



CITY OF AUBURN HILLS
Regular City Council Meeting
Minutes

July 9, 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, Moniz, and Verbeke
Absent: None
Also Present: City Manager Tanghe, City Attorney Beckerleg, and Assistant City Manager Grice. City Clerk Pierce, Police Chief Baker, DPW Director Melchert, Deputy DPW Director Stahly, Finance Director Schulz, Director of Authorities Seimer, Director of Senior Services Adcock, City Engineer Juidici, Management Assistant Intern Benoit, Kitchen & Volunteer Coordinator Rau

5 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council Minutes – June 25, 2018

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To approve the City Council Minutes of June 25, 2018.

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

No: None

Resolution No. 18.07.095

Motion Carried (7 - 0)

4b. City Council Goals and Objectives Workshop Minutes – June 30, 2018

Moved by Burmeister, Seconded by Verbeke.

RESOLVED: To approve the City Council Workshop Minutes of June 30, 2018.

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

No: None

Resolution No. 18.07.096

Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Introduction Cristina Rau of Kitchen & Volunteer Coordinator for the Senior Services Department

Ms. Adcock introduced Cristina Rau. Ms. Rau shared her past work experience, education and also that she has worked in three countries; Romania, Canada and US.

6. PUBLIC COMMENT

Mary Haight of the American Legion Post #143 was present. She acknowledged Mr. and Mrs. Knight for their anniversary as well as his service to our Country. She thanked the City for the mulch to make the grounds safer and beautiful. She noted that November 11th will be a Centennial Anniversary for World War One this year.

7. CONSENT AGENDA

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

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority – June 12, 2018

7a2. Brownfield Redevelopment Authority – June 19, 2018

7a3. Election Commission – June 28, 2018

RESOLVED: To receive and file the Board minutes.

7c. Motion – To approve the installation of Public Art at Riverside Park

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

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To approve the Consent Agenda items 7a and 7c.

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

No: None

Resolution No. 18.07.097

Motion Carried (7 - 0)

7b. Motion – To receive and file the 2017 Retirement System Annual Report

Mr. Kittle commented on the dip in the fund ratio in December of 2016. He stated that there will be a market improvement over the numbers when the audit is done next year. Mr. Knight agrees with Mr. Kittle regarding seeing improvements but sees the need to put in money to the health care to see what can be done to pull it up.

Mr. Tanghe clarified that the issue was reviewed and adjustments were made.

Moved by Kittle, Seconded by Hammond.

RESOLVED: To receive and file the 2017 Retirement System Annual Report.

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

No: None

Resolution No. 18.07.098

Motion Carried (7 - 0)

7d. Motion – To approve contribution to Escanaba’s Legal Defense for Dark Stores

Mr. Knight supports this motion but would like to see more money given to this issue. It is critical that this issue is taken care of. Mr. Knight shared that hotels are also starting to follow the same methodology.

Mr. Tanghe clarified that there is a concern that other Big Box stores and Medium Box stores will follow the Dark Store plan and it could be extremely harmful for Cities.

Moved by Knight, Seconded by Moniz.

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

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

No: None

Resolution No. 18.07.099

Motion Carried (7 - 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Motion - To Approve the Scope of Engineering Services associated with South Squirrel Road Reconstruction and Water Main Improvements.

Mr. Melchert presented the need to replace the water main and sewer lines that run along Squirrel Road. The design phase is being presented this evening and a revised amount will be presented during budget season next year.

Moved by Knight, Seconded by Moniz.

RESOLVED: To approve the scope of engineering services associated with South Squirrel Road reconstruction and water main improvements with the maximum of \$218,000 for engineering services and maximum of \$18,000 for geotechnical services. Engineering services provided to be paid with budgeted funds from account #202-452-935.000 for road reconstruction improvements and account #592-536-977.001 for water main improvements.

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

No: None

Resolution No. 18.07.100

Motion Carried (7 - 0)

9b. Motion – To approve the resolution for the Management of Wireless Equipment within City Rights-of-Way.

Mr. Grice presented the need for a resolution for the regulation of small cell installation for the City. Mr. Grice shared that currently there are two providers interested in installing new hardware within the City Rights of Way. The resolution will provide definitive guidelines while working with the providers.

There was discussion regarding what the City can do to keep these out of residential areas. It was clarified that the Federal Telecommunications Act regulates this issue and the City cannot prevent providing personal services of this nature. If the Federal Telecommunications Act can demonstrate a gap in an area, they are entitled to install a unit in that area. It was discussed that by having the resolution in place it will help to regulate height and the need for companies to pull a permit for an installation.

Moved by Moniz, Seconded by Verbeke.

RESOLVED: To approve the Resolution for the management of wireless equipment within the City Rights-of-Way. (Attachment A)

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

No: None

Resolution No. 18.07.101

Motion Carried (7 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Kittle

- Shared that the 35th golf outing is coming up.

Ms. Verbeke

- Would like to see more communication on Bill 637 and see a resolution put in place to stop this issue.
- Thanked staff for the Goals and Objectives workshop.

Ms. Hammond

- Shared her concern for not seeing work being done on the streets downtown. Mr. Melchert stated that the crews were off for the 4th and that they are on schedule.

Mr. Knight

- Shared that he would like to see a proclamation for Next Teer based on their accomplishments. Mr. Tanghe clarified that City Hall does send letters and notes of acknowledgement weekly to companies and residents that are highlighted for good work and services in the paper.
- Shared his great concern for the intersection at Auburn and Squirrel. He stated that a few left turn signals will clear up the congestion.

- Shared his appreciation to the City for the Goal and Objectives workshop.

Mr. Burmeister

- Sought clarification on the Pontiac Road project. Mr. Melchert stated that there was a delay in the start of the project by about a month but anticipates an August 14th completion date. He shared that the water main is complete and that the road work will go quick.
- Stated that he noticed a metered hydrant. Mr. Melchert stated that this was done due to a contractor taking water without a meter.

Mayor McDaniel

- Shared his appreciation to the staff for attending the Goals and Objectives workshop on a Saturday Morning.

11. CITY ATTORNEY'S REPORT

12. CITY MANAGER'S REPORT

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 7:42 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF AUBURN HILLS

**RESOLUTION FOR THE
MANAGEMENT OF WIRELESS EQUIPMENT WITHIN CITY ROW**

RESOLUTION NO. 18.07.101

At a regular meeting of the City Council of the City of Auburn Hills , County of Oakland, State of Michigan, held on the 9th day of July, 2018, at 7 o'clock p.m., Eastern Daylight Savings Time, with those present and absent being,

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

ABSENT: None

the following preamble and resolution were offered by Councilperson Moniz and supported by Councilperson Verbeke:

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

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

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

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

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

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

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

ROADWAY CLASSIFICATIONS

Principal Arterial

Minor Arterial

Major Collector

Local

WIRELESS CATEGORIES

Principal Arterial/Minor Arterial- Category 3 Wireless

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

Major Collector- Category 2 Wireless

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

Local Roads-Category 1 Wireless

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

AYES: 7
NAYS: None
ABSENT: None
ABSTENTIONS: None

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Auburn Hills, County of Oakland, State of Michigan, do hereby certified that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Auburn Hills at a regular meeting held on the 9th day of July, 2018, the original of which resolution is on file in my office.

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

Laura M. Pierce, City Clerk
City of Auburn Hills