



The City of Auburn Hills
City Council Meeting
Minutes

June 26, 2017

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, Council Members Burmeister, Hammond, Kittle, Knight, Mitchell, and Verbeke (arrived at 7:04 pm).
Absent: None
Also Present: Assistant City Manager Grice, City Attorney Beckerleg, Police Lt. McDonnell, Clerk Kowal, Fire Chief Manning, Director of Community Development Cohen, Assistant Planner Keenan, City Engineer Juidici and City Manager Intern Thomas.

23 Guests

Mayor McDaniel noted that items 7b, 7c, 9j, 9k, and 13 are being removed from the agenda.

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes – June 12, 2017

Moved by Mitchell, Seconded by Burmeister.

RESOLVED: To approve the June 12, 2017 City Council workshop meeting minutes.

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

No: None

Resolution No. 17.06.099

Motion Carried (6 - 0)

4b. Regular City Council Minutes – June 12, 2017

Moved by Hammond, Seconded by Burmeister.

RESOLVED: To approve the June 12, 2017 City Council regular meeting minutes.

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

No: None

Resolution No. 17.06.100

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Motion - Reappoint Laura Ochs to the Planning Commission.

Mayor McDaniel noted that this is a reappointment to the Planning Commission. Ms. Ochs has indicated her interest in continuing to serve.

Moved by Burmeister, Seconded by Mitchell.

RESOLVED: To confirm the appointment of Laura Ochs to the Planning Commission for a term ending July 31, 2020.

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

No: None

Resolution No. 17.06.101

Motion Carried (6 - 0)

5b. Motion - Reappoint Sam Beidoun to the Planning Commission.

Mayor McDaniel noted that this is a reappointment to the Planning Commission. Mr. Beidoun has indicated his interest to continue to serve.

Moved by Kittle, Seconded by Knight.

RESOLVED: To confirm the appointment of Sam Beidoun to the Planning Commission for a term ending July 31, 2020.

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

No: None

Resolution No. 17.06.102

Motion Carried (7 - 0)

6. PUBLIC COMMENT

State Representative Tim Greimel presented a state proclamation to City Clerk Terri Kowal for her dedication and long standing service in Municipal Government; 22 years in Shelby Township then over five years here in Auburn Hills. Ms. Kowal was awarded the prestigious Quill Award by the International Institute of Municipal Clerks. He explained that this award was very well deserved award and is only given to two Municipal Clerks each year internationally.

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

7a1. Beautification Advisory Commission – May 17, 2017

7a2. Zoning Board of Appeals – May 17, 2017

7a3. Tax Increment Finance Authority – June 13, 2017

7a4. Planning Commission – June 14, 2017

~~7b. Motion – Approve 2017 Annual Street Markings Program - Removed from the agenda~~

~~7c. Motion – Approve Bulk Road Salt Purchase for 2017/2018 Season. - Removed from the agenda~~

Moved by Kittle, Seconded by Mitchell.

RESOLVED: To approve the Consent Agenda items 7a1., 7a2., 7a3., 7a4.

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

No: None

Resolution No. 17.06.103

Motion Carried (7 - 0)

8. OLD BUSINESS

8a. Motion – Approve Alcohol Permit for the Summer Concert Series

Mr. Grice explained that in February, City Council approved a change in the City ordinance that would allow the use of alcohol at certain City sanctioned events, and allow the consumption of beer and wine at the City's Friday Night Concerts in the Park series. The proposed request is to approve the consumption of beer and wine, in approved areas of the park, for the remaining 2017 Friday Night Concerts in the Park series.

Ms. Hammond expressed concern with allowing alcohol use to continue after the concert ends. She suggested that time be reduced to one hour while staff is breaking down the event and is still present. Mayor McDaniel clarified that the proposal is from 6:00 PM – 9:00 PM, which is only a half hour after the band ends.

Mr. Knight stated that he is appalled that this has come forward. He expressed concern that we are destroying the concert in the park as a family venture by allowing alcohol because kids do not belong where there are open bottles.

Mayor McDaniel noted that there was much discussion on this topic. While similar concerns were expressed, the majority of Council at that time had asked staff to bring this forward for the concert series. The thought was that it would be done for the entire concert series and, if there were any problems, action would be taken to eliminate the alcohol use.

Mr. Burmeister questioned if staff, other than the Police Department, have been trained on overconsumption or tracking overconsumption. Mr. Grice stated that staff who would be involved in the oversight have not been trained. Lt. McDonnell stated that the training could be offered. The TIPS training trains individuals to know when someone is intoxicated or when the police need to be called.

Moved by Hammond, Seconded by Verbeke.

RESOLVED: To allow the consumption of alcohol in the designated area at the Friday Nights Concert Series in the Park from July 7 to August 18, 2017, from 6:00 pm to 9:00 pm, with no glass bottles allowed, at Riverside Park in downtown Auburn Hills.

Ms. Verbeke suggested staff have plastic cups at the next concert just in case someone shows up with glass bottles.

Ms. Mitchell stated that the manner in which alcohol was introduced to the Summerfest was ideal. There was a licensed provider, it was organized, and in an area that was separated from the rest of the families. With an event like the Concerts in the Park, an introduction like this has the potential to change the climate of the event. Since it will be allowed openly in the park for everyone that is there, she is not in support.

Mr. Grice suggested authorizing the City Manager or Assistant City Manager to make the decision internally to end it if problems arise, then bring it back to Council at the next meeting. Council agreed.

Mr. Kittle expressed support for this as an experiment. It may be a better alternative to find a concessionaire that would be willing to support it similar to the Summerfest. Mayor McDaniel noted that from the patron feedback, this was one of the many requests that came up. Mr. Kittle requested a report back for the next Council meeting.

VOTE: Yes: Hammond, Kittle, McDaniel, Verbeke

No: Burmeister, Knight, Mitchell

Resolution No. 17.06.104

Motion Carried (4 - 3)

9. NEW BUSINESS

9a. Motion - Approval of the rezoning of 2025 Dexter Road from R-1B, One-Family Residential District to B-1, Limited Business District / Cornerstone Community Financial Credit Union

9b. Motion – Approval of Site Plan / Cornerstone Community Financial Credit Union

Mr. Cohen explained the request is to rezone the house directly north of the property for a parking lot expansion of approximately thirty spaces. The parking lot will only be used during the hours of 8:00 AM – 6:00 PM and no access will be provided to Dexter Road. He noted that the Master Land Use Plan allows this property to be rezoned to a non-residential use. The intent of the project is to combine the parcel with the Credit Union's parcel to the south.

Mr. Cohen noted that staff asked Cornerstone to proactively communicate with the neighborhood and submit a site plan with the rezoning to show their intent for the property. He noted that Cornerstone has made every effort to be respectful of the surrounding neighborhood with their proposal. The extensive buffering and other site design considerations proposed by Cornerstone exceed ordinance requirements. Staff and Cornerstone have met with the owners of the parcel directly north prior to the Planning Commission meeting. The owners asked Cornerstone to provide a number of enhancements to their property to address the negative financial impact on their property. Under state law, the City cannot require Cornerstone to make off-site improvements, however Cornerstone has offered \$1,500.00 to assist the owners with additional screening to address their concerns with the view from the raised deck. The Planning Commission and Staff recommend approval of the project as presented.

Ms. Verbeke questioned the location of the wood fence to be removed. Mr. Cohen stated that the property owner was in favor of the fence removal as it is being replaced with a nicer fence. He explained that Cornerstone and property owner will work on the replacement together. If an agreement with the property owner cannot be reached, then Cornerstone would place their fence next to the existing fence.

Heidi Kassab, CEO of Cornerstone Community Financial Credit Union, explained that they felt that aesthetically one fence would be easier to maintain.

Mr. Knight expressed concern with establishing a precedent. Mr. Cohen stated that every zoning is done on a case by case basis. He explained that the master plan provides some flexibility to City Council to allow for some encroachment into the neighborhood. It is a sensitive issue that has to be done right.

Mr. Kittle questioned how long the property was vacant. Ms. Kassab explained that the property went on the market late summer of last year. She noted that Cornerstone has been maintaining the lot even though they do not own it yet.

Moved by Mitchell, Seconded by Hammond.

RESOLVED: To accept the Planning Commission’s findings and approve the rezoning of 2025 Dexter Road (14-14-278-022) from R-1B, One-Family Residential District to B-1, Limited Business District. The rezoning shall be referenced as Ordinance No. 17-892.

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

No: None

Resolution No. 17.06.105

Motion Carried (7 - 0)

Moved by Mitchell, Seconded by Kittle.

RESOLVED: To accept the Planning Commission’s findings and approve the Site Plan for Cornerstone Community Financial Credit Union subject to the conditions of the administrative review team.

Mr. Kittle commented that he would not approve any further expansions of this property.

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

No: None

Resolution No. 17.06.106

Motion Carried (7 - 0)

9c. Motion – Approval of Special Land Use, Site Plan, and Tree Removal Permit / INCOE Corporation

Mr. Cohen explained the request to construct a new 135,000 square foot world headquarters facility for INCOE Corporation. A special land use permit is required for the light industrial use. He noted that the site is heavily wooded. 446 replacement trees are required for the site. They were only able to fit 248 trees on the site. 198 replacement trees will either be paid into the City's tree fund or planted in other areas of the City. The total investment is estimated at \$20 million. Construction is expected to be complete in August, 2018. The Planning Commission and staff recommend approval as presented.

Mayor McDaniel questioned if there is any communication as to where the 198 trees would be planted. Mr. Cohen explained the options would be to pay into the City tree fund, provide trees to the DPW Department to plant along the right of ways, or they could plant within the park which would require a landscape plan detailing the location, species, and size of tree.

Courtney Seres, Vice President of Corporate Administration for INCOE Corporation, noted that they are very excited to consolidate their business in Auburn Hills. Theresa Bruce, Construction Manager on the project with General Development, introduced herself.

Ms. Hammond questioned whether there is any outdoor storage and if any is planned for the future. Mr. Cohen explained that they are going to modify the inside of their building to handle pallet storage etc. If they need outside storage, they would have to get a variance from the Zoning Board of Appeals.

Moved by Burmeister, Seconded by Hammond.

RESOLVED: To accept the Planning Commission's recommendation and approve the Site Plan, Special Land Use Permit, and Tree Removal Permit for INCOE Corporation subject to the conditions of the administrative review team.

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

No: None

Resolution No. 17.06.107

Motion Carried (7 - 0)

9d. Motion – Approval of Site Plan and Tree Removal Permit / Valeo North America

Mr. Keenan explained the request to construct a test track and 4,000 square foot testing office at the existing facility located at 4100 North Atlantic Blvd. The test track is just under a quarter mile long and will be used to test a wide range of Valeo's advanced technologies. The building will be used for test track operations, various testing and for the storage of test vehicles. A ten foot high chain link fence will be installed and will be screened by the existing trees and landscape. With regard to the ITC transmission lines that run along the east portion of the site, there is a zero outage mandate that prohibits the planting of trees in the area as well as ten feet out. The total investment of the project is estimated around \$3 million and construction is expected to be complete in September, 2017. The Planning Commission and staff recommend approval of this project.

In response to a question from Mr. Kittle, Mo Poorsartep, Advanced Engineering Manager from Valeo North America, explained that the track is not an oval, it is a flat test track to be driven back and forth. Matt Vetter, Director of Pre-Construction with Cunningham Limp, explained that the track is approximately sixty feet wide on the south end and seventy-five feet wide on the north end.

Ms. Mitchell questioned the type of evaluations that will be done. Mr. Poorsartep explained that the evaluations will include the innovations and technologies that are developed. It is not limited to active safety. It relates to the interior controls, connected vehicle technologies, other applications and automated parking.

Moved by Verbeke, Seconded by Hammond.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan and Tree Removal Permit for Valeo North America subject to the conditions of the administrative review team.”

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

No: None

Resolution No. 17.06.108

Motion Carried (7 - 0)

9e. Motion – Approval of Site Plan and Tree Removal Permit / Autoliv

Mr. Keenan explained the request to construct a parking lot addition containing 124 parking spaces at their existing facility. The site is approximately 13 acres in size. Once complete, the number of on-site parking spaces will increase from 470 to 589 spaces. The additional spaces are need for Autoliv’s growing business. He noted that the plans call for an access drive to Taylor Road. The proposed access drive would provide an added measure of safety for emergency response to that proposed lot. He explained that the total investment in the project is estimated at \$1 million and construction is anticipated to be complete in the winter of 2017. The Planning Commission and staff recommend approval of this project.

Ms. Hammond questioned if there would be a lot of truck traffic using this entrance. Patrick Patercsak, Facilities Manager at Autoliv, explained that truck traffic would follow the normal route and will not use this entrance as there is an abrupt turn that trucks would not be able to make.

Ms. Verbeke questioned if fire trucks would be able to make the turn. Mr. Manning explained that there is a turning template within the site plan that shows the fire truck turning radius.

Ms. Verbeke questioned if the turn lane would have to be extended. Mr. Judici explained that it is a three lane road with an existing center turn lane that could be utilized. She stated that the City will need a light at Taylor and Joslyn soon.

Moved by Mitchell, Seconded by Kittle.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan and Tree Removal Permit for Autoliv subject to the conditions of the administrative review team.

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

No: None

Resolution No. 17.06.109

Motion Carried (7 - 0)

9f. Motion - Approval of the City-initiated rezoning of 6 Championship Drive from I-2, General Industrial District to T&R, Technology & Research District / The Palace of Auburn Hills

Mr. Cohen explained that the City, in cooperation with Palace Sports Entertainment, initiated this rezoning application to prepare the 109 acre arena property for redevelopment should it no longer remain viable as a sports and entertainment venue in the years ahead. The land currently has separate zoning districts. The property on which the practice facility is located is zoned T&R Technology & Research. The property on which the arena sits is zoned I-2 General Industrial District. As a result of a detailed planning analysis conducted by the City, it has been determined that T&R zoning is best suited for the entire property. The Planning Commission and staff recommend approval of the rezoning as presented.

Moved by Mitchell, Seconded by Kittle.

RESOLVED: To accept the Planning Commission’s recommendation and approve the rezoning of Sidwell No. 14-02-300-022 and that portion of Sidwell No. 14-02-300-021 that is

currently zoned I-2, General Industrial District (a.k.a., The Palace of Auburn Hills) from I-2, General Industrial District to T&R, Technology & Research District. The rezoning shall be referenced as Ordinance No. 17-893.

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

No: None

Resolution No. 17.06.110

Motion Carried (7 - 0)

9g. Motion – Approval of text amendment to the Zoning Ordinance / Article XII. T&R, Technology and Research Districts

Mr. Cohen explained that the primary reason for amending the T&R District is to allow the Palace of Auburn Hills to remain as a conforming land use once rezoned. Other proposed changes include allowing staff to administratively approve outside storage at the Fiat Chrysler facility at 800 Chrysler Drive and allowing Oakland Community College as a conforming use in the T&R District if that property were to be rezoned in the future. Other issues were clarified with regard to green belts and lighting at recreational facilities. The Planning Commission and staff recommend approval.

Moved by Burmeister, Seconded by Hammond.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Text Amendment to Article XII. T&R, Technology and Research Districts of the Zoning Ordinance. It shall be referenced as Ordinance No. 17-894.

Ms. Hammond pointed out that the City is not kicking the Palace out and is not forcing them to do anything that they have not already discussed on their own. She noted that the City appreciates them being here all these years and thinks it is a great building. This just allows them to stay if that is what they decide to do.

Ms. Mitchell expressed support of the rational in items 2-4 and for that, will support this revision.

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

No: None

Resolution No. 17.06.111

Motion Carried (7 - 0)

9h. Public Hearing/Motion – Adopt Changes to Fire Code Ordinance

Chief Manning explained that the proposed amendment adopts the updates to the International Fire Code as well as clarifies language to the local ordinance on bonfires and recreational fires.

Mayor McDaniel opened the Public Hearing at 8:19 PM. Hearing no public comment, the Mayor closed the Public Hearing at 8:19 PM.

Moved by Verbeke, Seconded by Mitchell.

RESOLVED: To adopt an ordinance to amend Chapter 38, Article I, Sections F-104.11.7, F-304.3.5, F-307.2, F-507.5.1 and delete sections F-307.4 and 307.4.1 of the City of Auburn Hills Code of Ordinances, Fire Prevention and Protection.

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

No: None

Resolution No. 17.06.112

Motion Carried (7 - 0)

9i. Motion - Approve Urgent Replacement of DPW Custodial Van

Mr. Grice explained that the custodial vehicle was involved in a vehicle crash which resulted in significant damage to the vehicle. The damage is estimated to be within \$383.00 of total value of the vehicle. It is recommended to replace rather than try to repair it. Funding is available in the fleet budget. Mr. Grice confirmed for Mr. Knight that the City is self-insured for this vehicle.

Moved by Verbeke, Seconded by Kittle.

RESOLVED: To the purchase of a replacement Ram Promaster City from Lafontaine Chrysler, Dodge, Jeep, Ram, Inc., 6131 S. Pennsylvania Ave., Lansing, MI 48911 for \$ 20,592.00. Funding is provided from the Fleet Operating Budget, Collision Repair, Account # 661-442-930.001.

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

No: None

Resolution No. 17.06.113

Motion Carried (7 - 0)

~~9j. Motion - Approve 2017 RCOC Summer Maintenance Agreement - Removed from the agenda~~

~~9k. Motion - Approve 2017 Storm Rehabilitation Program - Removed from the agenda~~

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Kittle

- Thanked the Fire Department for their response during an out-of-season burning incident.
- Thanked the City for installing directional signs to Fieldstone.

Mr. Burmeister

- Had a great time scooping ice cream at the Ice Cream Social. It was a well-attended event.

Ms. Verbeke

- Had a great time scooping ice cream at the Ice Cream Social. She stated that was fun to sit with Council and see the residents out enjoying themselves at the Summerfest.

Ms. Hammond

- Thanked staff for coordinating the Summerfest from clean up to all the great activities and the volunteers who gave their time and energy to making sure the stations were manned.
- Commented on the fireworks being set off already. Suggested the City get the word out on the website and social media as to when you can set off fireworks.
- Commented that a neighbor was chased by a large coyote last night while out walking his dog. She wants residents to be aware and mindful of their animals, children, and walking at night.

Mr. Knight

- Has deer in his neighborhood. He stated that he is not sure if we will have a deer problem in the future, but the numbers seem to be growing around the neighborhoods.
- Complimented the planning of the beer tent at Summerfest. It was handled very professionally and was very well located.
- Hopes the City Planners and groups that did the Palace, will come up with some innovative review for the Country Kitchen. He suggested the City be proactive with the DNR and put some of the property located in the floodplain back into a buildable area by expanding the area of the river that is above the bank.
- Thanked the City for allowing the Optimist Club to have the Car Show in the park. The money raised is strictly used for projects at Will Rogers School.

Ms. Mitchell

- Echoed Ms. Hammond's comments regarding the appreciation for how well Summerfest was done. She thanked the staff and volunteers.
- Questioned if there was any feedback from the concern of Mr. Lang at the last Council meeting regarding the maintenance of the islands in the Orchards neighborhood.
Mr. Grice explained that there was an agreement between the neighborhood association and the City. The agreement will be shared with the neighborhood association next week.

Mayor McDaniel

- Thanked staff for their work on Summerfest. He received positive comments from residents regarding the beer tent and lots of positive feedback on the evening bands.
- Noted that the Color Run was well attended as well and they raised money for a great cause.

11. CITY ATTORNEY'S REPORT

12. CITY MANAGER'S REPORT

Mr. Grice

- For the past several months, staff has been working with the website provider to create a new website. It will be rolled out Tuesday morning.

13. ADJOURNMENT

Hearing no objections, the meeting adjourned at 8:33 PM.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk