



The City of Auburn Hills
City Council Meeting
Minutes

August 22, 2016

CALL TO ORDER: Mayor McDaniel at 7:00 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
ROLLCALL: Present: Mayor McDaniel, Mayor Pro Tem Mitchell, Council Members Burmeister, Hammond, Kittle, Knight, Verbeke
Also Present: City Manager Tanghe, Assistant City Manager Grice, Police Chief Olko, City Clerk Kowal, Manager of Business Development & Community Relations Carroll, City Finance Director/Treasurer Schulz, DPW Deputy Director Herczeg, Manager of Municipal Properties King, Community Development Director Cohen, Manager of Authorities Mariuz, Management Assistant Harris, City Engineer Juidici, City Attorney Beckerleg
31 Guests

Mayor McDaniel requested the agenda be rearranged to move Executive Session to Item 6.

4. APPROVAL OF MINUTES

4a. Regular City Council – August 8, 2016

Moved by Kittle; Seconded by Verbeke.

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

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

No: None

Resolution No. 16.08.146

Motion Carried (7–0)

4b. City Council Workshop – August 8, 2016

Moved by Mitchell; Seconded by Kittle.

RESOLVED: To approve the August 8, 2016 City Council workshop minutes as amended.

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

No: None

Resolution No. 16.08.147

Motion Carried (7–0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Cable Update

Ms. Carroll explained Comcast visited the City and ran some tests on the current cable broadcasting equipment, and the modulator that is being used is no longer supported by Comcast. The programming sequence for events - the City sends a signal to the modulator and in turn the modulator sends the signal to Royal Oak where it is then pushed out. Work is ongoing with the Royal Oak office trying to find the gap resulting in poor quality. A new fiber optic cable is needed and once installed it should help with the static and sound issue. The current play-back equipment is about nine year's old and is outdated. The City has been working with partner Community Media Network (CMN), who has evaluated the City's system, as well as working with Advanced Lighting and Sound, who installed the current AV equipment. Live Stream and Video on Demand is being investigated for Council meetings. Advanced Lighting and Sound, will be conducting a thorough check of the entire system to determine what will best meet the needs of the City.

Ms. Mitchell asked how long before an improvement is seen.

Ms. Carroll believes the new play-back system and fiber optic cable will take two to three months.

Ms. Hammond noted the content of the cable channel programming needs to be kept up-to-date; there are old Council meetings, notices, and information being aired. She asked who maintains the programming.

Ms. Carroll explained it is very difficult to know what programs are being shown because the old software prevents current software from accessing the information. Both the IT Department and Kyle Scislowicz, the City's Media Communication Specialist, do their best to keep the system up dated and working.

Mr. Knight noted he does not have cable TV and asked if he can access the channel using the internet.

Ms. Carroll stated the Council meetings will be available on Video on Demand, using the internet.

5b. Appointments – Oath of Office for Bill Griffin, City Assessor

Ms. Kowal administered the Oath of Office for Bill Griffin, the new City Assessor.

6. EXECUTIVE SESSION – Attorney Opinion re: Billboards

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: Adjourn to Executive Session.

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

No: None

Resolution No. 16.08.148

Motion Carried (7–0)

Adjourned to Executive Session at 7:13 p.m. Reconvened regular meeting at 7:26 p.m.

7. PUBLIC COMMENT

Sandra Beacom, 783 Grey Road, has lived on Grey Road for 51 years asked what can be done to prohibit semi-truck traffic on a residential street. She noted the bike path is only on one side of the road.

Mayor McDaniel thanked Ms. Beacom for her concern, noting this has been brought to Council's attention and Assistant City Manager Grice has been working with some of the residents to find a resolution to the problem. The GPS has been an issue, and Google is working to correct the GPS directions.

Mr. Grice stated the City is trying to alleviate the commercial traffic on Grey Road, by reaching out to Church's Lumber Yard to make sure all truck driver's access the Lumber Yard using Squirrel Road. Google Maps has assured him they will note the address change for Church's Lumber Yard and to use Squirrel Road with their map update. New signage is being installed by DPW. Although commercial traffic cannot be prohibited on Grey Road, there will be a recommended truck traffic route at the entrance of Grey Road for Auburn Road and/or South Squirrel Road. The signs will also be changed on Auburn Road and South Squirrel Road to 'Commercial Traffic Local Deliveries Only'.

Mayor McDaniel understands the public, through taxes, pays for all roads, however, the City does receive public funding for Grey Road at the federal level and therefore is unable to prohibit traffic from the road. With the measures in place described by Mr. Grice, this should deter commercial traffic. The City will continue to monitor the traffic and the new signs should be installed by the end of the week.

Ms. Beacom asked if the trucks will be allowed use of Squirrel Road.

Mayor McDaniel stated for local deliveries.

Ms. Beacom explained she sees trucks driving the entire length of Squirrel Road, turning left on Auburn Road to the industrial parks on Auburn Road.

Mayor McDaniel stated the City as well as some residents have reached out to Church's Lumber, who has been pro-active in working with the City to resolve the truck traffic issues.

Karen Wood, 85 S. Grey Road, stated she lives at the curve and it is very dangerous with all the truck traffic. Most of the trucks, from her perspective, are exceeding the 25 mile per hour speed limit.

Mayor McDaniel thanked Ms. Woods and stated he is sure the Police Chief will have police do extra patrolling in the neighborhood and check the truck speeds.

Responding to Mr. Burmeister, Ms. Woods stated the truck traffic is all day long, there is no better or worse times.

8. CONSENT AGENDA

8a. Board and Commission Minutes

8a.1. Downtown Development Authority – July 18, 2016

8a.2. Tax Increment Finance Authority – August 9, 2016

8a.3. Brownfield Redevelopment Authority – August 16, 2016

8b. Motion – Approve Resolution Recognizing Name Change to Michigan Municipal Executives

RESOLVED: To approve the resolution Recognizing Name Change to Michigan Municipal Executives

8c. Motion – Approve Carpet Replacement for Community Center and Public Safety Fire

RESOLVED: To approve Carpet Replacement for Community Center and Public Safety Fire

8d. Motion – Approve 2016 Tree Plant Project

RESOLVED: To approve the 2016 Tree Plant Project contract to Agroscape, 6443 Grand Blanc Rd., Swartz Creek, Mi. 48437 with funding available in the Tree Replacement Expense Fund, Account No. 242-447-955-002 for the amount of \$61,100.00.

8e. Motion – Approve Weed Control/Fertilization 2016 Fall Application

RESOLVED: To approve the Weed Control/Fertilization 2016 Fall Application contract to Owen Tree Service, 225 N. Lake George Road, Attica, MI 48412 with funding available in the Parks & Grounds Fund, Account No. 101-266-805-000 for the amount of \$86.48 per acre.

Agenda Item 8F was removed from the Consent Agenda at the request of Mr., Burmeister.

8g. Motion – Approve Interlocal Agreement Amendment Authorizing SOCCIT to Add Birmingham

RESOLVED: To approve the 2016 SOCCIT Interlocal Agreement adding the City of Birmingham and authorize the Chief of Police to sign the agreement on behalf of the City.

8h. Motion – Accept Investment Report for Second Quarter 2016

RESOLVED: To receive and file the Bogdahn Group 2016 2nd Quarter Cash Management Summary and Executive Reports.

Moved by Verbeke; Seconded by Kittle.

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 16.08.149

Motion Carried (7–0)

Mr. Burmeister requested to abstain from item 8f., due to a personal relationship with the vendor.

Motion – Allow Council Member Burmeister to Abstain from Voting on Item 8f.

Moved by Verbeke; Seconded by Knight.

RESOLVED: To Allow Council Member Burmeister to abstain from voting on Item 8f.

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

No: None

Resolution No. 16.08.150

Motion Carried (7–0)

8f. Motion – Approve Roof & Gutter Replacement Fire Station #3

Moved by Verbeke; Seconded by Mitchell.

RESOLVED: To approve the Roof & Gutter Replacement Fire Station #3 project contract to Lake Orion

Roofing Inc., 881 Brown Road, Lake Orion, MI 48359 with funding available in the Facilities Fund, Account No. 101-265-931-000 for the amount of \$31,784.00.

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

No: None

Abstain: Burmeister

Resolution No. 16.08.151

Motion Carried (6–0-1)

9. OLD BUSINESS

9a. Motion – Approve Combined PUD Step One – Qualification / Step Two – Site Plan / Lamar Advertising Company - Digital LED Billboard

Mr. Cohen explained this is a request from Lamar Advertising Company (Lamar) to construct a new state-of-the-art digital LED billboard on the Simply Self Storage property located at 1096 Doris Road. This item was reviewed at the July 25, 2016 City Council meeting and at that time, International Outdoor attended the meeting and stated their right to this property for constructing a billboard.

City Council postponed action to allow the companies to resolve the issue of who has the right to the construct the billboard. That issue has yet to be resolved and both companies wish to speak to City Council.

Joe Shopshear, Lamar Advertising Company, believes all the PUD issues required have been satisfied. He understands International Outdoor believes they have a contract for installing a billboard on this site, but he has a letter from Simply Self Storage giving Lamar the right to construct a billboard on the site. He will answer any questions Council may have and he is ready to move forward seeking PUD approval.

Randy Orum, President of International Outdoor, explained he attended the same City Council meeting as Lamar on July 25th, where he shared with Council the lease he has for the same property to construct a billboard. His goal is pursue the process and sent a Default Notice and Opportunity to Cure; if the landlord defaulted then a 30 day notice to cure the default is required, before proceeding any further. It is his intent is to wait the 30 day time period and if the issue cannot be resolved then he will take legal action, Declaratory Relief and have the matter decided in the court. He is asking City Council action be postponed until there is a resolution.

Mr. Beckerleg asked if there is a representative present from Simply Self Storage and if all the parties have sat down to discuss the issues.

Mr. Shopshear stated there is no representative from Simply Self Storage present and he sees no no reason to meet with International Outdoor. He is curious why Mr. Orum is seeking to construct a billboard now, when he supposedly signed the lease in 2009. Lamar has a signed lease with Simply Self Storage, has MDOT permits, and a letter from the land owner stating International Outdoor does not have a valid lease with them. He believes the PUD process should proceed and let International Outdoor continue their dispute in court, but not hold up Lamar from moving forward.

Mr. Beckerleg asked Mr. Shopshear if they have seen the document submitted by International Outdoor, extending the contract through 2019 that was renewed in 2013.

Mr. Shopshear stated he has seen the document, but he doesn't want to comment on how that document should be interpreted, but wants their application to be considered on the merits of the PUD and not on something that should be handled, if there is a dispute, by a court of competent jurisdiction.

Mr. Kittle noted both companies have documentation that appears to be legitimate claims, but have not attempted to discuss the issues, so he offers the following motion:

Moved by Kittle; Seconded by Knight.

RESOLVED: To postpone action on this item until the regularly scheduled City Council meeting of October 10, 2016.

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

No: None

Resolution No. 16.08.152

Motion Carried (7–0)

10. NEW BUSINESS

10a. Motion – Approve Rezoning from I-1, Light Industrial District to T&R, Technology and Research District / FEV North America, Inc.

Mr. Cohen explained FEV North America Inc. is requesting to rezone a 6.78 acre parcel located between I-75 and Harmon Road, east of Joslyn Road from I-1, Light Industrial District to T&R, Technology and Research District. This is the first step in the process to allow the company to construct a new \$27.4 million North American headquarters and technology center.

Dr. Patrick Huperich, CEO of FEV North America, 4554 Glenmeade Lane, explained when completed this will be a \$30 million investment. There will be lab space and office space, with 300 additional employees. The plan is to create 220 jobs over the next four years. Currently there are 450 employees, in two separate buildings off Glenmeade and Luella Lane.

Ms. Mitchell asked Mr. Cohen if he knew why this area was zoned industrial as opposed to technology and research in the past.

Mr. Cohen explained T&R zoning is a variation of light industrial zoning, and was created when Chrysler came to town. The T&R allows for a higher amount of office space and greater building height. This request would not be allowed in the light industrial zoning; more than 50% of the building is dedicated office space, which brings the project into the T&R category. Light industrial does not allow more than a three story building, 50 feet tall; this request is four stories.

Moved by Knight; Seconded by Mitchell.

RESOLVED: To accept the Planning Commission’s recommendation and rezone Sidwell No. 14-04-426-018 from I-1, Light Industrial District to T&R, Technology & Research District. The rezoning shall be referenced as Ordinance No. 16-879.

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

No: None

Resolution No. 16.08.153

Motion Carried (7–0)

10b. Motion – Approve Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan approval and Tree Removal Permit approval with variance / Reserves of Auburn Hills

Mr. Cohen explained this is a request from Grandview Building Company, to develop a 65 attached-unit condominium that will be owner-occupied. The property is located on the east side of Squirrel Road, between South Simmons Circle and Lantern Lane. The project is consistent with the recommendations of the Northeast Corner Neighborhood Master Plan, sandwiched between high-density apartments to the south and single family residential to the north. The property was designated as “Single-Family Residential Transitional” in the 2001 Northeast Corner Neighborhood Master Plan.

Mr. Cohen reminded City Council that Grandview stepped in and finished the Auburn Grove condominium project after City Council approved modifications to the site plan, excluding a number of amenities. The number of trees required for the Reserves is not possible, with the limited space, so Grandview is proposing to add those waived amenities to the Auburn Grove Condos, in exchange for waiving the required number of trees for the Reserves project or paying \$155,420 to the Tree Fund. This request requires City Council approval.

The anticipated base price of the units will range from \$225,000 to \$275,000, and an upgraded unit about \$300,000.

Mr. Cohen noted there was concerns voiced by some residents at the Planning Commission meeting regarding traffic. Both OHM and the Police Department have reviewed the plan and are ready to answer questions.

Ms. Verbeke understands there are four designated parking spaces per unit, and asked where guests would park if there were more than four vehicles at a home.

Mr. Cohen stated there are a number of visitor parking lots throughout the complex. There is no street parking allowed due to the street width.

Ms. Verbeke asked what zoning requirements are being waived by using the PUD process.

Mr. Cohen stated most variances are dimensional variances related to the R-2 zoning district as it relates to the setbacks. Many of the variances were requested by staff, such as moving the development as far away as possible from Simmons Circle, which resulted in crunching the buildings closer to the south property line; tree lined streets along the entrance, a slight deviation; and attached units are a deviation. With the deviations, the City gets quality residential housing, bringing residents into the Pontiac school district, and staying below the maximum density.

Mr. Knight doesn’t believe the City should be subsidizing this project, and the developer should pay into the Tree Fund the amount required for trees that won’t be planted.

Mr. Kittle asked how the new curb cut for this development will impact the newly paved Squirrel Road.

Mr. Juidici stated the new curb cut can be done by just cutting the curb and putting in the drive, with no impact to the new road surface.

Joseph Salome, Grandview Building Company explained when he took over the completion of Auburn Grove, there had already been a deal struck, he believes between the City and the bank, to eliminate some of the amenities from the original site plan. He indicated the Reserves is targeting the 55+ community, but sales are open to everyone.

There are many trees at the back of the Reserves site that will remain undisturbed, but because this is a PUD project, he is not able to receive the credit for all the trees that will remain on the untouched open space. Because tree credit isn't allowed with a PUD, he asked for some relief in the tree replacements. There were as many trees as possible squeezed onto this site, there are sidewalks throughout the development and 33 overflow parking spaces. He believed it was a good compromise to put the amenities back into Auburn Grove, as opposed to contributing to the Tree Fund.

Mr. Salome confirmed for Ms. Verbeke any age is welcomed in this community. He is targeting the 55+, as the population ages, this is the type of housing that is needed. This product is similar to Auburn Grove, which is nearly sold out; only two units remain. Regarding the Pontiac School district, that hasn't been an issue with Auburn Grove and he doesn't believe it will be with this proposed project.

Mr. Knight stated he is somewhat concerned from a public safety standpoint; the entrance is not a split entrance that would allow an emergency vehicle to enter the property from either side if one was blocked by a vehicle. He is proposing on the southern-most street to have an emergency entrance with a gate.

Gordon Wilson, Anderson, Eckstein, & Westrick, Inc., explained this plan was discussed at length, including public safety and this is the result of those six meetings.

Police Chief Olko stated as proposed, the plan is sufficient for the police and believes the plan meets the fire department requirements, who must also review plans.

Mr. Knight stated he is in favor of the project and not having an emergency entrance isn't a deal breaker, but he believes there should be an emergency entrance.

Mr. Cohen stated he and Mr. Juidici can take a look at the site plan to see if it is possible to add make the entrance a divided entry. The concern is there isn't sufficient space.

It was confirmed for Mr. Kittle, the road width of 27 feet is back of curb to back of curb. He asked if two-way traffic is possible and if standard street width is 30 feet.

Mr. Wilson stated these roads are wider than Auburn Grove where there is no difficulty with traffic. On an occasion, there are people parking on the streets in Auburn Grove and he believes that will happen in the Reserves from time to time. When designing this neighborhood, there was a conscious effort to keep the driveways long enough to park cars and not block the sidewalks.

Mr. Juidici stated roads are generally 24 feet wide, with each lane being 11 or 12 feet wide. Road widths vary in the City, with Shimmons Circle being only 20 feet wide. This plan was reviewed by police and fire; fire trucks will adequately be able to turn corners within the complex.

Karen Lynn, 3630 S. Shimmons Circle, explained she attended the Planning Commission meeting, along with many of her neighbors and they didn't feel that their concerns were heard or addressed regarding the additional 130 or so vehicles that will be generated because of this new development. The neighbors don't feel there has been enough of a traffic study for this particular area, or to include all the developments that will have access to Squirrel Road and greatly impede S. Shimmons Circle residents from exiting their street onto Squirrel Road.

She believes the proposed street will exit at or just below the crest of the hill on Squirrel Road; the hill has not been reduced enough to allow drivers a better view when exiting from N. Shimmons Circle, so S. Shimmons Circle is used much more frequently; and the traffic patterns have increased a great deal.

The Planning Commission suggested the increased traffic on Squirrel Road is because of the construction work being done on M-24. She believes the traffic is only going to increase once the school year starts, with private schools located on Shimmons Road and Squirrel Road, as well as Oakland University.

Dan Bolen, 3686 S. Shimmons Circle, is concerned with the density. This area is zoned R-1, allowing only 2.2 units per acre and this project is allowing 4.5 units per acre, which is in violation of the zoning code. He, as well as his neighbors have all spent a great deal of money and time on their homes, and conform to the zoning code. He doesn't want the density associated with the proposed development behind him.

Another issue, is the traffic as expressed by his neighbor. It now takes him five minutes to pull off his street and onto Squirrel Road at 5:00 p.m., unless a courteous drivers lets him in.

His property extends behind the detention pond, which currently floods his yard in the spring. With the construction of these buildings, it will increase the flooding on his property. He is also concerned for the wildlife and the herd of deer that live in the area, who will be displaced.

Mayor McDaniel noted Auburn Hills has received the designations of an Age Friendly Community and Community for a Lifetime. While working towards those designations there were many public workshops held and many residents were concerned that there aren't many living options available aging residents. The City has been reviewing locations where housing may be constructed to meet those demands. At the time of establishing the R-1 zoning district in this neighborhood, that was likely the demand. The City is now struggling with the housing demand for the older population who wants to remain in the community.

Mr. Knight asked what the density for this property would be if not a PUD project.

Mr. Cohen explained the Master Plan allows this property 4.5 homes per acre. In 2001, the area between the property to the north of this parcel and the apartments to the south was created as a transitional area. The transitional area bridges the residential area of one unit per acre and the apartments of nine units per acre. During 2000 and 2001 there were many Planning Commission public hearing meetings that area residents attended and agreed that this property being zoned as a transitional area. This project is proposed less than the 4.5 homes per acre as allowed. This parcel is very narrow, requiring the buildings to be attached to allow the density. This parcel is zoned R-1, at the 4.5 density, was intended to be either rezoned to multi-family or a PUD project. The City prefers to use the PUD process, allowing the City more control over the project.

Mr. Cohen confirmed for Mr. Knight, this has been R-1 zoning since 2001. This project will result in 3.33 units per acre.

Ms. Verbeke questioned the traffic issues, asking what type of traffic study was done for this site and if traffic signals have been discussed.

Mr. Juidici explained there was not a specific traffic impact study done for this particular development. Typically these types of developments are reviewed by the City's Administrative Site Plan Review Team; this is a relatively small development of 65 units. Based on industry standards, this development will generate about 32 cars during the peak morning and evening hours. With the current traffic on Squirrel Road, this development will have very little impact on the current traffic.

Mr. Juidici believes the last traffic impact study done on Squirrel Road was either 2009 or 2010, and he agrees with Ms. Verbeke that a lot has changed since then. That study took into account projections based on the build-out of the area at the master plan densities, as well as the adjacent communities projected build-out. There were many meetings held about the traffic and the road; some of those suggestions may need to be revisited.

Mr. Knight believes City Council was given some omissions about the traffic capacity for Squirrel Road when recently planning for the road improvements. The road is a disaster during the peak traffic hours, and the additional developments will only make matters worse. He doesn't believe this project can be denied based solely on traffic, but agrees there is a dilemma.

Ms. Verbeke recalls a theory discussed if Squirrel Road was widened to more lanes, it would only encourage more traffic to use Squirrel Road. She asked if there is any plan to conduct a traffic study on Squirrel Road in the near future.

Mr. Juidici stated he isn't aware of any plans for a traffic study. Explaining to Mr. Knight, the findings of the road study in 2009 – 2010, noted then, the future of Squirrel Road should be widened between Walton Boulevard and Tienken Road to carry the additional traffic. It was suggested that five lanes will be necessary with improvements to Shimmons, Tienken and Dutton intersections.

Continuing, Mr. Juidici explained the recent completed project for Squirrel Road was due to the funding available to the City for resurfacing. While doing the resurfacing the City took advantage of increasing some median boulevards and constructing some left turn lanes. This was not a capacity improvement.

Ms. Mitchell suggested a new traffic study be done because of all the changes. She understands the concerns of the area residents and the impact of more traffic, but in the larger scope, this will be a minimal impact on the road.

Ms. Mitchell appreciates these homes will be owner occupied; there have been quite a few rental unit projects approved this past year. Recalling Mayor McDaniel's comments about an Age Friendly Community, it is quite clear that options such as this are necessary just by looking at the occupancy rate of Auburn Grove and Heritage in the Hills.

Police Chief Olko explained at the request of a resident, earlier this year, the Department did a traffic study for a traffic signal in the area of Shimmons Road and Squirrel Road. At that time, prior to the Lapeer Road construction, it did not warrant a signal. The Lapeer Road construction is having a negative impact on Squirrel Road, but is expected to be completed by November. At this time, the criteria for a traffic signal is not met. Another study can be done once this development is completed.

Mr. Kittle noted the City is very aware of traffic and has conducted many traffic studies over the years as more development takes place. The City has a living traffic model, which he believes is being monitored and adjusted as the developments are completed. He lives at Tienken and Squirrel Roads and sees the traffic impact. Currently, Auburn Hills, Rochester Hills, and Oakland University have been discussing improvements to Adams Road which will help with traffic. The City will continue to monitor the traffic and to conduct traffic studies.

With the Northeast Corner Neighborhood Master Plan, it was determined that higher density was suitable and favored. This type of development was favored, needing this type of housing as the baby boomers age.

Ms. Hammond asked about the detention pond Mr. Bolen referenced. She understands a detention pond will help alleviate flooding problems. Looking at the site plans, there is plenty of natural preserves and wetlands that will remain.

Mr. Wilson explained the detention pond will retain 100% of the site runoff. There will be no obstructions to the detention pond, the natural flow of water and runoff will not be changed. The project site will be built at grade or at a lower grade than the adjacent properties. The 100 year storm management will be retained.

Mayor McDaniel thanked Ms. Lynn and Mr. Bolen for bringing their concerns to City Council. He hopes this evening's discussion has answered their questions, noting this City Council's decisions are always made in the best interest of all the City residents, not just a few. He appreciates all the hard work it takes for homeowners to make their houses their homes

and understands the impact development can have on the respective neighbors. This action tonight is based on a 10 year master plan and on the designations the City has received from the State and AARP. He has complete confidence in this developer, Grandview Building Company, and that they will take care in making this a very good development, as they did when completing Auburn Grove. The traffic issues will continued to be monitored and if it should become a problem, action will be taken to correct the problem.

Ms. Lynn would like to know where the entrance to this development will be located, and hopefully not at the crest of the hill.

Mayor McDaniel assured Ms. Lynn safety is of utmost importance. If after this project is complete, she still has concerns, he asked her to please contact himself, the Police Chief, City Manager's office or any of the City Council Members.

Mr. Kittle wants the traffic model reviewed, especially because of the new Orion developments on Squirrel Road. The City has tried to look at traffic management for the entire area. He noted this area has come a long way from a dirt Squirrel Road, a barricaded Tienken Road and Dutton Road not extending through to Lapeer Road. There will be challenges and the City will address those as they appear.

Ms. Lynn asked that the next traffic study be conducted during the school year, to see how the school traffic impacts the area.

Ms. Verbeke noted if the entrance is at the hill, vehicles exiting the development to the south will not be able to see traffic coming, and traffic heading south wouldn't see a vehicle until reaching the top of the hill. She asked, though a study doesn't recognize the need of a traffic signal, it would allow a gap in traffic allowing a safer exit onto Squirrel Road.

Police Chief Olko stated the signal at Tienken Road creates traffic gaps. The area will continued to be monitored and changes can be made if necessary.

Mr. Knight suggested making the driveway a bit wider to accommodate an entrance, an exit turning left and an exit turning right. It would also resolve the issue for emergency vehicles getting through if there is an obstruction.

Mayor McDaniel stated there may not be the room for an additional lane; the engineer stated he will take a look. The developer of this project has proved, with Auburn Grove, of what a great job this new development will be and taking care in listening to concerns of the neighbors.

Moved by Mitchell; Seconded by Hammond.

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 approval for Reserves of Auburn Hills subject to the administrative review team's conditions. Further, the City Council approves the variance to the Woodlands Ordinance as presented.

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

No: None

Resolution No. 16.08.154

Motion Carried (7-0)

10c. Motion – Approve PUD Step Two - Site Plan / Parkways PUD – Blossom Park

Mr. Cohen explained this is a request to construct a three-story, 212,032 square foot Senior Living Center on a 5.2 acre site located on the northwest corner of Adams Road and Parkways Boulevard. This is the third and final phase of the Parkways PUD. One issue raised at the Planning Commission meeting is the trash dumpster location across from residential homes. It was suggested to cover the dumpster, but after some research, Mocerri decided to proceed as planned.

Brandon Guest, representing Mocerri Companies, introduced Marty Smith, Siegal/Toomaala Associates; Mike Palmier, Giffels Webster; and Kelly Scheer, President of Mocerri Luxury Senior Living Division, noting Ms. Scheer is the newest member of the Mocerri team.

Kelly Scheer, President of the Blossom Collection explained the collection is a series of senior living communities throughout northern Oakland County. Blossom Park has 160 units; 41 assisted living/memory units and 119 independent living units. The independent living units are one or two bedroom apartments and the assisted living/memory care units are studio suites.

The amenities of this community will include a full service spa; three dining venues - a full service restaurant, a tavern, and a carry-out special; a salon; performance art technology; and fitness studios with trainers and group exercises.

Mr. Knight asked if there is assigned parking for those independent living residents who have cars.

Ms. Scheer stated there is parking on site, including car ports for residents.

Responding to Ms. Hammond, Mr. Guest stated groundbreaking will hopefully be in the spring with an 18 month build time.

Ms. Verbeke asked for an update regarding the dumpster site and if Ms. Moore is satisfied with the plan.

Mr. Guest believes Ms. Moore is satisfied with the dumpster issue; he has spoken with her twice since the Planning Commission meeting.

Mr. Knight asked the price ranges for the independent living units.

Ms. Scheer explained independent living will have a different price point than the assisted living/memory care units. The independent care living units range from \$3,000 to \$4,000 a month, depending on the amenities.

Moved by Hammond; Seconded by Mitchell.

RESOLVED: To accept the Planning Commission's recommendation and approve the PUD Step Two – Site Plan for The Parkways PUD - Blossom Park, subject to the administrative review team's conditions.

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

No: None

Resolution No. 16.08.155

Motion Carried (7-0)

10d. Motion – Approve Five Year Contract Renewal Extension for Waste Management

Mr. Herczeg explained in 2011 the contract was awarded to Waste Management, as a single source contractor for the City. That contract expires December 31, 2016, but there is a provision for an extension. During this contract period, Waste Management has provided excellent service to the residents, and provides ala carte services. Results from the recent resident survey, show more than a 90% approval rating for trash services. It is recommended to extend the Waste Management contract for an additional five years.

Mr. Kittle asked if there is an option for another extension after this five year extension.

Mr. Herczeg stated no, not per this contract.

Mr. Kittle's concern is the discovery of the fuel surcharge being overlooked, as well as the 10% reduction in price if a full year was paid for in advance. He would like to know how many residents took advantage of the discount.

Patrick Greve, Waste Management, confirmed Waste Management messed up on the fuel surcharge and he takes full responsibility. Corrective steps have been taken and residents will see sizeable credits on the next quarterly invoice. He and Waste Management apologizes for the error. Regarding the 10% reduction in cost for paying in advance, he doesn't recall that being part of the contract; however, if paying annually no fuel increases are added.

Mr. Greve confirmed for Mayor McDaniel that those paying annually also receive credit if the fuel surcharges decrease, as do the other customers, but does not pay for increases in fuel surcharges.

Mr. Knight stated service has been excellent, but his concern is there isn't enough done about recycling. He would like to see the City and Waste Management do something more to raise awareness of recycling.

Mr. Greve stated there are recycling options for the residents, including using a container from Waste Management or using their own with a label noting 'recyclable'. He visited the community and many residents are taking advantage of the 96 gallon cart Waste Management provides to the residents. He'll discuss with Mr. Herczeg how to better reach the residents with recycling information.

Responding to Mayor McDaniel, Mr. Greve explained the small recycle container is at no charge to the customer, the larger 96 gallon cart is an additional fee to the customer. A customer can request more than one small bin, but he isn't sure if there is a charge, a customer can call and request a bin or a cart. Part of the original contract allows for residents to use their own recycle container, making sure the container is marked as recycling. There is no restriction on the amount of recycling a resident puts curbside.

Mayor McDaniel stated the City will also make residents aware of the recycling availability.

Mr. Greve confirmed for Mr. Knight the City has single stream recycling, comingled recycling which allows for all recyclable materials to be deposited in the same bin, no need for sorting. Garbage remains separate from recyclable materials.

Ms. Verbeke stated she is very happy with the service, and has heard many compliments including how conscientious the workers are. She also believed, as Mr. Kittle, there was a discount available for the residents that paid annually and asked staff to investigate. She asked if a message will be included on the invoice regarding the billing error and the credit.

Mr. Greve stated there will be an explanation of the error, noting the one-time credit.

Ms. Verbeke asked if Waste Management picks up at the City parks and if recycling is available at the parks.

Mr. Greve stated there is no pick up at the parks.

Mr. Herczeg stated DPW picks up the trash at the parks and recycling is not available at the parks.

Mr. Kittle asked if Waste Management is happy that the City has the option of an additional five year contract, and not Waste Management bringing forth a new proposal.

Mr. Greve stated there are no concerns with the automatic extensions, they were fully aware of that fact when the original contract was negotiated.

Mr. Kittle echoes the sentiment of those residents in the survey, that service has been great. He asked Mr. Greve, given the changes in recycling and not being as lucrative as it once was, will Waste Management continue recycling.

Mr. Greve stated recycling will continue.

Mr. Grice assured Mr. Kittle the contract will be reviewed again for the discount, noting the discount may not have been part of the contract; he doesn't recall seeing the discount when recently reviewing the contract.

Mr. Kittle asked if the contract can be contingent on the discount, making sure the discount is included in the extension, if it was part of the original contract.

Moved by Mitchell; Seconded by Verbeke.

RESOLVED: To approve the Five Year Contract Extension for Waste Hauler Services to Waste Management from 2017 - 2021.

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

No: None

Resolution No. 16.08.156

Motion Carried (7-0)

10e. Public Hearing/Motion – Amend Brownfield Plan for 3250 Auburn Road

Ms. Mariuz explained this a second amendment to the Brownfield Plan for 3250 Auburn Road. The Auburn Hills Tax Increment Finance Authority has a current purchase agreement with Foremost Development Company to develop the Residences at Thirty Two 50. In the Amended Plan there are significant decreases of \$176,000 in the Dewatering Due Care Activity and an increase of \$236,700 for the Contaminated Soil Due Care Activity. The remainder of the amendment is largely unchanged, however the increase in due care activity costs necessitates the Amendment.

Mr. Knight noted he is the Council liaison to the Brownfield Authority, and the amounts noted by Ms. Mariuz are maximum amounts. He believes if this amendment is approved, it will allow the development to begin almost immediately.

Mr. Kittle asked how soon for groundbreaking and how long for total construction.

Terry Bailey, President of Foremost Development, stated closing on the property will be September 20, 2016 and the environmental work should begin October 1, 2016. If all goes well, after all the environmental issues are resolved, the building construction will begin December 1, 2016.

Responding to Ms. Mitchell, Ms. Mariuz explained the time lapse between this item coming before City Council and the Brownfield meeting in May, is because there were many moving parts to the project. A loan with the MDEQ was being sought as well as establishing an inter-local agreement with the Auburn Hills Tax Increment finance Authority. It didn't make sense to seek approval from City Council until all aspects of the project were ready.

Moved by Knight; Seconded by Burmeister.

RESOLVED: To approve the attached resolution amending the Brownfield Plan for 3250 Auburn Road in accordance with Public Act 381.

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

No: None

Resolution No. 16.08.157

Motion Carried (7-0)

11. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond:

- Asked about her request for an update on dispatch.

Mr. Tanghe stated he spoke with Chief Olko and they decided to wait until the end of August and have a report ready in September. It has only been six weeks since the switch.

Mr. Burmeister:

- Is pleased seeing work being done on the HUB, formerly Big Buck Brewery, and asked if any site plans will be presented to City Council.

Mr. Cohen stated the plans will be discussed at the September 14, 2016 Planning Commission meeting and then to City Council on September 26, 2016.

- Understood there was a fire at Lucas and asked if there was a press release.

Mr. Tanghe didn't believe there was a press release.

Mr. Knight:

- The last concert in the park was attended by 330, at his count, the largest crowd. The concerts have been averaging 220 or so people. Also that evening, the Optimist Club also had their picnic.
- Noted the City has weed control and fertilization along the main streets, but leaves the road right-of-way in residential areas to the homeowners and he isn't sure if that is the right thing to do.

Ms. Verbeke:

- Asked Chief Olko if she could forward the information to City Council of the nine criteria used in making a decision if a traffic signal is warranted for a specific area.

Chief Olko explained it is engineering standards, and yes, she will forward the information.

Ms. Mitchell:

- Was pleased with the Blog regarding the City's Senior Services Department partnership with Oakland University.
- Reading the DDA minutes, she would like a summary of the benefits and concerns that are associated with Main Street Oakland County, and the rationale of why it is being considered. She asked that information be forwarded to City Council.

Mr. Tanghe stated Ms. Mariuz will follow up, but part of the Main Street program was a requirement to extend the TIFA's.

- Thanked the residents that attended her coffee session.

12. CITY ATTORNEY’S REPORT - none

13. CITY MANAGER’S REPORT

- Council approved approximately \$60 million of investments in the City this evening.
- Welcomed Nexteer to the City, the City’s newest world headquarters. Their ribbon cutting is Thursday morning. Generally companies seek help from state or county authorities when contemplating a move, but Nexteer came to the City, seeking more information with the hopes of building their world headquarters here, moving from Saginaw. Before they moved in, they made a financial contribution to the amphitheater project; TIFA provided funding for signage; it was very important to Nexteer that everyone knew where they are located in the City, along I-75. They have already been a great community partner.

Mayor McDaniel thanked Mr. Tanghe for seeing this project through from the very beginning until the ribbon cutting. He explained both he and Ms. Mitchell have prior commitments and will not be able to attend the ribbon cutting ceremony, and asked Mr. Tanghe to represent the City.

- Congratulated Kyle Scislowicz, the City’s Media Communication Specialist, on his recent marriage.

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 9:53 p.m.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk