



CITY OF AUBURN HILLS
Regular City Council Meeting
Minutes

November 12, 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, Kittle, Knight, Moniz, and Verbeke

Absent: Council Member Hammond

Also Present: City Manager Tanghe, City Attorney Beckerleg, Assistant City Manager Grice, City Clerk Pierce, Fire Chief Taylor, Assistant Fire Chief Macias, Police Chief Baker, Director of Public Works Melchert, Deputy DPW Director Stahly, Senior Services Director Adcock, Director of Community Development Cohen, Finance Director/Treasurer Schulz, Deputy Finance Director/Deputy Treasurer Farmer, City Engineer Juidici, Management Assistant Intern Benoit

14 Guests

4. APPROVAL OF MINUTES

4a. City Council Meeting Minutes – October 22, 2018

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To approve the City Council Minutes of October 22, 2018.

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

No: None

Resolution No. 18.11.158

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Third Quarter Investment Report Presentation, by Mary Donovan, Insight

Mary Donovan provided a portfolio for Council to refer to as she presented her report. She highlighted page 5 showing the economic graph, treasury yields, and market rates that are current and much improved. She shared that there have been improvements in a two year space and the ten year treasury does not show as much movement but it is being watched. The portfolio is structured to the changes in the market.

Ms. Donovan also shared that the economy is very strong and the second quarter growth is strong due to the tax reform. There has been some shifting in the economy and this is something that even the Federal Reserves are talking about and watching. She discussed the yield chart and fair value return chart and stated that it is performing better than the bench mark. She also shared that the assets are invested in very high quality securities.

5b. Optimist Award Presentation, Fire Department Member – Tony Randolph, Firefighter/Paramedic

Mr. Knight introduced the members from the Optimist Club that were present. Chief Taylor thanked staff and the Optimist Club for their appreciation of the Fire Service. She shared the accolades of Firefighter Tony Randolph. John Higgins, of the Optimist Club, presented a plaque of appreciation to Firefighter Randolph as the Optimist Club Fire Fighter of the Year.

The Mayor recessed the meeting at 7:38 PM

The Mayor reconvened the meeting at 7:50 PM

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, October 9, 2018

7a2. Brownfield Redevelopment Authority, October 23, 2018

7a3. Election Commission, October 26, 2018

RESOLVED: To receive and file the Board and Commission Minutes

7b. Motion - To receive and file the AndCo Consulting 3rd Quarter 2018 Cash Management Summary and Executive reports.

RESOLVED: To receive and file the AndCo Consulting 3rd Quarter 2018 Cash Management Summary and Executive reports.

7c. Motion – To Approve List of Authorized Broker/Dealers

RESOLVED: To adopt the resolution approving the attached list of authorized broker/dealers used by the Investment Manager on behalf of the City. (Attachment A)

7d. Motion – To Approve the List of Authorized Depositories

RESOLVED: To adopt the resolution approving the list of authorized depositories for City funds. (Attachment B)

7e. Motion – To Amend the City’s Investment Policy

RESOLVED: To amend the City’s Investment Policy as reviewed and approved as of November 12, 2018 with the amendments indicated in the draft policy to Section 7.1, Section 12.2 and Appendix A.

7h. Motion – To Recognize the 100th Anniversary of Frank Rewold and Son, Inc

RESOLVED: To recognize the 100th Anniversary of Frank Rewold and Son, Inc (Attachment D)

Moved by Verbeke, Seconded by Knight.

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 18.11.159

Motion Carried (6 - 0)

7f. Motion - To Approve Amendment No. 3 to the Water Service Contract between Great Lakes Water Authority and North Oakland County Water Authority

In response to a question from Mr. Kittle, Mr. Melchert clarified that this is an administrative review of the records as well as further explanation of the details that have not been noted previously.

Moved by Kittle, Seconded by Verbeke.

RESOLVED: To approve Amendment No. 3 to Water Service Contract between Great Lakes Water Authority and North Oakland County Water Authority.

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

No: None

Resolution No. 18.11.160

Motion Carried (6 - 0)

7g. Motion – To Consent to Transfer of Jurisdiction of Old Adams Road

Mr. Knight shared his concerns with the ability to maintain the road once Rochester Hills has control.

Mr. Tanghe stated that the City can expect Rochester Hills to take care of their roads as they have always proven to do so. He clarified that the road has always been a county road, therefore the road has been maintained by the County.

Moved by Knight, Seconded by Moniz.

RESOLVED: To approve City of Auburn Hills Resolution Consenting to Transfer of Jurisdiction of Old Adams Road to the City of Rochester Hills. (Attachment C)

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

Resolution No. 18.11.161

Motion Carried (6 - 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Public Hearing/Motion – Community Development Block Grant Funding Allocation for Program Year 2019

Ms. Adcock presented the CDBG program and the history behind the program. She presented the objectives of the program as well as a letter from a recipient that thanked the City for the help they received through this program. The funding will not be available until July 2019 and at that time bids will go out for the services that need to be provided.

Mayor McDaniel opened the Public Hearing at 8:06PM.

Kay Smith of Neighborhood House was present and asked to be taken into consideration as the transportation provider as well as shelter assistance for low income residents that are facing a housing crisis through this funding.

Janet Vermullen was present representing Haven. She requested to be taken into consideration to be a recipient of the Block Grant monies. She shared the needs and the actives of Haven and the clients that they help and represent.

Mayor McDaniel closed the Public Hearing at 8:14PM

Mayor McDaniel stated that there are many great organizations that serve the community and many different avenues of funding. This program is just one method of funding these organizations. Council discussed the desire to see many organizations funded so the residents can be cared for. The Mayor stated that certain organizations will be selected for services but that does not mean that the ones that do not receive the funding are not supported. Council is grateful for all the organizations that help the residents within our community.

MOTION #1:

Moved by Kittle, Seconded by Burmeister.

RESOLVED: To accept the Conflict of Interest Resolution as part of the CDBG application and to authorize the City Mayor to sign the application and submit documents to Oakland County.

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

Resolution No. 18.11.162

Motion Carried (6 - 0)

MOTION #2:

Moved by Knight, Seconded by Moniz.

RESOLVED: To accept the Community Development Block Grant (CDBG) application budget line item Minor Home Repair in the amount of \$52,268 as part of the approximate amount of \$74,669 and authorize the City Mayor to sign the application and submit the documents to Oakland County.

**VOTE: Yes: Burmeister, Knight, McDaniel, Moniz, Verbeke
No: Kittle**

Resolution No. 18.11.163

Motion Carried (5 - 1)

MOTION #3:

Moved by Burmeister, Seconded by Verbeke.

RESOLVED: To accept the Community Development Block Grant (CDBG) application budget line item Yard Services in the amount of \$15,401 as part of the approximate amount of \$74,669 and authorize the City Mayor to sign the application and submit the documents to Oakland County.

**VOTE: Yes: Burmeister, Knight, McDaniel, Moniz, Verbeke
No: Kittle**

Resolution No. 18.11.164

Motion Carried (5 - 1)

MOTION #4:

Moved by Verbeke, Seconded by Knight.

RESOLVED: To accept the Community Development Block Grant (CDBG) application budget line item Emergency Services in the amount of \$3,500 as part of the approximate amount of \$74,669 and authorize the City Mayor to sign the application and submit the documents to Oakland County.

**VOTE: Yes: Burmeister, Knight, McDaniel, Verbeke
No: Kittle, Moniz**

Resolution No. 18.11.165

Motion Carried (4 - 2)

MOTION #5:

Moved by Verbeke, Seconded by Knight.

RESOLVED: To accept the Community Development Block Grant (CDBG) application budget line item Transportation Services in the amount of \$3,500 as part of the approximate amount of \$74,669 and authorize the City Mayor to sign the application and submit the documents to Oakland County.

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

Resolution No. 18.11.166

Motion Carried (6 - 0)

9b. Motion – To Approve of a One-Year Extension of the Site Plan and Tree Removal Permit / A.J. Damman Company - 3985 Giddings Road

Mr. Cohen presented the desire to extend the Site Plan for A.J. Damman Company at 3985 Giddings Road. This project was approved by City Council on November 27, 2017.

Mike Damman from A.J. Damman Company was present.

Moved by Knight, Seconded by Verbeke.

RESOLVED: To approve a one-year extension of the Site Plan and Tree Removal Permit for A.J. Damman Company - 3985 Giddings Road. The approval shall expire on November 27, 2019.

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

Resolution No. 18.11.167

Motion Carried (6 - 0)

9c. Motion – To Approve of the Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit / Fountain Circle of Auburn Hills

Mr. Cohen presented the request from Bacall Development LLC to construct a low rise multifamily development located at 3505 and 3507 Auburn Road. This site is proposed to house 258 apartments and with 7 three story buildings that will have 519 parking spaces. The development will include garages and carpports as well as other amenities.

Jacob Bacall of Bacall Development and Mark Abernathy, of Alexander Bogart Architects were present.

Moved by Kittle, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit for Fountain Circle of Auburn Hills subject to the conditions of the administrative review team.

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

Resolution No. 18.11.168

Motion Carried (6 - 0)

9d. Motion - To Approve the Resolution Supporting Resolution and Uniform DAS Small Cell Franchise Agreement.

Mr. Grice presented two separate actions that need to be taken regarding the management of Small Cell technology. The first step will help to streamline the application process of small cell franchisee within the boundaries of Auburn Hills. The preapproved templet will require compliance from future applicants.

Moved by Kittle, Seconded by Moniz.

RESOLVED: To approve the attached Resolution Adopting a Uniform DAS/Small Cell Right of Way Franchise Agreement. (Attachment E)

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

Resolution No. 18.11.169

Motion Carried (6 - 0)

9e. Motion - To Approve the First Reading of the Small Cell Ordinance #18-905 and setting a Public Hearing for the second reading on November 26, 2018.

Mr. Grice presented the second step to approve an ordinance regarding the small cell technology that will help the City with the FCC rulings and possibly Senate Bill 637 making requirements as to what the City can and cannot do. He also stated that a public hearing will be held on November 26, 2018 for the second reading of Ordinance #18-905.

Moved by Kittle, Seconded by Burmeister.

RESOLVED: To approve the first reading of proposed ordinance No. 18-905, to amend Chapter 79, Right-of-Way Management to enact a new Article IX. Wireless Communication Facilities to adopt regulations for the placement and maintenance of wireless communication facilities within the public right-of-way, and to set a second reading and public hearing on November 26, 2018 to adopt Ordinance No. 18-905.

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

Resolution No. 18.11.170

Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Knight – Shared his pleasure with the Downtown and that it came together pretty good. He shared his disapproval with the lack of progress the amphitheater has taken over the summer months. He is hopeful that the Spring will bring progress.

Mr. Moniz – Reported that Giddings road is completed. He would like to be updated with the effects the passing of Proposal 1 will have on the community. Mr. Tanghe stated discussions are being held regarding how to address ordinances, regulations and proceeding as an “opt out” community. City Attorney Beckerleg stated that a formal opt out certification will be created to prohibit marijuana establishments from being located in the city. It does not prohibit usage.

Ms. Verbeke – Commended City Clerk Pierce on the great job at the November Election.

Mr. Kittle – Commented on the golf course subcommittee meeting and how he is encouraged by the process. He questioned the financing regarding one of the properties that was visited during the Strolling Ground Breaking ceremony.

Mr. Burmeister – Commented that he had heard from an Election Worker regarding the phenomenal job City Clerk Pierce did regarding the election.

Mayor McDaniel – Commented that the days of the destruction in the downtown area are completed. He stated that there has been a three million dollar investment in the downtown area; streets and infrastructure. He thanked Chief Baker for the support enforcement of truck traffic. This support enforcement will make our downtown safer and more enjoyable for the residents.

11. CITY ATTORNEY’S REPORT

12. CITY MANAGER’S REPORT

Tom Tanghe – Stated that the amphitheater will not be done this calendar year. Staff is planning to have the opening of the amphitheater along with Summerfest. This project will be completed the first of June. Mayor McDaniel stated that he commends the staff for staying true to the project and making sure it was done correctly, even if, the project was not completed on time.

13. CLOSED SESSION

13a. Motion - To meet in closed session to discuss labor negotiations pursuant to MCL 15.268 8(c) of the Open Meetings Act.

Moved by Knight, Seconded by Moniz.

RESOLVED: To meet in closed session to discuss labor negotiations pursuant to MCL 15.268 8(c) of the Open Meetings Act.

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

Resolution No. 18.11.171

Motion Carried (6 - 0)

The Mayor recessed the meeting at 9:33 PM

The Mayor reconvened the meeting at 10:59 PM

14. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 11:00 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

RESOLUTION:

WHEREAS, Section 7.0 of the City of Auburn Hills Investment Policy states that “The City Treasurer shall maintain a listing of financial institutions and broker/dealers authorized to provide investment services,” approved annually by City council for investment and depository purposes.

NOW THEREFORE BE IT RESOLVED, that the Auburn Hills City Council approve the attached brokers/dealers as legal pass-through agents for all public monies effective to December 31, 2019.



Insight Investment
Approved Broker Dealer List
Prepared for the City of Auburn Hills
September 30, 2018

ANZ Securities	Mizuho Securities
Bank of Montreal	Morgan Stanley
Barclays Capital	Mitsubishi Financial Group
Blaylock Beal Van	National Australia Bank
BNP Paribas Securities	Nomura Securities International
Cantor Fitzgerald	Oppenheimer & Co.
Citigroup Global Markets	Piper Jaffray
Commonwealth Bank of Australia	Raymond James & Associates
Credit Agricole	RBC Capital Markets
Credit Suisse	RBS Securities
Daiwa Capital Markets	Robert W. Baird
Deutsche Bank	SG America Securities
FTN Financial	SMBC Nikko Securities America
Goldman Sachs	Stifel Nicolaus
HSBC	SunTrust Robinson Humphrey
INTL FCStone Financial	TD Securities
Jefferies	UBS Securities
JP Morgan Securities	US Bancorp Investments
Keybank Capital Markets	Wells Fargo Securities
Merrill Lynch, Pierce, Fenner & Smith	

The approved list of broker/dealers includes affiliates of designated firms and is subject to change without notice.

ATTACHMENT B

RESOLUTION:

WHEREAS, Section 4.23 of the Auburn Hills Charter states that "The City Council shall select annually one or more depositories in which funds of the City shall be deposited" and

WHEREAS, Section 7.0 of the City of Auburn Hills Investment Policy states that "The City Treasurer shall maintain a listing of financial institutions and brokers/ dealers authorized to provide investment services," approved annually by City Council for investment and depository purposes, and

WHEREAS, the currently approved list of legal depositories has expired,

NOW THEREFORE BE IT RESOLVED, that the Auburn Hills City Council approve the following financial institutions as legal depositories for all public monies effective to December 31st, 2019.

Bank of America	Oxford Bank	Genisys Credit Union*
Fifth Third (5/3) Bank	Chemical Bank	Michigan Schools & Government Credit Union
Flagstar Bank	TCF National Bank	PARDA Federal Credit Union
JPMorgan Chase	Citizens Bank, N.A.	Alliance Catholic Credit Union
Level One Bank	Wells Fargo Bank, N.A.	Mercantile Bank of Michigan
Huntington National Bank	Comerica Bank	Cornerstone Community Financial Credit Union*
CIBC (formerly Private Bank and Trust Company)		Horizon Bank (formerly Wolverine Bank)
Michigan State University Federal Credit Union*		

ATTACHMENT D

PROCLAMATION

Frank Rewold and Son, Inc. 100th Anniversary Recognition

- WHEREAS,** in 1918, established carpenter Frank Rewold began what would become a century of building tradition throughout Michigan; and
- WHEREAS,** Matilda Dodge Wilson hired Frank Rewold in 1920 as her personal handyman at Meadowbrook Farm, located in Pontiac Township; and
- WHEREAS,** Frank Rewold teaches the tools of the trade to his younger apprentice and son, Roy Rewold and in 1953, Roy completed the construction of Sunset Terrace, a retirement home and guesthouse for Matilda; and
- WHEREAS,** Roy Rewold incorporates the company as Frank Rewold and Son, Inc. in 1962, and begins what will become a family tradition; and
- WHEREAS,** Frank Rewold and Son, Inc. has earned the trust of many clients over the years through building strong relationships; and
- WHEREAS,** in 2014, Frank Rewold and Son, Inc. completes its largest Oakland University project to date, Oak View Hall in Auburn Hills; and
- WHEREAS,** Frank Rewold and Son, Inc. breaks ground on their new headquarters in Rochester, Michigan in 2017; and
- WHEREAS,** Frank Rewold and Son, Inc. is awarded the construction of Hillcrest Hall at Oakland University in Auburn Hills, its largest project to date; and
- WHEREAS,** the company has remained a family-owned business for four generations and have made a lasting impact on communities across Michigan; and
- WHEREAS,** The City of Auburn Hills acknowledges the long and dedicated relationship with Frank Rewold and Son, Inc. and is desirous of expressing such.

NOW, THEREFORE, it is with the highest regard, that the City of Auburn Hills, through its Mayor and City Council, hereby proclaims sincere appreciation and gratitude for the long and distinguished service of Frank Rewold and Son, Inc. and wishes them continued success on their 100th Anniversary.

Hereby presented on this 12th day of November, 2018, on behalf of the Auburn Hills City Council.

Kevin R. McDaniel, Mayor

ATTACHMENT E

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF AUBURN HILLS

RESOLUTION ADOPTING DAS/SMALL CELL RIGHT OF WAY FRANCHISE AGREEMENT

RESOLUTION NO. 18.11.169

At a regular meeting of the City Council of the City of Auburn Hills, County of Oakland, State of Michigan, held on the 12th day of November, 2018, at 7:30 p.m., Council, upon consideration of the following factors set forth in the recitals, approved the following resolution adopting a uniform DAS/Small Cell Right of Way Franchise Agreement:

WHEREAS, the City of Auburn Hills understands and embraces the need for advancement in wireless technology throughout our community and throughout the 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 Right-of-Ways (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 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 a uniform DAS/Small Cell Right of Way Franchise Agreement for Wireless Facilities proposed for installation with public right of ways located within the City 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 on reasonable non-discriminatory terms 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, the City hereby adopts the following uniform DAS/Small Cell Franchise agreement for all wireless installations on or within City ROWs.

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

STATE OF MICHIGAN
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 approved by the City Council of the City of Auburn Hills at a regular meeting held on the 12th day of November, 2018 the original of which resolution is on file in my office.

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

LAURA PIERCE, City Clerk