



The City of Auburn Hills
City Council Meeting
Minutes

August 10, 2015

CALL TO ORDER: Mayor McDaniel at 7:05 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, Verbeke
Absent: None
Also Present: City Manager Tanghe, Assistant City Manager Grice, Police Chief Olko, City Clerk Kowal, Community Development Director Cohen, Finance Director/Treasurer Schulz, DPW Deputy Director Herczeg, Manager of Roads and Fleet Brisson, City Attorney Beckerleg, City Engineers Juidici, Stevens, and Coats
7 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council – July 27, 2015

Moved by Mitchell; Seconded by Verbeke.

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

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

No: None

Resolution No. 15.08.141

Motion Carried (7–0)

4b. City Council Workshop – July 27, 2015

Moved by Burmeister; Seconded by Verbeke.

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

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

No: None

Resolution No. 15.08.142

Motion Carried (7–0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Motion – Appointment of Patricia Ormsbee to the Beautification Advisory Commission, term to expire December 31, 2018

Mayor McDaniel explained Ms. Ormsbee isn't available to attend this evening's meeting because of a family matter, but wants to be appointed to the Commission. She in the past served on the Commission, but because of job obligations she wasn't able to continue after her previous term expired.

Ms. Verbeke confirmed she too spoke with Ms. Ormsbee, who is looking forward to being back on the Beautification Advisory Commission.

Moved by Verbeke; Seconded by Mitchell.

RESOLVED: To approve the Appointment of Patricia Ormsbee to the Beautification Advisory Commission, term to expire December 31, 2018.

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

No: None

Resolution No. 15.08.143

Motion Carried (7–0)

6. PUBLIC COMMENT - none

7. CONSENT AGENDA

Mr. Kittle asked for Item 7a.2. be removed and Mr. Knight asked Item 7b. be removed, from the Consent Agenda.

7a. Board and Commission Minutes

7a.1. Beautification Advisory Commission – July 15, 2015

Moved by Verbeke; Seconded by Kittle.

RESOLVED: To approve Consent Agenda Item 7a.1.

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

No: None

Resolution No. 15.08.144

Motion Carried (7–0)

7a.2. Board of Review Minutes – July 21, 2015

Mr. Kittle asked if the poverty exemptions that are requested and/or granted at the Board of Review, are for a one year period or for an extended amount of time.

Mr. Beckerleg stated it is a one year reduction; a request may be made each year.

Moved by Kittle; Seconded by Knight.

RESOLVED: To approve Consent Agenda Item 7a.2., Board of Review Minutes, July 21, 2015.

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

No: None

Resolution No. 15.08.145

Motion Carried (7–0)

7b. Motion – Receive and File Interim Cash and Investment Report - 2nd Quarter

Mr. Knight requested a one paragraph summary showing the return on investment be included in the report.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To receive and file the 2015 Interim Cash and Investment Performance Report-2nd Quarter

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

No: None

Resolution No. 15.08.146

Motion Carried (7–0)

8. OLD BUSINESS

8a. Motion – Approve 2015 Asphalt Maintenance Program

Mr. Brisson explained he spoke with a Highway Maintenance and Construction Company representative who agreed to use the same pricing as quoted for only the Executive Hills portion of the project, which is a TIFA B project.

Mr. Brisson confirmed \$61,000 was the budgeted amount, including OHM services, and the actual amount is just over \$64,000, which was approved by TIFA.

Ms. Verbeke appreciates moving forward with this project and thanked Mr. Brisson for speaking with the contractor.

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: To approve the 2015 Asphalt Maintenance Program and award the project to Highway Maintenance and Construction Company, 12101 Wahrman, Romulus, Michigan 48174 for \$57,949.75. Further, for OHM to provide Construction Management Services for the not-to-exceed amount of \$5,750.00 and materials testing estimated at \$480.00. Funding is provided from TIFA B account 253-736-935.000.

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

No: None

Resolution No. 15.08.147

Motion Carried (7–0)

9. NEW BUSINESS

9a. Motion – Approve a One-Year Extension of the City Council’s August 11, 2014 Approval of the Site Plan and Tree Removal Permit / Dr. Koehler Office Building

Mr. Cohen explained Dr. Koehler has requested a one year extension of a site plan to construct a one-story, small medical office building, located on the south side of East Walton Boulevard between Joswick Road and Snellbrook Road. The site plan design still complies with all applicable City Ordinances.

Dr. Koehler explained the cost of the building quote he received was much higher than he anticipated. He has since sought other quotes from other builders and hopes to find a much more competitive bid.

Moved by Mitchell; Seconded by Verbeke.

RESOLVED: To approve a one-year extension of the City Council’s August 11, 2014 approval of the Site Plan and Tree Removal Permit for Dr. Koehler’s Office Building subject to staff and consultants conditions

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

No: None

Resolution No. 15.08.148

Motion Carried (7-0)

9b. Motion - Approve 2015 Asphalt Rehabilitation Program- Paldan Drive

Mr. Brisson explained \$149,600 was budgeted in 2014 for a mill and overlay of Paldan Drive, however, soil borings revealed severe base failure and reconstruction of the road would be more appropriate. Also included will be replacing the concrete curbing with some storm sewer repairs. F. Allied Construction Company is low bidder for the project.

Mr. Brisson confirmed for Mr. Kittle the bidding for this project was done through OHM.

Mr. Kittle noted two of the bids were within a hundred or so dollars and the other two within \$1,000 or so, and asked if all met the bid specifications.

Mr. Brisson confirmed all bids met specifications.

Moved by Kittle; Seconded by Burmeister.

RESOLVED: To approve the 2015 Asphalt Rehabilitation Program to reconstruct Paldan Drive and award the project to F. Allied Construction, 9633 Northwest Court, Clarkston, Michigan 48347 for \$258,065.00. Further, for OHM to provide Construction Management Services for the not-to-exceed amount of \$32,000.00 and not-to-exceed amount of \$5,000.00 for materials testing. Funding is provided from Local Street Improvement Fund account 101-446-973.203.

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

No: None

Resolution No. 15.08.149

Motion Carried (7-0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond:

- Appreciates all of the issues she raised at the last meeting has been addressed.
- Noted there are business signs popping-up along the South Boulevard – Opdyke Road area in the road right-of-ways.
- National Night Out was a huge success, a lot of fun had by all and great weather. A great job as always, by the Police Department.

Ms. Verbeke:

- She too, enjoyed a great time at the National Night Out and thanked all the volunteers and organizers.
- Asked for an update of the Joslyn Road golf dome.

Mr. Cohen explained the fabric has been removed and is heading to a landfill. The dismantling of the metal structure should be completed in two weeks. Staff checks on the site daily, and monitors the progress.

Mr. Knight:

- The Optimists Club thanked City Council for their participation in the Friday night picnic.
- Would like to see a line item in the budget that would support youth activities, with criteria set by City Council. Requesting funds for specific programs through the CDBG is extensive and cumbersome. The line item would allow a program director to make a pitch to a sub-committee overseeing the fund, and follow up with a recommendation to Council. This would make more programs available to the City's youth.
- Would like an update on the current, on-going road projects.

Mr. Herczeg explained Mr. Brisson sends out weekly updates via email, and one can be sent out tomorrow, regarding the three current projects. The updates are generally sent out after weekly meetings with the road project contractors.

Mr. Burmeister:

- Thanked the IT Department for his working computer.
- Asked if there is a list available for the total number of City vehicles.
Mr. Tanghe stated he will have the Fleet Manager forward the information.
- Asked if there are 'Recycle' stickers available.
Mr. Tanghe said he will take a look tomorrow.

Mr. Kittle:

- Appreciates Mr. Knight's concerns for the youth, but he is not in favor of the City funding such programs. He proposed Mr. Knight set up his own foundation and accept contributions.
- He looks forward to receiving the road update tomorrow, but asked how many lanes are open on Featherstone. It was noted, one lane in each direction is opened.
- Asked how the LED city-wide lighting project is going; is the project complete and are there apparent savings.
Mr. Herczeg stated a wrap-up meeting with ERC will take place this week and he will have information available after that meeting.
- Asked if anything has been learned from other communities regarding the back flow prevention testing or if any progress has been made.
Mr. Herczeg noted it is an ongoing process right now and will forward the information.

Ms. Mitchell:

- Thanked Director Adcock for her presentation at this evening's workshop regarding Community Development Block Grant funds. Though there is no clear direction of what wants to be done, there has been a high level goal established and she is sure through brainstorming, the goal can be accomplished.

- She too was very pleased with how well National Night Out was and the great turnout. She thanked all those who helped to make the event possible.
- She would like a higher priority put on keeping the City's website current; many times, it is the first place visitors view the City.
- Appreciated the blog Ms. Mariuz posted regarding the vision for the DDA.

Mayor McDaniel:

- Regarding the grass mowing ordinance, he has asked Mr. Cohen to investigate possibly changing the the maximum grass height of eight inches and report back.
- Mr. Beckerleg explained Mr. Cohen contacted him on the lawn mowing issue, and the height stated in the ordinance can be lowered. Three of the communities looked at have a six inch height and the State law has no restrictions for height. The height change can be made for next year's season, by amending the ordinance through proper procedures.

Mr. Cohen confirmed for Mayor McDaniel the first notice for violators is the legal notice and from that point forward, every time the grass reaches eight inches, the City automatically cuts the lawn and bills the property owner.

Ms. Hammond asked what grass height is allowed for vacant property, and agrees the grass height should be discussed.

Mr. Cohen wasn't sure of vacant property height, however, mowing is done approximately 150 feet from the road. He will check on the allowable height for vacant lots, but improved lots have a maximum height of eight inches.

Mr. Beckerleg stated vacant property has an allowable height of 16 inches.

Mayor McDaniel would like to learn how the heights were determined and have a workshop for discussion of possibly amending the ordinance.

- For families that may have a need, there is a Head Start program available at Baker College in Auburn Hills, for those that qualify. More information can be found at OLHSA.org.

Mr. Kittle asked Ms. Adcock for the name of the lady that addressed Council regarding brain power, noting she is having a session at Sheffield Estates club house on Friday at 1:00 p.m. He asked Ms. Adcock to do some public relations for the program.

Ms. Adcock replied the program is called Maintain Your Brain and the lady is Virginia. Some advertising for the event has been done, as well as trying to pump up the program that is held at the Community Center. The Maintain Your Brain flyer is posted at the Community Center.

11. CITY ATTORNEY'S REPORT – none

12. CITY MANAGER'S REPORT

- There is a Community Foundation in Auburn Hills and those that wish to contribute can visit the website at auburnhillscf.org. It is a fund raising organization that grants money to organizations, such as the Boys and Girls Club, who recently applied for and received a grant. The foundation accepts donations whose funds remain in the City.

13. EXECUTIVE SESSION

13a. Property Acquisition

13b. Attorney Opinions Discussion

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To adjourn to Executive Session to discuss Attorney Opinions and Property Acquisition.

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

No: None

Resolution No. 15.08.150

Motion Carried (7–0)

Adjourned to Executive Session at 7:42 p.m.; reconvened the regular City Council meeting at 10:19 p.m.

Council Member Verbeke left the meeting at 10:19 p.m.

13a. Motion - Property Acquisition

Moved by Knight; Seconded by Kittle.

RESOLVED: To authorize the City Manager to acquire the property with the identification number 14-36-102-006 and commonly known as 3180 Auburn Road, from the Oakland County Treasurer; in the amount of \$40,714.40. Furthermore, authorize the City Manager to make additional payments for taxes not to exceed ten percent of the acquisition cost, which are due and owing prior to the property being removed from the tax rolls; and to sign all documents on behalf of the City to effectuate a transfer and closing. Funds are available from the Capital Improvement Account, 101.901.970.000, Land and Land Improvements.

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

No: Mitchell

Absent: Verbeke

Motion Carried (5-1-1)

Resolution No. 15.08.151

13b. Attorney Opinions - Discussion

Moved by Hammond; Seconded by Mitchell.

RESOLVED: To approve the amendments to the Consent Judgment to allow OutFront Media to locate, construct and use digital billboards at the Takata and OCC sites pursuant to the agreement described in executive session and to authorize the City Attorney to draft, sign and have entered the appropriate amendments to the Consent Judgement.

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

No: None

Absent: Verbeke

No: None

Motion Carried (6-0-1)

Resolution No. 15.08.152

14. ADJOURNMENT

The meeting adjourned at 10:21 p.m.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk