 50% of the total design. Specific work efforts include:

• Develop road plans in accordance with current AASHTO standards based on comments received from the City on base plans. Plans will be prepared using a scale of 1”=40’ (profile scale 1”=4’).
• Develop water main plans in accordance with City standards.
• Develop water main sequence of construction and temporary service requirements to minimize any disruption to the City’s water customers along the corridor.
• Develop pavement marking and signing plans within the affected influence of the project in accordance with MMUTCD requirements.
• Detailed maintenance of traffic plans will be provided for the project per the approved concept completed during the Base Plan phase. The maintenance of traffic plans will be developed in accordance with MDOT work zone safety and mobility guidelines and will include a Temporary Traffic Control Plan (TTCP), Transportation Operation Plan (TOP), and Public Information Plan (PIP) as required.
• Create special provisions for all non-standard pay items in accordance with 2012 MDOT Standard Specifications for Construction and MDOT LAP guidelines.
• Compute preliminary quantities and revise the preliminary Engineer’s Opinion of Probable Construction Cost.
• Prepare proposed preliminary schedule for work including the construction start, substantial completion, and final completion dates.
• Prepare documents to obtain a State Historic Preservation Office review.
• Prepare documents to obtain Oakland County Water Resources Commission (OCWRC) soil erosion permit. If required, a maximum of two (2) submittals will be completed.
• Prepare documents to obtain an MDEQ water main permit. If required, a maximum of two (2) submittals will be completed.
• Submit Grade Inspection (G.I.) package including plans, project specifications, MDOT financial programming forms, and engineer’s opinion of probable construction cost to MDOT Local Agency Programs for review.
• Coordinate and attend G.I. review meeting with MDOT and City representatives.

Task 4 – Final Plan Development
Based on comments received from the G.I. review, Final Plans will be created. Specific work efforts include:
• Finalize design plans based on comments obtained from the G.I. review meeting.
• Complete construction details.
• Finalize detailed grading.
• Finalize valve and hydrant locations.
• Finalize grading easement limits and locations (if required), and prepare up to five grading easements. If it is determined that additional temporary grading easements are necessary, OHM would request that the additional easements be paid at $1,000.00 per additional temporary grading easement.
• Submit final plans, project specifications, and an opinion of probable construction cost in MERL format to MDOT Local Agency Programs.
• Answer questions raised by contractors from MDOT during the bidding process.

SCHEDULE
The project will commence upon authorization to proceed. It is anticipated that the field work for the design would take place in mid-2018, with design, permitting and bidding following. It is our understanding that the City desires the project to be bid so that construction can begin in the spring of 2019. Based on the MDOT LAP Project Planning Guide, it is anticipated that the project could be let in March 2019. This schedule is based upon an authorization to proceed given by June 25, 2018.

COMPENSATION
The services outlined above will be performed on an hourly basis for the not-to-exceed amount of two hundred and eighteen thousand dollars ($218,000.00). This amount is based on the assumptions listed below. The City will be invoiced for services on a monthly basis. The estimated budget breakdown is as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
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<tr>
<td>Major Road Fund</td>
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<tr>
<td>Water Fund</td>
<td>$152,000</td>
</tr>
<tr>
<td>Total</td>
<td>$218,000</td>
</tr>
<tr>
<td>Geotechnical Services (G2)</td>
<td>$18,000</td>
</tr>
</tbody>
</table>

FURTHER CLARIFICATIONS AND ASSUMPTIONS
The above-listed scope of services was prepared with the following assumptions:
• The City will be responsible for all permit application fees and permit fees.
• No permanent right-of-way is anticipated. City will obtain temporary grading easements, if required.
• Geotechnical Services will be provided by G2 Consulting Group under a separate contract and are not included in this scope of services. The estimated amount for this service is indicated above.
• OHM will be pleased to provide any additional services for this project on an hourly basis. Services not
included in this proposal:

a. Construction phase services such as, but not limited to, construction management, construction engineering, construction administration, construction observation, and construction layout.
b. Relocation design services for sanitary sewer, if required.
c. Environmental assessments or reports, drainage studies, or other environmental evaluations associated with potential contaminated soils.
d. Traffic signalization design.
e. Preparation of plans for landscaping and ornamental features.
f. Location of private utilities, other than requesting as-built information from private utility owners.

Should you find this agreement acceptable, please execute both copies and return one copy to us for our files. We look forward to providing professional services on this project. If you have any questions, please contact us.

Sincerely,

OHM Advisors

Timothy J. Juidici, P.E.
Client Representative

cc: Mark Michling, Manager of Public Utilities
    Dan Brisson, Manager of Fleet & Roads
    File

City of Auburn Hills
South Squirrel Road Reconstruction and Water Main Improvements

Accepted By:___________________________________________________________

Printed Name:__________________________________________________________

Title:________________________

Date:____________________________________________________________
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Donald K. Grice, Assistant City Manager
Submitted: July 5, 2018
Subject: Motion – Resolution for the Management of Wireless Equipment within City ROW

INTRODUCTION AND HISTORY
Nearly two years ago staff provided information to City Council in anticipation of requests from wireless providers interested in locating small cells and other wireless telecommunication equipment within City rights-of-way (ROWs). Since that time, things remained relatively quiet until several months ago when two separate wireless providers contacted staff to formally announce their interest in installing small cells in Auburn Hills in order to enhance wireless coverage throughout our community. You may recall that these small cell transmitters are utilized in areas of high wireless demand to provide an improved service level to wireless users without requiring the installation of large cell towers. Small cells are approximately the size of a suitcase and can typically be attached to existing structures such as streetlights or utility poles. Occasionally, providers will request the installation of new poles when existing structures are not properly positioned. City staff is continuing to negotiate with the aforementioned providers and we anticipate that those contracts will be coming before City Council in the approaching weeks.

In conclusion, Auburn Hills embraces high-tech advancements and we recognize the important role that wireless technology plays in those advancements. Furthermore, we also understand that wireless providers have the legal right to locate within city ROWs in order to provide services to their customers. However, we also recognize the importance of preserving the safety and aesthetics of the City’s ROWs through appropriate regulation. Therefore, in an effort to guide and control the installation of this wireless equipment, as well as, additional requests in the future, staff thought it would be prudent to pass the following resolution clearly defining our parameters for these types of requests. This resolution will be used in conjunction with our existing ROW permitting process to ensure the appropriate application of this technology.

STAFF RECOMMENDATION
Staff recommends approval of the attached resolution on the management of wireless equipment within the city’s ROWs.

MOTION
Move to approve the Resolution for the management of wireless equipment within the City ROW.

I CONCUR: ________________________________
THOMAS A. TANGHE, CITY MANAGER
RESOLUTION FOR THE
MANAGEMENT OF WIRELESS EQUIPMENT WITHIN CITY ROW

RESOLUTION NO. ________

At a regular meeting of the City Council of the City of Auburn Hills, County of Oakland, State of Michigan, held on the ___ day of ____________, 2018, at ____ o’clock p.m., Eastern Daylight Savings Time, with those present and absent being.

PRESENT: __________________________________________________________

ABSENT: __________________________________________________________

the following preamble and resolution were offered by Councilperson ___________ and supported by Councilperson ____________:

WHEREAS, the City of Auburn Hills understands and embraces the need for advancement in wireless technology throughout our community and the throughout region; and

WHEREAS, the City of Auburn Hills understands that wireless technology companies need access to locations throughout the community, including locations on City properties and within City Rights-of-Way (ROWs); and

WHEREAS, the City of Auburn Hills also acknowledges the importance of controlling the installation of this wireless technology in order to preserve the safety and aesthetics of the community, including the safety and aesthetics of City properties and City ROWs; and

WHEREAS, the City of Auburn Hills will work diligently with wireless providers in an effort to provide reasonable access to City properties and City ROWs for the necessary advancement in wireless technology while ensuring the safety and aesthetics of the community by managing and regulating use of public ROWs by Wireless Providers pursuant to the public ROW regulatory powers and authorities conferred upon the City pursuant to the Michigan Constitution 1963, Article 7, Section 29 and other implementing laws, ordinances and requirements; and

WHEREAS, the City of Auburn Hills implements its Constitutional powers over public ROWs through a combination of permitting, Franchise/License Agreements, ordinances and other regulatory measures and therefore deems it appropriate and prudent to adopt certain dimensional and placement guidelines for Wireless Facilities based on the appropriateness of the size, location, and classification of the ROW to further regulate the health, safety and welfare of the community while affording Wireless
Providers reasonable use and access to public ROWs within the City without abrogating, waiving or modifying any existing City regulations or requirements;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Auburn Hills that, in addition to other terms and conditions set forth in an applicable permit, ordinance or agreement, all wireless installations on City properties or within City ROWs should observe the following dimensional and placement guidelines:

City Road ROWs are currently divided into four separate classifications which will allow three distinct categories for wireless installations. These guidelines are based on our current road classifications. Existing available poles and support structures shall be utilized whenever feasible. City owned poles/support structures may be utilized at the City’s discretion subject to an agreement approved by the City. Requests for new poles/support structures within a public ROW shall be evaluated on a case by case basis according to need, the availability of existing support structures, the availability of placement on land outside the public ROW and other relevant site and technical factors. New support structures approved by the City shall be made available for technically feasible collocation by other providers on commercially reasonable terms.

ROADWAY CLASSIFICATIONS
Principal Arterial
Minor Arterial
Major Collector
Local

WIRELESS CATEGORIES
Principal Arterial/Minor Arterial- Category 3 Wireless
Category 3 ROWs are typically the largest and most flexible. Most areas will have adequate space to accommodate larger wireless equipment without negatively impacting the safety or aesthetics of the environment. Wireless Equipment in these areas may occupy up to 27 cubic feet of total area. This total includes the antenna and any supporting or ancillary equipment, including ground mounted equipment if any. Category 3 installations may include a separate equipment cabinet that can be ground mounted adjacent to a supporting structure for the Wireless Facility. No other structures and/or equipment can be mounted lower than 10 feet above grade. All installation requests are subject to existing requirements, including Franchise/License Agreement requirements, and necessary permitting. The total overall height of a Wireless Facility should not exceed fifty feet (50’).

Major Collector- Category 2 Wireless
Category 2 ROWs are typically associated with roads that serve as transitions between local streets and arterial roadways. Installations in these areas may occupy up to 27 cubic feet of total area. Category 2 installations do not allow for ground mounted equipment and therefore antennas and cabinets must be pole mounted on existing structures. No structures can be mounted lower than 10 feet from the ground. No wireless equipment shall be within 50 feet from any existing residential building. All installation requests are subject to existing requirements, including Franchise/License
Agreement requirements, and necessary permitting. The total overall height of a Wireless Facility should not exceed fifty feet (50’).

**Local Roads-Category 1 Wireless**
Category 1 ROWs are typically associated with local/neighborhood roadways and therefore, provide very little area for additional equipment. All Category 1 wireless installations must be self-contained equipment that can be attached to existing structures. Category 1 wireless installations cannot exceed 8 cubic feet of total volume and shall not be within 50 feet from any existing residential building. All installation requests are subject to existing requirements, including Franchise/License Agreement requirements, and necessary permitting. The total overall height of a Wireless Facility should not exceed thirty feet (35’).

AYES:  
NAYS:  
ABSENT:  
ABSTENTIONS:

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )ss.

I, the undersigned, the duly qualified and acting City Clerk of the City of Auburn Hills, County of Oakland, State of Michigan, do hereby certified that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Auburn Hills at a regular meeting held on the ___ day of ______________, 2018, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this ____ day of ______________, 2018.

Laura Pierce, Clerk  
City Clerk  
City of Auburn Hills
A 9-year-old boy was found by Auburn Hills police wandering on Lapeer Road at about 7 p.m. Thursday.

Taking the boy to their police offices, he told officers he ran away from his mother because he had been struck by an extension cord by his mother. Oakland County Sheriff’s deputies were summoned because the boy was missing out of Pontiac.

“Deputies found the child to have marks (old and new) all over his body from hat appeared to be from being struck by an extension cord,” the sheriff’s office said in a release.

Shortly after they began their investigation, sheriff’s dispatchers received a call from the child’s mother — a 29-year-old Pontiac woman — to report him missing.

The boy was taken to St. Joseph Mercy Hospital for medical care, and both sheriff’s detectives and Child Protective Services agents were called. The case is under investigation.
Did your car get broken into last night?

By Stephen Frye, The Oakland Press

Friday, June 29, 2018

Auburn Hills police announced this morning that they had arrested two people for stealing from unlocked cars and open garages in the area of South Boulevard and Squirrel Road.

Besides issuing a warning in a Facebook post that you should always make sure you car doors are locked, they also are asking residents to check to see if they are missing any property.

“If you live in the area please check your car, we may have something that belongs to you,” Auburn Hills police posted at 6:30 a.m. Friday, June 29.

“If your car was gone into please contact (us at) 248-370-9460.”

The department also advises us to not leave valuables in our car so as to not tempt a would-be thief into breaking in.

Follow the Auburn Hills Police Department at facebook.com/AuburnHillsPolice.
Michigan’s first Hummus & Pita Co. is set to open at Great Lakes Crossing Outlets this fall.

The American-Mediterranean franchise is looking to open five chain locations across southeast Michigan, according to Eater Detroit. The New York-based eatery started up in 2011 with locations now in Connecticut, Colorado, New Jersey and California.

Menu items such as baked pita and laffa bread are made fresh daily, according to a release. Hummus & Pita Co. serves a variety of vegetarian dishes and uses a traditional taboon oven to cook its meats. The brand is perhaps best known for its unique dessert hummus and hummus shakes.

The Auburn Hills location will open in October of this year in the food court of Great Lakes Crossing Outlets.
The new First and Main senior assisted living community is now open in Auburn Hills. The 104,000-square foot facility is located on Walton Boulevard just west of Squirrel Road. With 60 assisted living apartments and 44 memory care apartments, First and Main spans three floors with an array of amenities such as an outdoor terrace and golf-area, a movie theater, a physical fitness and cognitive center, raised gardens and a chapel.

The first and second floors are assisted living apartments while the third floor is for secured memory care. First and Main utilizes integrated technologies, such as the “Never Too Late” software, to combat memory-related illness and loss of memory over time. The multi-media and touch-screen program aims to bring residents closer to pieces of their lives, like music, films or photos from family.

The facility is expected to create 100 full and part time positions once at capacity, according to Debra Skotak, executive director at First and Main. Currently, she’s looking to set up a partnership with Oakland University to bring in medical students as employees.

“This building feels like a home, everyone is welcome and no one feels like they have to be careful about what they do,” Stotak said. “And behind the scenes our support is there when you need it, waiting in the wings when you don’t.”

A private bus is also available for residents in order for them to keep normal routines, such as visiting a favorite grocery store or salon. First and Main opened for occupancy in April and currently has 10 apartments filled with 14 residents.