



The City of Auburn Hills

City Council Meeting

Minutes

May 11, 2015

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 Kittle, Council Members Burmeister, Hammond, Knight, Mitchell

Absent: Council Member Verbeke

Also Present: City Manager Tanghe, Assistant City Manager Grice, Police Chief Olko, City Clerk Kowal, Finance Director Schulz, Community Development Director Cohen, DPW Director Melchert, Deputy DPW Director Herczeg, Manager of Public Utilities Michling, Manager of Roads and Fleet Brisson, City Attorney Beckerleg, City Engineer Juidici

10 Guests

4. APPROVAL OF MINUTES

4a. Regular Council Meeting – April 27, 2015

Moved by Mitchell; Seconded by Hammond.

RESOLVED: To approve the April 27, 2015 City Council meeting minutes.

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

No: None

Motion Carried (6– 0)

Resolution No. 15.05.089

4b. Council Workshop – April 27, 2015

Moved by Kittle; Seconded by Mitchell.

RESOLVED: To approve the April 27, 2015 Council Workshop meeting minutes.

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

No: None

Motion Carried (6– 0)

Resolution No. 15.05.090

5. APPOINTMENTS AND PRESENTATIONS

5a. Motion – Designating May as Mental Health Month in Auburn Hills

Moved by Hammond; Seconded by Mitchell.

RESOLVED: To adopt the attached resolution declaring May Mental Health Month in Auburn Hills (Attachment A).

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

No: None

Motion Carried (6– 0)

Resolution No. 15.05.091

6. PUBLIC COMMENT

Toni Whitley, 862 Chase Way Boulevard, is seeking a copy of the site plans for her home, indicating where the storm drain is located to alleviate drainage problems she has had for the last several years. She has asked for the plans, but as of yet, she has not received them and is seeking Council's help.

Mayor McDaniel stated he will pass the information on to the Community Development Department and get the information to her as soon as possible.

Annette McAvoy, 3841 N. Briarvale, sharing what's Cool in School this month; the high school hosted a career and college fair, inviting the sophomore students. There were 41 business and 16 colleges participating in the fair. She also noted an Avondale senior received over \$80,000 in scholarship money to attend an art school in Maryland.

7. CONSENT AGENDA

THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA BY COUNCIL MEMBER KITTLE.

7a. Motion – Approving Bulk Road Salt Purchase for 2015/2016 Season

Mr. Kittle asked about the salt usage for this past winter.

Mr. Brisson explained more salt was used this past winter because of the number of small snow events; the City has 70 major roads that need to be maintained using 2,800 tons of salt. In past years the average amount of salt used is between 2,200 and 2,300 tons. The winter of 2013/2014 required more plowing than salting, this year 2014/2015, required more salting and less plowing.

Mr. Brisson confirmed for Mr. Kittle that the price of the salt includes delivery; the bids don't indicate the breakdown between the price of salt and delivery costs.

Moved by Kittle; Seconded by Knight.

RESOLVED: To approve the purchase of bulk road salt from Detroit Salt, Inc., 12841 Sanders, Detroit, Michigan 48217 for the 2015/16 season at \$57.11 per ton for a not to exceed cost of \$148,486.00. Funding is provided from Local Streets (203-453-784.000) and Major Streets (202-452-784.000).

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

No: None

Motion Carried (6-0)

Resolution No. 15.05.092

OLD BUSINESS

8a. Public Hearing – Adopting Ordinance 15-867, Amending Chapter 46 and add Sections 46-251 to 46-253

Police Chief Olko explained this ordinance would prohibit the sales, possession or use of e-cigarettes to persons under the age of 18. These are civil infraction penalties, and will be similar to current tobacco use laws for those under the age of 18.

Police Chief Olko assured Ms. Hammond that the retail establishments will be made aware of the new City ordinance prohibiting the sales of e-cigarettes to minors.

Hearing no comments, Mayor McDaniel opened and closed the public hearing at 7:15 p.m.

Moved by Knight, Seconded by Hammond.

RESOLVED: To adopt ordinance 15-867, an ordinance to amend Chapter 46, Offenses and Miscellaneous Provisions to add Sections 46-251 to 46-253 of Article VIII-Offenses Concerning Minors to prohibit the use, possession or sale of e-cigarettes to minors on second reading and final adoption.

Mr. Kittle noted he has done some soul searching on this item since the last Council meeting and is in favor of supporting the ordinance.

Ms. Mitchell appreciates the thoroughness of the ordinance; however, she is not in support of this ordinance. She would prefer to see educating people on the hazards of smoking both the physical and financial results. Also, these types of ordinances are aimed at a selective group of people, which she doesn't feel is appropriate.

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

No: Mitchell

Motion Carried (5-1)

Resolution No. 15.05.093

8b. Motion –2015 Bloomfield Orchards Subdivision Water Main Replacement Bid Award and Construction Engineering Services.

Mr. Michling explained this is the sixth phase of seven and the low bidder, Pamar Enterprises, is the same company that did last year's Bloomfield Orchards work. Pamar's bid came in at \$1,130,665.42. Engineering services from OHM is not to exceed \$85,500.00 and material testing fees is estimated at \$4,000.00 by Testing Engineering and Consultants.

Mr. Michling confirmed this is a budgeted project to be completed in 2015, with one more phase, the last four streets, to be completed in 2016.

Moved by Burmeister; Seconded by Mitchell.

RESOLVED: Move to approve the award of the Bloomfield Orchards Water Main Replacement Project to Pamar Enterprises 58021 Gratiot, New Haven, Michigan 48048 in the amount of \$1,130,665.42. Engineering services for the not to exceed amount of \$85,500.00 to OHM Advisors and material testing fees in the estimated amount of \$4,000.00 to Testing Engineering and Consultants. Funding provided from account number (592-536-977.001-BMLORCHWTRMN).

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

No: None

Motion Carried (6-0)

Resolution No. 15.05.094

9. NEW BUSINESS

9a. Motion – Consent to Assignment of Lease Agreement to American Tower Corporation

Mr. Cohen explained 20 years ago Verizon built a communication tower, Tower #1, on property leased from the City. Verizon has assigned the lease to American Tower Corporation. In accordance with the original agreement, the City must sign-off on the assignment of the lease to a new owner, through City Council approval. Verizon will stay as a tenant on the tower and pay rent to American Tower as the manager and operator of the tower. Beginning in August 2015, lease payments to the City will be paid by American Tower.

Moved by Mitchell; Seconded by Burmeister.

RESOLVED: To direct the City Manager to sign the consent request from American Tower Corporation. This action authorizes the assignment of the lease agreement between the City of Auburn Hills and Verizon Communications Inc. to American Tower Corporation at 3303 Seyburn Drive.

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

No: None

Motion Carried (6-0)

Resolution No. 15.05.095

9b .Motion – Consent for North Oakland County Water Authority to enter into a contract for Legal Services

Mr. Herczeg explained this is the final step, for legal services, required for NOCWA operations, which is an as-needed basis. Costs are not expected to exceed \$10,000 or \$2,500 from each NOCWA member. Based on the Finance Committee recommendation, the NOCWA Board voted unanimously to award the Legal Services contract to Secret Wardle, with the lead attorney assigned as Derk Berkerleg. Mr. Beckerleg has over 30 years of municipal experience, participated in drafting the NOCWA agreement and bylaws, and was integral in community negotiations with Detroit Water and Sewer Department on the existing model service contracts.

Per NOCWA bylaws, all contracts entered into by the Authority must be approved by the governing bodies of the participating communities.

Mr. Beckerleg assured Mr. Kittle, his representing NOCWA will not interfere with his representing the City.

Moved by Knight; Seconded by Kittle.

RESOLVED: Move to award the contract to Secret Wardle of Troy, Michigan for legal services to NOCWA for the as-needed amount of \$150.00 per hour for the term of one year beginning May 7, 2015, with an option to renew for additional years per the NOCWA Board.

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

No: None

Motion Carried (6-0)

Resolution No. 15.05.096

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond:

- Asked when the repairs will be completed on the downtown clock.
Mr. Herczeg stated the part is on back order.
- Reminding everyone this is Law Enforcement Officers Week and the City's Police awards banquet is Thursday.

Mr. Knight:

- Noted Oakland University President Hynd will be the guest speaker at the Morning Optimists Club, Thursday at 7:15 a.m. and invited Council Members.
- Asked if there are plans to replace the Christmas tree, he has had many inquiries from residents.
Mr. Tanghe explained TIFA will be discussing creating a public space between Ashford Commons and the DEN and the Christmas tree will be part of the conversation; the tree will be a substantial size and be ready before Christmas.
- Asked for a Featherstone Road update.
Mr. Brisson explained the paving for westbound traffic is nearly completed and once complete the turn-arounds and driveway approaches will be done. The project is on schedule with a targeted opening day of westbound lanes in early June.
- Asked if the University Bridge is still slated to come down in the later part of June.
Mr. Melchert concurred that is still the plan with June 20th the target date
- He will be meeting with Mr. Melchert to discuss some concerns and ideas for the striping of Auburn Road.
Mr. Tanghe stated the marking crews are now working in the area.
Mr. Knight noted the Mound Steel property is going to need a right-turn lane and the two parking spaces that are there can accommodate the turning lane and suggested it be done now.

Mr. Kittle:

- Thanked all those involved in the DDA/TIF project.
- Asked when the construction of Squirrel Road will start.
Mr. Melchert explained within the next few weeks, the City will meet with the contractor as well as hold an informational meeting for the public. Construction should begin in early to mid-June with the road being opened by the end of the year.
- Asked the date of the Goals and Objectives Council Workshop.
Mr. Tanghe stated the workshop is scheduled for June 1st, with dinner being served at 4:30 p.m. and the workshop beginning at 5:00 p.m. and concluding around 10:00 p.m., in the community room of the Public Safety Building.

Mr. Burmeister:

- Asked for an update on the cracks and slurry seal on Mattie Lu.

Mr. Juidici stated the OHM staff took a look at Mattie Lu and met with the contractor who will take a look at the road.

- Remarked what a great job was done by the DPW staff in removing the many trees on Squirrel Road.

Ms. Mitchell:

- Thanked the department heads for compiling annual reports for their departments, noting she wasn't aware of the many day-to-day tasks that are performed. She has learned quite a bit and thanked Mr. Kittle for making the request of the annual reports.
- Had an enjoyable time in attending, with Ms. Hammond, the opening of the Wink Lash Lounge.
- Last month, the Women's Official Network honored former Councilwoman Anne Doyle. She, Ms. Hammond, Police Chief Olko, and Ms. Whitley attended the event.
- Attended the County meeting, and is proud of how the City was presented.
- Watched a City Council meeting on the website, recognizing the poor the audio. She suggested looking into another type of microphone.
- Would like an update on the recently hired media consultants.

Mayor McDaniel:

- Announced the American Legion Auxiliary Unit 143 and American Red Cross, is hosting a Vicky Poynter memorial blood drive, Wednesday, May 13th from 1:00 p.m. until 6:45 p.m. The drive is taking place at the American Legion located at 96 Churchill and appointments can be made on the American Red Cross website.
- Mr. Knight asked if anyone has heard any information regarding the Memorial Day Parade, he hasn't heard any advertising.

Mayor McDaniel stated the person in charge of the parade has been in contact with the Police Department.

Police Chief Olko explained the route is different from previous years, and has been approved.

Mayor McDaniel said he will contact the American Legion and get an update.

- Has had some discussions with Mr. Grice regarding the downtown parking and signage for overnight parking.

Mr. Grice stated there are internal discussions taking place trying to come to an enforceable solution.

Ms. Hammond suggested signage be placed making the public aware the parking garage is opened to the public and not just parking for the apartments.

Mayor McDaniel explained some of the apartment tenants are not parking in the garage and are taking parking spaces away from area businesses where customers would park.

- **Clarence Bennett** stated he attended an American Legion meeting where the new parade route was discussed.

11. CITY ATTORNEY'S REPORT – none

12. CITY MANAGER'S REPORT

- Regarding the downtown parking, the City's sign shop can make some Public Parking signs.

Mr. Grice explained above the entrance to the garage has a sign noting public parking. There are several way-finding signs that are currently downtown that can be enhanced. He believes there are signs at Primary, Squirrel Road where it dead-ends at Auburn Road near the Moms Memorial and Auburn Road where it meets South Squirrel Road. The need for additional signage can be investigated.

Mr. Grice stated the Stop Sign will also be looked at.

- Mr. Tanghe stated overnight parking downtown may be enforceable, but limiting daytime parking is another issue that should be carefully thought out.

Mayor McDaniel agreed with Mr. Tanghe, prohibiting overnight parking and not limiting daytime parking.

- Another step has been completed with the TIF capture with the County, with the final step coming before Council at the next meeting, May 18th.
- Met with James Jackson last week, who is with U.S. Senator Peters' office and discussed infrastructure improvements and federal funding. A district office will be opening in the Rochester Hills area soon.

13. ADJOURNMENT

Meeting adjourned at 7: 43 p.m.

Attachment A

Mental Health Month – May 2015

- WHEREAS, mental health is important for our individual well-being and vitality, as well as that of our families, communities and businesses; and
- WHEREAS, one in five Americans experience a mental health illness that requires treatment at some point in their lives; and
- WHEREAS, one in 10 children has a serious emotional disturbance that, if untreated can lead to school failure, physical illness, substance use, jail and even suicide; and
- WHEREAS, May 7th has been designated the National Children’s Mental Health Awareness Day; and
- WHEREAS, the State of Michigan will designate a mental health First Aid Training Week in May, recognizing an in-person training that teaches people how to help people developing a mental illness or in a crisis; and
- WHEREAS, stigma and stereotypes associated with mental illnesses often keep people from seeking treatment that could improve their quality of life; and
- WHEREAS, mental illness is a biologically based brain disorder that cannot be overcome through “will power” and is not related to a defect in a person’s “character” or intelligence; and
- WHEREAS, mental health recovery is a journey of healing and transformation, enabling people with a mental illness to live in a community of his or her choice while striving to achieve his or her full potential; and
- WHEREAS, mental health recovery not only benefits individuals with mental health disorders by focusing on their abilities to live, work, learn and fully participate and contribute to our society, but also enriches the culture of our community life; and
- WHEREAS, the Oakland County Community Mental Health Authority, and its service provider agencies, are committed to inspiring hope, empowering people, and strengthening communities.
- NOW, THEREFORE, BE IT RESOLVED that, Oakland County Community Mental Health Authority, hereby recognizes May 2015 as Mental Health Month, OCCMHA calls upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our State to increasing awareness and understanding of mental illness, and the need for appropriate and accessible services for all people with mental illnesses to promote recovery.