



The City of Auburn Hills
City Council Meeting
Minutes

February 22, 2016

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, Mayor Pro Tem Mitchell, Council Members Burmeister, Hammond, Kittle, Knight, Verbeke
Absent: None
Also Present: City Manager Tanghe, Police Chief Olko, Deputy Fire Chief Macias, Assistant City Manager Grice, City Clerk Kowal, Community Development Director Cohen, DPW Deputy Director Herczeg, Assistant City Planner Keenan, Lt. Gagnon, City Engineer Juidici, City Attorney Beckerleg
44 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council – February 8, 2016

Moved by Verbeke; Seconded by Mitchell.

RESOLVED: To approve the February 8, 2016 City Council meeting minutes.

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

No: None

Resolution No. 16.02.021

Motion Carried (7–0)

4b. City Council Workshop – February 8, 2016

Moved by Hammond; Seconded by Verbeke.

RESOLVED: To approve the February 8, 2016 City Council Workshop minutes.

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

No: None

Resolution No. 16.02.022

Motion Carried (7–0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Presentation - Kevin Lao from Google, Inc. of the Google eCity Award

Mr. Tanghe introduced Kevin Lao, sales manager for Google, Inc. and also a past intern for the City of Auburn Hills.

Mr. Lao explained the annual Google e-City Award, recognizes the strongest on-line business community in each state; considered by Google, the digital capitals of America. Google worked with an independent research firm, Ipsos, a strong leader in global research to analyze the strength of local small businesses and cities in all 50 states. The City of Auburn Hills, Michigan, is among the ranks of American cities in the digital economy.

5b. Presentation – Courage and Bravery Award – Jaxson McHugh

Deputy Fire Chief Macias explained eight year old Jaxson McHugh, called 9-1-1 when he saw his mother having a seizure. He knew how to make the call, though his mother's phone was locked. He was able to answer the questions dispatcher Monica Church asked and remained on the line until emergency personnel arrived. Prior to transporting mom to the hospital, Jaxson quickly made sure he had his house keys and the cat was put away inside. Jaxson's actions resulted in a positive outcome for his mother. The Fire Department is pleased to recognize Jaxson McHugh for taking quick action in coming to the aid of his mother.

6. PUBLIC COMMENT

Thomas Coolman, 848 Chase Way Blvd., thanked Mr. Kittle for his presentation at the Council workshop, noting he likes the Munetrix program. He supports a tax increase that he believes is long overdue for the fire department. He would hate to see residents paying for children to participate in programs; there are those that cannot afford the extra expense and should only be a last resort.

Tyson Brown, 3097 Waukegan Street, was contacted by a representative of ITC, the electrical transmission company who is replacing lines on the north side of Waukegan. He was informed the trees will be clear-cut and fencing will be removed, this taking place over the next six months. He is upset the City had not notified the residents of the magnitude or impact this work will have on the residents and the use of their back yards. He isn't sure if the City is aware of the work being done, generally the residents are notified by the City of work taking place in the neighborhoods. He doesn't like being pressured into signing a waiver allowing ITC into his backyard.

Mayor McDaniel stated he will investigate; ITC generally notifies the City of work taking place, but isn't sure how ITC notifies the residents.

Phil Harrison, Commander of VFW Post 143, Auburn Hills, invited City Council to attend the March 1, 2016 meeting, celebrating the 75th anniversary of the Post 143, which was launched in 1941 by a group of World War I veterans. A number

of dignitaries will be at the meeting to celebrate the first 75 years. The Auburn Hills fire department is almost as old as the American Legion post; the American Legion petitioned Pontiac Township to declare the now known Auburn Hills a fire district, having enough residents for the declaration. American Legion Post 143 helped purchase the first fire equipment needed to establish the first fire station in this area. There are other events planned later in the year celebrating the 75 years, including an event on June 11th and another on September 10th, both expected to be very large and exciting.

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 7c. be removed from the Consent Agenda.

7a. Board and Commission Minutes

7a.1. Planning Commission – January 13, 2016

7a.2. Planning Visioning – January 19, 2016

7a.3. Beautification Advisory Commission – January 20, 2016

7a.4. Planning Commission – February 3, 2016

7a.5. Joint Planning Commission, Downtown Development Authority, Brownfield Redevelopment Authority, and Tax Increment Finance Authority – February 9, 2016

7a.6. Tax Increment Finance Authority – February 9, 2016

7b. Motion – Approve Purchase of Replacement 60 inch Zero Turn Commercial Mower

RESOLVED: To approve the purchase of one Hustler Super Z HD Model 934323 Zero Turn Mower with installed collector from Munn Tractor and Lawn, Inc., 3700 Lapeer Rd., Auburn Hills, MI 48326 for \$ 14,317.10. Funding is provided from the Fleet Machinery and Equipment account 661-442-977.001.

7d. Motion – Approve I.T. Service Contract Modification

RESOLVED: To approve the proposed I.T. Service Contract Modification with Logicalis, Inc., reducing the monthly payment from \$24,000 per month to \$19,000 per month effective March 1, 2016 through December 31, 2019, and further to authorize the City Manager to execute this contract modification.

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: To approve the Consent Agenda Items 7a., 7b., and 7d.

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

No: None

Resolution No. 16.02.023

Motion Carried (7–0)

7c. Motion – Approve Resolution Prohibiting U-Turn on Southbound Baldwin Road near McDonalds

Mr. Kittle asked if the prohibited turn area will only be striped, with no construction to the island.

Lt. Gagnon explained there will be signage and road striping prohibiting a U-turn at that location. The RCOC has agreed, if this is successful, the island curbing may be extended. The U-turn is primarily used by the Lake Village apartment residents to access I-75 entrance ramps. There was a mall traffic study conducted over the holiday shopping season, and those making the U-turn did not yield to those turning right like they should, thus creating traffic backups. This is a county road, who has jurisdiction over the road, however, RCOC explained having a resolution from City Council asking the U-turn be prohibited at the location can make the process much easier. The final decision is made by the RCOC, but they have agreed to prohibit the U-turn. Vehicles will have to travel 150 or so yards to the next turn-around, to make the U-turn.

Ms. Verbeke agrees this is a good move, but hopes warnings will be given to drivers, since many don't visit the mall frequently.

Mr. Knight believes the motion should state City Council adopt a resolution recommending the change, not approving the change. Mr. Beckerleg concurred.

Moved by Kittle; Seconded by Mitchell.

RESOLVED: To adopt a resolution recommending U-turns be prohibited on southbound Baldwin Road at the entrance to Great Lakes Crossing Mall near McDonalds. Moved by Verbeke; Seconded by Burmeister.

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

No: None

Resolution No. 16.02.024

Motion Carried (7–0)

8. OLD BUSINESS

8a. Motion – Accept Quarterly Investment Report / Presentation by Asset Strategies

Ms. Schulz explained the quarterly investment report was changed to provide City Council with an 'at-a-glance' review of managed cash. Staff has been working with Asset Strategies to develop a summary report within the detailed quarterly report, replacing the report staff has been creating. This will eliminate duplicating quarterly reporting and ensure accurate reporting. The result is a report that will be presented by George Vitta of Asset Strategies, which meets the goal of providing City Council a comprehensive and useful quarterly snapshot; the full quarterly report is always available for review.

George Vitta explained the snap shot of the quarter is found on three pages, with the first page showing charts of where the City stands. Page two, The Executive Summary reflects the excellent results over the last six years. Many municipal

treasurers buy either CD's from local institutions or buy treasurer securities which isn't a good thing. It's good from the standpoint that it's guaranteed for the full face value, but the interest rates are next to nothing. So over the last six years, treasury bills have provided .08% return. The City's cash investment program has provided a 0.87% return. The third page, is the Conclusions, all very positive. There were some unrealized losses in the fourth quarter of 2015, primarily due to the Federal Reserve raising interest rates by a quarter of point .25%, causing a little turmoil in the short term bond market.

The investment manager, Insight Investment, uses a buy-and-hold type of strategy; a little bit of patience is typically rewarded. The investment activity reflects the last quarter and the trailing year. The active cash management is ahead of the return and risk objectives. All of the investment guidelines, policies and objectives are being followed. Interest rates were raised by a quarter point, and will likely be raised more in 2016.

Mr. Vitta confirmed for Mr. Knight, that not all of the investments are guaranteed.

Mr. Knight stated the City isn't investing more than half a million dollars in CD's because that is all the federal government guarantees; he would put \$1million in each of 10 CD's, because of the rate of return. The rates of return for CD's is greater than other investments. He is also terribly disappointed with the County's investments, they are doing poorly. He realizes the investment policy limits the amount the City can invest in CD's because of the guarantees. He suggests revisiting the Policy and make changes to allow more money be invested in CD's.

Moved by Mitchell; Seconded by Knight.

RESOLVED: To receive and file Asset Strategies 2015 4TH Quarter Aggregate Cash Management report, Executive Summary Table and Investment Performance Evaluation Conclusions.

Ms. Mitchell believes Mr. Knight's comments do warrant being looked into.

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

No: None

Resolution No. 16.02.025

Motion Carried (7-0)

9. NEW BUSINESS

9a. Motion – Approve Rezoning from R-1A One Family Residential to R-1 One Family Residential District/ Villa Montclair

9b. Motion – Approve Combined PUD Step 1 – Qualification / Step 2 – Site Plan, & Tree Removal Permit/ Villa Montclair

With approval from Mayor McDaniel, Mr. Cohen will review both 9a. & 9b. together.

Mr. Cohen explained City Council approved the Northeast Corner Master Plan at the meeting held November 23, 2015, and because of that Plan amendment, this is a request for the rezoning. The rezoning is necessary for the proposed PUD, Step 1, Qualification and Step 2, Site Plan and Tree Removal. Both Step 1 and Step 2 meet all the requirements and are ready for City Council approval. Proposed, is 88, detached single family homes; 36% of the site will preserved as open space; age friendly housing options; higher architectural quality; on site amenities such as a walking trail, club house and community garden and all garages will be prepped for electrical vehicle charging.

Brendan Guest, Mocerri Company, explained this project reflects the City's philosophy of aging in place. This is a 55+ community, with 88 homes, clubhouse with pool and community garden.

Replying to Mr. Kittle, Mr. Guest stated the average square footage for the units is between 1,600 and 1,900 square feet.

Ms. Verbeke, referencing Planning Commission minutes and Mr. Pierce questioning no emergency access to the northern portion of the property, asking if there was any further discussion or an amendment to the plans.

Mr. Guest stated the purpose of the boulevard entrance to the community is to allow two points of emergency access. The the north end topography makes it very difficult to have access at that location.

Mr. Kittle asked if the streets and property will be privately owned.

Mr. Guest explained the streets will be owned and maintained by the homeowners association; the streets are 27 feet wide.

Mr. Cohen confirmed City streets are 27 feet wide. This site plan, mirrors Arbor Cove, regarding setbacks and street widths.

Regarding Mr. Knight's concerns of no sidewalks, Mr. Cohen stated there are sidewalks on both sides of the street.

Ms. Verbeke noted generally a PUD project is requested because of zoning concerns, and asked what those concerns are.

Mr. Cohen stated there aren't many deviations from the zoning ordinance for this PUD. This PUD has allowed for open spaces. A PUD requires a development agreement, which provides more control of a project long term, by the City. There are a couple minor wetland setback deviations and some minor setbacks for a few of the homes.

Mr. Guest stated this project should be underway by late summer or early fall of this year, with first occupancy by the fall of 2017. The base price of a home will be \$275,000 and noted there is market demand for this type of home.

Moved by Kittle; Seconded by Mitchell.

RESOLVED: To accept the Planning Commission's recommendation and rezone parcel 14-01-100-018 from R-1A, One Family Residential to R-1, One Family Residential district to facilitate the Villa Montclair PUD. The rezoning shall be referenced as Ordinance No. 16-873.

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

No: None

Resolution No. 16.02.026

Motion Carried (7-0)

Moved by Kittle; Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the PUD Step One – Qualification / Step Two – Site Plan and Tree Removal Permit for the *Villa Montclair PUD* subject to staff and consultants’ conditions.

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

No: None

Resolution No. 16.02.027

Motion Carried (7–0)

9c. Motion – Approve Rezoning from B-2, General Business to I-1, Light Industrial District/ Northern Sign Company, Inc.

9d. Motion – Approve Site Plan and Tree Removal Permit / Northern Sign Company, Inc.

With approval from Mayor McDaniel, Mr. Cohen will review both 9c. & 9d. together.

Mr. Cohen explained this is a request for rezoning property on Walton Boulevard; three parcels and part of a fourth, from B-2 General Business, to I-1, Light Industrial. There is a mixture of zonings in this area. The request is to construct an 18,585 sq. ft. light industrial building on a 1.44 acres located on the north side of Walton Boulevard between North Opdyke Road and Lapeer Road.

Mr. Knight was curious if the two zonings, being so close to each other, are compatible.

Mr. Cohen stated there is a mixture of B-2 and Light Industrial zoning along Opdyke Road; the two zonings are almost interchangeable. This business is very similar to Harmon Glass located across the street, manufacturing a product as well as selling that product. This will meet the goals of the City’s plans; the building will be attractive with good landscaping.

Ms. Hammond asked how many residential homes are in that area, and how many of those homes will remain, and if this business and rezoning will impact those homes.

Mr. Cohen explained there are 15 to 18 homes, some owner occupied, some rentals and some used as businesses. This development will be required to meet all the landscaping requirements as well as other zoning requirements. All of this area has been zoned Commercial and has been for quite some time, so the intent of this area has been for commercial development.

Rick Kielbasa, Northern Sign owner explained the business has been located in its current location for better than 50 years. He purchased the company and expanded the facility, but has since outgrown the expansion. He has been looking for an existing building over the past four years but wasn’t able to find a suitable location. This location is an ideal location for the new building, remaining on the same road seemed quite logical. He has received support from adjacent property and business owners for this rezoning and construction.

Ms. Verbeke is concerned with the traffic flow and the property elevation.

Mr. Kielbasa explained there won’t be a high volume of traffic, and he doesn’t believe there will be any traffic issues. He confirmed for Ms. Verbeke it was a huge disappointment that he couldn’t have the sign he wanted for his business, but understands the ordinance requirements.

Mr. Burmeister was pleased that there will be no outside storage, as addressed at the Planning Commission. The new facility will be large enough for all the vehicles and equipment to be kept inside.

Mr. Kielbasa stated the business starts at 7:00 a.m. and is generally done by 7:00 p.m. This is a smaller business, so there aren’t a great number of trucks visiting the site. The loading docks are behind the building and there maybe two or three deliveries a day.

Moved by Mitchell; Seconded by Burmeister.

RESOLVED: To accept the Planning Commission’s recommendation and approve the rezoning of parcels 14-11-353-029, 14-11-353-030, 14-11-353-031, and the north part of parcel 14-11-353-032 from B-2, General Business to I-1, Light Industrial district.

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

No: None

Resolution No. 16.02.028

Motion Carried (7–0)

Moved by Knight; Seconded by Mitchell.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan and Tree Removal Permit for *Northern Sign Company, Inc.* subject to staff and consultants’ conditions.

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

No: None

Resolution No. 16.02.029

Motion Carried (7–0)

9e. Motion – Approve Site Plan and Special Land Use Permits / Auburn Marketplace

Mr. Cohen explained this is a new retail plaza, where the current Palm Palace is located; the Palm Palace will be demolished. There will not be any direct access to the site from either Squirrel Road or University Drive. Accessing the site will be from the existing access points of the strip center located on University Drive and the Applebee’s drive from Squirrel Road. There is a proposed drive through that exceeds the ordinance requirement of 10 stacking spaces. The outside seating and drive through requires a Special Land Use permit, and the plan meets all zoning requirements.

Doraid Markus, Markus Management Group explained this shopping plaza will house five or six tenants, anchored by Starbucks Coffee. The City staff has been tremendous to work with, very pleasant and easy. The look for the plaza is very dramatic and hopes to wow the passerby's.

Mr. Knight likes the project but is concerned with the limited access to the site.

Mr. Marcus stated he and the City worked at length to determine the best ingress/egress to the site and it was decided having access on Squirrel Road would impede right lane traffic turning onto University Drive. He would have liked a direct curb-cut into the property, but the traffic concerns were the bigger issue.

Mr. Knight suggested extending the right turn lane on southbound Squirrel Road, further north, allowing direct access to the site. He wants to see this plaza succeed.

Mr. Tanghe explained this was discussed at length and decided to keep the ingress/egress where it is currently located. There are hundreds of vehicles passing through that area, and having an additional curb cut would greatly impede the traffic flow.

Ms. Verbeke agrees with Mr. Knight, the lack of a curb cut will be a hindrance the businesses located in the plaza. There should be access from Squirrel Road to enter the plaza.

Mr. Markus would be willing to change the plan and add another entrance if approved.

Police Chief Olko explained this was discussed with the City engineers and looking at the existing traffic crash patterns, an additional curb cut will be highly problematic during peak rush hour. The pattern is well known by the drivers traveling from the east to I-75 and believe a change in that pattern will create numerous crashes.

Mr. Knight stated he would only like to see traffic entering the site from Squirrel Road, but not exiting onto Squirrel Road.

Ms. Hammond stated people don't pay attention to signage, noting how the right lane ends at Seyburn and again up by the trailer park, when people suddenly move over when the lane ends. She believes the plan should remain as is.

Mr. Kittle noted travelers will be decelerating in the right turn lane, already, when making the turn onto University Drive.

Mr. Tanghe suggested approving the site plan as is and looking at another access point in the future. Recommendations made by the engineers and the experts, shouldn't be dismissed.

Ms. Mitchell agreed, this is a good development, and suggested investigating an additional ingress prior to the businesses opening so drivers aren't surprised later with a new access point.

Mr. Markus stated he can amend the drawings and bring them back for approval. He too, would like to see an access point directly into the plaza from Squirrel Road. The vision was to keep curb cuts on Squirrel Road to a minimum.

Mayor McDaniel suggested approving the site plan and allowing Mr. Markus to amend the plan and possibly include a new access point.

Moved by Mitchell; Seconded by Knight.

RESOLVED: To accept the Planning Commission's recommendation and approve the Special Land Use Permit and Site Plan for Auburn Hills Marketplace to allow the construction of a shopping center with a drive-through facility and outdoor seating area subject to staff and consultants' conditions.

Ms. Verbeke asked for clarification, if this is site plan is approved as is and allowing Mr. Markus and staff to make changes for an access point.

Mr. Markus suggested tabling this plan until he amends the site plan.

Mr. Cohen suggested approving the site plan as is and allowing an amendment to the site plan be done administratively and reporting back to City Council the solution.

The motion includes the following:

Staff will meet with the Petitioner to review options and opportunities for a curb cut from southbound Squirrel Road into the site. Staff will inform City Council of the results.

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

No: None

Resolution No. 16.02.030

Motion Carried (7-0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Knight:

- The Avondale School Board, unanimously approved open enrollment for grades K-8, for 200 students. Currently there are approximately 170 students from Pontiac attending the alternate education high school; he suggested maybe the residents in the north end of the City would like to investigate having their children participate in the Avondale open enrollment.
- He would like to know the cost of repairs when a new item is being considered for purchase. Memos from the departments are not being specific and he'd like to know repair costs versus new purchases.

- Suggested a note or acknowledgement from the City on the many accomplishments of Oakland University, such as the basketball team being in second place, or the winners of the drone contest. There are many other accomplishments as well, that should be acknowledged.

Mr. Tanghe stated the drone engineering team will be visiting City Council soon.

Mr. Kittle:

- At the Northeast Planning Session, he was talking with neighbors and a community garden was suggested for the Kensington site.
- With spring nearing, he would like to know the clean-up and finishing plans for north Squirrel Road and a timeline of completion.

Mr. Burmeister:

- Understood Captain Aguayo retired, after 20 years of service with Fire Department and asked if there are any plans for recognizing him and celebrating his retirement.
Assistant Chief Macias stated when Chief Manning returns.

Ms. Verbeke:

- Regarding Mr. Brown's concerns with the electric transmission company, she wasn't aware of any work being done.
Mayor McDaniel noted Mr. Grice sent notification to City Council.
- Reminded everyone to vote March 8th.
- Loves the idea of community gardens, though she isn't sure if the location Mr. Kittle mentioned is the ideal.

11. CITY ATTORNEY'S REPORT - none

12. CITY MANAGER'S REPORT

- As green space is being filled in the City, redevelopment opportunities exist such as what Northern Sign is planning. The structure on Squirrel Road, property the City owns, is now a vacant parcel of land and ready for redevelopment.

Ms. Kowal noted the City Council meeting for March will be March 7th and March 28th. There have been over 1,000 absentee ballots returned thus far, for the Presidential Primary. There is more participation in this election than the past few. Absentee ballots are available by contacting the Clerk's office and the Clerk's office will remain open until 2:00 p.m., Saturday, March 5th for those needing an absentee ballot.

13. EXECUTIVE SESSION – Discussion of Attorney Opinion

Moved by Verbeke: Seconded by Hammond

RESOLVED: To adjourn to Executive Session.

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

No: None

Resolution No. 16.02.031

Motion Carried (7–0)

Adjourned to Executive Session at 8:38pm. Resumed regular session at 10:02 p.m.

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 10:02 p.m.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk