



# The City of Auburn Hills

## City Council Meeting

### Minutes

October 20, 2014

**CALL TO ORDER:** by 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, Knight, Mitchell, Verbeke  
**Absent:** Council Member Hammond  
**Also Present:** City Manager Tanghe, Assistant City Manager Grice, Director Olko, City Clerk Kowal, DPW Director Melchert, Deputy DPW Director Herczeg, Assessor Lohmeier, Manager of Business Development & Community Relations Carroll, City Manager Assistant Mariuz, City Attorney Beckerleg, and City Engineer Juidici  
24 Guests

#### 4. APPROVAL OF MINUTES

4a. Regular City Council – October 6, 2014

**Moved by Verbeke; Seconded by Knight.**

**RESOLVED: To approve the October 6, 2014 City Council meeting minutes.**

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.202**

#### 5. APPOINTMENTS AND PRESENTATIONS

5a. Appointments – Reed VanWormer and Ronald Moniz to the Elected Officials Compensation Commission

**Reed VanWormer** introduced himself, noting he has been a long time resident of Auburn Hills and an area Mason who does quite a bit of volunteer work throughout the City along with other members of his Lodge. He appreciates all that is going on in and with the City and thanked Mayor McDaniel for offering him the opportunity to serve on the Elected Officials Compensation Commission. He believes he has a good understanding of the Commission and is looking forward to serving.

Mayor McDaniel thanked Mr. VanWormer for his current contributions to the City and is pleased with his willingness to serve on the Commission.

**Ronald Moniz** thanked the Mayor and Council for the opportunity to serve on the Elected Officials Compensation Commission. He noted he has been a resident of Auburn Hills for 25 years; he was a member of the Auburn Hills Fire Department for 20 years and a retired DPW employee after 17 years of service.

Mayor McDaniel thanked Mr. Moniz for all of his service and his willingness to serve on the Elected Officials Compensation Commission.

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

**RESOLVED: To confirm the Appointments to the Local Officials Compensation Commission: Reed VanWormer for a term ending July 31, 2018 and Ronald Moniz for a term ending July 31, 2019.**

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.203**

5b. Appointments – Downtown Development Authority

Ms. Carroll explained this is the next step in the process for the DDA, appointing Authority Members as well as the Development Area Citizen Council Members. The DDA is an independent Authority, established for the purposes of planning, organizing and financing projects that will continue to revitalize and redevelop downtown Auburn Hills. The Authority will work to ensure the long-term economic stability of downtown by maintaining the character and supporting the fundamentals that Auburn Hills is a great place to live, work, play, invest and do business. The Authority will work to attract businesses downtown, provide technical support to the existing businesses, and strengthen the relationships between the businesses and residential communities for the benefit of the entire community.

Mr. Knight was surprised to see the terms were only through April, 2015 asking if the terms shouldn't be longer.

Ms. Carroll explained the April 2015 expiration dates are for the Citizens Council.

Each Member introduced themselves.

Ms. Carroll assured Ms. Mitchell, the absent Member is willing to serve on the Authority; there was a last minute conflict with his schedule.

**Moved by Burmeister; Seconded by Verbeke.**

**RESOLVED: To confirm the Appointments of the Downtown Development Authority Members as follows:**

<b>Albert Travnikar</b>	<b>Term to Expire 10-31-15</b>	<b>Nathan Spurlin</b>	<b>Term to Expire 10-31-16</b>
<b>Steven Yolk</b>	<b>Term to Expire 10-31-16</b>	<b>John Young</b>	<b>Term to Expire 10-31-17</b>
<b>Dan Gliniecki</b>	<b>Term to Expire 10-31-17</b>	<b>Denise Asker</b>	<b>Term to Expire 10-31-18</b>
<b>Kathy Genautis</b>	<b>Term to Expire 10-31-18</b>		

Mr. Kittle thanked the residents for their willingness to serve on the Authority and asked how the roles and responsibilities of the Members will proceed, and if there will be training involved.

Mayor McDaniel stated the Members will be in contact with Ms. Carroll and all the particulars of the Authority will be discussed.

Mr. Knight was pleased to see younger participants.

Mayor McDaniel thanked the appointees on behalf of himself, City Council and the City for their willingness to serve.

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.204**

5c. Move to confirm the Appointments of the Development Area Citizens Council Members

Mayor McDaniel thanked the Appointees and asked them to introduce themselves; five Members were present and the other four were unable to make this evening's meeting, but are willing to serve on the Council.

**Moved by Verbeke; Seconded by Knight.**

**RESOLVED: To confirm the Appointments of the Development Area Citizens Council Members as follows, with all terms to expire April 30, 2015: Robert Walterspiel, Elizabeth Tomlinson, Andrew Govan, Troy Leix, Denise Audet, Randy Wyatt, Mark Shaftner, Eric Cionka, and Dawn Wise.**

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.205**

## **6. PUBLIC COMMENT**

**Brenda Carter**, Vice President of Pontiac School District Board of Education and Vice President of the Michigan Association of School Boards, presented the Mayor with a copy of the current '*State of the Pontiac School District*'. Things have been turned around; the District is excelling, stem programs are in place, the district assessment scores are soaring, the sport programs have returned, there are 30 or less students in a class room, and the deficit has been reduced by over \$10 million. This evening, Bob Moore from Oakland Schools told the Board the District has exceeded the cash flow target; the School Board did what was necessary. On behalf of the School Superintendent Kelly Williams and Board President Karen Cain, thanks are extended to the citizens of Auburn Hills for being patient with Board.

**Randy Carter**, Pontiac City Councilman, thanked City Council.

**Don Hughes**, 3744 Bald Mountain Road, referenced the Council Workshop minutes of September 29, 2014 and the 350 year old Black Walnut tree on Squirrel Road that will need to be removed to make way for road expansion. He noted during many meetings and conversations with area residents, there was an assurance that the Tree would be preserved throughout the project. He is upset with the removal of the Tree and noted the City's Tree Preservation Ordinance comments on the benefits of older, large trees. The Black Walnut tree is considered a natural land mark and must be protected; the Tree has been awarded the title Michigan Big Tree by the Michigan Botanical Club. He feels there should be a meeting with the residents prior to any action being taken.

**Michael Runk**, 3516 Riverside Drive, noted Auburn Hills was named a Tree City USA by the National Arbor Day Foundation 15 years ago, and he respectfully requests City Council to preserve the healthy Black Walnut tree on the east side of Squirrel Road. This Tree was named a Michigan Big Tree by the Michigan Botanical Club. This is a significant tree that has thrived for more than 300 years. He hopes the City will preserve the Tree for many more generations to come.

**Philip Clampitt**, 3744 Tienken Road, noted he and his wife sent emails to City Council expressing their wishes to have this Black Walnut tree preserved. He hopes there is a satisfactory compromise that can be reached to protect the Tree and a right-of-way is purchased across the street from the Tree, to allow the Squirrel Road development. He understands there will be extra cost associated with the purchase of a right-of-way, and suggested a one-time fund of a known size established and publicized open to contributions from anyone. This would accomplish two objectives – one, to save the Squirrel Road Big Tree and two, pay to purchase the land needed for the road project.

Mayor McDaniel explained it is the preference of the City Council to preserve the Tree if possible, but also be fiscally responsible. After all options and circumstances are considered, only then a decision will be made. The City Assessor and

engineers have determined the amount of property needed and the fair market value of the property, however, that offer has been rejected. The City has been in contact with the attorney representing the property owner requesting a counter offer, which has not yet been offered.

Mr. Kittle noted with the project moving forward, more facts are surfacing through all the testing and engineering studies, and there is concern with even with a right-of-way acquisition there may be harm to the root structure of the Tree and it may not survive. There is also a safety concern of the Tree being so close to the road and a driver may hit the tree.

Mayor McDaniel acknowledged many of the comments made by residents this evening, were a result of past meetings with the City. Moving forward with this project, there have been more detailed studies which have changed the criteria and circumstances of the road widening. Council is being forced to look at the project from another perspective and will consider all information before making a determination.

## 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.

### 7a. Board and Commission Minutes

7a.1. Pension Board Minutes of August 13, 2014

7a.2. Retiree Health Care Board Minutes of August 13, 2014

7a.3. Beautification Advisory Commission – September 17, 2014

### 7b. Motion – Accept Standard Parkway Easement as Public Right-of-Way

**RESOLVED: To approve the acceptance of the 200.21 square foot triangular area of parcel 02-14-09-126-007, conveyed by Joslyn Collier II LLC, as public right-of way, to be maintained by the City of Auburn Hills.**

**Moved by Knight; Seconded by Mitchell.**

**RESOLVED: To approve the Consent Agenda.**

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

**No: None**

**Motion Carried (6-0)**

### **Resolution No. 14.10.206**

## 8. OLD BUSINESS

### 8a. Motion – Adoption of Ordinance 14-862 / Amend the Boundaries of the Downtown District

Ms. Carroll noted on August 11, 2014, City Council held a public hearing for an ordinance that would amend the boundaries of the downtown district to include an additional 183 new parcels. That public hearing triggered a sixty (60) day opt-out period for the affected taxing jurisdictions. The Huron-Clinton Metro Parks, Oakland County and the Auburn Hills Public Library have chosen to opt-out of the DDA.

It is recommended that the City Council adopt the resolution amending the boundaries of the downtown district and set the public hearing for the Tax Increment Financing and Development Area Plan for the second regular City Council Meeting of January 2015.

Mr. Knight understood the three opt-outs and asked what taxing jurisdictions remain; if all opt-out, then the City is taking money from the operating fund and putting into the DDA.

Ms. Carroll explained, the City was aware the County was opting out and will work one-on-one with the City to establish a formal agreement meeting criteria for County participation. This is common practice for the County, working with area communities and DDA's. The remaining taxing jurisdictions are the community college; the City – general, fire, and police; Oakland County Parks & Rec; the Transportation Authority; and the SMART bus.

Mr. Kittle noted for further clarification, by opting out, the County and others don't want to give up their portion of the captured taxes, resulting in less captured taxes for the DDA.

Ms. Carroll explained Ms. Mariuz has been amending the tax tables as the entities have opted out and the development timeline has been adjusted accordingly. The last date for the entities to opt out, was October 10, 2014.

Ms. Mitchell asked if those entities that have opted out have the ability to opt in at a later date.

Mr. Beckerleg stated yes, opting back in is an option.

Mr. Knight believes the DDA is needed to have a viable downtown.

Mr. Beckerleg explained the money isn't actually being pulled from the general fund; the money captured will be used for improvements.

**Moved by Knight; Seconded by Burmeister.**

**RESOLVED: To adopt the attached Ordinance (Attachment A) amending the boundaries of the downtown district and set a public hearing for the second regular City Council meeting in January 2015 for review of the Tax Increment Financing and Development Area Plan.**

**VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Mitchell, Verbeke  
No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.207**

**8b. Motion – Approval of City Council Calendar Dates for 2015**

Ms. Kowal noted the proposed calendar for 2015 suggests changing the City Council meetings to the second and fourth Mondays of each month, requiring less meeting changes due to elections or holidays. The only change needed would be May, for Memorial Day, moving one week earlier, and possibly eliminating the December 28<sup>th</sup> meeting, when there would be very little City business to conduct.

Mr. Knight noted the December 28<sup>th</sup> meeting should remain on the calendar and be canceled, because the Charter requires two meetings each month.

Ms. Kowal explained if Council continues to hold workshop meetings on the first meeting of each month, December would meet the intent of the Charter.

Mr. Knight was in agreement, providing the workshop is included on the list of scheduled meetings.

Mayor McDaniel noted the proposed changes will be easier for staff, as well as not having Council meetings either back-to-back, or a few week span of no meetings.

**Moved by Knight; Seconded by Verbeke.**

**RESOLVED: To approve the City Council meeting dates as submitted.**

**VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Mitchell, Verbeke  
No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.208**

Mayor McDaniel noted the date changes will allow Council to attend other meetings, such as school board meetings that currently coincide with Council meetings.

**8c. Motion – Adoption of 80/20 Cost Sharing Resolution for Employee Contribution to Healthcare**

Mr. Grice explained Public Act 152 of 2011 mandates that public employers require employees to participate in paying toward health care premiums. Beginning January 1, 2015, all full-time employees will begin contributing to premiums. The City Council adopted the City's 2015 budget with the inclusion of this revenue, based on the 20% employee contribution model.

Mr. Knight understands the 80% - 20% split and recalls there is an alternative to the split and asked for clarification.

Mr. Tanghe explained the choice was either the 80% - 20% split or the hard cap which has a set amount and anything over a specific amount is paid for by the employee. There are some communities that have totally opted out. He didn't recall the exact reason for choosing the 80% - 20% split, but agrees it is easier to keep track of. At some point, the 80% - 20% split will probably be helpful and more favorable to the employees if healthcare improvements are made. As healthcare improvements are made the 20% paid by employees will remain constant, whereas with a hard cap, the costs could soar for employees.

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

**RESOLVED: To adopt the attached resolution (Attachment B) titled: Resolution to adopt an 80/20 Cost Sharing Model-2015 for Employee Contributions to Healthcare Premiums.**

**VOTE: Yes: Burmeister, Kittle, Knight, McDaniel, Mitchell, Verbeke  
No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.209**

**9. NEW BUSINESS**

**9a. Public Hearing/Motion – New IFEC for SL America Corp. for Real Property and Personal Property**

Mr. Lohmeier explained this is an application for an Industrial Facilities Exception Certificate (IFEC) for new real property and personal property for SL America Corp. located at 4375 Giddings Road. The Company recently closed on the purchase of the property and has taken ownership.

The real property improvement investment is \$1,140,500 and the personal property investment is \$2,318,500, for a total investment of \$3,459,000. The real property consists of adding conference rooms, test labs and miscellaneous site improvements. The personal property consists of a variety of related furniture, fixtures and equipment. This new facility is expected to create 118 new jobs; 64 employees coming from existing facilities in Sterling Heights and 54 brand new jobs.

SL America Corp is requesting an eight year abatement, and has signed an agreement with the City to stay an additional two years after the certificate expires.

If this abatement is granted for the eight year maximum the potential property tax savings for the applicant will be approximately \$110,800, with approximately \$5,000 relating to personal property. The applicant will collectively receive from both real and personal property tax savings of approximately \$12,500 in the first tax year.

Additional tax revenue for the City will be approximately \$25,300.

To the best of staff's knowledge, SL America Corp does not have any other abatements within the City of Auburn Hills, nor are there any outstanding and/or pending appeal(s) involving the applicant or this property, and no delinquent taxes owed by the applicant within the City.

The Tax Incentive Review Committee recommends the eight year abatement.

**Seung Ho Yang**, Executive Director of North America Engineering Center; **Felix Urbina**, Director of Sales; and **Jungsun Lee** Strategy Planning Manager all introduced themselves.

Mr. Burmeister asked what a 'slam bang tester' is, as noted in the personal property list.

Mr. Yang explained the slam bang tester is for testing the impact to the headlamps and tail lamps the Company manufactures.

Mr. Knight asked with the transferring of employees, if the Sterling Heights locations will close or be in addition to the Auburn Hills.

Mr. Yang explained some employees will be transferred immediately, with more transferring gradually; it hasn't been determined if/or when the Sterling Heights location may close. The Auburn Hills location will be the main engineering center in North America.

*Mayor McDaniel opened the public hearing at 7:49 p.m. and hearing no comments, closed the public hearing at 7:49 p.m.*

**Moved by Burmeister; Seconded by Knight.**

**RESOLVED: To approve the request for an 8-year IFEC pertaining to new real property and personal property for SL America Corp with a real property and personal property investment of \$3,459,000 by adopting the attached resolution (Attachment C).**

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.210**

9b. Motion – Introduction with Intent to Adopt Ord. 14-863; Amending the Number of Members and Terms of the Elected Officials Compensation Commission

Mr. Beckerleg explained this is more of a housekeeping matter; State law requires, once a city's population reaches 20,000 residents, that the Local Officials Compensation Commission should increase from a five member commission to a seven member commission, and that the terms change from five years to seven years.

**Moved by Verbeke; Seconded by Knight.**

**RESOLVED: To introduce with the intention to adopt Ordinance 14-863 to amend Chapter 2-261, Administration, of the Auburn Hills City Code, changing the number of members and terms of office for the Local Officials Compensation Commission on first reading and set for a public hearing, second reading and final adoption on November 10, 2014, as stipulated in the Home Rule City Act, MCL 117.5c(a).**

Mr. Kittle asked if the motion could include language to reflect the amendment is to bring the ordinance into compliance with State law.

Mr. Beckerleg stated it would be perfectly appropriate to include the additional language.

(Motion amended)

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.211**

9c. Motion – N. Squirrel Road Wetland Mitigation

Mr. Melchert explained the Squirrel Road construction will impact an approximate 0.3 acres of wetland at the corner of Tienken and Squirrel Roads. Because of that impact, the MDEQ is requiring the City to secure a permit and the only obstacle for that permit is this wetland mitigation. There are two options for the mitigation; physically mitigate the wetland to a location on Lapeer Road, at the cost of \$40,000 to \$50,000, with ongoing maintenance and reporting, or to purchase a wetland mitigation credit at the cost of \$30,000, (\$100,000 per acre), and no ongoing maintenance or monitoring.

Ms. Verbeke thought the cost was quite high for a third of an acre and asked if it had to do with location.

Mr. Melchert explained there is one wetland credit bank that can be drawn from for this particular wetland, it must be within the same watershed. There are very few credits left, so it is a case of supply and demand, which sets the price.

Responding to Ms. Verbeke, Mr. Melchert stated the City hasn't made any wetland credit purchases, but Mr. Juidici has said the price is typical of other communities.

Mr. Melchert explained wetland impacts were included in the budget, and with the wetland credit purchase, there will be a savings from what was initially quoted.

Mr. Kittle noted there will be many potential environmental impacts with this project - the wetland mitigation, the 350 year old Black Walnut tree, the orange mango's, and Mr. Wilson's property; the Tree Fund will be impacted with replacing many trees and all the additional work, asking if all has been taken into consideration in the project budget.

Mr. Melchert stated yes all have been taken into consideration, and the majority of tree removal will be done in-house. There will be at least the same number of trees planted as removed; as many as the corridor can handle without overcrowding.

**Moved by Kittle; Seconded by Burmeister.**

**RESOLVED: To approve the Wetland Mitigation Credit Sales Agreement for the purchase of a 0.3 acre wetland mitigation credit from Wheeler Farm, LLC, who is the acting banker of the Clinton River Wetland Mitigation Bank for a cost of \$30,000 to be funded out of the Street Improvement Fund (101-446-973.202-SQRL-WAL/DUT).**

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.212**

**9d. Motion – Birchfield Sewer Rehabilitation**

Mr. Herczeg explained this is the second phase of the improvements that extended from North Squirrel Road, to east of Walton Boulevard, referred to as the "Red Ox" sewer project. The Birchfield Project, extends between North Squirrel Road and Patrick Henry Street, along Birchfield Street, addressing the same concerns; undersized and aging pipes, deteriorating structures, inflow and infiltration.

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

**RESOLVED: To approve the 2014 Sewer Improvements Engineering Services to OHM Engineering Advisors in the not-to-exceed amount of \$41,500.00 and the material testing estimate of \$3,500.00 to Testing Engineers and Consultants. Payment shall be made from the Water and Sewer Repair and Replacement Fund (592-535-971.000-14SANSEWERIMPR).**

Mr. Kittle asked if this project is slated for 2015.

Mr. Herczeg stated the scope of engineering services will be done and the bid will move forward this year, with the cost split between 2014 and 2015; most of the construction will take place during the winter. The total project budget is \$600,000.00.

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

**No: None**

**Motion Carried (6-0)**

**Resolution No. 14.10.212**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight:

- The downtown paint striping is going well and he has had positive comments on the left turn lanes.
- Asked that Board and Commission applicants all use the same application and submit similar information.  
Mayor McDaniel noted the City has one application that is used for all applicants.
- He read the Pension/Retiree Health Care Board minutes, and noted neither the Mayor nor Mayor Pro Tem was in attendance and hopes in the future, if neither can make the meeting that the meeting be postponed or rescheduled. With the critical discussions, he would have preferred a Member of Council be present.  
Mayor McDaniel explained that was a last minute coincidence that neither could make the meeting.
- Asked if any concrete has been poured on Featherstone.  
Mr. Juidici stated there was a meeting with the contractor earlier in the day, and all the concrete on the south half of the road has been removed and concrete should start being replaced by the end of the week.

Ms. Verbeke:

- Is not in favor of mitigating wetlands and asked if there is any proof that mitigating wetlands works.  
Mr. Juidici explained this isn't his area of expertise; however, there are many theories pros/cons/and benefits of wetland mitigation and the impacts. He noted in the area there have been those wetlands that have been successful and flourished, and there are those that haven't done very well.  
Ms. Verbeke asked if wetland mitigation is only done in Michigan or are there are states that also have wetland mitigation.  
Mr. Juidici explained all states must have a wetland mitigation program; all are similar as dictated by the federal government.
- Great Lakes Crossing mall was a mess this weekend, there was a lot of traffic. She saw officers directing traffic and asked if the officers were there both Saturday and Sunday.

Director Olko stated patrol was out Saturday from late afternoon until about 8:00 p.m. There is only one lane of traffic open on Baldwin Road, and will continue for another couple of weeks. Sunday, there was no traffic detail, the traffic wasn't nearly as bad. The construction should be completed within the next two weeks.

- Thursday will be Trick or Treating at the Community Center from 6:00 p.m. until 7:00 p.m.
- The Beautification Advisory Commission will acknowledge those residents for their Christmas lights and decorations in December.

Mr. Burmeister:

- Asked if there was any follow-up done regarding the truck traffic on Grey Road.  
Director Olko stated she received a report and there is no violation for a truck to use Grey Road, since it is a public roadway. Some of the GPS systems use Grey Road as a through road, and Grey Road is built to the standards of withstanding truck traffic. Traffic counters were put out and the speed limit has been reduced since the last count. The Police Department will continue to analyze the situation.
- He has also gotten reports of many speeders on Waukegan, at all times of the day and night and asked the Police to take a look.
- The trees on University Drive have been removed, and asked if that is part of the diverging diamond work.  
Mr. Melchert confirmed that is for the interchange.
- It was decided the pedestrian crossing on Tienken Road couldn't be done because of engineering issues, but signs were to be installed. He hasn't noticed any signs.

Mr. Melchert believed the signs are up.

Mayor McDaniel asked if the truck traffic becomes overwhelming on Grey Road, can the neighbors petition to have the road be a no truck route.

Director Olko stated the requirement would have to be reviewed; a certain number of the trucks are Church's Lumber trucks. The Department has been to Church's Lumber and have talked about rerouting the trucks, which worked for a while. The Department will continue to monitor the situation, noting if restrictions were placed on the road, it would be difficult constantly enforce.

Mr. Melchert noted Grey Road is considered by the State of Michigan and Act 51 reporting, as a major road; to put up signs and direct truck traffic would require the City to reclassify the road as a local road and lose some State funding.

Ms. Mitchell:

- Reminded residents the Spooktacular will be taking place downtown on Saturday from noon until 1:30 p.m. and the Boys and Girls Club will be having their Halloween party, October 31<sup>st</sup>. There are still volunteer opportunities to help.
- She continues to receive positive feedback from the Hawk Woods Fall Festival.
- Thanked staff for the amount of social media activity that continues, recognizing the amount of time it takes.
- She wants to recognize Community Planning Assistant Maria Willett, who was sponsored by SEMCOG to attend a grant writing workshop.

Mr. Kittle:

- Asked if the aerial sewer line map is from the Asset County Management system.  
Mr. Herczeg stated the map is a regular GIS map, and there are maps for all of the City's sewer lines.  
Mr. Kittle likes the technology and asked if there is any negative sewer impact on the residents as the work is being done.  
Mr. Herczeg stated there is a by-pass while construction is being done, so there is no interruption of services.
- At the last meeting there were some alarming remarks from the public made about police response times and asked if there has been any follow-up.  
Mr. Tanghe stated he has been talking with Director Olko, and there is an investigation moving forward; he will forward a report when completed.

Mayor McDaniel:

- Echoed Ms. Mitchell's comments about the Fall Festival, there was an excellent turnout, a beautiful day, and a chainsaw sculptor, who left the hawk he sculpted at the park for everyone's enjoyment.
- Asked Director Olko about leave burning complaints, if any.  
Director Olko doesn't believe there have been many complaints, but she will have to check and report back.

Mr. Knight:

- Thanked the emergency technicians for sounding the horn and siren when the home football team made a touchdown.

**11. CITY ATTORNEY'S REPORT** - none

**12. CITY MANAGER'S REPORT**

- The Michigan Association of Chamber Professionals recognized the Auburn Hills Chamber of Commerce with a 2014 Outstanding Chamber of Commerce Award at the MACP Leadership Conference & Annual Meeting held in Muskegon on October 2, 2014.
- Thanked the Mayor for joining himself, Mr. Cohen, and Ms. Mariuz for hosting the 18 member China Gear Group, who visited Auburn Hills to consider business investment.
- Reminded Council of the reception for of the new OU President and his wife, next Monday evening; if an invitation has not been received, please let him know.
- A group of 10 employees have graduated from the internal Auburn Hills University program recently. Coincidentally Tony Gardner the Director of Leadership Development programs at the University of Virginia was in town and joined the group for lunch.
- City Council is invited to attend the Employee of the Year event, which will be Thursday, October 30, 2014.
- Closing on the small parcel of property on Opdyke Road, the former site of Fire Station 2, is expected very soon.
- As a result of the Roads Workshop in late September, a letter of interest has been submitted to the Transportation Economic Development Fund for the improvements to Taylor Road. The City has been invited to submit a full application for funding; however, this does not guarantee funding, but does recognize the value of the request.
- A workshop is scheduled prior to the next Council meeting for the discussion of a Citizen Survey. There are two companies that conduct surveys, and the discussion will include topics Council wishes to see on the survey.

Mayor McDaniel congratulated Mr. Tanghe on his completion of his continuing education for a real estate course.

Ms. Kowal reminded everyone to vote on November 4, 2014, noting the next City Council meeting will be November 10, 2014. The polls will be open from 7:00 a.m. until 8:00 p.m. and absentee ballots are available in the City Clerk's office. The Clerk's office will also be open Saturday, November 1, 2014 from 10:00 a.m. until 2:00 p.m. The ballot has two sides and at the end of the ballot is an Auburn Hills proposal question.

Mr. Kittle asked Ms. Kowal if she had any indication of voter turnout based on the number of absentee ballots requested as opposed to past elections.

Ms. Kowal noted more ballots have been requested for the general election than the primary election; approximately 1,500 for the general so far, and only 1,000 for the primary. The return is currently 44%, with two weeks left to go.

Mayor McDaniel congratulated Ms. Kowal on earning the prestigious CMMC designation.

Ms. Kowal thanked the Mayor and Council, explaining Michigan is starting their own certification program. There will be laws and rules for elections that must be met to be a Certified Michigan Municipal Clerk. She appreciates the City allowing the continuing education, because the laws change frequently.

**13. ADJOURNMENT**

Hearing no objection the meeting adjourned at 8:27 p.m.

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Kevin R. McDaniel, Mayor

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Terri Kowal, City Clerk

**STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF AUBURN HILLS  
ORDINANCE NO. 14-862**

**AN ORDINANCE TO AMEND SECTION 30-29, DOWNTOWN DISTRICT BOUNDARIES,  
OF ARTICLE II, DOWNTOWN DEVELOPMENT AUTHORITY, OF CHAPTER 30,  
COMMUNITY DEVELOPMENT OF THE AUBURN HILLS CITY CODE OF ORDINANCES,  
AS AMENDED, TO AMEND THE BOUNDARIES OF THE DOWNTOWN DISTRICT.**

THE CITY OF AUBURN HILLS ORDAINS:

Section 1.

Section 30-29, Downtown District Boundaries, of Article II, Downtown Development Authority, of Chapter 30, Community Development, of the Auburn Hills Code of Ordinances, as amended, is hereby amended to now read as follows:

Section 30-29. – Downtown District Boundaries

The Downtown Development Authority shall exercise its powers within the Downtown District of the City as depicted on the map appended to and made a part of this Article and described as follows and including the following parcels of property:

A parcel of land being part of the SE 1/4 & SW 1/4 of Section 25 and the NE 1/4 & NW 1/4 of Section 36, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the SE corner of said Section 25 also being the NE corner of said Section 36; thence West 33 feet along the South line of said Section 25 and the North line of said Section 36 also being the Centerline of Auburn Road (66 ft. wide) to the Point of Beginning; thence South along the West right of way line of S. Adams Road (66 ft. wide) to the SE corner of Lot 1 of "Supervisor's Plat No. 16", as recorded in Liber 28, Page 46, Oakland County Records, also being the SW corner of parcel (#14-36-226-023); thence West to the SW corner of Lot 33 of said Supervisor's Plat No. 16, also being the SW corner of parcel (#14-36-226-002); thence South along the West line of said Supervisor's Plat No. 16 to the SE corner of parcel (#14-36-226-001); thence West along the South line of said parcel to the SW corner of said parcel; thence South to the SE corner of parcel (#14-36-203-012); thence West along the South line of said parcel to a point on the East line of "Maplehurst Subdivision", as recorded in Liber 32, Page 7, Oakland County Records also being the SW corner of said parcel; thence North along said East line to the SE corner of parcel (#14-36-203-001); thence West to a point on the West right of way line of Oakmont Street (50 ft. wide); thence South to the SE corner of parcel (#14-36-202-062), also the NE corner of Public Alley (16 ft. wide); thence West along the North line of said Alley to a point on the West line of said Maplehurst Subdivision also being the SW corner of Lot 1 of said Subdivision, the SW corner of Parcel (14-36-202-005) and the NW corner of said Alley; thence South along the West line of said Maplehurst Subdivision also being the East line of "Supervisor's Plat No. 1", as recorded in Liber 50, Page 19, Oakland County Records, to the SW corner of said Alley, the SE corner of parcel (#14-36-202-004) and the SE corner of Lot 5 of said Supervisor's Plat No. 1; thence West along the South line of said Lot 5 to the SW corner of said parcel (#14-36-202-004) also being the SE corner of Public Alley (16 ft. wide); thence North along said Alley to the NE corner of said Alley also being the SE corner of parcel (#14-36-202-003); thence West along the North line of said Alley to a point on the West right of way line of Cherryland Street (60 ft. wide); thence South along said line to the SE corner of parcel (#14-36-201-001); thence West along the South line of said parcel to the SW corner of said parcel; thence North along the West line of parcel (14-36-201-001) to a point on the South right of way line of Railroad; thence Southwesterly 17.16 feet along said South line to a point on the West line of "Cherryland Subdivision", as recorded in Liber 48, Page 3, Oakland County Records; thence along said West line to the SW corner of parcel (#14-36-201-002); thence Southwesterly to a point on the South right of way line of Primary Street; thence West along said South line to a point on the East right of way line of S. Grey Road (66 ft. wide); thence South along said East line to the SW corner of parcel (#14-36-130-018); thence West to a point on the West right of way line of said S. Grey Road; thence North along said West line to a point on the South right of way line of Railroad; thence Southwesterly along said South line to a point on the West right of way line of S. Squirrel Road (66 ft. wide) and the North right of way line of Railroad also being the SE corner of parcel (#13-36-103-010); thence North along said West line of S. Squirrel Road to the SE corner of parcel (#14-36-103-012); thence West along the South lines of parcels (#14-36-103-012), (#14-36-102-006), (#14-36-102-005) and (#14-36-102-009), crossing Clinton River; thence North along the West line of parcel (#14-36-102-009) to the SW corner of Cross Street; thence North along the West right of way line of said Cross Street to a point on the South line of said Auburn Road; thence North to a point on the North line of said Auburn Road also being the SW corner of parcel (#14-25-351-023); thence North along the West line of parcels (#14-25-351-023) & (#14-25-351-033) to the NW corner of parcel (#14-25-351-033); thence East along the North line of said parcel to the NE corner of said parcel also being the NW corner of parcel (#14-25-351-034); thence South to the SW corner of said parcel (#14-25-351-034); thence East along the South line of said parcel to a point on the West right of way line of Churchill Road (50 ft. wide); thence North along said West line to the SE corner of parcel (#14-25-351-028); thence East to a point on the East right of way line of said Churchill

Road also being the SW corner of parcel (#14-25-303-004); thence East to the SE corner of said parcel (#14-25-303-004); thence North to the NW corner of parcel (#14-25-303-006); thence East along said North line of said parcel to the NE corner of said parcel; thence South along the East line of said parcel (#14-25-303-006) to the NW corner of parcel (#14-25-376-006); thence Northeasterly to a point on the West right of way line of N. Squirrel Road (variable width); thence South along said West line to the SE corner of parcel (#14-25-377-017); thence East to the intersection of the West line of said N. Squirrel Road and the South right of way line of Parklawn Street (30 ft. wide); thence East along the South line of said Parklawn Street to the West right of way line of Tebeau Court; thence South along said West line to a point on the North right of way line of Squirrel Court; thence West along said North line to the SE corner of parcel (#14-25-378-015); thence West along the Southerly line of parcel (#14-25-378-015) & (#14-25-378-013) to a point on the North right of way line of said Auburn Road; thence West along said North line to the SW corner of parcel (#14-25-378-013), crossing Clinton River; thence South to a point on the South line of said Auburn Road; thence West along said South line to the NE corner of parcel (#14-36-102-008); thence South to the SE corner of parcel (#14-36-102-008); thence East to the East edge of Clinton River; thence South to the NW corner of parcel (#14-36-103-012); thence East to a point on the East line of said S. Squirrel Road also being the SW corner of parcel (#14-36-126-001); thence South along the East line of Said S. Squirrel Road to the intersection of said East line and the North line of said Primary Street; thence along said North line to the SW corner of parcel (#14-36-126-025); thence North to the SW corner of parcel (#14-36-126-022); thence East to the SE corner of said parcel; thence North to a point on the South right of way line of said Auburn Road also being the NW corner of parcel (#14-36-126-023); thence East along the South line of said Auburn Road to the NE corner of parcel (#14-36-203-001); thence North to a point on the South line of parcel (#14-25-452-007); thence West to the SW corner of said parcel; thence North to the NW corner of parcel (#14-25-452-007); thence West along the North right of way line of said Auburn Road to the SW corner of parcel (#14-25-451-008); thence North along the West line of parcels (#14-25-451-008), (#14-25-401-004), (#14-25-401-003) and (#14-25-401-006) to the North corner of Lot 37 of "Supervisor's Plat No. 9", as recorded in Liber 52, Page 33, Oakland County Records, also being the North corner of parcel (#14-25-327-008); thence Northeasterly along the North lines of parcels (#14-25-401-006) and (#14-25-426-001) to a point on the West right of way line of Old Adams Road (variable width); thence South along West line of said Old Adams Road and S. Adams Road to the Point of Beginning. Except that part beginning at a point on the South Auburn Road, also said point being the NW corner of Lot 33 of said Supervisor's Plat No. 16 and the NW corner of parcel (#14-36-226-002); thence West 50 feet; thence North 33 feet; thence East 50 feet; thence South 33 feet to the Point of Beginning.

Tax Identification Numbers that will be contained in the new boundaries of the Downtown District

1425351023, 1425351024, 1425351025, 1425351026, 1425351027, 1425351033, 1425351035, 1425351036, 1425352001, 1425352002, 1425352003, 1425352004, 1425352005, 1436102001, 1436102002, 1436102003, 1436102005, 1436102006, 1436102007, 1436102008, 1436103012, 1436102009, 1425376005, 1425303006, 1425377004, 1425377001, 1425377002, 1425377017, 1425377018, 1425377005, 1425382001, 1425382002, 1425382003, 1425382004, 1425382005, 1425382006, 1425382007, 1425382008, 1425382009, 1425382010, 1425382011, 1425382012, 1425382013, 1425382014, 1425382015, 1425382016, 1425382017, 1425382018, 1425382019, 1425382020, 1425382021, 1425382022, 1425382023, 1425382024, 1425382025, 1425382026, 1425401003, 1425401004, 1436126023, 1436126024, 1436126025, 1436127007, 1436129002, 1436129003, 1436129004, 1436127003, 1436127004, 1436127005, 1436127006, 1436127008, 1436127009, 1436128001, 1436128002, 1436128003, 1436129005, 1436129006, 1436202002, 1436202003, 1436202004, 1436202005, 1436202006, 1436202007, 1436202062, 1436203001, 1436203012, 1436201001, 1436226001, 1425451007, 1425451008, 1425451012, 1425451013, 1436226002, 1436226003, 1436226004, 1436226005, 1436226006, 1436226007, 1436226008, 1436226009, 1436226010, 1436226022, 1436226023, 1425478006, 1425452007, 1425478013, 1425452009, 1425452001, 1425452002, 1425452010, 1425478005, 1425478010, 1425478012, 1425426011, 1425426009, 1425429001, 1425429002, 1425429003, 1425429004, 1425429005, 1425429006, 1425429007, 1425429008, 1425429009, 1425429010, 1425429011, 1425429012, 1425429013, 1425429014, 1425429015, 1425429016, 1425429017, 1425429018, 1425429019, 1425429020, 1425429021, 1425429022, 1425429023, 1425429024, 1425429025, 1425429026, 1425429027, 1425429028, 1425429029, 1425429030, 1425429031, 1425429032, 1425429033, 1425429034, 1425429035, 1425429036, 1425429037, 1425429038, 1425429039, 1425429040, 1425429041, 1425429042, 1425429043, 1425429044, 1425429045, 1425429046, 1425429047, 1425429048, 1425429049, 1425429050, 1425429051, 1425429052, 1425429053, 1425429054, 1425429055, 1425429056, 1425429057, 1425429058, 1425429059, 1425429060, 1425426010, 1425426001, 1425426002, 1425451009, 1425376006, 1425378013, 1425378014, 1425378015, and 1425401006

### Section 2. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

### Section 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.

The proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Auburn Hills City Charter.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 10<sup>th</sup> day of October, 2014, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Knight, Mitchell, Verbeke

NAYES: None

ABSTENT: Council Member Hammond

STATE OF MICHIGAN )

) ss.

COUNTY OF OAKLAND )

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 14-862 adopted by the City Council of the City of Auburn Hills on the 10<sup>th</sup> day of October, 2014 the original of which is in my office.

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Terri Kowal, City Clerk  
City of Auburn Hills

**Resolution No. 14.10.209**

**City of Auburn Hills**

**RESOLUTION TO ADOPT AN 80/20 COST SHARING MODEL - 2015  
FOR EMPLOYEE CONTRIBUTIONS TO HEALTHCARE PREMIUMS**

**WHEREAS**, Public Act 152 of 2011 requires employee contributions to health care premiums and prescription drug plans, and

**WHEREAS**, beginning January 1, 2015, all full-time employees shall pay for cost sharing in health care and prescription drug plans, and

**WHEREAS**, for 2015, all collective bargaining agreements require such contributions from their members in compliance with the Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011, and

**WHEREAS**, the City shall collect such premiums by way of twenty-six equal payroll deductions throughout the year, and

**WHEREAS**, there are four options for employee premium costs to healthcare and they are:

- 1) Apply the hard cap (capped dollar amount a local government employer may pay toward an employee's healthcare costs);
- 2) Adopt by majority vote the 80/20% cost-sharing model,
- 3) Elect not to follow the statute/non-compliance,
- 4) Adopt by a two-thirds vote to opt out of the cost-sharing model as set forth in Public Act 152 of 2011 and revisit it prior to the next plan year, and

**WHEREAS**, the City of Auburn Hills has elected the 80/20% cost-sharing model whereby the employer shall provide 80% of the premium cost for medical and prescription drug coverage and the employee shall contribute 20% of the premium cost for medical and prescription drug coverage.

**NOW, THEREFORE, BE IT RESOLVED**, the Auburn Hills City Council elects to comply with the requirements of the Publicly Funded Health Insurance Contribution Act and the requirements of the terms of the collectively bargained agreements by adopting the 80/20% cost-sharing model set forth in Section 4 of the Act with a continuation of premium share collection on January 1, 2015.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Knight, Mitchell, Verbeke

NAYS: None

ABSENT: Council Member Hammond

ABSTENTIONS: None

Resolution No.14.10.209 Adopted (6-0)

STATE OF MICHIGAN)  
  )SS  
COUNTY OF OAKLAND)

I, the undersigned and duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 10<sup>th</sup> day of October, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 11th day of October, 2014.

\_\_\_\_\_  
Terri Kowal, City Clerk

**CITY OF AUBURN HILLS  
RESOLUTION 14.10.210  
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR SL AMERICA CORP.**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **20<sup>th</sup> day of October, 2014**.

The following resolution was offered by Councilperson Burmeister and supported by Councilperson Knight:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on **the 20<sup>th</sup> day of October, 2008**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **PLEXUS SYSTEMS, INC. Industrial Development District; and**

WHEREAS, **SL America Corp.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real property and personal property** within the **PLEXUS SYSTEMS, INC. Industrial Development District; and**

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **20<sup>th</sup> day of October, 2014** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility and installation of new personal property has not begun earlier than six (6) months before **2<sup>nd</sup> day of September, 2014**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of **the real property and personal property** is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, **shall not** have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Auburn Hills.

2. The application from **SL America Corp.** for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **PLEXUS SYSTEMS, INC. Industrial Development District; to wit;**

The real property parcel the facility is located on is identified as tax parcel 02-14-03-100-034, having an address 4375 Giddings Road, City of Auburn Hills, MI 48326, including:

T3N, R10E, SEC 3 PART OF NW 1/4 BEG AT PT DIST N 02-46-00 W 1643.38 FT & S 87-11-43 W 627.66 FT FROM CEN OF SEC, TH S 87-11-43 W 370.98 FT, TH N 02-14-49 W 522.28 FT, TH S 86-19-55 E 482.45 FT, TH S 02-43-54 E 178.64 FT, TH S 87-16-06 W 109.86 FT, TH S 02-07-56 E 289.39 FT TO BEG 4.74 A1-7-98 FR 021

is hereby approved for **real property and personal property improvements**.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of **eight (8) years**, and the starting date for the certificate is **December 31, 2014** and the ending date is **December 30, 2022**.

4. The total project investment approved is **\$3,459,000**.

5. **SL America Corp.** agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **two years** after the date of the certificate's expiration.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Knight, Mitchell, Verbeke

NAYS: None

ABSENT: Council Member Hammond

ABSTENTIONS: None

RESOLUTION 14.10.210 ADOPTED (6-0)

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the **20<sup>th</sup> day of October, 2014.**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on **this 22nd day of October, 2014.**

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Terri Kowal, City Clerk