



*The City of Auburn Hills*  
City Council Meeting  
Minutes

January 11, 2016

**CALL TO ORDER:** Mayor McDaniel at 7:08 p.m.

**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor McDaniel, Council Members Burmeister, Hammond, Kittle, Knight, Mitchell, Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, Police Chief Olko, Fire Chief Manning, City Clerk Kowal, DPW Director Melchert, Manager of Public Utilities Michling, Deputy Assessor Blinkhilde, City Engineer Juidici, City Attorney Beckerleg, City Manager Assistant Harris  
3 Guests

#### 4. APPROVAL OF MINUTES

4a. Regular City Council – December 14, 2015

**Moved by Mitchell; Seconded by Verbeke.**

**RESOLVED: To approve the December 14, 2015 City Council meeting minutes as amended.**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.001**

**Motion Carried (7-0)**

4b. City Council Workshop – December 14, 2015

**Moved by Kittle; Seconded by Verbeke.**

**RESOLVED: To approve the December 14, 2015 City Council meeting minutes.**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.002**

**Motion Carried (7-0)**

#### 5. APPOINTMENTS AND PRESENTATIONS

5a. Motion – Approve Appointment of Fredericka Fisher to the Board of Review as an Alternate

Ms. Fisher introduced herself, noting she has lived in the same location of the City for the last 53 years. She has sat on the Board of Review in the past, for 30 or so years, and has a good idea of what is involved. She enjoyed being part of the Board and is looking forward to being an alternate.

**Moved by Mitchell; Seconded by Hammond.**

**RESOLVED: To confirm the appointment of Fredericka Fisher to the Board of Review, as an Alternate, for a term ending December 31, 2020.**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.003**

**Motion Carried (7-0)**

6. **PUBLIC COMMENT** – none.

#### 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.

**Mr. Kittle requested Item 7b. City Council Rules, be removed from the Consent Agenda.**

7a. Board and Commission Minutes

7a.1. Brownfield Redevelopment Authority – September 1, 2015

7a.2. Brownfield Redevelopment Authority – November 17, 2015

7a.3. Pension Board – November 11, 2015

7a.4. Retiree Health Care Board – November 11, 2015

7a.5. Tax Increment Finance Authority – December 9, 2015

7c. Motion – Approve Mosaic Water Main Extension

**RESOLVED: To approve the installation of a water main by Sky Cap Ventures to create a looped system between Mosaic of Auburn Hills and The Auburn Park Condominiums along Baldwin Road, south of Collier Road at the City's expense which will be paid in the form of a credit against the capital and lateral fees for the Mosaic Project.**

**Moved by Verbeke; Seconded by Mitchell.**

**RESOLVED: To approve the Consent Agenda Items 7a.1, 7a.2, 7a.3, 7a.4, and 7a.5, and Item 7c.**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.004**

**Motion Carried (7–0)**

7b. Motion – Approve City Council Rules of Order for 2016

Mr. Kittle noted Article III, 3.c., City Council meeting days need to be changed from the first and third Monday's to the second and fourth Monday's.

Ms. Hammond noted under the Consent Agenda portion of the Rules, Article III, 9.d., there is ability for a member of the audience to remove an item from the Consent Agenda; however, the Mayor during meetings only gives the opportunity to Council Members and asked if that should be changed.

Mayor McDaniel explained members of the audience have the opportunity to discuss an agenda item; the Public Comment request form asks for which item the audience member wishes to speak on.

Ms. Kowal stated she isn't aware of any other community allowing an audience member to remove an item from the consent agenda; it can be discussed under Public Comment.

Mr. Kittle questioned 12.b. *'No Council Member shall engage the speaker in discourse or 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.'* He asked if this paragraph should be removed, being in conflict with an audience member being able to discuss an agenda item.

Ms. Kowal confirmed for Ms. Mitchell, the item Mr. Kittle is referencing is keeping a debate from ensuing.

Mayor McDaniel didn't feel the paragraph should be removed; sometimes there is a need for follow-up questions from Council to make sure the problem at hand can be resolved.

Ms. Verbeke would like to see the statement removed, since it has been Council's practice to seek more clarification. If the paragraph remains, it doesn't allow for any follow up questions. She asked if the following two paragraphs should be removed, 12.d., allowing a speaker who is speaking on behalf of a group up to five minutes and 12.f., or by Council vote to limit the amount of time for speakers on an issue where there are many people wishing to comment.

Mr. Kittle prefers to leave those paragraphs as an option.

Mayor McDaniel explained the speaker forms are not mandatory, but allows him to know how many people may be wishing to speak and to know if the time limit should be enforced.

Ms. Hammond believes the two items Ms. Verbeke is referring to, were changes made when there were numerous speakers regarding the fracking.

Mayor McDaniel asked if Council is satisfied with removing item 12.b. from the Council rules.

Ms. Mitchell stated she doesn't have a preference, though she likes the way meetings are currently being done. She doesn't believe a question or two constitutes a debate, and that determination should be left to the Mayor or whoever is presiding over a meeting, but will support whatever Council decides.

Mr. Beckerleg suggested removing the word 'discourse', the problem word.

Mr. Kittle noted asked if the language should be changed as noted by Ms. Kowal, regarding Article I, 1. *'Adoption and Amendment of 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.'* Should the language be changed to the first meeting in January or leave as is?

Mayor McDaniel and Mr. Beckerleg suggested leaving Article I, 1., as is.

Mr. Knight suggested the wording in the Article III, 11.j. Council Action, Remarks Made under Council Comments that Council isn't allowed to change policies or ordinances under this portion of the meeting and asked for clarification.

Mr. Beckerleg explained this is a gauge trying to determine what level of interest Council may have on a particular issue and how to proceed.

It was confirmed the City Council Rules should be reviewed after each election of Council Members.

**Moved by Kittle; Seconded by Verbeke.**

**RESOLVED: To adopt the City Council Rules of Order for 2016, amending Article III, 3.c., from *first and third Monday's* to *second and fourth Monday's*; Article III, 12.b., *'No Council Member shall engage the speaker in discourse or debate'...*, removing the word 'discourse'; and Article III, 9.d.i., *'There is no separate discussion on an item unless so requested by a Council Member or a member of the audience'...*, removing audience.**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.005**

**Motion Carried (7–0)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

9a. Motion – Approve 2016 Bloomfield Orchards Water Main Replacement Scope of Engineering Services

Mr. Michling explained this is the seventh and final phase of the Bloomfield Orchards Water Main Replacement. This is pipe bursting of a cast iron main and replacing it with new high-density polyethylene (HDPE) piping, as well as replacing all fire hydrants and gate valves. The copper services and stop boxes will only be replaced as needed. Once existing service lines are connected to the new main, restoration will be completed. There will be no significant concrete maintenance proposed as a part of this year's project, only the sections of road and sidewalk that are impacted by the pipe bursting. The majority of the road maintenance has been deferred and will be combined with a larger scope of City wide concrete maintenance to achieve volume pricing discounts.

The proposed project limits are: Ashburnham from Hempstead to Old Salem; Hempstead from Ashburnham to Hamlet; Old Salem from Ashburnham to Provincetown; and Provincetown from Hempstead to Jamestown.

There is \$1.75 million budgeted for this project and \$82,000 has been budgeted for the scope of engineering services.

**Moved by Knight; Seconded by Kittle.**

**RESOLVED: To approve the OHM Scope of Engineering Services for the 2016 Bloomfield Orchards Subdivision Water Main Replacement for the not-to-exceed amount of \$82,000.00. Funding is provided from The Water Fund (592-536-977.001-BLMORCHWTRMN).**

**VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke**

**No: None**

**Resolution No. 16.01.006**

**Motion Carried (7–0)**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Kittle:

- Happy New Year.
- He received a call from a resident very upset with the Squirrel Road project and the mess that remains. He asked if there is a promissory list of clean-up work that will be performed in the spring, as soon as possible, with a date of completion by the construction company.

Mr. Melchert noted there is an update meeting being held tomorrow with those issues being discussed. All of the underground work has been completed with the exception of one drain section that needs to be installed to the Galloway drain.

Ms. Hammond:

- Auburn Road, coming from Opdyke Road, has many potholes that need to be addressed.
- She would like the reflective paint to be investigated again for the striping downtown; the lines are not visible at night when it is raining.
- Happy New Year

Mr. Knight:

- Asked if the Cutwater funds are federally guaranteed; he doesn't believe they are. He suggests the City increase investments in local credit union cd's from \$250,000 to \$4 or \$5 million, allowing the City to get insurance on at least 35% more than Cutwater and other funds.
- A resident complained that while watching Council meetings on cable television, she has a difficult time understanding and hearing some of the Council Members because they speak too fast. He just wants to make Council Members aware.
- Asked who the new worker's comp liability insurer is.

Mr. Tanghe explained the worker's compensation insurer was changed to Michigan Municipal League.

- Unless another Council Members wishes to go, he'd like to attend the MML conference in March. The City should be represented.
- He visited the concrete plant site and noted how bad and unkempt the property looks at the end of the road, at the Superior property.
- He received a thank you letter from the Rochester Area Neighborhood house for considering them for the block grant funds. He would seriously like Council to consider setting aside \$50,000 in an account to be used at Council's discretion. There are groups that have an impact on Auburn Hills' residents and help should be available for them from the City.

Ms. Mitchell:

- Best wishes to all for 2016.
- Enjoyed the Christmas luncheon and thanked all those who made it possible. It conflicted with the senior's luncheon, and she asked if the dates could be coordinated in the future so there won't be a conflict.
- A Martin Luther King event is being held at the Community Center, Monday, January 18<sup>th</sup>; registration has been extended through Monday, January 13<sup>th</sup>.

- Asked if the City newsletter has been mailed.
- Thanked Ms. Kowal for her quick responses when she has questions about the minutes or agenda.

Mayor McDaniel:

- Is looking forward to the New Year and wished everyone a Happy New Year.

**11. CITY ATTORNEY’S REPORT** - none

**12. CITY MANAGER’S REPORT**

- A reminder, January 21<sup>st</sup>, 8:00 a.m., is the State of the Community Address, to be held at the Oakland Center at Oakland University. The event is sponsored by the Chamber of Commerce and those interested in tickets can visit the Auburn Hills Chamber of Commerce website.

**13. ADJOURNMENT**

Hearing no objections, the meeting adjourned at 7:44 p.m.

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Kevin R. McDaniel, Mayor

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Terri Kowal, City Clerk