



CITY OF AUBURN HILLS
Regular City Council Meeting
Minutes

June 11, 2018

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, Hammond, Kittle, Knight, and Moniz
Absent: Council Member Verbeke
Also Present: City Manager Tanghe, City Attorney Beckerleg, City Clerk Pierce, Police Chief Baker, Police Lt. Gagnon, Director of Community Development Cohen, Finance Director/Treasurer Schulz, Deputy Finance Director/Deputy Treasurer Farmer, DPW Director Melchert, Deputy DPW Director Stahly, Mgr. of Fleet & Roads Brisson, Mgr. of Municipal Properties King, Mgr. of Public Utilities Michling, Interim Fire Chief Macias, Senior Services Director Adcock, Mgr. of Business Development Carroll, Recreation Director Marzolf, Mgr. of Fieldstone Golf Course Marmion, Human Resources Generalist Karjo, Executive Assistant Weber, City Engineer Juidici, Management Assistant Intern Benoit, Media Communications Specialist Mathes

63 Guests

4. APPOINTMENTS AND PRESENTATIONS

4a. Swearing-in Ceremony of Police Chief Jeffrey C. Baker

City Manager Tanghe presented the history and the accolades of Chief Baker. City Clerk Pierce administered the Oath of Office. Lieutenant Gagnon welcomed Chief Baker on behalf of the Officers of Auburn Hills.

Chief Baker thanked the City Manager, City Council and the Auburn Hills Police Department for their support through this process. He shared that he is pleased to be working for the City of Auburn Hills.

The meeting recessed at 7:11 PM for a welcome reception for the new Chief of Police.
The meeting reconvened at 7:36 PM.

4b. Motion – To Appoint Ellen S. Taylor as Fire Chief

City Manager Tanghe presented the history and accolades of Ellen S. Taylor as the future Fire Chief for the City of Auburn Hills. Ms. Taylor shared her honor and excitement to be a part of the Auburn Hills Community and to serve as the Fire Chief.

Moved by Hammond, Seconded by Knight.

RESOLVED: To appoint Ellen S. Taylor as Fire Chief, effective August 6, 2018, under the terms and conditions of the employment agreement contained herein, and authorize the Mayor and City Clerk to execute the agreement on behalf of the City. Furthermore, authorize the City Manager to execute a confirmed offer of employment, also with an effective date of August 6, 2018. Said appointment shall include all duties and powers as set forth by the City Charter and City Code of Ordinances, and those granted by the State of Michigan, upon being sworn-in.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.076

Motion Carried (6 - 0)

5. APPROVAL OF MINUTES

5a. Regular City Council Minutes – May 21, 2018

Moved by Burmeister, Seconded by Moniz.

RESOLVED: To approve the City Council Minutes of May 21, 2018.

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

No: None

Resolution No. 18.06.077

Motion Carried (6 - 0)

6. PUBLIC COMMENT

7. CONSENT AGENDA

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

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority – May 8, 2018

7a2. Beautification Advisory Commission – May 16, 2018

RESOLVED: To receive and file the Board minutes.

7b. Motion – To approve the Rain Gauge Site License Agreement with the Oakland County.

RESOLVED: To approve Rain Gauge Site License Agreement with the County of Oakland.

7c. Motion – To authorize the City Manager to execute the Joint Memorandum of Understanding between the Michigan Economic Development Corporation and the City of Auburn Hills.

RESOLVED: To authorize the City Manager to execute the attached Joint Memorandum of Understanding between the Michigan Economic Development Corporation and the City of Auburn Hills.

Moved by Kittle, Seconded by Hammond.

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 18.06.078

Motion Carried (6 - 0)

8. OLD BUSINESS

8a. Motion – To approve the Scope of Construction Services with OHM Advisors for the 2018 Hamlin Road Rehabilitation Project.

Mr. Brisson presented the project that was previously approved by City Council. The request presented is to approve OHM Advisors for the construction management services for the project. The project is not to exceed \$26,200.00 and \$49,600.00 will be the City's responsibility for the project. Mr. Brisson clarified that the amount of \$23,400.00 would be for the crew and it was per day for the project.

Moved by Moniz, Seconded by Burmeister.

RESOLVED: To approve the Scope of Construction Services with OHM Advisors for the 2018 Hamlin Road Rehabilitation Project for the amount of \$49,600. Services provided to be paid with the necessary amendment to the 2018 Approved Budget.

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

No: None

Resolution No. 18.06.079

Motion Carried (6 - 0)

8b. Motion – To approve the Scope of Construction Services with OHM Advisors for the Water Main Improvements associated with the Opdyke Road Rehabilitation Project.

Mr. Michling presented the project with OHM for the water main improvement. On May 7th this project was approved with the overall project covering; Auburn Rd to Perry, bridge replacement over the Clinton River, water main from Featherstone to Walton Blvd. and the pathway from Auburn Rd to north of M-59. OHM will perform the construction services water main improvements. The cost is not to exceed \$275,000. 59% of the project cost will be from TIFA B in the amount of \$163,000 and 41% from the water fund in the amount of \$112,000. The start date for this project is the middle of June.

Moved by Burmeister, Seconded by Hammond.

RESOLVED: To approve the Scope of Construction Services with OHM Advisors, in an amount not-to-exceed \$112,000 for the Water Main Improvements associated with the Opdyke Road Rehabilitation Project. Services provided to be paid with budgeted funds from the 2018 Approved Budget account # 592-536-977.001.

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

No: None

Resolution No. 18.06.080

Motion Carried (6 - 0)

9. NEW BUSINESS

9a. Presentation of Audit and Motion – To accept the 2017 Financial Report with Supplemental Information and Plante Moran’s Audit Communication Report.

Mr. Kolbow and Ms. Bailey from Plante Moran presented the 2017 audit. The report shows that the City funds are in great condition. Discussion took place regarding Legacy costs and OPEB challenges in funding for longer term costs. Mr. Kolbow shared the various tables outlined in the report and shared that the reports are using actual numbers and percentages.

Ms. Bailey gave an overview of the audit letter and stated that there will be new implementation with the GASBY 74. This will allow for increased disclosure regarding pension and retiree health care. These changes will increase the overall pension liability, based on actuarial works. Ms. Bailey stated that one area to watch will be the underfunded OPEB which is under the new accounting standards and it will be on the Government wide balance sheet for the next year.

Mr. Kittle shared his concern that the packet was presented in draft format. He understands that the information provided will not change but feels that a complete packet should have been presented not a draft.

Ms. Bailey shared that she did speak with the Finance Director and the only changes to be made would be page numbering or formatting, no numbers or wording. She shared that the audit report needs to be submitted to the State by the end of the month.

Mr. Knight concurred with Mr. Kittle that he would like to approve the final report and not a report in draft format.

Mr. Kittle stated that he would like to see a legal clean copy of the report and is not sure why this report was being rushed based on Public Act 202. Mr. Kittle made the motion to have this item tabled. With no second, the motion failed.

Mr. Moniz asked Ms. Schultz if she will be the one to review the final document once it comes back from Plante Moran to ensure that there have been no changes. She stated that she would.

Moved by Moniz, Seconded by Hammond.

RESOLVED: To accept and approve the presented draft of the City’s Financial Report with Supplemental Information for the year ending December 31, 2017 and the related communication letter with said report to become the City’s final Financial Report with the

understanding that formatting and page number changes may be made to said report as presented by the City's independent auditors, Plante Moran.

Mayor McDaniel clarified that if there are any material changes, those changes will be communicated separately and presented for acceptance by the City Council on Monday June 25th.

Mr. Kittle stated that he would like to know what happened to cause this report to be presented in a draft format.

Ms. Hammond remarked that if Ms. Schultz is comfortable with this process, then she trusts that she will catch any changes immediately.

VOTE: Yes: Burmeister, Hammond, McDaniel, Moniz
No: Kittle, Knight

Resolution No. 18.06.081

Motion Carried (4 - 2)

9b. Public Hearing/Motion – To adopt an ordinance to amend Chapter 18, Buildings and Building Regulations, of the Auburn Hills City Code to add new Article VII, Registration of Rental or Leased Detached One-Family Homes on Second Reading.

Mayor McDaniel stated that prior to the meeting an email was received from Claudia Bradford expressing concern with the rental ordinance. That communication was forwarded to Council.

Mr. Cohen noted that this is the second reading on this issue. After a year of review and investigation to this matter the Community Development office is ready to implement this policy/ordinance. The City has 610 one family rental homes that exist in the City. Of the 610 rental homes, 20% are presumed to be rental homes with the homeowner living within the community and 70% of the rental homes are owned by people living outside the community. The adoption of this ordinance will require home owners to register their rental homes annually and pay a fee to offset the costs associated with implementation of the program.

Mayor McDaniel opened the public hearing at 8:42PM.

Gary Clark of 2199 Richwood shared his frustration with this ordinance. He feels like he is being penalized because other people don't take care of their rentals like he does. He feels that when the City has to mow grass or take care of other issues those fees should be added to the homeowner's taxes.

Mr. Knight thanked Mr. Clark for taking care of his home. He stated that unfortunately there is a high percentage of rental homes that are not taken care of.

Mayor McDaniel thanked Mr. Clark for sharing his opinion and stated that he understands he has an objection to this issue. City Council must make the decisions based on the best interest to the overall betterment of the city.

Mr. Kittle stated that the ordinance is to help with the issues that are not seen in the home. This ordinance is for the overall, health, safety and welfare of the Community.

Ms. Sherry Clark of 2199 Richwood shared her frustrations regarding this issue. She is concerned that there are others that currently do not follow the ordinance and should, that the fees for the added staff are too high and that there was very little notice given regarding the meeting to address this issue. She does feel that it is a punishment.

Mayor McDaniel clarified that the fee includes enforcement of rental properties that are not maintained. He also clarified that not all rental homeowners are properly declaring their home and this process will help correct those that are misusing the system.

Theo Vandam or 2685 Beacon Hill Drive, apt 309 spoke in support of this motion. He shared his concerns with Council in January and has had contact from the City regarding his concerns. He is pleased to see the progress on this issue.

Ms. Hammond, asked Mr. Vandam how he had heard about the discussion regarding the ordinance. He stated that he had read the website and the City Council packet from January which had the minutes from December in it.

Hearing no further comments Mayor McDaniel closed the public hearing at 8:55PM.

Mr. Cohen clarified that when there is a sale or a changeover in rental home, the owner of the home must resubmit the fees and do another self-inspection. This resubmission of paperwork and self-inspection would be on the honor of the homeowner to report it and update the water bill information.

Mr. Kittle thanked Mr. Vandam and the Clarks for sharing their opinions. He encouraged the Clark family to register their rental home prior to November to have the fee waived.

Moved by Knight, Seconded by Moniz.

RESOLVED: To adopt an ordinance to amend Chapter 18, Buildings and Building Regulations, of the Auburn Hills City Code to add new Article VII, Registration of Rental or Leased Detached One-Family Homes on second reading, to be known as Ordinance No. 18-901, along with the associated fees stated in the staff report.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.082

Motion Carried (6 - 0)

9c. Motion – To approve Contract and Funding Associated with Giddings Road Improvements.

Mr. Melchert shared that federal funding was applied for and approved for the Giddings Road Project. He shared that the 2018 construction project will include; asphalt resurfacing of the pavement, concrete gutter and curb repairs and driveway repairs, a crosswalk ramp, and installation of pedestrian crossing signal as well as other related repairs. BIDs did take place on June first and the costs came in slightly over the cost estimated but less than \$10,000. OHM cost for construction services does show that the total project does come in over budget and that shortfall will be addressed later in the year.

Mr. Kittle thanked the Oakland County Board of Commissioner for their portion of the funding for this project. He also thanked the DPW and staff for finding the funding for this project.

Moved by Kittle, Seconded by Moniz.

RESOLVED: To approve the contract and funding associated with Giddings Road improvements. Services provided to be paid with budgeted funds from account #202-452-935.000 to cover the City's portion of the funding responsibility.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.083

Motion Carried (6 - 0)

9d. Motion - To Approve Cost Participation Agreement with County of Oakland Board of Commissioners Associated with Giddings Road Improvements.

Mr. Stahly shared the history of this project and he presented the agreement that would need City Councils approval.

Moved by Kittle, Seconded by Hammond.

RESOLVED: To approve cost participation agreement with the County of Oakland Board of Commissioners associated with Giddings Road improvements. Services provided to be paid with budgeted funds from account #202-452-935.000 for the City's portion.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.084

Motion Carried (6 - 0)

9e. Motion – To Approve the Scope of Construction Services with OHM Advisors for the Giddings Road Rehabilitation Project.

Mr. Melchert shared the services for OHM in regards to construction staking, engineering inspections, administration as well as material testing by G2 consulting with a cost of \$25,000. OHM scope of services is not to exceed \$135,000, totaling \$160,000 for the construction services.

Discussion covered the fee percentages for the construction as well as actual activity, design preparations and inspections and administration of contracts. Mr. Melchert stated that a majority of the time OHM will find credits to bring the costs down and under budget.

Moved by Moniz, Seconded by Burmeister.

RESOLVED: To approve the Scope of Construction Services with OHM Advisors for the Giddings Road Rehabilitation Project for a not-to-exceed amount of \$135,000 and an estimated \$25,000 for materials testing to G2 Consulting Group. Services provided to be paid with budgeted funds from account #202-452-935.000.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.085

Motion Carried (6 - 0)

9f. Motion – To approve alcohol use at Summer Concert Series in the Park.

Mr. Marzolf stated that with Council approval, alcohol would be allowed in the park from 6PM – 9PM during the Summer Concert Series. Because it is a park, Residents would bring their own alcohol in approved containers.

Mr. Knight shared that he was not excited about this item last year and shared his concern with the close proximity of the concerts and the parks. He shared his concern with people drinking in the park and being close to the families/children. He stated that he would like the area monitored to make sure it does not get out of hand and to keep people safe.

Ms. Hammond reiterated that this area is a park so technically no glass bottles cannot be brought to the venue.

Moved by Moniz, Seconded by Burmeister.

RESOLVED: To allow the consumption of alcohol in the designated area at the Friday Night Concert Series in the Park from June 15th to August 24th, held at the Pop-Up Public Square location, for the 2018 season in downtown Auburn Hills.

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Moniz
No: None**

Resolution No. 18.06.086

Motion Carried (6 - 0)

9g. Motion – To approve Fieldstone Tee Sign Replacement Bid Award.

Mr. Marmion shared the concerns and history of the sign replacements. He stated that currently there is \$20,000 raised and he needs approval to get the monuments on the golf course. The money raised was for advertising and any monies left over will go towards replacing the sprinkler heads and having markers on the course to help with speed play.

Moved by Kittle, Seconded by Moniz.

RESOLVED: To approve and award the Fieldstone Tee Sign Replacement Bid to Designer Golf Company of Odessa, FL for the amount not to exceed \$12,420 to be paid from the Fieldstone Golf Club Fund, Land & Improvements account (584-753-970-000).

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

No: None

Resolution No. 18.06.087

Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond

- Reminded people of the concerts in the park this summer and that there is plenty of room for parking in the parking structure.

Mr. Knight

- Shared that he is pleased that South Blvd is being fixed but noted the poor signage at the beginning of the project. It is challenging, in the afternoon, to make a left turn onto west Auburn due to traffic coming southbound.
- Pleased that the downtown project is going well. There was a little trouble today with the pressure in the lines due to a leak. He is impressed with the traffic that is moving along well.
- The last Saturday was the Clinton River and Lake St. Claire annual day and the City had the fishing derby. This year every youngster caught a fish. He is pleased that the City has been proactive in keeping the river clean.
- Always pleased with the celebrations with the seniors for birthdays and anniversaries. Ms. Adcock does a great job.

Mr. Kittle

- Letter that was send by public works as apology for the back flow was received well by the residents. The hard work from Mr. Melchert and Mr. Stahly is greatly appreciated.
- Clarified that he trusts the finance director and Plante Moran. His concern was for a draft and not an official document.

Mr. Moniz

- Thanked Mr. Tanghe for sharing the ISO rrating. It made the fire department look good.
- Shared he had to call Oakland County dispatch non-emergency services number for oil spill on Collier. He was very surprise to see an Auburn Hills officer sent to the area. Please with the work of all those that were involved.
- Reminded everyone about the Ice Cream Social on June 22 at 6PM.

Mr. Burmeister

- Thanked Mr. Skinner for answering his phone call regarding a grass issue.
- Questioned if the City owns property inside Bloomfield Orchards. Mr. Grice clarified that there are a couple of cul de sacks that are within the ROW.
- Road construction is moving along.

Mayor McDaniel

- Thanked Mr. Cohen for the ordinance enforcement. The officers are very professional when approaching an issue which is only aiding in compliance.
- Shared that the 15th annual fishing derby was a success in part to partnerships. 850 trout were added to the river. Shared that the City has great corporate citizens; Bass pro Shop, General Towing, Trout Unlimited, the Clinton River watershed, and Detroit Area Steel Headers.
- Shared the excitement of this year being the fifth straight year for winning the Cup at Paddlepalooza.

11. CITY ATTORNEY'S REPORT

12. CITY MANAGER'S REPORT

Mr. Tanghe

- Thanked Mr. and Mrs. Clark and Mr. Vandam for attending the meeting. Mr. Tanghe shared that Community Development has been extremely transparent with this process through various means of communication of the issue.
- Shared his excitement for Chief Taylor.

13. ADJOURNMENT

The Mayor adjourned the meeting at 9:47 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk