DECEMBER, 2019

02  City Council Workshop, 5:30 p.m., Admin Conference Room ❖
02  City Council, 7:00 p.m., Council Chamber ◆
09  Downtown Development Authority Informational Meeting, 5:30 p.m., Admin Conference Room❖
09  Downtown Development Authority Meeting, following DDA Informational Meeting, Admin Conference Room❖
09  Library Board, 7:00 p.m., Auburn Hills Public Library 📚
10  Board of Review, 11:00 a.m., Admin Conference Room❖
10  Tax Increment Finance Authority Informational Meeting, 4:00 p.m., Admin Conference Room❖
10  Tax Increment Finance Authority, following the Informational Meeting, Admin Conference Room
11  Pension Board, 3:00 p.m., Admin Conference Room❖
11  Retiree Health Care, 3:00 p.m., Admin Conference Room❖
11  Planning Commission, 6:30 p.m., Public Safety Room LOCATION CHANGE ▲
12  Zoning Board of Appeals, 7:00 p.m., Council Chamber ◆ CANCELED
16  City Council, 7:00 p.m., Council Chamber ◆
17  Brownfield Redevelopment Authority, 6:00 p.m., Admin Conference Room ❖

◆  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

NOTE: Anyone planning to attend the meeting who has need of special assistance under the American’s 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 please to make the necessary arrangements.
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<tr>
<th>DAY</th>
<th>TITLE</th>
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<td>6</td>
<td>City Council Workshop</td>
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<td>8</td>
<td>Planning Commission</td>
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<td>Zoning Board of Appeals</td>
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<td>Downtown Development Authority</td>
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<td>14</td>
<td>Tax Increment Finance Authority</td>
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<td>1827 N. Squirrel Road</td>
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<td>15</td>
<td>Beautification Advisory Commission</td>
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<td>City Council Meeting</td>
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<td>1827 N. Squirrel Road</td>
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<td>21</td>
<td>Brownfield Redevelopment Authority</td>
<td>6:00 PM</td>
<td>Administrative Conference Room</td>
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<td>1827 N. Squirrel Road</td>
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<tr>
<td>28</td>
<td>Library Board</td>
<td>7:00 PM</td>
<td>Auburn Hills Public Library</td>
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<td></td>
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<td></td>
<td>3400 Seyburn Drive</td>
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<tr>
<td>28</td>
<td>Public Safety Advisory Commission</td>
<td>6:00 PM</td>
<td>Public Safety Building</td>
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<td>1899 N. Squirrel Road</td>
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</tbody>
</table>

NOTE: Anyone planning to attend the meeting who has need of special assistance under the American’s 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 please to make the necessary arrangements.
1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COUNCIL
4. APPROVAL OF MINUTES
   4a. City Council Workshop Minutes, December 2, 2019
   4b. City Council Minutes, December 2, 2019
5. APPOINTMENTS AND PRESENTATIONS
   5a. Motion – To confirm the reappointments to the Brownfield Redevelopment Authority.
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. Motion – To approve the revisions to the City Council Rules of Order and Business.
   7b. Motion – To receive and file the corrections to the budget amendments approved December 2, 2019.
   7c. Motion – To adopt the 2020 Benefits Resolution for Non-Union Personnel.
8. OLD BUSINESS
9. NEW BUSINESS
   9a. Motion – To authorize the Finance Director to amend the budget of identified accounts according to the details provided the memo.
   9b. Motion - To approve the Third Golf Course Maintenance Contract Extension Agreement.
10. COMMENTS AND MOTIONS FROM COUNCIL
11. CITY ATTORNEY REPORT
12. CITY MANAGER 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.
Mr. Tanghe and Mr. Beckerleg explained the purpose of a Charter Commission. It was noted that a revision is considered a fundamental change to government and would require a Charter Commission be established. Minor amendments to the Charter would not require a Charter Commission. Mr. Beckerleg explained that each amendment would be a separate ballot question. The ballot question language must be approved by the Attorney General’s Office and Governor’s Office prior to appearing on the ballot. It was noted that if it is determined that minor amendments are needed, they would have to be approved by Council in March and would appear on the August, 2020 ballot.

Council discussed various sections of the Charter. In regards to Section 4.30, Council requested a list of the current Board/Commission member compensation. Section 6.2(b) was discussed regarding central purchasing. It was suggested that this be a workshop topic. In regards to Section 7.7, Council requested the quarterly financial reports. Council also requested that the minor spelling errors throughout the document be corrected as well.

Council agreed to move forward with the following minor amendments to the Charter. Mr. Beckerleg will prepare the ballot question language.

<table>
<thead>
<tr>
<th>SECTION</th>
<th>REVISION</th>
<th>EXISTING LANGUAGE</th>
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</thead>
<tbody>
<tr>
<td>Entire Charter</td>
<td>Add gender neutral language throughout the Charter</td>
<td>Various</td>
</tr>
<tr>
<td>3.7</td>
<td>Remove 8:00 PM provision Change to the next “regular” City Council meeting following the election.</td>
<td>Sec. 3.7. - Elective officers and terms of office. At each regular city election there shall be elected four (4) councilmen and such additional number as may be required to fill vacancies pursuant to the provisions of this Charter. The three (3) receiving the highest number of votes shall</td>
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<tr>
<td>Section</td>
<td>Change</td>
<td>Description</td>
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<tr>
<td>4.8</td>
<td><strong>Change to allow Council to appoint an individual to the vacant position.</strong></td>
<td>be elected for four (4) years, and the one receiving the fourth highest number of votes shall be elected for a term of two (2) years, a number equal to the number of vacancies being filled (if any) who shall receive the next highest number of votes in order, shall be elected for a term of two (2) years. The term of office of the councilmen shall commence on the second Monday next following the date of the regular city election at which they were elected, at 8:00 p.m., local time.</td>
</tr>
</tbody>
</table>
| 4.9a    | **Remove (a) as state law governs it.** | Sec. 4.9. - Restrictions concerning officers.  
(a) Except where authorized by law, no councilman shall hold any other city office or city employment during the term for which he was elected to the council. This shall not apply to appointed city boards or commissions or to volunteer firemen.  
(b) Neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the council may express its views and fully and freely discuss with the manager anything pertaining to appointment and removal of such officers and employees.  
(c) Except for the purpose of official inquiries and investigations, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately. |
| 4.10 (a) & (b) | **Combine (a) & (b) to state that salary & benefits are set by the Elected Officials Compensation Commission** | Sec. 4.10. - Salaries of members of the council.  
(a) Each member of the council shall receive, as remuneration for his service to the city, the sum of four thousand three hundred dollars ($4,300.00) per year. In addition to his remuneration |
as a member of the council, the mayor shall receive the additional sum of one thousand dollars ($1,000.00) per year. Such salaries shall be payable monthly and, except as otherwise provided in this Charter, shall constitute the only salary or remuneration which may be paid for services performed by members of the council for the discharge of any official duty for or on behalf of the city during their term of office. Upon authorization of the council, reasonable expenses may be allowed when actually incurred on behalf of the city.

(b) Provisions of this section shall be subject to the review of a compensation commission, to be established by ordinance in accordance with statute.

The meeting adjourned at 6:47 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk
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 Burmeister, Kittle, Knight, Marzolf, Moniz and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Fire Chief Taylor, Police Chief Baker, Finance Director/Treasurer Schulz, DPW Director Melchert, Deputy Finance Director/Deputy Treasurer Farmer, Assistant Fire Chief Macias, Police Lieutenant Gagnon, Utilities Manager Deman, City Engineer Juidici

35 Guests

4. APPROVAL OF MINUTES
4a. City Council Minutes, November 18, 2019

Moved by Verbeke, Seconded by Knight.

RESOLVED: To approve the City Council Minutes of November 18, 2019 as presented.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke

No: None

Resolution No. 19.12.190 Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS
5a. Morning Optimist Club Presentations:
Mr. John Higgins and Mrs. Mary Creager of the Morning Optimist Club presented the following awards:
Donearl Johnson - Civilian Person of the Year.
Alan Lee - Fire Person of the Year
Quentessa Tuff - Police Person of the Year

Mayor McDaniel thanked the Optimist Club for all that they do to support the City of Auburn Hills.

The Mayor recessed the meeting at 7:12 PM.
The Mayor reconvened the meeting at 7:28 PM.

5b. Motion – To confirm the reappointment of members to the Election Commission.
Moved by Kittle, Seconded by Knight.

RESOLVED: To confirm the reappointments of Jack Broglebank and Terry Carpenter to the Election Commission for a term ending December 31, 2023.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 19.12.191       Motion Carried (7 - 0)

5c. 2020 Insurance Renewal, presentation by Jim Huttenlocher

Mr. Jim Huttenlocher presented the Insurance Plan renewal. He explained that the total annual premium quotation for the upcoming policy year for 2020 is $273,510 compared to 2019 at $283,285 which provides a reduction of 3.5%, or -$9,775. He shared that there was a $68,000 refund dividend from the Michigan Township participating plan.

Mr. Kittle asked who is covered by the surety bonds the City holds under Section 4.6 in the Charter. Mr. Huttenlocher stated that there are two different ways to bond. He stated that the current policy covers employees, city council and publically elected officials which is considered the "Faithful Performance" piece of the program. He stated that there are additional bonds and he did not have the details in front of him so he would report back with the answers.

5d. Motion – To confirm the appointment of City Council Members to Boards and Commissions

Moved by Burmeister, Seconded by Verbeke.

RESOLVED: To appoint the City Council Members to the following boards and committees:

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<thead>
<tr>
<th>Mayor McDaniel</th>
<th>Pension Board</th>
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<tr>
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<td>Retiree Health Care Board</td>
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<td>Downtown Development Authority</td>
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<thead>
<tr>
<th>Mayor Pro Tem Burmeister</th>
<th>Pension Board</th>
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<td>Retiree Health Care Board</td>
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<th>Mr. Kittle</th>
<th>Zoning Board of Appeals</th>
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<td>Sister Communities Committee</td>
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<tr>
<th>Mr. Knight</th>
<th>Brownfield Redevelopment Authority</th>
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<td>Sister Communities Committee</td>
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<tr>
<th>Mr. Marzolf</th>
<th>Planning Commission</th>
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<tr>
<th>Mr. Moniz</th>
<th>Public Safety Advisory Committee</th>
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<th>Ms. Verbeke</th>
<th>Beautification Advisory Commission</th>
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<td>Sister Communities Committee</td>
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VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 19.12.192       Motion Carried (7 - 0)

6. PUBLIC COMMENT

Marlene Korff of 4186 Manitoba Avenue shared her concerns regarding Manitoba Park. She shared that the park is mostly neglected with no swings, no equipment for children to climb on and the mulch was not
replaced this year. She shared that this City has the best Police and Fire Departments and appreciates the way they take care of the needs of the community but she would like the same attention given to this park.

Diane Toulouse of 428 Alberta Street shared her concerns regarding the amount of speeding traffic in her neighborhood. Mayor McDaniel stated that this is a County road but the Chief of Police will be notified.

7. **CONSENT AGENDA**

Mr. Kittle removed Item 7d (budget amendments) from the Consent Agenda.

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority, November 12, 2019

7a2. Brownfield Redevelopment Authority, November 19, 2019

**RESOLVED:** To receive and file the Board and Commission Minutes.

7b. Motion – To approve the 2020 insurance policy renewal with MTPP

**RESOLVED:** To approve the 2020 policy renewal for Liability and Property Insurance with MTPP in accordance with the specifications contained in the Coverage Summary in the amount of $273,510 and authorize Mr. Hutenlocher to convey acceptance on behalf of the City and for the Finance Director/Treasurer to sign the necessary documents related to binding coverage.

7c. Motion – To appoint an alternate member representative to the North Oakland Water Authority Board of Directors.

**RESOLVED:** To appoint Jason Deman, DPW Manager of Public Utilities, to replace Mark Michling as the Auburn Hills Alternate Member Representative to the NOCWA Board of Directors.

7e. Motion – To approve Fireworks Display Permit for TopGolf

**RESOLVED:** To grant a firework display permit to Pyrotecnico Fireworks Inc., on behalf of Top Golf USA, 500 Great Lakes Crossing Dr. Auburn Hills MI as submitted to the Auburn Hills Fire Department, to be held on December 31, 2019.

Moved by Moniz, Seconded by Verbeke.

**RESOLVED:** To approve the Consent Agenda.

**VOTE:** Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke

No: None

**Resolution No. 19.12.193**

Motion Carried (7 - 0)

7d. Motion – To approve 2019 and 2020 Amendments to the departments of the General Fund and other Funds of the City budget.

Mr. Kittle requested further explanation to the Fieldstone Golf Fund. Ms. Schulz explained that all the adjustments are in the expenditure area.

Moved by Kittle, Seconded by Moniz.

**RESOLVED:** To approve the 12/2/2019 amendments to the selected General Fund department budgets and the Major Roads, Local Roads, Metro Act Fund, Retiree Health Care Fund, Tree Fund, State Forfeiture Fund, Federal Forfeiture Fund, Capital Projects Fund, Fieldstone Golf Fund, Sewer/Water Fund, and Fleet Fund as detailed in the report.

Further, To approve and reflect as of 1/1/2020, the 2020 amendments recommended in the report detail to the General Fund department budgets and the Major Roads, Local Roads, Fieldstone Golf Fund and Sewer/Water Fund.
VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 19.12.194
Motion Carried (7 - 0)

8. OLD BUSINESS
9. NEW BUSINESS

9a. Motion – To adopt the 80/20 Cost Sharing Resolution for Employee Contribution to Healthcare (P.A. 152 Resolution).

9b. Motion – To adopt the resolution to reduce Employee Contribution Cost Share for Medical and Prescription Drug Plan Coverage for Calendar Year 2020.

Mr. Tanghe explained that Public Act 152 of 2011 mandates that public employers require employees to participate in paying toward health care premiums unless the local legislative body provides a waiver of such premiums by a two-thirds vote. He presented a 90/10 Cost Sharing Model exempting all full-time employees to contribute to premiums as it applies to PA 152 for the period of January 1 – December 31, 2020, dental and optical policies are not included. It was stated that all Union and Non Union groups were provided with this information and the memorandum of understanding has been signed by the necessary parties. It was stated that this 90/10 Model is an annual election.

Mr. Tanghe explained that each year City Council is required to adopt a resolution as required by PA 152 of 2011 that requires action to be taken that either waives the contribution or requires a contribution based on two employee contribution methods; the hard cap or the 80/20. It was explained that this year, City Council has expressed interest in waiving the contribution which meets the requirement of PA 152. It was shared that City Council recognizes the cost of such waiver and has agreed to do so as long as all employee groups will, under separate agreement, contribute ten percent of their premiums for health care and prescription drug coverage. It was shared that this reduction can be a competitive adjustments that Council felt was appropriate to help incentivize people to help to retain as well as attracting people to work in the public sector.

Moved by Kittle, Seconded by Verbeke.

RESOLVED: To allow Mr. Knight to abstain from the voting for both Items 9a and 9b.

VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke
No: None

Resolution No. 19.12.195
Motion Carried (7 - 0)

Moved by Moniz, Seconded by Kittle.

RESOLVED: To adopt the attached resolution titled: Resolution to Adopt the Annual Exemption Option as Set Forth in 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act. (Attachment A)

VOTE: Yes: Burmeister, Kittle, Marzolf, McDaniel, Moniz, Verbeke
No: None
Abstention: Knight

Resolution No. 19.12.196
Motion Carried (6 - 0)

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To adopt the resolution titled: Resolution to Reduce Employee Contribution Cost Share for Medical and Prescription Drug Plan Coverage for Calendar Year 2020. (Attachment B)

VOTE: Yes: Burmeister, Kittle, Marzolf, McDaniel, Moniz, Verbeke
No: None
Abstention: Knight

Resolution No. 19.12.197

Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Marzolf – Shared that he is looking forward to the Tree Lighting event at 6:00PM on December 6, 2019.

Mr. Kittle – Shared that he is pleased with all the work that has been accomplished this year.

Mr. Knight – Stated that he appreciates the demolition of the old party store at 392 S. Squirrel Road and the quickness of it coming down. He stated that the process was done very well and did not disturb the neighborhood.

Mr. Moniz – Shared that he is no longer a part of the Planning Commission and that he felt honored to be a part of that group. He stated that he is looking forward to working with the Public Safety Advisory Committee (PSAC) and using his experience.

Mr. Burmeister – Shared that it was nice to see the Optimist Presentations this evening.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

Mr. Tanghe – Provided information regarding the upcoming demolition progress at the Palace of Auburn Hills site. He shared that the Palace of Sports and Entertainment Company has started taking the signage down from the building but this is not the official start of demolition. He stated that demolition will be a multi-phase process starting in December with phase one with interior demolition, phase two will include exterior demo, phase three will begin in March and the concrete and steel framing structures will start to come down. He shared that phase four will take place in the spring with some excavation taking place by being properly backfilled and compacted for future development. The City will communicate the process as the process is confirmed. This should be a 6-7 month process.

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 8:02 PM.

_____________________________   ________________________________
Kevin R. McDaniel, Mayor          Laura M. Pierce, City Clerk
ATTACHMENT A

Resolution No.

CITY OF AUBURN HILLS
RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, Public Act 152 of 2011 was passed by the State Legislature and signed by the Governor on September 24, 2011; and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options for consideration are as follows:

1) Apply the hard cap (capped dollar amount a local government employer may pay toward an employee’s healthcare costs),
2) Adopt by majority vote the 80/20% cost-sharing model,
3) Adopt by a two-thirds vote to opt out of the cost-sharing model as set forth in Public Act 152 of 2011 and revisit it prior to the next plan year; and

WHEREAS, the City of Auburn Hills has elected the Exemption provision of the Act for the 2020 calendar year as its choice for compliance with the Act.

NOW, THEREFORE, BE IT RESOLVED, the City of Auburn Hills City Council elects to comply with the requirements of the Publicly Funded Health Insurance Contribution Act by adopting the annual Exemption option for the medical plan coverage year for the period January 1, 2020 through December 31, 2020.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

Resolution No. ______
Enacted ______

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

I, the undersigned and duly appointed City Clerk for 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 Auburn Hills City Council held on the 2nd day of December, 2019.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ___ day of _____________ 2019.

Laura M. Pierce, City Clerk
ATTACHMENT B

CITY OF AUBURN HILLS
RESOLUTION TO REDUCE EMPLOYEE CONTRIBUTION COST SHARE FOR MEDICAL AND PRESCRIPTION DRUG PLAN COVERAGE FOR CALENDAR YEAR 2020

WHEREAS, the City of Auburn Hills has elected the Exemption Provision of Public Act 152 of 2011, titled, "The Publicly Funded Health Insurance Contribution Act", for the 2020 calendar year as its choice for compliance with the Act; and,

WHEREAS, the City of Auburn Hills has received a Memorandum of Understanding signed by authorized representatives of city employees represented by Chapter D of AFSCME Local 2720, IAFF Local 4404, Police Officers Labor Council of Michigan representing Command, Detectives & Patrol, and Non-Union Employees, all agreeing to their 20% cost sharing for city provided medical and prescription drug coverage during calendar year 2019 to be reduced to 10% during calendar year 2020 as more fully stated therein.

THEREFORE BE IT RESOLVED, the City of Auburn Hills City Council hereby authorizes the City to pay 90% cost sharing of the cost of its covered employees’ medical and prescription drug coverage in calendar year 2020 with the employees’ cost sharing to be 10%; and to the extent required by said action, that the Budget be amended to reflect same.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

Resolution No. ___ Enacted ___

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

I, the undersigned and duly appointed City Clerk for 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 Auburn Hills City Council held on the 2nd day of December, 2019.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of December 2019.

__________________________________________
Laura M. Pierce, City Clerk
To: City Council
From: Kevin R. McDaniel, Mayor; Brandon Skopek, Director of Authorities
Submitted: December 9, 2019
Subject: Motion – Confirming reappointment of Craig Capen and Christopher Slocum to the Brownfield Redevelopment Authority Board of Directors for a term ending December 31, 2022

INTRODUCTION AND HISTORY
Please consider confirming the following reappointments to fulfill a three year term.

<table>
<thead>
<tr>
<th>Name</th>
<th>Board</th>
<th>Term Ending Date</th>
</tr>
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<tbody>
<tr>
<td>Craig Capen</td>
<td>Brownfield Redevelopment Authority</td>
<td>December 31, 2022</td>
</tr>
<tr>
<td>Christopher Slocum</td>
<td>Brownfield Redevelopment Authority</td>
<td>December 31, 2022</td>
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MOTION
Move to confirm the reappointment of Craig Capen and Christopher Slocum to the Brownfield Redevelopment Authority for a term ending December 31, 2022.
APPLICATION FOR APPOINTMENT TO
BOARDS AND COMMISSIONS

NAME: Capen Craig C
(Please Print) (Last) (First) (Middle Initial)

HOME ADDRESS: 324 Lake Angelus Road Auburn Hills 248-322-2661
(Number/Street) (City/Zip) (Phone)

EMAIL ADDRESS: Craig@Capen.org

HOW LONG HAVE YOU LIVED IN AUBURN HILLS? 27 Years ARE YOU A U.S. CITIZEN: yes

DO YOU WORK IN AUBURN HILLS? no LENGTH OF TIME EMPLOYED IN AUBURN HILLS:

If you work in Auburn Hills, please list the name and address of the business:

(Business Name) (Number/Street) (Phone)

PLEASE LIST WHICH BOARD/COMMISSION YOU ARE INTERESTED IN: Brownfield Authority

WHAT SPECIALTIES/EXPERIENCE/EDUCATION DO YOU BRING TO THIS BOARD/COMMISSION:
(Attach additional sheet if necessary)

21 Years on the board
BS Engineering from MTU

LIST ANY CIVIC/COMMUNITY ACTIVITIES THAT ARE YOU INVOLVED IN:
(Attach additional sheet if necessary)

Please return this form to the City Clerk’s Office at the above address for processing. This information will be provided to the City Council, on a public agenda, for the use in making appointment to the various Boards and Commissions at the City Council Meeting.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Craig Capen 12/3/2019
(Signature) (Date)
APPLICATION FOR APPOINTMENT TO
BOARDS AND COMMISSIONS

<table>
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<tr>
<th>NAME: Slocum</th>
<th>Christopher</th>
<th>J</th>
<th>(Please Print)</th>
<th>(Last)</th>
<th>(First)</th>
<th>(Middle Initial)</th>
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| HOME ADDRESS: 334 N Lake Angelus Rd. | Auburn Hills | 48326 | 248-707-4109 | (Number/Street) | (City/Zip) | (Phone) |

| EMAIL ADDRESS: chris.slocum@outlook.com |

| HOW LONG HAVE YOU LIVED IN AUBURN HILLS? 7 years | ARE YOU A U.S. CITIZEN Yes |

| DO YOU WORK IN AUBURN HILLS? No | LENGTH OF TIME EMPLOYED IN AUBURN HILLS: |

If you work in Auburn Hills, please list the name and address of the business:

| (Business Name) | (Number/Street) | (Phone) |

| PLEASE LIST WHICH BOARD/COMMISSION YOU ARE INTERESTED IN: Brownfield Redevelopment Authority |

WHAT SPECIALTIES/EXPERIENCE/EDUCATION DO YOU BRING TO THIS BOARD/COMMISSION:
(Attach additional sheet if necessary)
I have served as a member of this board for the past 3 years. I bring experience with the current on-goings of the board as well as knowledge of prior activities. I would like to continue serving the city and board into the future.

LIST ANY CIVIC/COMMUNITY ACTIVITIES THAT ARE YOU INVOLVED IN:
(Attach additional sheet if necessary)
My wife and I are heavily involved with our church and love giving back to our community whenever possible.

Please return this form to the City Clerk's Office at the above address for processing. This information will be provided to the City Council, on a public agenda, for the use in making appointment to the various Boards and Commissions at the City Council Meeting.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

<table>
<thead>
<tr>
<th>Signature: C. Slocum</th>
<th>Date: 12/06/2019</th>
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To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Laura M. Pierce, City Clerk  
Submitted: December 4, 2019  
Subject: Motion – To approve the revisions to the City Council Rules of Order and Business.

INTRODUCTION AND HISTORY

Article I, Section 1 of the City Council Rules of Order and Business states:
In accordance with the City Charter, the Rules of Order and Business of Council shall be placed on the agenda for review and adoption at the first meeting of Council following the seating of the newly elected Council Members. A copy of the rules adopted shall be distributed to each council member. The council may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.”

The last time the Rules were amended was January, 2016. With the recent City Council election and with the change in meeting date to the first and third Monday, the Rules should be reviewed at this time.

The following revisions have been recommended:
- Page 1 – Updated City logo and font  
- Page 3 – Updated City logo  
- Page 3 - Removed reference to the dates amended as it is already listed on the cover page.  
- Page 6 – Changed the regular meetings to 1st & 3rd.  
- Page 8 – Changed the agenda deadline to Wednesday. (Current requirement)  
- Page 9-10, Section 11 – Fixed the sub-letters as they were not correct.  
- Page 10 – Added that the remaining Council members will be called in random order for Roll Call votes. Currently, we follow the Council Rules for the motion maker, seconder and mayor and follow Roberts Rules for the remaining Council which is alpha order. My preference is to call the remaining members in random order. That way the remaining members are not called in the same order for every vote.  
- Page 10 - Added the reference to the Charter provision which requires notices to be published. This is consistent with other Charter references throughout the Rules.  
- Page 11 – Added an introduction paragraph regarding public comment.  
- Page 11 – Removed the provision allowing one speaker to have 5 minutes of public comment when representing a group to be consistent with the 3 minute provision and updated the sub-letters.  
- Page 12 – Changed the 5 minutes of public comment to 3 minutes to be consistent with the 3 minute provision.  
- Updated format throughout to make it more “clean” looking and easier to read.

STAFF RECOMMENDATION

Staff recommends approving the revisions as presented.

MOTION

Move to approve the revisions to the City Council Rules of Order and Business.
I CONCUR: ____________________________
THOMAS A. TANGHE, CITY MANAGER
Auburn Hills City Council
Rules of Order and Business

Rules of Order and Business as adopted by City Council, in accordance with Section 419 of the City Charter

Adopted June 7, 2010
Revised August 11, 2014
Revised January 11, 2016
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PREAMBLE
In addition to the Rules delineated herein, City Council Members shall at all times conduct themselves and the business of the City in accordance with the provisions of the City Charter, the City Code and the laws of the State of Michigan. Rules established herein, not governed by State law or the City Code may be suspended at the discretion of the Mayor and a majority vote of City Council.

All meetings of the City Council shall be held in accordance with the Charter of the City of Auburn Hills, the City Code, the Open Meetings Act, the statutes of the State of Michigan and the Rules of Order and Business as herein adopted this 7th day of June, 2010; and as amended. August 11, 2014, and January 11, 2016.

ARTICLE I: THE RULES

1. ADOPTION AND AMENDMENT OF RULES OF ORDER AND BUSINESS
In accordance with the City Charter, the Rules of Order and Business of Council shall be placed on the agenda for review and adoption at the first meeting of Council following the seating of the newly elected Council Members. A copy of the rules adopted shall be distributed to each council member. The council may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment. (Charter: 4.19)

2. SUSPENSION OF RULES
The Rules of Order and Business may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present, except that council actions shall conform to the City Charter, the Auburn Hills City Code and the statutes and Constitutions of the State of Michigan and the United States.

ARTICLE II: STANDARDS OF CONDUCT FOR CITY COUNCIL MEMBERS

1. PROHIBITED CONDUCT
The City of Auburn Hills does, hereby, establish and enforce the following standards of conduct for elected officials (public officials), in accordance with State Statute - §15.342, Sec. 2:

(1) A public officer shall not divulge to an unauthorized person, confidential information acquired in the course of employment/service in advance of the time prescribed for its authorized release to the public.

(2) A public officer shall not represent his or her personal opinion as that of an agency.

(3) A public officer shall use personnel resources, property, and funds under the officer’s official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
(4) A public officer shall not solicit or accept a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the state, which tends to influence the manner in which the public officer or another public officer performs official duties.

(5) A public officer shall not engage in a business transaction in which the public officer may profit from his or her official position or authority or benefit financially from confidential information which the public officer has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours except for annual leave or vacation time shall not be considered a business transaction pursuant to this subsection, if the Instructor does not have any direct dealing with or influence on the employing or contracting facility associated with his or her course of employment with this state.

(6) Except as provided in section 2a, below, a public officer shall not engage in or accept employment or render services for private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer official duties or when that employment may tend to impair independent judgment or action in the performance of official duties.

(7) Except as provided in section 2a, below, a public officer shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the public officer has a financial or personal interest.

2. VOTING ON, MAKING, OR PARTICIPATING IN GOVERNMENTAL DECISIONS - §15.342, Sec. 2a

The City of Auburn Hills does, hereby, establish and enforce the following standards of conduct for elected officials (public officials), in accordance with State Statute - §15.342, Sec. 2a:

(1) This act shall not in any manner amend or modify the terms of Act No. 317 of the Public Acts of 1968, being sections 15.321 to 15.330 of the Michigan Compiled Laws and Act No. 318 of the Public Acts of 1968, being sections 15.301 to 15.310 of the Michigan Compiled Laws.

(2) This act is intended as a code of ethics for public officers and not as a rule of law for public contracts. A contract in respect to which a public officer or employee acts in violation of this act shall not be considered to be void or voidable, unless the contract is a violation of another statute which specifically provides for the remedy.

(3) Subject to subsection (4), section 2(6) and (7) shall not apply and a public officer shall be permitted to vote on, make, or participate in making a governmental decision if all of the following occur:

(a) The requisite quorum necessary for official action on the governmental decision by the public entity to which the public officer has been elected or appointed is not available because the participation of the public officer in the official action would otherwise violate section 2(6) or (7).

(b) The public officer is not paid for working more than 25 hours per week for the City.

(c) The public officer promptly discloses any personal, contractual, financial, business, or employment interest he or she may have in the governmental decision and the disclosure is made part of the public record of the official action on the governmental decision.
(4) If a governmental decision involves the awarding of a contract, section 2(6) and (7) shall not apply and a public officer shall be permitted to vote on, make, or participate in making the governmental decision if all of the following occur:

(a) All of the conditions of subsection (3) are fulfilled.
(b) The public officer will directly benefit from the contract in an amount less than $250.00 or less than 5% of the public cost of the contract, whichever is less.
(c) The public officer files a sworn affidavit containing the information described in subdivision (b) with the legislative or governing body making the governmental decision.
(d) The affidavit required by subdivision (c) is made a part of the public record of the official action on the governmental decision.

(5) As used in this section, “governmental decision” means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, or measure on which a vote by the members of a legislative or governing body of a public entity is required and by which a public entity formulates or effectuates public policy.

3. CITY’S ETHICS POLICY

The City Council and its members shall at all times comply and act in accordance with City Policy Number 80-06, as amended, titled “Employee, City Council and City Boards and Commissions Ethics and City Policy Number 150-01, as amended, entitled “Gifts and Gratuities”.

ARTICLE III: MEETINGS OF COUNCIL

1. OPEN MEETINGS ACT

All meetings of the City Council shall be conducted in accordance with, the Open Meetings Act and all notices required by the Act shall be given by the City. (Open Meetings Act: Public Act 267 of 1976)

2. PRESIDING OFFICER

The Mayor shall be executive officer of the City and shall preside at all its meetings. (Charter Excerpt: 4.13)

3. REGULAR MEETINGS and REQUIREMENTS

(a) The Council shall, at its first meeting following each regular city election, elect one member to serve as mayor and one to serve as mayor pro tem by a majority vote of the Members elect. (Charter: 4.12)

(b) The Council shall, at its first meeting held following each regular city election, establish the annual meeting schedule and within 10 days of such action, public notice stating the dates, times and places of the regular monthly Council meetings shall be posted in the following locations: (Charter: 4.12)
   i. The City’s cable television station
   ii. The City’s website
   iii. The Auburn Hills City Hall
   iv. The newspaper of local circulation
(c) As presently established, Regular Meetings of the City Council shall be held on the second first and fourth third Monday of each month, beginning at 7:00 p.m., in the Council Chamber at the Auburn Hills City Hall, 1827 N. Squirrel Road, Auburn Hills, Michigan, unless rescheduled by the Council or City Administration.

(d) If the meeting schedule is changed, public notice shall be given within 3 days after the meeting at which the change is made. (Open Meetings Act)

(e) All meetings of the Council shall be open to the public and the citizens shall have a reasonable opportunity to be heard, subject to these rules, at any such meeting on matters within the jurisdiction of the Council. (Charter: 4.12)

(f) Public meetings are open to the media and may be recorded for radio, television and/or photographic services, provided that this will not interfere with the meeting process or audience access to such. (Open Meetings Act)

4. QUORUM
   (a) Four (4) Members of Council shall constitute a quorum for the transaction of business. However, no ordinance or resolution shall be adopted by less than four (4) affirmative votes. (Charter: 4.19; 4.20)

   (b) Council Members unable to attend a scheduled meeting shall, at the earliest convenience, notify the Mayor and either the City Clerk or the City Manager.

   (c) The seat of a Council Member with three (3) consecutive absences, without written notification to the Mayor, City Manager or City Clerk, is deemed vacant. (Charter: 4.7)

5. SPECIAL MEETINGS
   (a) A special meeting of the City Council may be called by the Clerk on the written request of the Mayor or any two (2) Members of the Council or the City Manager on eighteen (18) hours written notice to each Council member and the public, stating the purpose of such meeting and served personally or left at his/her usual place of residence by the Clerk or someone designated by the Clerk. (Charter: 4.15)

   (b) The Council shall conduct no business at any Special Meeting, the purpose and/or nature of which has not been stated in the required notice of such meeting. (Charter: 4.15)

   (c) The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the Members of the Council determine that delay would be detrimental to the City’s efforts in responding to the threat. (Open Meetings Act)

6. JOINT MEETINGS
   The City Council may hold Joint Meetings with School Boards, Boards, Commissions, Committees, and municipal governments who share a community interest with the City of Auburn Hills. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the Council and any other entity or entities before the meeting.
7. WORK/STUDY SESSIONS

Work/Study Sessions may be held upon the call of the Mayor, the City Manager or the Council, which sessions shall be open meetings that the public may attend. With appropriate notice to the Council Members and the public, the Council may convene a work/study session devoted exclusively to the exchange of information relating to municipal affairs. It is preferred that votes not be taken at Work/Study Sessions, but under certain circumstances on any matters under discussion a vote may be taken. Certain circumstances include time sensitive matters that cannot wait until the next regular meeting. No Council member shall enter into a formal commitment with another member regarding a vote to be taken subsequently.

8. EXECUTIVE (CLOSED) SESSION (Open Meetings Act)

(a) Under a limited number of circumstances, Council may convene in Executive or Closed Session to discuss matters as permitted in the Open Meetings Act. The motion to move into Executive Session shall be made in the Open Meeting and shall include the reason for going behind closed doors. The motion requires a two-thirds (2/3) roll call vote of all Members elected and serving, except in the following instances, in which case only a two-thirds (2/3) majority of those present is required:

(i) To consider the dismissal, suspension, or disciplining of, to hear complaints or charges brought against or to consider the periodic personnel evaluation of a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.

(ii) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(iii) To consider the purchase or lease of real property up to the time an option to purchase or lease the property is obtained.

(iv) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(v) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to the Open Meetings Act.

(vi) To consider material exempt from discussion or disclosure by state or federal statute.

(b) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session.

(i) These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under sections 10, 11, or 13 of the Open Meetings Act. These minutes must be approved in a regular meeting of Council and must be maintained for one (1) year and one (1) day after the date of approval.
9. THE MEETING AGENDA

(a) Agenda Preparation

The Agenda preparation process shall be established by the Mayor, City Manager and City Clerk and is set forth below:

(i) Departments having business for Council consideration shall submit the item(s) on the approved Council Cover Memo by noon on the Thursday prior to the meeting date.

(ii) Staff shall name the completed Council Cover Memo so as to identify it by subject, ie Name of Agenda Item. Cover and save the document in the date-appropriate folder at: O:\CITY COUNCIL PACKET\Meeting Date.

(iii) All substantiating documents shall be saved in the above name folders so as to link them to the Cover Memo and to indicate the order in which the documents are to appear, ie Name of Agenda Item.1, Name of Agenda Item.2, etc.

(iv) When all documentation has been saved in the Meeting Folder, email City Manager to advise that the Council Item has been placed in Council Packet Folder for review and approval. Send a copy of the email to the Clerk’s Office Group email address.

(b) Order of Business shall be established by the Mayor, City Manager and City Clerk and unless altered by the same, shall appear on the Agenda as follows:

AGENDA FORMAT
1. Call to Order
2. Pledge of Allegiance
3. Roll Call of Council
4. Approval of Minutes
5. Appointments and Presentations
6. Public Comment – Time Limit of Three (3) Minutes
7. Consent Agenda
8. New Business
9. Old Business
10. Council Comments and Motions
11. Attorney’s Report
12. City Manager’s Report
13. Executive Session – as needed
14. Adjournment

(c) After the meeting has been convened and in order to facilitate the meeting process, the Chair may amend the Agenda.

(d) The Consent Agenda, Agenda Item No. 7, is utilized to facilitate the business before Council. Routine administrative, noncontroversial items may be placed on the Consent Agenda to be heard and acted upon with one motion.

(i) There is no separate discussion on an item unless so requested by a Council Member, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

(ii) In that the Consent Agenda is prepared for the purpose of expediting the business before Council, it is understood that Council Members will make an effort to contact the City
Manager or Department Head(s) prior to the meeting to gain an understanding of the item in order to avoid having the item removed from the Consent Agenda.

(iii) Items approved on the Consent Agenda shall appear individually, in standard format in the meeting minutes.

10. CONDUCT OF MEETINGS

(a) No business shall be conducted without the presence of a quorum, except that the Mayor or two (2) Council Members may act to adjourn the meeting.

(b) In the absence of the Mayor, the Mayor pro tem shall be the Chair, and in the pro tem’s absence, the Council Member, in attendance, with the longest continuous service shall preside.

(c) The Mayor shall speak and vote as any other member of the Council. (Charter: 4.13)

(d) Every Council Member present, including the Mayor, is required to vote on all matters before the Council, except where such vote would create a conflict of interest. (Charter: 4.19)

(e) A Council Member who requests to abstain shall be required to provide the reason(s) for such, which reason(s) shall be acceptable to a majority of the Council, as shown by a vote. (Charter: 4.19)

(f) The Mayor shall seek the attorney’s opinion if the existence of a conflict of interest claim be disputed.

(g) Conflict of interest, as defined by law, shall be the sole reason a member may abstain from voting. The city attorney’s opinion shall be binding on council with respect to the existence of a conflict of interest.

(h) Speakers shall address all remarks to the Chair.

(i) During discussion or debate, no Council Member shall speak until recognized by the Chair.

(j) Discussion shall be confined to the question at hand and shall only be interrupted by a point of order.

(k) Any item on the Council agenda that has not been introduced by 11:00 p.m. on the evening of the meeting shall be continued to the next regular meeting as a Carryover Item, unless City Council takes action to the contrary.

(l) All cell phones shall be placed in silent mode before the meeting is called to order.

11. COUNCIL ACTION

(a) The Chair shall introduce each Agenda Item.

(b) Comments and questions shall be entertained by the Chair, with no Council Member speaking until acknowledged by the Chair. Each Council Member may, at the Chair’s discretion, speak again after all other Members have had an opportunity to do so.

(c) Following such, the Chair shall end discussion by calling for a motion.

(i) Wishing to close discussion or debate, the Chair shall call for the Previous Question.

(d) Hearing such, he shall call for a Second.

(e) The Chair shall identify the motion maker and the second for entry into the official record.

(f) The Chair shall ask for and entertain further discussion before calling for the vote. At the request of the Chair, the Clerk shall ascertain the vote of each Council Member by Roll Call vote.
(g) In calling the Roll Call vote, the Clerk shall first call for the vote of the Motion Maker, followed by that of the Second. The Chair shall be called last. **The remaining Council members shall be called in a random order.**

(h) Except for Emergency Ordinances and Amendments to Zoning Ordinance Text and the Zoning Map, no ordinance shall pass without having been introduced, advertised and heard at a public hearing, notice of which shall be published in a paper of local circulation, in accordance with pertinent regulations. *(Chart: 5.7)*

(i) No ordinance or resolution shall be passed/adopted by less than four (4) affirmative votes. *(Charter: 4.20)*

(j) Every attempt shall be made to use gender inclusive language in all resolutions and ordinances that are presented to, considered by and adopted by the Auburn Hills City Council.

(k) Remarks made under *Council Comments and Motions* shall be limited to announcements, acknowledgments, concerns, inquiries, and matters introduced so as to determine the interest of and/or seek consensus, in the form of a motion, from Council for the purpose of engaging or directing Staff with regard to such matters.

(l) The following motions are germane to Council processes and procedures and are to be used as appropriate. *(ROBERT’S RULES OF ORDER/NEWLY REVISED)*

(i) **Withdrawal of a Motion**

A motion may be withdrawn or amended by its maker, until the motion has received a second. If the mover wishes to withdraw the motion after it has received a second, the mover shall ask the second for permission to withdraw and, receiving such, shall seek consensus of the Council. If consensus cannot be reached, any member may make a motion allowing withdrawal. Upon receiving a second, the withdrawal may be voted upon. The motion requires a two-thirds vote (2/3 of the votes cast).

(ii) **Reconsider**

A motion to reconsider can be made only on the day the vote to be reconsidered was taken or at the next City Council meeting. The motion must be made by one who voted with the prevailing side. Any member may second it. It can be made while any other question is pending, even if another member has the floor, or after the vote to adjourn, unless the chair has declared the assembly adjourned.

(iii) **Rescind a Vote**

Council may rescind a vote at any time, except for those specifically noted below. The vote to do so requires a majority of the Council Members present, if prior notice has been given. If prior notice has not been given, the vote to rescind shall require a 2/3 Vote (2/3 of the votes cast).

- Something has been done as a result of that vote that the Council cannot undo
- The vote was of a contractual nature and the other party has already been informed
- The vote resulted in a resignation, election, expulsion, membership, or office and the affected party has been notified of such

(iv) **Table**

The object of this motion is to lay aside the item, in order to attend to more urgent business. The tabled item can be removed from the table and acted on at any time later in the meeting, as if it were a new question.

(v) **Postpone to a Date Certain**
The item is postponed until a specific date.

(vi) Postpone Indefinitely

The object of this motion is really not to postpone, but to reject, the main motion. It is made by those who oppose the motion and are in doubt as to their being in the majority. If the indefinite postponement is carried, the main question is suppressed; if the motion to postpone indefinitely fails, the vote is called on the main motion.

12. AUDIENCE

The purpose of the Public Comment portion of a City Council meeting is to allow individuals to express their opinions and/or share their comments with the City Council and not necessarily to engage the City Council in a dialogue. Public Comment is not intended to have individuals present formal presentations on a particular issue, but instead for the purpose of individuals expressing their opinions and sharing their comments on an issue.

(a) All cell phones and other forms of electronic media that may cause noise and/or distraction shall be in silent mode before the meeting is called to order.

(b) No Council Member shall engage the speaker in debate, nor make a promise of resolution. The Chair shall direct the issue to the City Manager who shall attend to the matter or assign such to the appropriate staff member(s) for follow-up.

(c) Speaker Cards shall be provided at all meetings of Council. Attendees who wish to address Council are encouraged to complete the Speaker Card, upon which they can indicate the nature of their address. Participant will be recognized by the Chair at the appropriate time and will have an opportunity to speak one (1) time for up to three (3) minutes.

(d) One speaker, who represents a group of persons at the meeting, in speaking for them may use up to five (5) minutes to address Council.

(e) Persons wishing to address Council shall approach the podium and wait to be recognized by the Chair.

(f) In instances where numerous participants wish to speak on one issue, whether a regular agenda item, a public hearing or under public comment, the Chair, with a majority vote of Council, may limit the time and/or number of speakers.

Disruptive, disorderly or noncompliant persons shall be called to order by the Chair, and those failing to comply shall forfeit the right to speak. Should such action breach the peaceful conduct of the meeting, the Mayor may request the offender be escorted from the building by a law enforcement official.

13. PUBLIC HEARINGS

(a) Each Public Hearing shall be conducted in conjunction with its item of business and in the order the item appears on the agenda.

(b) The Chair shall introduce the item of business and the presenting City staff member.

(c) The Chair shall continue to preside and shall maintain the order of the public hearing.

(d) The staff member shall present item of business from the City’s perspective, and introduce applicant.

(e) The applicant shall provide detailed information in a manner sufficient for public understanding and Council action.
(f) At the conclusion of applicant’s presentation, Chair shall call for questions and comments from Council.

(g) Closing Council comments, the Chair shall cite the time and open the public hearing, which shall be made part of the official record of the meeting.

(h) Persons wishing to speak during the public hearing shall do so from the podium and shall speak one (1) time for a period of up to five (5) three (3) minutes.

(i) Groups or organizations shall select a spokesperson to represent them at the podium.

14. ROBERTS RULES OF ORDER

The Open Meetings Act and these Auburn Hills City Council Rules of Order and Business shall govern the conducting of City Council meetings, however, to the extent that the Open Meetings Act and this Auburn Hills City Council Rules of Order and Business do not address a particular matter than the most recent edition of Robert’s Rules of Order shall apply to and govern that matter.

15. MINUTES

(a) Council shall keep minutes of each meeting, which shall be prepared in accordance with Robert’s Rules of Order/Newly Revised. Corrections to the minutes shall be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction. (Open Meetings Act)

(b) A synopsis of Council action shall be prepared and available on the day following the meeting.

(c) Proposed minutes shall be available for public inspection not more than 8 business days after the meeting to which the minutes refer. (Open Meetings Act)

(d) Approved minutes shall be available for public inspection not later than 5 business days after the meeting at which the minutes are approved by the public body. (Open Meetings Act)

(e) The minutes shall be a record of Council action, only. If so requested by a Council Member, relevant comment will be made part of the record. (Charter: 6.3)

(f) The minutes shall be signed by the Mayor and the Clerk. (Charter: 4.19)

(g) A copy of the minutes of each regular or special Council meeting shall be published within twenty (20) days after passage thereof. A synopsis of such minutes showing the substance of each separate proceeding of the Council shall suffice for publication. (Charter: 4.22)

(h) Meetings of Council shall be tape recorded or videotaped. The tapes are maintained by the Clerk’s office only until the minutes have been approved by the Council, but a copy is then kept electronically for viewing on streaming video or cable by the IT Staff for not less than one year.

16. ADVISORY COMMITTEES OR BOARDS

(a) The Mayor or City Manager with the advice and consent of the City Council may, from time to time, appoint such committees or boards as are deemed appropriate to advise and consult with them, and with appropriate departments, regarding any municipal activity. Such committees or boards shall be advisory, serve temporarily and without compensation unless otherwise provided by the City Council.

(b) At the second meeting following the local election, the Mayor shall appoint City Council Members to the various representative positions on Boards/Commission.
(c) Council Members shall serve in the appointed positions until the second meeting following the next local election.

17. EXPENSES: OUT-OF-TOWN TRAVEL - CITY BUSINESS

Conferences/seminars germane to City business or municipal matters that are of interest to members of Council shall be considered during budget preparation. The approved budget shall be equitably allocated to each Member, limiting the number of conferences/seminars a member may attend to the cost thereof. Unencumbered funds may be used for additional opportunities subject to Council approval. Covered costs shall include registration, accommodations, travel and meals not provided in the cost of registration.

A public officer or employee shall use personnel resources, property, and funds under the officer or employee's official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
Auburn Hills City Council

Rules of Order and Business as adopted by City Council, in accordance with Section 4.19 of the City Charter

Adopted June 7, 2010
Revised August 11, 2014
Revised January 11, 2016
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In addition to the Rules delineated herein, City Council Members shall at all times conduct themselves and the business of the City in accordance with the provisions of the City Charter, the City Code and the laws of the State of Michigan. Rules established herein, not governed by State law or the City Code may be suspended at the discretion of the Mayor and a majority vote of City Council.

All meetings of the City Council shall be held in accordance with the Charter of the City of Auburn Hills, the City Code, the Open Meetings Act, the statutes of the State of Michigan and the Rules of Order and Business as herein adopted this 7th day of June, 2010; amended August 11, 2014, and January 11, 2016.

ARTICLE I: THE RULES

1. ADOPTION AND AMENDMENT OF RULES OF ORDER AND BUSINESS In accordance with the City Charter, the Rules of Order and Business of Council shall be placed on the agenda for review and adoption at the first meeting of Council following the seating of the newly elected Council Members. A copy of the rules adopted shall be distributed to each councilmember. The council may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment. (Charter: 4.19)

2. SUSPENSION OF RULES

The Rules of Order and Business may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members present, except that council actions shall conform to the City Charter, the Auburn Hills City Code and the statutes and Constitutions of the State of Michigan and the United States.

ARTICLE II: STANDARDS OF CONDUCT FOR CITY COUNCIL MEMBERS

1. PROHIBITED CONDUCT

The City of Auburn Hills does, hereby, establish and enforce the following standards of conduct for elected officials (public officials), in accordance with State Statute - §15.342, Sec. 2:

(1) A public officer shall not divulge to an unauthorized person, confidential information acquired in the course of employment/service in advance of the time prescribed for its authorized release to the public.

(2) A public officer shall not represent his or her personal opinion as that of an agency.

(3) A public officer shall use personnel resources, property, and funds under the officer’s official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.

(4) A public officer shall not solicit or accept a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the state, which tends to influence the manner in which the public officer or another public officer performs official duties.

(5) A public officer shall not engage in a business transaction in which the public officer may profit from his or her official position or authority or benefit financially from confidential information which the public officer has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours except for annual leave or vacation time shall not be considered a business transaction pursuant to this subsection, if the Instructor does not have any direct
dealing with or influence on the employing or contracting facility associated with his or her course of employment with this state.

(6) Except as provided in section 2a, below, a public officer shall not engage in or accept employment or render services for private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer official duties or when that employment may tend to impair independent judgment or action in the performance of official duties.

(7) Except as provided in section 2a, below, a public officer shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the public officer has a financial or personal interest.

2. VOTING ON, MAKING, OR PARTICIPATING IN GOVERNMENTAL DECISIONS - §15.342, Sec. 2a

The City of Auburn Hills does, hereby, establish and enforce the following standards of conduct for elected officials (public officials), in accordance with State Statute - §15.342, Sec. 2a:

(1) This act shall not in any manner amend or modify the terms of Act No. 317 of the Public Acts of 1968, being sections 15.321 to 15.330 of the Michigan Compiled Laws and Act No. 318 of the Public Acts of 1968, being sections 15.301 to 15.310 of the Michigan Compiled Laws.

(2) This act is intended as a code of ethics for public officers and not as a rule of law for public contracts. A contract in respect to which a public officer or employee acts in violation of this act shall not be considered to be void or voidable, unless the contract is a violation of another statute which specifically provides for the remedy.

(3) Subject to subsection (4), section 2(6) and (7) shall not apply and a public officer shall be permitted to vote on, make, or participate in making a governmental decision if all of the following occur:

(a) The requisite quorum necessary for official action on the governmental decision by the public entity to which the public officer has been elected or appointed is not available because the participation of the public officer in the official action would otherwise violate section 2(6) or (7).

(b) The public officer is not paid for working more than 25 hours per week for the City.

(c) The public officer promptly discloses any personal, contractual, financial, business, or employment interest he or she may have in the governmental decision and the disclosure is made part of the public record of the official action on the governmental decision.

(4) If a governmental decision involves the awarding of a contract, section 2(6) and (7) shall not apply and a public officer shall be permitted to vote on, make, or participate in making the governmental decision if all of the following occur:

(a) All of the conditions of subsection (3) are fulfilled.

(b) The public officer will directly benefit from the contract in an amount less than $250.00 or less than 5% of the public cost of the contract, whichever is less.

(c) The public officer files a sworn affidavit containing the information described in subdivision (b) with the legislative or governing body making the governmental decision.

(d) The affidavit required by subdivision (c) is made a part of the public record of the official action on the governmental decision.

(5) As used in this section, “governmental decision” means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, or measure on which a vote by the members of a legislative or governing body of a public entity is required and by which a public entity formulates or effectuates public policy.
3. CITY’S ETHICS POLICY
The City Council and its members shall at all times comply and act in accordance with City Policy Number 80-06, as amended, titled “Employee, City Council and City Boards and Commissions Ethics and City Policy Number 150-01, as amended, entitled “Gifts and Gratuities”.

ARTICLE III: MEETINGS OF COUNCIL

1. OPEN MEETINGS ACT
All meetings of the City Council shall be conducted in accordance with, the Open Meetings Act and all notices required by the Act shall be given by the City. (Open Meetings Act: Public Act 267 of 1976)

2. PRESIDING OFFICER
The Mayor shall be executive officer of the City and shall preside at all its meetings. (Charter Excerpt: 4.13)

3. REGULAR MEETINGS and REQUIREMENTS
   (a) The Council shall, at its first meeting following each regular city election, elect one member to serve as mayor and one to serve as mayor pro tem by a majority vote of the Members elect. (Charter: 4.12)
   (b) The Council shall, at its first meeting held following each regular city election, establish the annual meeting schedule and within 10 days of such action, public notice stating the dates, times and places of the regular monthly Council meetings shall be posted in the following locations: (Charter: 4.12)
      i. The City’s cable television station
      ii. The City’s website
      iii. The Auburn Hills City Hall
      iv. The newspaper of local circulation
   (c) As presently established, Regular Meetings of the City Council shall be held on the second and fourth Monday of each month, beginning at 7:00 p.m., in the Council Chamber at the Auburn Hills City Hall, 1827 N. Squirrel Road, Auburn Hills, Michigan, unless rescheduled by the Council or City Administration.
   (d) If the meeting schedule is changed, public notice shall be given within 3 days after the meeting at which the change is made. (Open Meetings Act)
   (e) All meetings of the Council shall be open to the public and the citizens shall have a reasonable opportunity to be heard, subject to these rules, at any such meeting on matters within the jurisdiction of the Council. (Charter: 4.12)
   (f) Public meetings are open to the media and may be recorded for radio, television and/or photographic services, provided that this will not interfere with the meeting process or audience access to such. (Open Meetings Act)

4. QUORUM
   (a) Four (4) Members of Council shall constitute a quorum for the transaction of business. However, no ordinance or resolution shall be adopted by less than four (4) affirmative votes. (Charter: 4.19; 4.20)
   (b) Council Members unable to attend a scheduled meeting shall, at the earliest convenience, notify the Mayor and either the City Clerk or the City Manager.
   (c) The seat of a Council Member with three (3) consecutive absences, without written notification to the Mayor, City Manager or City Clerk, is deemed vacant. (Charter: 4.7)

5. SPECIAL MEETINGS
   (a) A special meeting of the City Council may be called by the Clerk on the written request of the Mayor or any two (2) Members of the Council or the City Manager on eighteen (18) hours written notice to each
Council member and the public, stating the purpose of such meeting and served personally or left at his/her usual place of residence by the Clerk or someone designated by the Clerk. (Charter: 4.15)

(b) The Council shall conduct no business at any Special Meeting, the purpose and/or nature of which has not been stated in the required notice of such meeting. (Charter: 4.15)

c) The notice described above is not required for a meeting of the Council in emergency session in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the Members of the Council determine that delay would be detrimental to the City’s efforts in responding to the threat. (Open Meetings Act)

6. JOINT MEETINGS

The City Council may hold Joint Meetings with School Boards, Boards, Commissions, Committees, and municipal governments who share a community interest with the City of Auburn Hills. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the Council and any other entity or entities before the meeting.

7. WORK/STUDY SESSIONS

Work/Study Sessions may be held upon the call of the Mayor, the City Manager or the Council, which sessions shall be open meetings that the public may attend. With appropriate notice to the Council Members and the public, the Council may convene a work/study session devoted exclusively to the exchange of information relating to municipal affairs. It is preferred that votes not be taken at Work/Study Sessions, but under certain circumstances on any matters under discussion a vote may be taken. Certain circumstances include time sensitive matters that cannot wait until the next regular meeting. No Council member shall enter into a formal commitment with another member regarding a vote to be taken subsequently.

8. EXECUTIVE (CLOSED) SESSION (Open Meetings Act)

(a) Under a limited number of circumstances, Council may convene in Executive or Closed Session to discuss matters as permitted in the Open Meetings Act. The motion to move into Executive Session shall be made in the Open Meeting and shall include the reason for going behind closed doors. The motion requires a two-thirds (2/3) roll call vote of all Members elected and serving, except in the following instances, in which case only a two-thirds (2/3) majority of those present is required:

(i) To consider the dismissal, suspension, or disciplining of, to hear complaints or charges brought against or to consider the periodic personnel evaluation of a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.

(ii) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(iii) To consider the purchase or lease of real property up to the time an option to purchase or lease the property is obtained.

(iv) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(v) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as
otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to the Open Meetings Act.

(vi) To consider material exempt from discussion or disclosure by state or federal statute.

(b) A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at the closed session.

(i) These minutes shall be retained by the clerk of the public body, are not available to the public, and shall only be disclosed if required by a civil action filed under sections 10, 11, or 13 of the Open Meetings Act. These minutes must be approved in a regular meeting of Council and must be maintained for one (1) year and one (1) day after the date of approval.

9. THE MEETING AGENDA

(a) Agenda Preparation

The Agenda preparation process shall be established by the Mayor, City Manager and City Clerk and is set forth below:

(i) Departments having business for Council consideration shall submit the item(s) on the approved Council Cover Memo by noon on the Thursday prior to the meeting date.

(ii) Staff shall name the completed Council Cover Memo so as to identify it by subject, ie Name of Agenda Item.Cover and save the document in the date-appropriate folder at, O:\CITY COUNCIL PACKET\Meeting Date.

(iii) All substantiating documents shall be saved in the above name folders so as to link them to the Cover Memo and to indicate the order in which the documents are to appear, ie Name of Agenda Item.1, Name of Agenda Item.2, etc.

(iv) When all documentation has been saved in the Meeting Folder, email City Manager to advise that the Council Item has been placed in Council Packet Folder for review and approval. Send a copy of the email to the Clerk’s Office Group email address.

(b) Order of Business shall be established by the Mayor, City Manager and City Clerk and unless altered by the same, shall appear on the Agenda as follows:

AGENDA FORMAT

1. Call to Order
2. Pledge of Allegiance
3. Roll Call of Council
4. Approval of Minutes
5. Appointments and Presentations
6. Public Comment – Time Limit of Three (3) Minutes
7. Consent Agenda
8. New Business
9. Old Business
10. Council Comments and Motions
11. Attorney’s Report
12. City Manager’s Report
13. Executive Session – as needed
14. Adjournment
(c) After the meeting has been convened and in order to facilitate the meeting process, the Chair may amend the Agenda.

(d) The Consent Agenda, Agenda Item No. 7, is utilized to facilitate the business before Council. Routine administrative, noncontroversial items may be placed on the Consent Agenda to be heard and acted upon with one motion.
   (i) There is no separate discussion on an item unless so requested by a Council Member, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
   (ii) In that the Consent Agenda is prepared for the purpose of expediting the business before Council, it is understood that Council Members will make an effort to contact the City Manager or Department Head(s) prior to the meeting to gain an understanding of the item in order to avoid having the item removed from the Consent Agenda.
   (iii) Items approved on the Consent Agenda shall appear individually, in standard format in the meeting minutes.

10. CONDUCT OF MEETINGS

(a) No business shall be conducted without the presence of a quorum, except that the Mayor or two (2) Council Members may act to adjourn the meeting.
(b) In the absence of the Mayor, the Mayor pro tem shall be the Chair, and in the pro tem’s absence, the Council Member, in attendance, with the longest continuous service shall preside.
(c) The Mayor shall speak and vote as any other member of the Council. (Charter: 4.13)
(d) Every Council Member present, including the Mayor, is required to vote on all matters before the Council, except where such vote would create a conflict of interest. (Charter: 4.19)
(e) A Council Member who requests to abstain shall be required to provide the reason(s) for such, which reason(s) shall be acceptable to a majority of the Council, as shown by a vote. (Charter: 4.19)
(f) The Mayor shall seek the attorney’s opinion if the existence of a conflict of interest claim be disputed.
(g) Conflict of interest, as defined by law, shall be the sole reason a member may abstain from voting. The city attorney’s opinion shall be binding on council with respect to the existence of a conflict of interest.
(h) Speakers shall address all remarks to the Chair.
(i) During discussion or debate, no Council Member shall speak until recognized by the Chair.
(j) Discussion shall be confined to the question at hand and shall only be interrupted by a point of order.
(k) Any item on the Council agenda that has not been introduced by 11:00 p.m. on the evening of the meeting shall be continued to the next regular meeting as a Carryover Item, unless City Council takes action to the contrary.
(l) All cell phones shall be placed in silent mode before the meeting is called to order.

11. COUNCIL ACTION

(a) The Chair shall introduce each Agenda Item.
(b) Comments and questions shall be entertained by the Chair, with no Council Member speaking until acknowledged by the Chair. Each Council Member may, at the Chair’s discretion, speak again after all other Members have had an opportunity to do so.
(b) Following such, the Chair shall end discussion by calling for a motion.
   (i) Wishing to close discussion or debate, the Chair shall call for the Previous Question.
   (c) Hearing such, he shall call for a Second.
(d) The Chair shall identify the motion maker and the second for entry into the official record.
(e) The Chair shall ask for and entertain further discussion before calling for the vote. At the request of the Chair, the Clerk shall ascertain the vote of each Council Member by Roll Call vote.
(f) In calling the Roll Call vote, the Clerk shall first call for the vote of the Motion Maker, followed by that of the Second. The Chair shall be called last.
(g) Except for Emergency Ordinances and Amendments to Zoning Ordinance Text and the Zoning Map, no ordinance shall pass without having been introduced, advertised and heard at a public hearing, notice of which shall be published in a paper of local circulation, in accordance with pertinent regulations.
(h) No ordinance or resolution shall be passed/adopted by less than four (4) affirmative votes. (Charter: 4.20)
(i) Every attempt shall be made to use gender inclusive language in all resolutions and ordinances that are presented to, considered by and adopted by the Auburn Hills City Council.
(j) Remarks made under Council Comments and Motions shall be limited to announcements, acknowledgments, concerns, inquiries, and matters introduced so as to determine the interest of and/or seek consensus, in the form of a motion, from Council for the purpose of engaging or directing Staff with regard to such matters.
(k) The following motions are germane to Council processes and procedures and are to be used as appropriate. (ROBERT'S RULES OF ORDER/NEWLY REVISED)
   (i) Withdrawal of a Motion
   A motion may be withdrawn or amended by its maker, until the motion has received a second. If the mover wishes to withdraw the motion after it has received a second, the mover shall ask the second for permission to withdraw and, receiving such, shall seek consensus of the Council. If consensus cannot be reached, any member may make a motion allowing withdrawal. Upon receiving a second, the withdrawal may be voted upon. The motion requires a two-thirds vote (2/3 of the votes cast).
   (ii) Reconsider
   A motion to reconsider can be made only on the day the vote to be reconsidered was taken or at the next City Council meeting. The motion must be made by one who voted with the prevailing side. Any member may second it. It can be made while any other question is pending, even if another member has the floor, or after the vote to adjourn, unless the chair has declared the assembly adjourned.
   (iii) Rescind a Vote
   Council may rescind a vote at any time, except for those specifically noted below. The vote to do so requires a majority of the Council Members present, if prior notice has been given. If prior notice has not been given, the vote to rescind shall require a 2/3 Vote (2/3 of the votes cast).
     • Something has been done as a result of that vote that the Council cannot undo
     • The vote was of a contractual nature and the other party has already been informed
     • The vote resulted in a resignation, election, expulsion, membership, or office and the affected party has been notified of such
   (iv) Table
   The object of this motion is to lay aside the item, in order to attend to more urgent business. The tabled item can be removed from the table and acted on at any time later in the meeting, as if it were a new question.
   (v) Postpone to a Date Certain
   The item is postponed until a specific date.
   (vi) Postpone Indefinitely
The object of this motion is really not to postpone, but to reject, the main motion. It is made by those who oppose the motion and are in doubt as to their being in the majority. If the indefinite postponement is carried, the main question is suppressed; if the motion to postpone indefinitely fails, the vote is called on the main motion.

12. AUDIENCE
(a) All cell phones and other forms of electronic media that may cause noise and/or distraction shall be in silent mode before the meeting is called to order.
(b) No Council Member shall engage the speaker in debate, nor make a promise of resolution. The Chair shall direct the issue to the City Manager who shall attend to the matter or assign such to the appropriate staff member(s) for follow-up.
(c) Speaker Cards shall be provided at all meetings of Council. Attendees who wish to address Council are encouraged to complete the Speaker Card, upon which they can indicate the nature of their address. Participant will be recognized by the Chair at the appropriate time and will have an opportunity to speak one (1) time for up to three (3) minutes.
(d) One speaker, who represents a group of persons at the meeting, in speaking for them may use up to five (5) minutes to address Council.
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(f) In instances where numerous participants wish to speak on one issue, whether a regular agenda item, a public hearing or under public comment, the Chair, with a majority vote of Council, may limit the time and/or number of speakers.
(g) Disruptive, disorderly or noncompliant persons shall be called to order by the Chair, and those failing to comply shall forfeit the right to speak. Should such action breach the peaceful conduct of the meeting, the Mayor may request the offender be escorted from the building by a law enforcement official.

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(a) Each Public Hearing shall be conducted in conjunction with its item of business and in the order the item appears on the agenda.
(b) The Chair shall introduce the item of business and the presenting City staff member.
(c) The Chair shall continue to preside and shall maintain the order of the public hearing.
(d) The staff member shall present item of business from the City’s perspective, and introduce applicant.
(e) The applicant shall provide detailed information in a manner sufficient for public understanding and Council action.
(f) At the conclusion of applicant’s presentation, Chair shall call for questions and comments from Council.
(g) Closing Council comments, the Chair shall cite the time and open the public hearing, which shall be made part of the official record of the meeting.
(h) Persons wishing to speak during the public hearing shall do so from the podium and shall speak one (1) time for a period of up to five (5) minutes.
(i) Groups or organizations shall select a spokesperson to represent them at the podium.

14. ROBERTS RULES OF ORDER
The Open Meetings Act and these Auburn Hills City Council Rules of Order and Business shall govern the conducting of City Council meetings, however, to the extent that the Open Meetings Act and this Auburn Hills City Council Rules of Order and Business do not address a particular matter than the most recent edition of Robert’s Rules of Order shall apply to and govern that matter.
15. MINUTES
(a) Council shall keep minutes of each meeting, which shall be prepared in accordance with Robert’s Rules of Order/Newly Revised. Corrections to the minutes shall be made no later than the next meeting after the meeting to which the minutes refer. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction. (Open Meetings Act)

(b) A synopsis of Council action shall be prepared and available on the day following the meeting.

(c) Proposed minutes shall be available for public inspection not more than 8 business days after the meeting to which the minutes refer. (Open Meetings Act)

(d) Approved minutes shall be available for public inspection not later than 5 business days after the meeting at which the minutes are approved by the public body. (Open Meetings Act)

(e) The minutes shall be a record of Council action, only. If so requested by a Council Member, relevant comment will be made part of the record. (Charter: 6.3)

(f) The minutes shall be signed by the Mayor and the Clerk. (Charter: 4.19)

(g) A copy of the minutes of each regular or special Council meeting shall be published within twenty (20) days after passage thereof. A synopsis of such minutes showing the substance of each separate proceeding of the Council shall suffice for publication. (Charter: 4.22)

(h) Meetings of Council shall be tape recorded or videotaped. The tapes are maintained by the Clerk’s office only until the minutes have been approved by the Council, but a copy is then kept electronically for viewing on streaming video or cable by the IT Staff for not less than one year.

16. ADVISORY COMMITTEES OR BOARDS
(a) The Mayor or City Manager with the advice and consent of the City Council may, from time to time, appoint such committees or boards as are deemed appropriate to advise and consult with them, and with appropriate departments, regarding any municipal activity. Such committees or boards shall be advisory, serve temporarily and without compensation unless otherwise provided by the City Council.

(b) At the second meeting following the local election, the Mayor shall appoint City Council Members to the various representative positions on Boards/Commission.

(c) Council Members shall serve in the appointed positions until the second meeting following the next local election.

17. EXPENSES: OUT-OF-TOWN TRAVEL - CITY BUSINESS
Conferences/seminars germane to City business or municipal matters that are of interest to members of Council shall be considered during budget preparation. The approved budget shall be equitably allocated to each Member, limiting the number of conferences/seminars a member may attend to the cost thereof. Unencumbered funds may be used for additional opportunities subject to Council approval. Covered costs shall include registration, accommodations, travel and meals not provided in the cost of registration.

A public officer or employee shall use personnel resources, property, and funds under the officer or employee's official care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
To: Mayor and City Council  
From: Thomas A. Tanghe, City Manager; Michelle Schulz and Heather Farmer, Finance Director/Treasurer  
Submitted: December 6, 2019  
Subject: Motion – To Clarify Budget Amendments Approved December 2, 2019

INTRODUCTION AND HISTORY
At the December 2, 2019 City Council meeting, final budget amendments were submitted for approval. Upon entering the amendments into the BS&A financial system, staff realized the total net impact stated for the General Fund, Major Roads Fund, Fieldstone Golf Fund, and Water Sewer Fund was incorrect. The individual general ledger account amendments, however, as presented and approved were correct.

The amendment detail for the above mentioned funds is attached and the corrected figures have been highlighted. These errors were attributed to either incorrect current budget figures being considered in the total formula or the total formula not encompassing all budget figures appropriately. Also attached is an updated General Fund Summary with the impact on the General Fund balance for informational purposes.

These corrections affect the following:
- Impact to the General Fund Balance was not an increase of $837,377 but rather an increase of $749,527
- Impact to the Major Roads Fund was not an increase of $46,078 but rather an increase of $46,378
- Impact to the Fieldstone Golf Fund was not a decrease of $36,387 but rather a decrease of $36,417
- Impact to the Water Sewer Fund was not an increase of $267,214 but rather an increase of $262,214

STAFF RECOMMENDATION
Staff recommends accepting the attached corrections to the record of the budget amendment motion made on 12/2/2019. Each amendment was presented correctly and no further approval is necessary.

MOTION
Move to receive and file the corrections to the December 2, 2019 amendments as described in the attached.

I CONCUR:  
THOMAS A. TANGHE, CITY MANAGER
Updated Projection with amendments from General Fund on 12/2/2019

**GENERAL FUND**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total General Fund Revenues</td>
<td>$27,964,539</td>
<td>$29,814,033</td>
<td>$29,889,033</td>
<td>$30,281,797</td>
<td>$30,059,814</td>
<td>$30,560,097</td>
<td>$30,181,608</td>
<td>$30,619,020</td>
</tr>
<tr>
<td>Total General Fund Expenditures</td>
<td>$33,313,465</td>
<td>$31,581,658</td>
<td>$30,907,131</td>
<td>$40,713,850</td>
<td>$33,200,839</td>
<td>$34,235,679</td>
<td>$34,218,750</td>
<td>$34,202,586</td>
</tr>
<tr>
<td>Revenue Over (Under) Expenditures</td>
<td>$(5,348,926)</td>
<td>$(1,767,625)</td>
<td>$(1,018,098)</td>
<td>$(10,432,053)</td>
<td>$(3,141,025)</td>
<td>$(3,675,582)</td>
<td>$(4,037,142)</td>
<td>$(3,583,566)</td>
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<tr>
<td>Fund Balance</td>
<td>$25,905,012</td>
<td>$29,486,313</td>
<td>$30,235,840</td>
<td>$19,803,787</td>
<td>$16,662,762</td>
<td>$12,987,180</td>
<td>$8,950,038</td>
<td>$5,366,472</td>
</tr>
<tr>
<td>as % of Expense</td>
<td>77.8%</td>
<td>93.4%</td>
<td>98.4%</td>
<td>48.9%</td>
<td>50.5%</td>
<td>38.2%</td>
<td>26.4%</td>
<td>15.9%</td>
</tr>
<tr>
<td>Unrestricted Fund Balance</td>
<td>$24,724,640</td>
<td>$28,305,941</td>
<td>$29,055,468</td>
<td>$18,624,664</td>
<td>$15,479,952</td>
<td>$11,805,745</td>
<td>$7,769,978</td>
<td>$4,185,162</td>
</tr>
<tr>
<td>as % of Expense</td>
<td>74.2%</td>
<td>89.6%</td>
<td>94.0%</td>
<td>45.8%</td>
<td>46.6%</td>
<td>34.5%</td>
<td>22.7%</td>
<td>12.2%</td>
</tr>
</tbody>
</table>


2 Assumes a 2025 net expenditure budget of $4.8M
General Fund 12/2/2019 amendments.

<table>
<thead>
<tr>
<th>Department</th>
<th>G/L Account to Amend</th>
<th>Current Budget</th>
<th>Final Amended Budget</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Manager</td>
<td>101-172-725.000</td>
<td>$ 39,532</td>
<td>$ 13,000</td>
<td>Revised RX expense due to a correction in allocated expenses</td>
</tr>
<tr>
<td></td>
<td>101-172-710.000</td>
<td>$ 17,590</td>
<td>$ 21,590</td>
<td>Revised to accommodate unexpected termination</td>
</tr>
<tr>
<td></td>
<td>101-172-960.000</td>
<td>$ 10,000</td>
<td>$ 12,000</td>
<td>Revised to accommodate obligated education reimbursement</td>
</tr>
<tr>
<td></td>
<td>101-172-999.001</td>
<td>$ 19,927</td>
<td>$ 18,772</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 87,049</td>
<td>$ 65,362</td>
<td>($21,687) DECREASE</td>
</tr>
<tr>
<td>Clerk</td>
<td>101-215-728.000</td>
<td>$ 3,000</td>
<td>$ 3,800</td>
<td>Additional forms for permanent Absentee Voter List</td>
</tr>
<tr>
<td></td>
<td>101-215-901.000</td>
<td>$ 5,300</td>
<td>$ 9,300</td>
<td>Unanticipated increase in the number of public notices for 2019</td>
</tr>
<tr>
<td></td>
<td>101-215-799.000</td>
<td>$ 2,000</td>
<td>$ 9,000</td>
<td>Unexpected laptop failure/replace Electronic Poll Books(laptops)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 10,300</td>
<td>$ 22,100</td>
<td>($11,800) INCREASE</td>
</tr>
<tr>
<td>Assessing</td>
<td>101-257-730.000</td>
<td>$ 100</td>
<td>$ 5,300</td>
<td>Revise current budget to reflect actual postage usage</td>
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<tr>
<td></td>
<td>101-257-999.001</td>
<td>$ 6,770</td>
<td>$ 7,122</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 6,870</td>
<td>$ 12,422</td>
<td>($5,552) INCREASE</td>
</tr>
<tr>
<td>General Admin</td>
<td>101-261-817.000</td>
<td>$ 29,500</td>
<td>$ 35,000</td>
<td>Revise current budget for anticipated additional consultant fees</td>
</tr>
<tr>
<td></td>
<td>101-261-959.000</td>
<td>$ -</td>
<td>$ 3,500</td>
<td>Revise current budget to reflect property taxes on inventory City owned property</td>
</tr>
<tr>
<td></td>
<td>101-261-920.000</td>
<td>$ 3,400</td>
<td>$ 4,300</td>
<td>Revise current budget for increased cell phones and corresponding usage</td>
</tr>
<tr>
<td></td>
<td>101-261-999.001</td>
<td>$ 26,146</td>
<td>$ 24,060</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td></td>
<td>101-261-723.000</td>
<td>$ 2,094,940</td>
<td>$ 2,035,377</td>
<td>Revised to reflect appropriate split in active and retirees per actuary report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 2,153,986</td>
<td>$ 2,102,237</td>
<td>($51,749) DECREASE - presented as ($48,349)</td>
</tr>
<tr>
<td>Facilities</td>
<td>101-265-923.000</td>
<td>$ 139,411</td>
<td>$ 99,411</td>
<td>Revise overall heat expenditure projections</td>
</tr>
<tr>
<td></td>
<td>101-265-931.000</td>
<td>$ 71,500</td>
<td>$ 111,500</td>
<td>Revise overall building expenditure projections</td>
</tr>
<tr>
<td></td>
<td>101-265-933.000-communityctr</td>
<td>$ 10,000</td>
<td>$ 50,000</td>
<td>Revise for emergency HVAC repair work</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 220,911</td>
<td>$ 260,911</td>
<td>($40,000) INCREASE</td>
</tr>
<tr>
<td>Parks and Grounds</td>
<td>101-266-710.000</td>
<td>$ 18,618</td>
<td>$ 32,618</td>
<td>Revise to reflect unanticipated terminations</td>
</tr>
<tr>
<td></td>
<td>101-266-703.000</td>
<td>$ 76,800</td>
<td>$ 51,800</td>
<td>Reduce original PT/Seasonal budget to reflect the previous season actuals</td>
</tr>
<tr>
<td></td>
<td>101-266-708.000-summerfest</td>
<td>$ -</td>
<td>$ 7,200</td>
<td>Revise to reflect OT related to City event</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$ 95,418</td>
<td>$ 91,618</td>
<td>($3,800) DECREASE</td>
</tr>
</tbody>
</table>
### Human Resources

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-270-825.000</td>
<td>$7,000</td>
<td>$9,600</td>
<td>$2,600 INCREASE</td>
</tr>
<tr>
<td>101-270-901.000</td>
<td>$1,570</td>
<td>$3,000</td>
<td>$1,430 INCREASE</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$8,570</td>
<td>$12,600</td>
<td>$4,030 INCREASE</td>
</tr>
</tbody>
</table>

For additional hiring -testing/evaluations

### Patrol

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-301-722.000</td>
<td>$99,231</td>
<td>$106,745</td>
<td>Revised for June 30, 2019 workers compensation audit</td>
</tr>
<tr>
<td>101-301-709.000</td>
<td>$85,000</td>
<td>$116,560</td>
<td>Revised to accommodate additional, billable extra duty services</td>
</tr>
<tr>
<td><strong>Revenue</strong> 101-301-642.000</td>
<td>$(135,000)</td>
<td>$(150,000)</td>
<td>Revised revenues for Police OT reimbursement</td>
</tr>
<tr>
<td><strong>Revenue</strong> 101-301-733.000</td>
<td>$40,500</td>
<td>$67,000</td>
<td>Revised to accommodate Cadet and Chaplain programs, Base shirts, new hires</td>
</tr>
<tr>
<td>101-301-799.000</td>
<td>$39,700</td>
<td>$45,000</td>
<td>Additional Computers necessary for FBI Task Force Officer, Lt and Sgt</td>
</tr>
<tr>
<td>101-301-933.000</td>
<td>$38,065</td>
<td>$41,000</td>
<td>Adjust for increased unplanned equipment maintenance</td>
</tr>
<tr>
<td>101-301-960.000</td>
<td>$40,000</td>
<td>$36,000</td>
<td>Reduce budget that included one reimbursement budgeted in Admin</td>
</tr>
<tr>
<td>101-301-999.001</td>
<td>$324,334</td>
<td>$333,138</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$531,830</td>
<td>$595,443</td>
<td>$63,613 INCREASE</td>
</tr>
</tbody>
</table>

### Police Admin

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-305-710.000</td>
<td>$12,796</td>
<td>$36,792</td>
<td>Revised to reflect payouts resulting from 2019 retirement</td>
</tr>
<tr>
<td>101-305-885.000-natnightout</td>
<td>$6,000</td>
<td>$8,315</td>
<td>Adjust expense to reflect actual increase; donations offset $8500</td>
</tr>
<tr>
<td>101-305-885.000-shopwithacop</td>
<td>$2,000</td>
<td>$15,000</td>
<td>Adjust expense to reflect expected expenditures based on current giving</td>
</tr>
<tr>
<td>101-305-960.000</td>
<td>$-</td>
<td>$4,000</td>
<td>Reflect education adjustment out of Patrol to Admin</td>
</tr>
<tr>
<td>101-305-999.001</td>
<td>$12,946</td>
<td>$15,855</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$33,742</td>
<td>$79,962</td>
<td>$46,220 INCREASE</td>
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</tbody>
</table>

### Fire Prevention

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-341-999.001</td>
<td>$20,455</td>
<td>$14,844</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$20,455</td>
<td>$14,844</td>
<td>$5,611 DECREASE</td>
</tr>
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</table>

### Fire Administration

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-336-999.001</td>
<td>$14,942</td>
<td>$25,284</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td>101-336-920.000</td>
<td>$5,676</td>
<td>$6,500</td>
<td>Increase funds for phone charges based on YTD charges</td>
</tr>
<tr>
<td>101-336-960.001</td>
<td>$6,000</td>
<td>$3,000</td>
<td>Reduce the amount budgeted for conferences</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$26,618</td>
<td>$34,784</td>
<td>$8,166 INCREASE</td>
</tr>
</tbody>
</table>

### Fire Suppression

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-339-725.000</td>
<td>$89,206</td>
<td>$45,000</td>
<td>Revised RX expense due to a correction in allocated expenses</td>
</tr>
<tr>
<td>101-339-710.000</td>
<td>$35,895</td>
<td>$45,895</td>
<td>Revised for mid year termination payouts</td>
</tr>
<tr>
<td>101-339-938.000</td>
<td>$65,500</td>
<td>$70,500</td>
<td>Revise to accommodate YTD needs</td>
</tr>
<tr>
<td>101-339-999.001</td>
<td>$372,430</td>
<td>$349,005</td>
<td>Revised to reflect adjustments in overhead/replacement values</td>
</tr>
<tr>
<td>101-339-799.000</td>
<td>$79,250</td>
<td>$91,250</td>
<td>Revised to reflect new hire purchases before year end</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$642,281</td>
<td>$601,650</td>
<td>Presented as $510,400</td>
</tr>
</tbody>
</table>

For additional hiring-advertising

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
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<tbody>
<tr>
<td>101-301-799.000</td>
<td>$39,700</td>
<td>$45,000</td>
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<tr>
<td>101-301-933.000</td>
<td>$38,065</td>
<td>$41,000</td>
<td>Adjust for increased unplanned equipment maintenance</td>
</tr>
<tr>
<td>101-301-960.000</td>
<td>$40,000</td>
<td>$36,000</td>
<td>Reduce budget that included one reimbursement budgeted in Admin</td>
</tr>
</tbody>
</table>

### Police Administration

<table>
<thead>
<tr>
<th>Code</th>
<th>Initial</th>
<th>Revised</th>
<th>Increase/Decrease</th>
</tr>
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<tbody>
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<tr>
<td>101-339-960.001</td>
<td>$6,000</td>
<td>$3,000</td>
<td>Reduce the amount budgeted for conferences</td>
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<tr>
<td><strong>Total</strong></td>
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<td>$34,784</td>
<td>$8,166 INCREASE</td>
</tr>
</tbody>
</table>

For additional hiring-advertising

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<td>$45,000</td>
<td>Revised RX expense due to a correction in allocated expenses</td>
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<td>$349,005</td>
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</tr>
<tr>
<td>101-339-799.000</td>
<td>$79,250</td>
<td>$91,250</td>
<td>Revised to reflect new hire purchases before year end</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$642,281</td>
<td>$601,650</td>
<td>Presented as $510,400</td>
</tr>
<tr>
<td>Department</td>
<td>Code</td>
<td>Before</td>
<td>After</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>DPW Admin</td>
<td>101-441-710.000</td>
<td>$16,397</td>
<td>$30,397</td>
</tr>
<tr>
<td></td>
<td>101-441-723.000</td>
<td>$41,712</td>
<td>$33,053</td>
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<tr>
<td></td>
<td>101-411-799.000</td>
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<td>$7,000</td>
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<tr>
<td></td>
<td>101-441-999.001</td>
<td>$49,310</td>
<td>$40,592</td>
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<td></td>
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<td><strong>$111,042</strong></td>
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<tr>
<td></td>
<td></td>
<td><strong>$623</strong></td>
<td><strong>INCREASE</strong></td>
</tr>
<tr>
<td>Storm water</td>
<td>101-445-970.000-Gal_Wet_Res</td>
<td>$466,476</td>
<td>$563,340</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$96,864</strong></td>
<td><strong>INCREASE</strong></td>
</tr>
<tr>
<td>Seniors</td>
<td>101-685-723.000</td>
<td>$13,421</td>
<td>$20,856</td>
</tr>
<tr>
<td></td>
<td>101-685-710.000</td>
<td>$4,250</td>
<td>$8,250</td>
</tr>
<tr>
<td></td>
<td>101-685-958.000</td>
<td>$-</td>
<td>$500</td>
</tr>
<tr>
<td></td>
<td>101-685-764.000</td>
<td>$5,500</td>
<td>$10,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$23,171</strong></td>
<td><strong>$40,106</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$16,935</strong></td>
<td><strong>INCREASE</strong></td>
</tr>
<tr>
<td>Smart Grant</td>
<td>101-686-999.022</td>
<td>$4,517</td>
<td>$4,792</td>
</tr>
<tr>
<td></td>
<td>101-686-999.023</td>
<td>$5,251</td>
<td>$3,942</td>
</tr>
<tr>
<td></td>
<td>101-686-999.024</td>
<td>$16,618</td>
<td>$8,175</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$26,386</strong></td>
<td><strong>$16,909</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(9,477)</strong></td>
<td><strong>DECREASE</strong></td>
</tr>
<tr>
<td>Building</td>
<td>101-720-819.000</td>
<td>$5,000</td>
<td>$36,500</td>
</tr>
<tr>
<td></td>
<td>101-720-462.000</td>
<td>$(750,000)</td>
<td>$(810,000)</td>
</tr>
<tr>
<td></td>
<td>101-720-999.001</td>
<td>$49,495</td>
<td>$42,925</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(695,505)</strong></td>
<td><strong>(730,575)</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(35,070)</strong></td>
<td><strong>INCREASE IN EXPENSE $24,930 AND INCREASE IN REVENUES $60,000</strong></td>
</tr>
<tr>
<td>Community Dev.</td>
<td>101-721-817.000</td>
<td>$10,000</td>
<td>$12,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$2,000</strong></td>
<td><strong>INCREASE</strong></td>
</tr>
<tr>
<td>Recreation</td>
<td>101-751-722.000</td>
<td>$2,499</td>
<td>$4,312</td>
</tr>
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<td></td>
<td>101-751-723.000</td>
<td>$3,492</td>
<td>$10,428</td>
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<td></td>
<td>101-751-757.000</td>
<td>$2,000</td>
<td>$3,500</td>
</tr>
<tr>
<td></td>
<td>101-751-757.000-summerfest</td>
<td>$5,000</td>
<td>$11,975</td>
</tr>
<tr>
<td></td>
<td>101-751-757.000-fallfestwoods</td>
<td>$300</td>
<td>$2,240</td>
</tr>
<tr>
<td></td>
<td>101-751-821.000-summerfest</td>
<td>$40,000</td>
<td>$23,000</td>
</tr>
<tr>
<td></td>
<td>101-751-821.000</td>
<td>$1,200</td>
<td>$3,000</td>
</tr>
<tr>
<td></td>
<td>101-751-960.001</td>
<td>$2,400</td>
<td>$3,000</td>
</tr>
<tr>
<td></td>
<td>101-751-999.001</td>
<td>$8,232</td>
<td>$7,193</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>$65,123</strong></td>
<td><strong>$68,648</strong></td>
</tr>
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</table>
## MIS

<table>
<thead>
<tr>
<th>Code</th>
<th>Budget 1</th>
<th>Budget 2</th>
<th>Impact</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-883-985.000</td>
<td>$8,000</td>
<td></td>
<td>$3,525</td>
<td>Increase</td>
</tr>
<tr>
<td>101-883-934.000</td>
<td>$51,600</td>
<td>$58,770</td>
<td></td>
<td>Move budget to software/equipment main</td>
</tr>
<tr>
<td>101-883-814.000</td>
<td>$447,616</td>
<td>$407,616</td>
<td>$40,000</td>
<td>Adjust budget for support service items included in capital budget</td>
</tr>
<tr>
<td></td>
<td>$507,216</td>
<td>$466,386</td>
<td></td>
<td>Adjust for anticipated current year activity. Include a 2020 amendment to increase this line by $40,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(40,830)</td>
<td>DECREASE</td>
</tr>
</tbody>
</table>

## Capital Improvements

<table>
<thead>
<tr>
<th>Code</th>
<th>Budget 1</th>
<th>Budget 2</th>
<th>Impact</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-901-999.202</td>
<td>$1,550,000</td>
<td>$1,010,000</td>
<td></td>
<td>Reduce Transfer to Major Roads. Include a 2020 amendment to increase this line by $534,000</td>
</tr>
<tr>
<td>101-901-999.203</td>
<td>$740,000</td>
<td>$440,000</td>
<td></td>
<td>Reduce Transfer to Local Roads. Include a 2020 amendment to increase this line by $208,400</td>
</tr>
<tr>
<td></td>
<td>$2,290,000</td>
<td>$1,450,000</td>
<td></td>
<td>Reduce Transfer to Major Roads. Include a 2020 amendment to increase this line by $534,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(840,000)</td>
<td></td>
<td>DECREASE</td>
</tr>
</tbody>
</table>

## Grand Totals

<table>
<thead>
<tr>
<th></th>
<th>Budget 1</th>
<th>Budget 2</th>
<th>Impact</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$6,641,316</td>
<td>$5,891,789</td>
<td></td>
<td>Presented as $6,637,916 and $5,800,539 respectively</td>
</tr>
</tbody>
</table>

### Total Fund Balance

<table>
<thead>
<tr>
<th>Increase(Decrease)Impact</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>$749,527</td>
<td>Net decrease in Expenses of $674,527 and Net Increase in Revenues of $75,000 for a total positive impact on General Fund Balance - Presented as $837,377</td>
</tr>
<tr>
<td>G/L Account to Amend</td>
<td>Current Budget</td>
</tr>
<tr>
<td>----------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>202-452-702.000</td>
<td>$259,542</td>
</tr>
<tr>
<td>202-452-708.000</td>
<td>$60,000</td>
</tr>
<tr>
<td>202-452-710.000</td>
<td>$9,060</td>
</tr>
<tr>
<td>202-452-723.000</td>
<td>$31,284</td>
</tr>
<tr>
<td>202-452-817.000</td>
<td>$15,000</td>
</tr>
<tr>
<td>202-452-973.000-SquirrelRD</td>
<td>$827,706</td>
</tr>
<tr>
<td>202-452-935.000-AsphaltMaint</td>
<td>$250,000</td>
</tr>
<tr>
<td>202-452-935.000-CncreteMaint</td>
<td>$442,000</td>
</tr>
<tr>
<td>202-452-935.000-Tripartyagmt</td>
<td>$125,118</td>
</tr>
<tr>
<td>202-452-973.000-AuburnRoadXX</td>
<td>$130,000</td>
</tr>
<tr>
<td>202-452-973.000-N.SquirrelRd</td>
<td>$175,000</td>
</tr>
<tr>
<td>202-452-937.003</td>
<td>$2,500</td>
</tr>
<tr>
<td>202-452-935.000-StormRehabXX</td>
<td>$40,000</td>
</tr>
<tr>
<td>202-452-935.100</td>
<td>$50,000</td>
</tr>
<tr>
<td>202-452-699.101</td>
<td>$(1,550,000)</td>
</tr>
<tr>
<td><strong>Grand Totals</strong></td>
<td><strong>$867,210</strong></td>
</tr>
<tr>
<td><strong>Total Fund Balance</strong></td>
<td><strong>$867,210</strong></td>
</tr>
<tr>
<td><strong>Increase(Decrease)Impact</strong></td>
<td><strong>$46,378</strong></td>
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</tbody>
</table>
Fieldstone Golf Fund 12/2/2019 amendments

<table>
<thead>
<tr>
<th>G/L Account to Amend</th>
<th>Current Budget</th>
<th>Final Amended Budget</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>584-753-757.000</td>
<td>$ 9,500</td>
<td>$ 15,000</td>
<td>Operating Supplies</td>
</tr>
<tr>
<td>584-753-791.001</td>
<td>$ 84,500</td>
<td>$ 135,000</td>
<td>Pro Shop Merchandise</td>
</tr>
<tr>
<td>584-753-800.002</td>
<td>$ 21,000</td>
<td>$ 23,000</td>
<td>Revise project fees from credit card processor</td>
</tr>
<tr>
<td>584-753-850.100</td>
<td>$ 6,263</td>
<td>$ 7,300</td>
<td>Comcast</td>
</tr>
<tr>
<td>584-753-921.000</td>
<td>$ 40,000</td>
<td>$ 42,000</td>
<td>Electric</td>
</tr>
<tr>
<td>584-753-927.000</td>
<td>$ 4,200</td>
<td>$ 5,000</td>
<td>Revise Water budget to reflect extensive usage in July</td>
</tr>
<tr>
<td>584-753-931.000</td>
<td>$ 11,000</td>
<td>$ 20,000</td>
<td>Revise Bldg Maintenance budget for facility painting work performed over normal annual maintenance</td>
</tr>
<tr>
<td>584-753-944.000</td>
<td>$ 34,138</td>
<td>$ 36,800</td>
<td>Revise Equipment Rental. Postpone carpeting and putting green expansion. <strong>Include a 2020 amendment to increase this line $25,000 for carpeting</strong></td>
</tr>
<tr>
<td>584-753-970.000</td>
<td>$ 55,000</td>
<td>$ -</td>
<td>-</td>
</tr>
<tr>
<td>584-753-977.000</td>
<td>$ 35,000</td>
<td>$ 20,000</td>
<td>Revise for actual pump irrigation replacement cost</td>
</tr>
<tr>
<td>584-753-710.000</td>
<td>$ 3,596</td>
<td>$ 16,980</td>
<td>Revise for estimated payouts</td>
</tr>
<tr>
<td>584-753-703.00</td>
<td>$ 148,000</td>
<td>$ 167,534</td>
<td>Revised for estimated wages and overtime</td>
</tr>
</tbody>
</table>

Totals $452,197 $488,614 Presented as $452,227

Total Fund Balance
Increase(Decrease)Impact $ (36,417) Presented as $36.387
### Water Sewer Fund 12/2/2019 amendments

#### Sewer Department

<table>
<thead>
<tr>
<th>G/L Account to Amend</th>
<th>Current Budget</th>
<th>Final Amended Budget</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>592-535-723.000</td>
<td>$20,856.00</td>
<td>$15,642.00</td>
<td>Adjust for appropriate split between Retirees and Actives</td>
</tr>
<tr>
<td>592-535-799.000</td>
<td>$45,080.00</td>
<td>$47,580.00</td>
<td>Increase for purchase of laptop</td>
</tr>
<tr>
<td></td>
<td><strong>$65,936</strong></td>
<td><strong>$63,222</strong></td>
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</table>

#### Water Department

<table>
<thead>
<tr>
<th>G/L Account to Amend</th>
<th>Current Budget</th>
<th>Final Amended Budget</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>592-536-757.000</td>
<td>$26,600</td>
<td>$31,600</td>
<td>Revise budget to accommodate end of year purchases</td>
</tr>
<tr>
<td>592-536-814.000</td>
<td>$14,130</td>
<td>$19,130</td>
<td>Revise for additional work on transmitters</td>
</tr>
<tr>
<td>592-536-920.000</td>
<td>$3,300</td>
<td>$3,800</td>
<td>Revise estimate on telephone costs</td>
</tr>
<tr>
<td>592-536-977.001-PontiacRdX</td>
<td>$54,000</td>
<td>$84,000</td>
<td>Revise for Pontiac Road Water final costs</td>
</tr>
<tr>
<td>592-536-977.001-AuburnroadXX</td>
<td>$150,000</td>
<td>$50,000</td>
<td>Adjust for anticipated current year activity. <em>Include a 2020 amendment to increase this line by $100,000</em></td>
</tr>
<tr>
<td>592-536-977.001-Squirrelrd</td>
<td>$1,800,000</td>
<td>$1,600,000</td>
<td>Presented as $2,021,430 and $1,756,930 respectively</td>
</tr>
</tbody>
</table>

**Totals**

<table>
<thead>
<tr>
<th>Total Fund Balance Increase(Decrease)Impact</th>
<th>Present as $267,214</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,113,966</td>
<td>$1,851,752</td>
</tr>
</tbody>
</table>

**Increase(Decrease)Impact**

<table>
<thead>
<tr>
<th>Increase(Decrease)Impact</th>
<th>$262,214</th>
</tr>
</thead>
</table>

Presented as $2,087,366 and $1,820,152 respectively
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Donald K. Grice, Assistant City Manager
Submitted: December 10, 2019
Subject: Motion – Adopt 2020 Benefits Resolution for Non-Union Personnel

INTRODUCTION AND HISTORY
Each year, the City Council adopts the Non-Union Benefits Resolution covering this employee group for the year ahead. Several cost-saving adjustments have been made post-recession of 2008. Only recently in 2019 has an enhancement been made which provides defined contribution participants the opportunity to participate in a modest employer-matched 457 deferred compensation plan.

For 2020, there is one modest recommended change having limited cost exposure while addressing the goals of employee recruitment, retention and development. We are recommending an increase to the annual tuition reimbursement program from $4,000 to $5,000 (Page 6 of 8, X. Tuition Reimbursement, §D). This provision aligns with the command officers collective bargaining agreement which took effect 1/1/19. We currently have less than a handful of non-union employees attending classes. As a result, the cost for this increase is negligible but valuable to those seeking to advance their education.

STAFF RECOMMENDATION
Adopt the 2020 Benefits Resolution for Non-Union Personnel as attached, which includes an increase in annual tuition reimbursement from $4,000 to $5,000.

MOTION
Move to adopt the 2020 Benefits Resolution for Non-Union Personnel at attached.

I CONCUR: THOMAS A. TANGHE, CITY MANAGER
CITY OF AUBURN HILLS
2020 RESOLUTION
BENEFITS FOR NON UNION PERSONNEL – AS AMENDED
EFFECTIVE JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

This Resolution, as adopted by City Council on August 28, 1985, and subsequently amended as stated in Section XIII of this resolution, is proposed to be amended as follows:

WHEREAS, certain employees of the City are not covered by a collective bargaining agreement; and

WHEREAS, the salaries and certain benefits for these employees are covered in other Resolutions and Motions of the City Council, but certain other conditions of employment and benefits have not been specifically stated before; and

WHEREAS, it is the intent of this Resolution to specifically state and provide for certain conditions of employment and benefits.

NOW, THEREFORE, BE IT RESOLVED that the following shall be effective for these employees of the City of Auburn Hills:

I. WORK WEEK
The normal work week consists of five (5) days, Monday through Friday. The normal workday consists of eight (8) hours of work with a one-hour lunch break. Normal work hours are 8:00 a.m. to 5:00 p.m. daily. In addition to normal office hours, employees may be required to attend evening meetings and perform other duties outside regular office hours in the best interest of the City.

II. VACATION LEAVE
A. Administrative (Non-Union) employees shall receive leave time as follows:
   1. First year to end of year 5: 6.66 hours/month (10 days)
   2. Year 6 to end of year 9: 10 hours/month (15 days)
   3. Year 10 and over: 13.33 hours/month (20 days)
   4. Maximum accrual: 1 times annual accrual, excess forfeited

B. Employees who lost time due to on-the-job disability under Worker’s Compensation up to a maximum of one (1) year shall receive their vacation as though the time was worked. In instances where employees lose time other than on-the-job disability, the City Manager shall determine the extent of their benefits earned during their absences, if any.

C. Employees are encouraged to take leave and each employee covered by this resolution shall be required to take one period of leave per year consisting of forty (40) consecutive work hours (5 days). Employees may elect to receive a buyout of up to 40 hours of vacation time at the end of each year, to be paid in January for the preceding year and at the preceding year’s regular base pay rate, only if the employee has eighty (80) or more hours accumulated in their bank as of December 31. Vacation time buyout shall not be considered as part of Final Average Compensation Calculations for Defined Benefit Pensions.

D. Upon termination of employment, an employee shall be paid for the unused and earned accumulation of leave hours in their leave bank up to a maximum of two (2) times the amount of leave hours allowed on an annual basis.

III. NON-DUTY CONNECTED DISABILITY
A. The employer shall pay the premium to provide the STD insurance policy presently in effect. The weekly benefit shall be equal to 66 2/3% of the employee’s base weekly salary to a maximum of $1,500.00.
B. The employer shall pay the premium to provide the LTD insurance policy in effect. The monthly benefit shall be equal to 66 2/3% of the employee's base monthly salary to a maximum of $6,500.00.

IV. Sick Leave
A. All administrative employees shall accrue sick leave at the rate of eight (8) hours for each month of service, not to exceed ninety-six (96) hours per year.

B. Sick leave is provided to permit an employee to remain in pay status while absent from work because of:
   1. Personal illness or injury
   2. Pregnancy
   3. Illness or injury in own family (mother, father, wife, husband, children, step-children).

C. Accumulation of sick leave may not exceed thirty (30) days at the end of any calendar year. Employees will be paid for all accumulated sick days over thirty (30) at the end of any calendar year.

D. Upon the employee's death, retirement, or resignation, the City will pay one hundred percent (100%) of the accumulated unused sick time.

E. Employees off sick shall be required to bring in a doctor's slip if the City Manager requests it. The employer may require an examination of the employee, following an illness or injury, by a doctor of the employer's choice on City time and City expense.

V. DUTY-CONNECTED INJURY PAY
A. Provisions of the Michigan Worker's Compensation Act shall apply to all duty-connected accidents or injuries of the employees in the line of duty.

B. The employee shall receive eighty percent (80%) of his/her gross pay exclusive of all deductions for duty-connected injuries for up to one (1) year in conjunction with Worker's Compensation.

VI. OTHER LEAVE
A. Jury Duty: Any employee required to serve on jury duty will suffer no loss of pay, but will be paid the difference between jury pay and his/her regular pay. The employee shall return to work if his/her presence is not required at court.

B. Funeral Leave: In the case of death occurring in the employee's immediate family requiring his/her absence during a duty period, the employee shall be granted a leave of absence with pay for such period not to exceed five (5) consecutive work days as will be necessary in the particular circumstances, one day of which shall be the day of the funeral. Immediate family is defined as the employee's wife, husband, children, mother, father, sister or brother. In the event of the death of other family members, the City Manager may grant appropriate leave.

VII. HOLIDAY PROVISIONS
The paid holidays are designated as follows:

1. New Years Day       6. Thanksgiving Day
2. Good Friday         7. Friday after Thanksgiving
4. 4th of July         9. Christmas Day
5. Labor Day           10. New Years Eve

In addition to the above ten (10) holidays, employees will be granted three (3) "Floating Holidays" each calendar year. The "Floating Holidays" shall be granted at any time provided one (1) week notice is given by the employee. "Floating Holidays" can also be used to extend vacations provided notice is given one (1) week prior to the scheduled vacation.
VIII. HEALTH INSURANCE

Section 1. Active Employee Health Benefits

The employee and his/her eligible dependents shall be covered by health insurance, including a prescription drug plan under the terms and conditions of the plan manager, and cost containment provisions for second opinion surgery, and exclusion for pre-existing conditions may exist. Hospital pre-admission certification may be required for the employee and eligible dependents in accordance with the policy currently in effect.

The City’s medical insurances include an HMO/EPO and PPO. The HMO/EPO Plan shall include a $250 deductible, $1,000 per member co-insurance maximum, $20 PCP-OV, $40 Specialist OV, $40 urgent care, and $100 emergency room and coverage found in the HMO/EPO Plan document provided. The PPO plan shall continue as follows: $25 PCP-OV, $50 Specialist OV, $50 urgent care, and $100 emergency room; deductibles $500/single, $1,000/family; co-insurance of 90/10% to $10,000; and out-of-network coverage at 50/50%, and coverage found in the existing PPO plan benefits summary.

A. Job-Related Injury

Health insurance premiums shall be paid for a period of up to five (5) years for an employee disabled due to a job-related injury and for a period of up to one (1) year for other disabilities not related to employment.

B. Medical Insurance Buyout Option

Medical Insurance buyout is available at the rate of $130 per pay period or $3,380 per year to employees who elect to no longer take the City’s health care insurance. This waiver of insurance shall apply only to the medical and prescription portion of coverage and not to the dental or optical portions. Should the employee lose coverage from another source, the employee may elect to once again take coverage and to relinquish their right to the monthly buyout. The City shall require that the employee provide proof of insurance coverage from another source (including spouse and dependent coverage where applicable) prior to the City granting buyout payment. In any case, the annual buyout payment shall not exceed 1/3 the cost of the annual premium amount of the medical coverage. Payment for the medical insurance buyout shall not be included as part of the final average compensation calculations for the pension.

C. Prescription Drug Coverage

Prescription drug coverage shall be provided to the employee and his/her eligible dependents based on a three-tier co-pay system whereby the employee is responsible for:

- $10 for Generics
- $30 for Brand Name Drugs
- $80 for Non-Preferred Drugs

with two times the applicable co-pay for the 90-day supply mail-in program and generic enforcement. The plan shall include formulary changes from time to time that may cause drugs to be placed into different co-pay categories. Specialty drugs, as determined by the plan manager shall have a 50% employee co-pay. Availability of specialty drugs shall occur only after all other drug therapies have been exhausted.

D. Dental Coverage

Dental coverage shall be provided to the employee and his/her eligible dependents through the Delta Dental Family Plan, Class I and Class II, or equivalent coverage from another provider with an accrued benefit amount of $1,200 per family member and an 80/20 co-pay. The co-pay for major restorative (caps, crowns, etc.) shall be 50/50. The coverage shall also include orthodontics with a 50/50% benefit level to a maximum of $2,000 per family member with an age limit of 19.

E. Vision Coverage

Vision coverage shall be provided to the employee and his/her spouse and eligible dependents through Preferred Vision. Coverage includes annual eye exam, lenses, frames and contact lenses; frame allowance of $135 (approximately) retail, contact lenses $100 for cosmetic
purposes/covered in full for medical necessity (in lieu of all other benefits); $10 co-pay for examinations.

F. COBRA
The City shall offer the employee continuation health coverage as required under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272 Title IX). The premiums for such coverage shall be the responsibility of the employee and/or eligible beneficiary.

G. EMPLOYEE PREMIUM SHARE
The Employer may opt to implement either PA 152 cap on an annual basis. The Employee contribution shall be collected by way of twenty four or twenty six equivalent payroll deductions and shall begin on January 1, 2015.

Section 2. Retiree Health Benefits

A. Employees Hired before January 1, 2007
Health insurance, including a prescription drug plan, dental coverage and optical services, shall be provided for the eligible retiree and his/her spouse. An eligible spouse is one who is the spouse of record two years prior to retirement. In the event of the death of the retiree, the City shall pay the total cost of providing medical coverage, subject to contribution requirements below under “Effective January 1, 2011 for Defined Benefit Retirees”, for the surviving spouse until such time the surviving spouse is eligible for Medicare Supplemental Policy, at which time the City shall pay the cost of the Medicare Supplemental Policy.

EFFECTIVE JANUARY 1, 2010 FOR ALL RETIREES: Health insurance, including a prescription drug plan, dental family coverage and optical services, shall be available for the eligible dependents of the retiree. Such care may be purchased through the City at a cost of 102% of the policy premium in effect at the time. Eligible dependents qualify by being on record with the City for at least two years prior to employee’s retirement and meeting eligibility requirements of the policies.

EFFECTIVE JANUARY 1, 2011 FOR DEFINED BENEFIT RETIREES: Health insurance, including a prescription drug plan, dental and optical coverage, shall require a contribution from all retirees, regardless of retirement date, as follows: For retirees whose monthly pension payment is equal to or greater than $5,000.00, the employee shall contribute the equivalent of 10% of the monthly premiums for each type of coverage listed in this paragraph.

Continuing Coverage for Surviving Spouse and Eligible Dependents of Retiree hired before January 1, 2007
a. City-paid health care coverage shall be limited to a surviving spouse as defined in 2A., above.
b. The City shall continue to make health care coverage available for eligible dependents as defined and at the cost shown in 2A., above.
c. Regular retirement medical will be provided to the surviving spouse if they are not Medicare eligible, until such time they achieve Medicare eligibility. The employee must have met the eligibility requirements for retiree health care.
d. The City shall provide dental and optical coverage for a surviving spouse of a retiree.
e. The City shall continue to make dental and optical coverage available for eligible dependents as defined and at the cost shown in 2A., above.
f. Once a surviving spouse becomes eligible for coverage under another group medical plan, the City-provided coverage shall cease, subject to COBRA extensions paid for by the surviving spouse.
g. Coverage shall not be available to the surviving spouse once it has been terminated.
h. If an employee should die prior to retirement, the surviving spouse shall qualify for coverage, if the employee had been eligible for normal retirement.
i. If an employee should die prior to retirement, the City shall continue to make coverage available for eligible dependents as defined and at the cost shown in 2A., above, if the employee had been eligible for normal retirement.

B. Employees Hired on or after January 1, 2007
The City will provide a Retirement Health Savings (RHS) Plan for employees with an employer contribution of 3% of base pay only per pay period and a 3% required match by the employee on base pay, during active employment. Such plan shall be utilized as the sole retirement health coverage provided to retirees by the City. No medical, prescription, dental or optical insurances shall be provided to the retiree, spouse or eligible dependents.

IX. RETIREMENT BENEFITS
Section 1. Defined Benefit Plan
A. Pension Benefits
In accordance with the Plan Document, the Defined Benefit Pension Plan shall provide pension benefits to the participating employee calculated using a benefit factor of two and sixty-five-one-hundredths percent (2.65%) for all eligible years of service, to a maximum of 80% of final average compensation and will continue to be provided for the employees covered under this resolution, and to set the age for full retirement for vested employees at the age of fifty-five (55) with early retirement no sooner than age fifty (50) with at least ten (10) years of service with a reduction of calculated benefit of ½% for each month prior to age 55. The Pension Plan for this group shall provide adjustments as follows: January 1, 1992, and annually thereafter as of January 1, the amount of pension benefit payable to each retiree whose service to the City has terminated and has reached fifty-five (55) years of age, shall be increased by five percent (5%) of the amount of pension benefit which the participant is entitled to receive, when such benefit first becomes payable. Each January 1 thereafter, the pension benefit shall be increased by the same dollar amount for a period of fifteen (15) years. Employees in the Defined Benefit Pension Plan who are eligible and elect to retire on or after January 1, 2010, shall have their Cost-of-Living-Allowance reduced from 5% non-compounding for fifteen years to 2.5% non-compounding for fifteen years as prescribed in this section.

Effective on the February 8, 2007 payroll, the pension plan requires a six percent (6%) employee contribution of base earnings to be paid as a pre-tax employer pickup under Internal Revenue Code 414(h)(2). All eligible employees shall participate in the employer “pick-up” program whereby mandatory employee contributions to the Retirement System shall be paid by the City of Auburn Hills in lieu of contributions by the employees. The terms and conditions of such contributions shall be in accordance with the provisions of the Internal Revenue Code Section 414(h)(2) and related Treasury Regulations and applicable law. The provisions of this section are mandatory, and the member shall have no option concerning the pick-up or to receive the contributed amount directly instead of having such amount paid by the City directly to the Retirement System. Member contributions picked-up under the provisions of this section shall be treated as City contributions for purposes of determining income tax obligations under the Internal Revenue Code; however, such contributions picked-up under this section shall continue to be designated member contributions for purposes of the Retirement System and all other federal and state laws. All contributions picked-up under the provisions of this section shall be considered part of the member's salary for purposes of determining the amount of the member’s contribution. Implementation of the pick-up program occurs upon authorization by the Retirement System. In no event may implementation occur other than at the beginning of a pay period. Pensions are vested at fifty percent (50%) for five (5) years of service and ten percent (10%) for each additional year, with full vesting at ten (10) years of service.

Employees in the Defined Benefit Pension Plan shall qualify for retirement medical coverage per the current resolution (as defined in Section IX (2) above) with ten (10) years of service as defined in the pension plan and with the attainment of 55 years of age, or age 50 if an early retirement provision is elected. Employee must be actively employed by the City at the time of retirement in full pay status and meet the qualifying pension age to obtain medical insurance.
B. **Supplemental 401(K) Plan**

In addition to the Defined Benefit Pension Plan, the City shall make available a Supplemental 401(K) Plan to which employees may make contributions.

Further guidelines are set forth in Section 401(k) of the Internal Revenue Code and in the plan documents.

**Section 2. Defined Contribution Plan**

For employees hired on or after April 1, 1998, the City will provide a Defined Contribution Plan jointly funded by the employer and employee. The City shall contribute 9% of base salary without an employee contribution. However, an employee who elects to contribute 3% of base income shall have that matched with an additional employer match of 3%, bringing the total employer/employee contribution to 15% of base salary. City contributions shall vest at the rate of 20% per year, 100% at five (5) years. The plan documents more fully describe the Defined Contribution Plan.

Employees in the Defined Contribution Plan shall qualify for retirement medical coverage per the current resolution (as defined in Section IX (2) above) with ten (10) years of service and the attainment of 55 years of age. Employee must be actively employed by the City in full pay status at time of retirement and meet the qualifying retirement age to obtain medical insurance.

**Section 3. Deferred Compensation**

The City shall make available a 457 Deferred Compensation Plan that is funded solely by employee contributions. Such plan is available to employees who participate in either the Defined Benefit or Defined Contribution plans. Rules of participation are found in the employer plan documents and as set forth in Section 457 of the Internal Revenue Code.

**Section 4. Voluntary 457 Plan Participation for Defined Contribution Plan Participants Only**

Effective February 4, 2019, the Employer will match dollar for dollar with the Employee, on a pre-tax basis, contributions to an employee’s 457 plan on each payroll as follows: $10, $20, or $30. Employee contributions are not mandatory; however, employees will not receive an identical employer match to one of the amounts listed in this section if they do not contribute. Contributions are not tied to wages and therefore are not subject to overtime, rollup costs on benefits, or any other circumstance that would increase employer costs. Employees will make their annual election no later than December 1st for the following calendar year and may not change their election amount until the following election period ending December 1. Failure to make an election by December 1 shall prohibit the Employee from receiving the Employer contribution until the next year’s election. The election date for the introductory year only is January 1.

**X. Tuition Reimbursement**

The City shall reimburse the cost of tuition at an accredited education institution in accordance with the following:

A. The course(s) must be related to the job.

B. Tuition reimbursement will not be made in advance. The employee will pay for the course and be reimbursed upon proof of completion of the course with a grade of "C" or better, and the submission of a signed affidavit that the amount requested has not been requested or received from another source.

C. City reimbursement will be for tuition and mandatory fees. Books, supplies, and other expenses will be the employee’s responsibility.

D. Reimbursement will apply to active employees only and will require prior approval by the City Manager. Reimbursement will be limited to **four thousand dollars ($4,000)** five thousand dollars ($5,000) per person per calendar year.
XI. LIFE INSURANCE
The City shall pay the premium to maintain life insurance in the amount of one and one-half (1 1/2) times the annual salary for employees with less than five (5) years of service, and two (2) times the annual salary for employees with five (5) or more years of service, and who are enrolled in the Defined Benefit Pension Plan.

In lieu of the above described life insurance benefit, the employer shall pay the premium to maintain a life insurance policy equal to three (3) times the annual salary for employees covered by the defined contribution plan.

Life Insurance Reduction Schedule: Employees who are in full time active status and who have attained the age of 65 shall have their life insurance reduced by 35%. From and after age 65, employees who remain employed in full time active status shall receive another reduction of an additional 15% (for a total of 50%) once they have attained the age of 70.

XII. VESTED RIGHTS
The passage of this resolution shall not vest upon any employee the right or expectancy to continue receiving any benefits provided for in this resolution. The City Council expressly reserves the right to amend or repeal this resolution, or any part thereof, at any time.

THIS RESOLUTION WAS ADOPTED BY THE AUBURN HILLS CITY COUNCIL ON AUGUST 28, 1985,

THIS RESOLUTION WAS ADMINISTRATIVELY AMENDED BY CITY MANAGER RANDALL, JUNE 28, 2005
THIS RESOLUTION WAS ADMINISTRATIVELY EXTENDED BY CITY MANAGER CULPEPPER, AUGUST 25, 2006.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, JANUARY 22, 2007.
THIS RESOLUTION WAS ADMINISTRATIVELY AMENDED BY CITY MANAGER CULPEPPER, DECEMBER 12, 2007.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, FEBRUARY 2, 2009.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, AUGUST 24, 2009.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 6, 2010.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 5, 2011.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 17, 2012.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 16, 2013.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 15, 2014.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL, DECEMBER 23, 2015.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL DECEMBER 12, 2016.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL DECEMBER 11, 2017.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL DECEMBER 12, 2018.
THIS RESOLUTION WAS AMENDED BY THE AUBURN HILLS CITY COUNCIL DECEMBER 16, 2019.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:
RESOLUTION ADOPTED
STATE OF MICHIGAN
COUNTY OF OAKLAND

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of "2019 Resolution - Benefits for Non-Union Personnel" as adopted and made effective January 1, 2020 through December 31, 2020 by the Auburn Hills City Council.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 16th day of December, 2019.

____________________________________
Laura Pierce, City Clerk
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director/Treasurer
Submitted: December 9, 2019
Subject: Motion – To authorize the Finance Director to amend the budget of identified accounts according to the details provided with this memo.

INTRODUCTION AND HISTORY

The City has established the practice of amending the budget, as necessary, each September across all funds to provide the most accurate financial picture available at that time, for decision making on the following year’s budget. We also focus purposely on expenditures near the end of year, to be sure we have captured amendments in order to maintain compliance with the State’s budget act.

Staff has found that keeping the financial system updated with amendments assists the City staff in managing assigned budgets. Often, staff determines they may have some available funds in one line of their department or fund budget. Similarly, staff may have unexpected expenditures in another area and find their budget short. There is an attempt by City staff to mindfully recognize that one account can go over if the other account is kept under. When amendments come up, often the change is finally made.

For instance, if the Finance Department budgeted $1,000 for conferences and found that only $750 is needed for that year, but had to order an unplanned supply in a budget that was short by not more than $250 an amendment could be made between the two lines. This motion would give approval to the Finance Director or directed staff to amend the current budget lines, reducing conferences and increasing supplies by the same dollar amount. Doing so would allow the system to reflect current availability of funds in appropriate lines and allow the department to visually see what their available funds are more accurately. In no case would these amendments change the overall approved budget.

Also, staff would like to clarify that when any language is presented via motion to City Council that includes amending a line item to accommodate a service or purchase of goods that the amendment will be made as of the date of the approved motion. This would be done without further communication to Council. The recognition of the amendment at that time would improve the budget to actual reporting and allow staff to recognize fund availability more accurately and allow for better accountability for each department.

STAFF RECOMMENDATION

Staff is seeking approval from City Council to make amendments to the budget within an individual department of the General Fund and within the total fund of all other City funds that do not change the original approved budget. The Finance Director or directed staff would have the authority to deny the change in circumstances where it appears an increase to budget is actually needed. Amendments made each month will be included in the consent agenda, without explanation, for informational purposes only not less than quarterly. Because the adopted budget is approved on a total department basis within the General Fund and a Fund basis for all other funds, these amendment would not be altering what was approved, just reallocating within the department/fund expenditure totals already approved.

Further, City Council has seen language in agenda items indicating the need for an amendment when a good or service is brought forward for approval. Staff would like to clarify and make policy that if an amendment is recommended via a motion from any staff, the amendment will be made in the system at that time, as opposed to holding it until later in the year for the September or December adjustments. Council’s support of timely amendments will further allow staff to recognize fund availability more accurately and allow for better accountability for each department. In order for the amendment to made, the account to be amended, the account’s current budget prior to amendment, and the account’s budget after amendment will be present in the motion with the language to “approve an amendment to increase (or decrease) account XXX-XXX-XXX.XXX from $XX.XX to $XX.XX”.

O:\CITY COUNCIL PACKET\DECEMBER 16\Authorize Finance Director To Make Budget Amendments\Motion To Authorize Finance Director To Make Amendments.Docx
MOTION
Move to approve the Finance Director/Treasurer or directed staff to amend identified accounts within General Fund individual departments or within other Funds as a reallocation of the current budget as indicated in this memo.

Further, City Council agrees that any language of future agenda items indicating a proposed amendment (which must include the account to be amended, the accounts current budget prior to amendment, and the accounts budget after amendment) will be made as of the date of the approved agenda item without further communication to City Council.

I CONCUR: ____________________________

THOMAS A. TANGHE, CITY MANAGER
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Donald K. Grice, Assistant City Manager
Submitted: December 10, 2019
Subject: Motion - To Approve the Third Golf Course Maintenance Contract Extension Agreement

INTRODUCTION AND HISTORY
For seventeen years the City of Auburn Hills has utilized Davey Golf for grounds maintenance services for Fieldstone Golf Club (FGC). Davey Golf has successfully captured the grounds maintenance contract on three separate competitive bid occasions - 2003, 2008, and 2013. In January of 2019, City Council approved a one year extension of the 2013 - 2018 maintenance contract with the idea that the City would be considering a full-service management contract upon the retirement of Gordon Marmion. In the fall of 2019, the City released a RFP to receive submissions for the contracted management of FGC.

After an extensive review of all proposals, the golf course committee decided that it would be in the city’s best interests to continue with our current management model and the replacement of a golf course manager. With that, the committee also believed that it would prudent to keep Davey Golf on-board for the grounds maintenance for an additional year, to give a new manager the time to acclimate to FGC without the risk of needing to break in a new course maintenance contractor. Following this determination, staff reached out to Davey Golf to ascertain whether they would be interested in a one year extension. Since that time, Davey has confirmed their interest in continuing to provide maintenance services for FGC and is asking for a modest increase to cover increasing costs. The current contract cost is $496,300; Davey is requesting a 1.49% increase to $503,700 for the 2020 golf season.

STAFF RECOMMENDATION
Staff recommends offering Davey Golf an additional one year extension to the Golf Course Maintenance Contract. This extension will allow the new manager the opportunity to focus his/her efforts on managing front-of-house operations. If approved, city staff intends on seeking new competitive bids for proposals from grounds maintenance contractors beginning with the 2021 golf season.

MOTION
Move to approve the “Third Golf Course Maintenance Contract & Specifications Extension Agreement” with Davey Golf, a Division of Davey Tree, for a total amount not to exceed $503,700 for the 2020 golf season and authorize the City Manager to convey acceptance by purchase order.

I CONCUR: ________________________________
THOMAS A. TANGHE, CITY MANAGER
THIRD GOLF COURSE MAINTENANCE CONTRACT AND SPECIFICATIONS EXTENSION AGREEMENT

This Third Golf Course Maintenance Contract and Specifications Extension Agreement ("Third Agreement") is effective as of February 20, 2020, by and between the City of Auburn Hills, a Michigan municipal corporation, whose address is 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, and Davey Golf, a Division of The Davey Tree Company, 1500 N. Mantua Street, Kent, Ohio 44240.

RECITALS:

WHEREAS, the Fieldstone Golf Club of Auburn Hills is the City’s municipal golf course located at (a) clubhouse, 1984, Taylor Road, Auburn Hills, Michigan 48326 and (b) Golf Course Maintenance Facility, 2234 Taylor Road, Auburn Hills, Michigan 48326 (collectively referred to as the “Fieldstone Golf Club of Auburn Hills”); and

WHEREAS, the original Fieldstone Golf Club of Auburn Hills Golf Course Maintenance Contract and Specifications February 20, 2013-February 19, 2018 ("Original Agreement") expired on February 19, 2018 and in 2018 the parties entered into a Golf Course Maintenance Contract and Specifications Extension Agreement ("Agreement") extending and continuing the Original Agreement for a term of one year to February 19, 2019 with a contract amount of $483,000; and in 2019 the parties entered into the Second Golf Course Maintenance Contract and Specifications Extension Agreement (Second Agreement) extending the Original Agreement, as extended, to February 19, 2020 with a contract amount of $496,300.

WHEREAS, the parties again desire to extend and continue the Original Agreement, as extended by the Agreement and Second Agreement, with the Original Agreement being extended for an additional term of one year by this Third Agreement, commencing upon the expiration of the term of the Second Agreement on February 19, 2020 and extending to and expiring on February 19, 2021, with this Third Agreement being subject to and having all of the same terms, conditions and specifications outlined in the Original Agreement, except for a new contract amount of $503,700; and

WHEREAS, on December 16, 2019 the Auburn Hills City Council adopted a motion approving the Third Agreement and another one year extension of the Original Agreement to Davey Golf, a Division of The Davey Tree Company, in the amount of $503,700 with the extension concluding on February 19, 2021 and all other language in the Original Agreement remaining applicable and in full force and effect; and

WHEREAS, the parties are desirous of entering into this Third Golf Course Maintenance Contract and Specifications Extension Agreement in accordance with the Auburn Hills City Council’s December 16, 2019 approval.
AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and in the Original Agreement and for other good and valuable consideration given, the parties hereto agree as follows:

1. The Fieldstone Golf Club of Auburn Hills Golf Course Maintenance Contract and Specifications February 20, 2013 to February 19, 2018 (Original Agreement), as extended, is extended for a third time, for a one year term to February 19, 2021 in the contract amount of $503,700, with this third extension to begin on February 20, 2020 and to expire on February 19, 2021, with all other language, terms and conditions in the existing Fieldstone Golf Club of Auburn Hills Golf Course Maintenance Contract and Specifications February 20, 2013 to February 19, 2018 (Original Agreement), as extended, remaining in full force and effect.

The parties agree to this Third Golf Course Maintenance Contract and Specifications Extension Agreement by the parties’ signatures below.

CITY OF AUBURN HILLS, 1827 N. Squirrel Road, Auburn Hills, MI 48326

By: ______________________________  By: ______________________________
   Kevin R. McDaniel, Mayor           Laura M. Pierce, City Clerk

Date: __________________________  Date: __________________________

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this ______ day of December, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kevin McDaniel, Mayor of the City of Auburn Hills, and Laura Pierce, Clerk of the City of Auburn Hills, known to me (or proved to me on the basis of satisfactory evidence), to be the person(s) who executed the within instrument on behalf of the City of Auburn Hills and acknowledged to me that they executed the within instrument on behalf of the City of Auburn Hills.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

____________________________________
Notary Public in and for said County & State
My commission expires: ______________

Davey Golf
A Division of The Davey Tree Company

By: ____________________________

Title: ____________________________

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this ______ day of December, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ____________________________ known to me (or proved to me on the basis of satisfactory evidence), to be the person(s) who executed the within instrument as President of Davey Golf on behalf of Davey Golf, that executed within instrument, and acknowledged to me that Davey Golf executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

____________________________________
Notary Public in and for said County & State
My commission expires: ______________

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Curious about cannabis beer?
By Jane Peterson For MediaNews Group  Nov 30, 2019

Two Roots Brewing Co. will be produced at Rochester Mills Production Brewery only as a high-quality alcoholic and non-alcoholic craft beer – in classic styles, including a Lager, New West IPA, and Wheat, as well as seasonal and limited editions.

While there will be no cannabis-infused beers available for purchase at the Rochester Mills brewery, the brewery will be producing a non-alcoholic base that will be shipped to cannabis manufacturers licensed to operate in Michigan, who will infuse and sell the beer.

When news broke that Rochester Mills Production Brewery was being purchased by San Diego-based Two Roots Brewing Co., the buzz didn’t stop there. Soon, people were talking about another exciting development – the prospect of cannabis beer.
It’s definitely on the company’s agenda, but cannabis beer won’t be made at the Rochester Mills brewery. Instead, the brewery will create a non-alcoholic base that will be shipped to cannabis manufacturers licensed to operate in Michigan. The cannabis manufacturers will be the ones to infuse and sell the beer.

So, what is the appeal of cannabis-infused beer? Michael Hayford, CEO of Lighthouse Strategies, parent company to Two Roots Brewing Co., stated in an email that Two Roots first created their cannabis-infused version as a smoke-free consumption option for those seeking to enjoy the benefits of cannabis. The beverages, which are available in Nevada and California, taste just like a traditional craft beer.

However, for one of Two Roots’ infused craft beers, Straight Drank, the goal was to go beyond the taste of a craft beer and incorporate the taste and smell of cannabis. This was achieved through the addition of hemp terpenes.

Rochester Mills Production Brewery has been brewing the Rochester Mills craft beer styles for distribution since 2012 and has rich brewing expertise, a strategic central location and an ability to increase production capacity.

“Unlike other craft brewery acquisitions, where another brewery comes in and gobbles up an independently owned brewery, we see Rochester Mills as a partner who is eager to work with us as we bring them exciting new opportunities to enter new markets,” said Two Roots in an email.

Hayford emphasized that Two Roots Brewing Co. will be produced at Rochester Mills only as a high-quality alcoholic and non-alcoholic craft beer – in classic styles, including a Lager, New West IPA, and Wheat, as well as seasonal and limited editions.

“Our Cannabis-infused beverage options will not be present at the Rochester Mills brewery at any time,” he said in the email. “Rochester Mills will produce, sell and distribute only alcoholic and non-alcoholic craft beers. The final non-alcoholic craft beer will also be sold in bulk to state-licensed cannabis manufacturers. It’s these state-licensed cannabis manufacturers who will infuse, package and distribute Two Roots as a cannabis-infused craft beer within their respective states.”

The alcohol is removed from the beer while maintaining the top notes, flavor, smell and overall appearance of craft beer. Once de-alcoholized, and separate from Rochester Mills, the beers can be infused with CBD or THC. Two Roots has developed patent-pending, fast-acting technology that delivers a consistent and reliable dose of cannabis in every can where it is evenly distributed.
Once the sale of Rochester Mills Production Brewery is completed — which as of press time was expected by the end of the year—Two Roots plans to install the necessary equipment to produce non-alcoholic beer and expects to launch the beverages to new geographic markets in early 2020.

About Two Roots Brewing Co.

Two Roots Brewing Co. offers a wide range of traditional craft beers at their craft beer tasting room located in Ocean Beach, Calif.; a suburb of San Diego. Two Roots Brewing Co.’s core offering consists of three classic styles, including: Lager, IPAs, and Wheat. Combining passions for craft beer, science, innovation, and social responsibility, Two Roots Brewing Co. has created a new class of adult beverages. Two Roots Brewing Co. has sourced expert brewers and artisans as well as the first of its kind manufacturing and design technology to enter the United States. Two Roots Brewing Co.™ is a licensed trademark of Lighthouse Strategies LLC.