



# CITY OF AUBURN HILLS

## Regular City Council Meeting

October 21, 2019

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**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, Knight, Moniz and Verbeke

Absent: Council Member Kittle

Also Present: Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Assistant Fire Chief Macias, Police Lieutenant Gagnon, DPW Director Melchert, Deputy DPW Director Stahly, City Engineer Juidici

15 Guests

#### 4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, October 7, 2019

**Moved by Verbeke, Seconded by Hammond.**

**RESOLVED: To approve the City Council Workshop Minutes of October 7, 2019 as presented.**

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

**No: None**

**Resolution No. 19.10.152**

**Motion Carried (6 - 0)**

4b. City Council Minutes, October 7, 2019

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To approve the City Council Minutes of October 7, 2019 as presented.**

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

**No: None**

**Resolution No. 19.10.153**

**Motion Carried (6 - 0)**

#### 5. APPOINTMENTS AND PRESENTATIONS

5a. Library Strategic Plan, presented by Lawrence Marble, Director & Christina Bowers, Marketing Coordinator

Mr. Marble presented the strategic plan that was developed by a subcommittee and the Library Board since the current plan had not been updated since 2006. A survey was performed to see what the community was interested in with respect to the Library and they will be taking action on those results. Mr. Marble shared that the Library has a new logo, new carpeting and there have been many updates to which he is proud of.

#### 6. PUBLIC COMMENT

Mr. Don Hughes of 3744 Bald Mountain Road provided a one month update regarding the concerns with the northeast corner of the City and hunting. He shared that there have been trespassing issues and illegal baiting for hunting purposes. He shared that the DNR has released all safety zone requirements for bow and cross bow hunting and that Cities are still within the right to enforce minimum distances that weapons can be discharged. He would like to see the City instate a safety zone requirement.

Mr. Earnest Brock of 3620 Bald Mountain Road presented his concerns regarding the traffic on Bald Mountain Road from Dutton south to M-24. He stated that when the speed limit was raised he felt it was a mistake, and now with the developments in the surrounding communities, it has become a short cut and the 35mph does not slow people down. He asked the City to consider lowering the speed limit on the curve. Mayor McDaniel shared that the speed limit is set by State Law. Lt. Gagnon stated that he will give the complaint to the traffic patrol unit, and have officers conduct radar enforcement.

Mr. Richard Bell of Kids First Initiative shared that they will be hosting a telethon on November 2<sup>nd</sup> to raise money for their program. The telethon will be held at Great Lakes Crossing inside the AMC Theater from 11:00AM-11:00PM. He thanked Mr. Eugene Hawkins for the donation to get started.

## **7. CONSENT AGENDA**

### **7a. Board and Commission Minutes**

7a1. Zoning Board of Appeals, September 12, 2019

7a2. Election Commission, October 2, 2019

7a3. Tax Increment Finance Authority Informational Meeting, October 8, 2019

7a4. Tax Increment Finance Authority, October 8, 2019

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

**Moved by Verbeke, Seconded by Moniz.**

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

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

**No: None**

**Resolution No. 19.10.154**

**Motion Carried (6 - 0)**

## **8. OLD BUSINESS**

## **9. NEW BUSINESS**

9a. Motion – To adopt Resolution No. 1 to proceed with preparation of plans, specifications, and cost estimates for proposed West Entrance Drive Special Assessment District.

Mr. Stahly presented the proposal for the West Entrance Drive Special Assessment. He shared that the 2020 budget supports improvements to West Entrance Drive stemming from the City Capital Plan. It was stated that the pertinent information will be shared as the project progresses. He shared that currently \$100,000.00 is in the budget for 2019, \$2.4 million is in the budget for 2020 and that the 5 property owners will share the remaining 50%.

**Moved by Verbeke, Seconded by Knight.**

**RESOLVED: To approve Resolution No. 1 to proceed with preparation of plans, specifications, and cost estimates for proposed Special Assessment District regarding the repair of and improvements to West Entrance Drive. (Attachment A)**

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

**No: None**

**Resolution No. 19.10.155**

**Motion Carried (6 - 0)**

9b. Motion – To adopt Resolution No. 1 to proceed with preparation of plans, specifications, and cost estimates for proposed Atlantic Boulevard Special Assessment District.

Mr. Stahly presented the proposal for the proposed Atlantic Boulevard Special Assessment. He shared that the 2020 budget supports this project and that the pertinent information will be shared as the project

progresses. Mr. Stahly shared that a letter of opposition was received from Daniel Boynton, Driggers, Schultz, & Herbst, representing What About Me? LLC, 1555 Atlantic Blvd in opposition the Special Assessment District.

Mr. Daniel Boynton, Attorney representing What About Me, LLC located at 1555 Atlantic Blvd was present to object to the Special Assessment District stating that he feels there is no value to be added to this improvement.

Mr. Jason Charest of United C&C, located at 1597 Atlantic Blvd was present to object to moving forward with this improvement. He stated that it is a thoroughfare for all of Auburn Hills and not a road just for the companies that work in the area. He also stated that he does not feel the road needs to be repaired or replaced.

Nicole Prolapitz, representative for 1377 Atlantic was present to object to moving forward with the project. She stated that she does not see the need for this project.

Mr. Juidici shared that the road is declining and that the pacer rating on the road is currently a 3-4. He shared that the concern is that while the road is being maintained, there are still cracks underneath that will cause the road to degrade quickly.

It was discussed that Council is only approving the resolution to proceed with the Special Assessment and that the issues regarding improving the pathway will be discussed at a later time. It was also discussed that this is an issue that Council has been discussing for years and that the roads have been established for the businesses that operate from that location.

**Moved by Moniz, Seconded by Burmeister.**

**RESOLVED: To approve Resolution No. 1 to proceed with preparation of plans, specifications, and cost estimates for proposed Special Assessment District regarding the repair of and improvements to Atlantic Drive. (Attachment B)**

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

**No: None**

**Resolution No. 19.10.156**

**Motion Carried (6 - 0)**

9c. Motion – To award Scope of Engineering Design Services for 2020 Special Assessment Districts to OHM Advisors.

Mr. Stahly stated that engineering design services will be needed for the upcoming road improvements and that, with OHM already working as the City engineers, that it is in the best interest of the City to continue working with them and award them the scope of services. He also addressed that due to an oversight of funds from the Atlantic Blvd project the 2019-2020 budget will need to be amended.

**Moved by Verbeke, Seconded by Moniz.**

**RESOLVED: To award scope of engineering design services to OHM Advisors for 2020 Special Assessment Districts and amend the 2019 and 2020 Adopted Annual Budgets respectively, moving \$3,104,000 from Local Road Fund 203-453-973.000 to Major Road Fund 202-453-973.000.**

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

**No: None**

**Resolution No. 19.10.157**

**Motion Carried (6 - 0)**

9d. Motion - To award a three year professional services agreement to BNE Services, LLC for masonry services.

Mr. Stahly presented the need to have a masonry vendor available to provide services in areas, around the City, that are in need of repair. Mr. Stahly shared that one of the first projects to be completed will be the planter boxes in the downtown area that were damaged.

**Moved by Hammond, Seconded by Burmeister.**

**RESOLVED: To award a three year professional services agreement to BNE Services, LLC for masonry services.**

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

**No: None**

**Resolution No. 19.10.158**

**Motion Carried (6 - 0)**

9e. Motion – To approve a Cost Participation Agreement for a multi-community Traffic Study.

Mr. Melchert shared that the City has been working with SEMCOG, MDOT, RCOC, Orion Township and OHM Advisors to evaluate safety and mobility issues. The scope of the study includes the Baldwin Road/Brown Road/Joslyn Road/Great Lakes Crossing Drive/I-75 corridor and the mobility issues in the vicinity of the I-75 interchanges with Baldwin and Joslyn Roads, as well as the road network connections of Brown Road and Great Lakes Crossing Drive. Orion Township has presented a similar application to SEMCOG with the support of Auburn Hills, MDOT and RCOC. The estimated cost of the project is \$200,000. Auburn Hills is responsible for a 21% match for the project, with the estimated amount of \$35,310.44. The remaining cost will be paid proportionality by Orion Township, RCOC, and MDOT.

**Moved by Verbeke, Seconded by Knight.**

**RESOLVED: To approve the Cost Participation Agreement for a multi-community traffic study within the vicinity of I-75 interchanges with Baldwin Road and Joslyn Road.**

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

**No: None**

**Resolution No. 19.10.159**

**Motion Carried (6 - 0)**

## **10. COMMENTS AND MOTIONS FROM COUNCIL**

Ms. Hammond – Reminded residents of the Spooktackular event that takes place on Saturday, October 26<sup>th</sup> at noon.

Mr. Knight – Thanked the Zoning Board of Appeals for the thorough job they did for the issue at their meeting on September 12, 2019. He stated that as the as play equipment is being replaced in the park, he would like to see a small area that is fenced off for the ages of newborn to three years old as well as an area for persons with physical challenges. He shared that he would like to see the Planning Commission tackle the possibility of an access from N. Squirrel road. He provided an update on S. Squirrel Road and that the road should be stripped soon.

Mr. Moniz – Questioned Lt. Gagnon if there had been any complaints regarding hunting issues in the Bald Mountain area. Lt. Gagnon shared that since October 1<sup>st</sup> there have only been 2 complaints received and that the DNR was contacted with the concerns. Mr. Moniz shared that that he hoped when the Police Department is dispatched to a traffic concerns, that they respond immediately and not wait until a later date as it was stated earlier.

Mr. Burmeister – Shared that the non-emergency number for the Police Department is 248-370-9444 and that number is accessible 24/7.

**11. CITY ATTORNEY REPORT**

**12. CITY MANAGER REPORT**

**13. ADJOURNMENT**

Hearing no objections, the Mayor adjourned the meeting at 7:57 PM.

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Kevin R. McDaniel, Mayor

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Laura M. Pierce, City Clerk

**ATTACHMENT A**

**CITY OF AUBURN HILLS  
RESOLUTION TO PROCEED WITH PREPARATION OF PLANS, SPECIFICATIONS AND  
COST ESTIMATES FOR A  
PROPOSED SPECIAL ASSESSMENT DISTRICT (RESOLUTION NO. 1)**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 21st day of October, 2019, the following resolution was offered by Councilperson Verbeke and supported by Councilperson Knight:

WHEREAS, the City is considering the construction of the proposed improvement described below, and the establishment of a special assessment district to defray the cost of such improvement by special assessment against the benefited properties; and

WHEREAS, the proposed improvement (“the project”) is the repair of and improvements to West Entrance Drive; and

WHEREAS, the City Council desires to proceed to the next step of having cost estimates and project description plans and specifications prepared for the project.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Manager shall direct OHM Advisors, the City’s registered professional engineers, to prepare plans and specifications for the project, a cost estimate for the project, an estimate of the life of the project, description of the proposed special assessment district, the number of installments in which assessments may be paid and other pertinent information that will permit the City Council to determine the estimated costs, extent and necessity of the project, including the portions to be paid by special assessments upon the properties that are specially benefited by the project and the portion, if any, to be paid by the City. Such information once prepared by OHM Advisors shall be filed with the City Clerk, along with the City Manager’s recommendations with respect to the project.
2. No contract or expenditure, except for the cost of preparing the necessary profiles, plans, designs, specifications and estimates of costs described above, shall be made for the project, nor shall any improvements be commenced until the City Council affirms the special assessment roll to defray the costs of the project.

AYES: 6  
NAYES: None  
ABSENT: 1 (Kittle)  
ABSTENTIONS: None

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

I, Laura M. Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 21st day of October, 2019, the original of which is on file in my office.

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 PROCEED WITH PREPARATION OF PLANS, SPECIFICATIONS AND  
COST ESTIMATES FOR A  
PROPOSED SPECIAL ASSESSMENT DISTRICT (RESOLUTION NO. 1)**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, at 7:00 p.m. on the 21st day of October, 2019, the following resolution was offered by Councilperson Moniz and supported by Councilperson Burmeister:

WHEREAS, the City is considering the construction of the proposed improvement described below, and the establishment of a special assessment district to defray the cost of such improvement by special assessment against the benefited properties; and

WHEREAS, the proposed improvement (“the project”) is the repair of and improvements to Atlantic Boulevard; and

WHEREAS, the City Council desires to proceed to the next step of having cost estimates and project description plans and specifications prepared for the project.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Manager shall direct OHM Advisors, the City’s registered professional engineers, to prepare plans and specifications for the project, a cost estimate for the project, an estimate of the life of the project, description of the proposed special assessment district, the number of installments in which assessments may be paid and other pertinent information that will permit the City Council to determine the estimated costs, extent and necessity of the project, including the portions to be paid by special assessments upon the properties that are specially benefited by the project and the portion, if any, to be paid by the City. Such information once prepared by OHM shall be filed with the City Clerk, along with the City Manager’s recommendations with respect to the project.
2. No contract or expenditure, except for the cost of preparing the necessary profiles, plans, designs, specifications and estimates of costs described above, shall be made for the project, nor shall any improvements be commenced until the City Council affirms the special assessment roll to defray the costs of the project.

AYES: 6  
NAYES: None  
ABSENT: 1 (Kittle)  
ABSTENTIONS: None

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)



I, Laura M. Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 21st day of October, 2019, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_ day of \_\_\_\_\_, 2019.

Laura M. Pierce  
City Clerk