



*The City of Auburn Hills*  
City Council Meeting  
Minutes

August 14, 2017

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**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  
Absent: None  
Also Present: City Manager Tanghe, City Attorney Beckerleg, Assistant City Manager Grice, Deputy Clerk Pierce, Police Lt. Gagnon, Finance Director/Treasurer Schulz, Director of Senior Services Adcock, Assistant City Planner Keenan, Deputy DPW Director Herczeg, Mgr of Fleet & Roads Brisson, Mgr of Municipal Properties King, Recreation Director Marzolf, City Engineer Juidici, Accounts Receivable Mgr Farmer, and Mgmt. Assistant Thomas.

8 Guests

Mayor McDaniel announced the following changes to the agenda:

- Added Item 13b an executive session for the City Manager's Performance Review, with the concurrence of Mr. Tanghe.
- Removed Item 7c Local Officials Compensation Committee Resolutions from the Consent Agenda. He explained that if there was any action to be taken, the ability to do so would be under the receiving of the minutes. Otherwise, to approve it, no action would be taken over a thirty day period.

#### **4. APPROVAL OF MINUTES**

##### 4a. Regular City Council Minutes – July 24, 2017

Mayor McDaniel and Mr. Burmeister recommended corrections to the minutes.

**Moved by Knight, Seconded by Mitchell:**

**RESOLVED: To approve the July 24, 2017 City Council meeting minutes as amended.**

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

**No: None**

**Resolution No. 17.08.139**

**Motion Carried (7 - 0)**

#### **5. APPOINTMENTS AND PRESENTATIONS**

##### 5a. APWA Award Presentation for Clinton River Trail

Mr. Marzolf explained that the recent improvements to the Clinton River Trail have been recognized by the Michigan Chapter of the American Public Works Association, which received the award for the 2017 Project of the Year in the "Quality of Life Project less than \$1 million" category.

Mr. Marzolf introduced representatives from the Friends of the Clinton River Trail. The group was the driving force behind these and other improvements. Melinda Hill, President of the Friends of the Clinton River Trail and Fred Phillips, Past-President, gave a brief presentation about the trail, recent improvements and future goals.

In response to a question by Mr. Kittle, Mr. Marzolf explained that they currently do not have a count of the number of trail users, however there has been discussion about using a trail counter.

5b. AndCo Mid-Year Update by George Vitta

George Vitta, with the Bogdan Group, explained that there have been four increases in short term interest rates in the past two years. This has led to higher earnings in the City's investment pool. He noted that the majority of the City's investment funds are professionally managed by InSight, the Oakland County Investment Pool and Michigan Class. All of the investment pools are meeting or exceeding the independent market entities that have been set forth to evaluate their returns. In summary, in looking at the City's investment policy, he stated that he is pleased to report that all the investments are following the investment guidelines, the objectives are being met – objectives meaning safety, equity, and income. After eight years of the investment program and after all fees and expenses, the City's portfolio is earning a superior risk adjusted rate of return.

Mr. Vitta confirmed for Mr. Knight that the two month rate of return for Michigan Class is competitive with the other investments.

Ms. Verbeke questioned if Mr. Vitta had any recommendations or would do anything different. Mr. Vitta stated that he has no recommendations tonight.

**6. PUBLIC COMMENT**

Haley Stevens, candidate for U.S. Congress, 11<sup>th</sup> District, introduced herself.

**7. CONSENT AGENDA**

7a. Board and Commission Minutes

7a1. Beautification Advisory Commission – July 19, 2017

7b. Motion - Receive the 2nd Quarter 2017 Cash Management Summary and Executive Reports

**RESOLVED: To receive and file the AndCo Consulting 2nd Quarter 2017 Cash Management Summary and Executive reports.**

Ms. Mitchell requested Item 7a2 Local Officials Compensation Commission minutes be removed from the Consent Agenda.

**Moved by Verbeke, Seconded by Hammond:**

**RESOLVED: To approve the Consent Agenda items 7a1 and 7b.**

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

**No: None**

**Resolution No. 17.08.140**

**Motion Carried (7 - 0)**

7a2. Local Officials Compensation Commission – August 7, 2017

LOCC - Salary Resolution – No Action Taken

LOCC – Benefit Resolution – No Action Taken

Ms. Mitchell stated that she appreciates the dedication of the citizens who serve on the boards and commissions. After serving on Council for the past 3.5 years, it is evident to her that she and her peers do not serve for the compensation. Ms. Mitchell stated that in her review of the minutes, elements such as workload, performance level, and the length of time since an increase occurred were not discussed. She expressed concern that the approach used to review the Council compensation is not used in reviewing compensation for any other role in the City. She commented that this warrants more attention and she will be working to obtain more information to provide to staff so they can have a comprehensive input to provide to the committee when they make decisions of this nature. Ms. Mitchell stated that when asked to conduct further activity in this area, staff communicated they did not have the bandwidth to support the request, and she found that disappointing. She noted that there will be more to follow up on from her in this particular instance.

**Moved by Mitchell, Seconded by Burmeister:**

**RESOLVED: To receive the August 7, 2017 minutes of the Local Officials Compensation Commission.**

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

**No: None**

**Resolution No. 17.08.141**

**Motion Carried (7 - 0)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

9a. Motion – Approve Tree Planting Bid Award for Bald Mountain Road

Mr. Knight pointed out that the money was originally paid into the tree fund. He questioned if the City would be replacing these trees because the funds are in the account and the trees are dead.

Mr. King explained that the funds were originally in the form of a tree bond that were present with the Dutton Road Park Development. When the development stalled, the parties involved decided to release those funds into the tree fund so that project could be completed.

Ms. Hammond questioned why would there be less than half the cost between the bids. Mr. King explained that as best as they could determine, the contractor was already going to be in the area for other projects which would reduce his overhead for this project.

Mayor McDaniel noted that one of the three bids was disqualified. He stated that he appreciates staff holding the integrity of the process.

**Moved by Mitchell, Seconded by Verbeke:**

**RESOLVED: To approve Tree Planting Bid Award for Bald Mountain Road to Agroscaping, 6443 Grand Blanc Rd., Swartz Creek, MI 48473 for \$19,750.00 to be paid for from the Tree Fund Account # 242-447-638.000.**

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

**No: None**

**Resolution No. 17.08.142**

**Motion Carried (7 - 0)**

9b. Motion – Approve Vehicle Telematics System for the DPW Radio System.

Mr. Brisson explained that the system would be used to monitor the telematics on the vehicles and includes the software, hardware, and point to point communication. He stated that there is no monitoring fee because this is using the digital radio system. He pointed out that the slight increase over what was

budgeted is mostly due to the mapping system. The company formerly used google earth for its mapping overlay and has since developed its own mapping system. He noted that there are possible fees for commercial use of google earth in the future.

In response to a question from Mr. Knight as to who will know where the vehicles are, Mr. Brisson explained that it will go on the City network where DPW would utilize it. Mr. Knight suggested the police department may want to see where the vehicles are located.

**Moved by Verbeke, Seconded by Knight:**

**RESOLVED: To approve the purchase of equipment, software and installation to complete the vehicle telematics project for the DPW Two-Way Radio System from Com Source, Inc., 41271 Concept Drive, Plymouth, Michigan 48170 in the amount of \$21,460.20. Funding is provided from the Fleet Operating Budget, account 661-442-799.000.**

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

**No: None**

**Resolution No. 17.08.143**

**Motion Carried (7 - 0)**

9c. Motion – Approve Roof Replacement Bid Award for DPW Garage

Mr. King explained that the existing roof is at the end of its life expectancy and has experienced some leaking. He confirmed for Mayor McDaniel that it is a flat membrane roof.

Mr. King explained for Mr. Knight that the roof will be stripped down to the decking. There is a clause if any of the boards need to be repaired.

Ms. Hammond questioned the warranty. Matt Verhey, regional manager for the southeast Michigan territory with The Garland Company, explained that there is a thirty-year NDL warranty from the manufacturer as well as a three-year workmanship from the installing contractor.

In response to a question from Mayor McDaniel regarding the flat roof, Mr. Verhey explained that even though it is considered a flat roof, there is a minimal amount of slope designed into the roof deck. There are some flat portions, however the design was modified to add some curves to make sure that water flows more efficiently to the drain area. Insulation will be added to bring it up to code. He pointed out that they are trying to facilitate better drainage within the parameters of the building itself.

Mr. King explained that the roofing industry is currently very competitive. The City is not desperate to get it done immediately, just trying to capture the best possible price from the contractors that bid. He confirmed for Mr. Burmeister that this will come out of next year's budget.

Mr. Kittle questioned the terminology "NDL". Mr. Verhey explained that "NDL" stands for "no dollar limit" which does not limit the labor or the amount of materials that is needed to repair it. He confirmed that the warrant covers both materials and workmanship to repair any leaks.

**Moved by Knight, Seconded by Hammond:**

**RESOLVED: To approve DPW Garage Roof Replacement Bid Award to Lutz Roofing, 4721 22 Mile Rd., Shelby Twp., MI 48317 for \$633,250 to be paid for from the Proposed 2018 Budget, Account # 401-901-975-000**

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

**No: None**

**Resolution No. 17.08.144**

**Motion Carried (7 - 0)**

9d. Motion – Approve Scope of Engineering Services for 2018 Downtown Rehabilitation

Mr. Herczeg explained that the project includes pavement improvements, curb extensions, traffic alignment and water main replacement on Auburn Road as well as a single-lane roundabout at the existing clock tower intersection on Squirrel and Squirrel Court. It is staff's intention to bid this project in the fall with the proposed amphitheater to capture economies of scale and limit disruption to the corridor.

In response to a question from Mr. Knight regarding the single-lane roundabout, Mr. Juidici explained that the existing lane configuration is two-lanes. The roundabout will be set up with right turn lanes on both sides and the circulating roundabout will be a single lane. Mayor McDaniel suggested a schematic be provided.

Ms. Verbeke expressed concern with pedestrian safety. Mr. Juidici explained that the proposed improvements are geared toward improved and safer pedestrian accommodations for crossings. The intersection will be reconfigured so it will be compliant with all the current ADA accessibility and new sidewalk ramps. In addition, with the single lane roundabout, each pedestrian crossing is only crossing one lane, in one direction at a time, with refuge islands in between. It is about as safe as it can get from a pedestrian standpoint. Ms. Verbeke questioned if there were any similar roundabouts in the area that Council could compare. Mr. Juidici stated that he can provide a list as there are a number of roundabouts in the area that would be good examples.

Mr. Kittle questioned if the scope of services fee is for all of the rehab and reconstruction that is going on downtown. Mr. Juidici explained that it includes the stretch of Auburn Road from Churchill to Cherryland and North Squirrel from Auburn to the intersection with the roundabout.

Mr. Kittle commented on the timeliness of the project on doing construction with the truck traffic and questioned if the City heard back from the Road Commission or State relative to the bridge. Mr. Tanghe explained that the City is drafting a letter to encourage funding. Mr. Juidici explained that the most recent status from the Road Commission is that they have applied for funding. The funding awards will be announced in October. The Road Commission is fairly confident that they will get the funding and anticipate the bridge being done with their 2018 Opdyke project.

Mr. Knight questioned the rationale as to the one single lane to Auburn Road. Mr. Juidici explained that based on existing and anticipated growth projection from traffic volumes, there is not enough traffic to warrant having the two lanes in that area. He pointed out that the road will widen as you approach the intersection at Auburn for a left and right turn lane. The amount of traffic that goes through there could easily be accommodated in a single lane and would allow space to provide on-street parking if desired.

**Moved by Verbeke, Seconded by Mitchell:**

**RESOLVED: To award the Scope of Engineering Services for the Downtown Rehabilitation to OHM Advisors in the not-to-exceed amount of \$225,000.00 and the materials testing to TEC for the estimated cost of \$8000.00. Expenses to be paid from capital project fund account number 401-901-973.000-17CIAUBURNRD for \$193,000.00 and water fund account number 592-536-977.001-17CIAUBURNRD in the amount of \$40,000.00.**

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

**No: None**

**Resolution No. 17.08.145**

**Motion Carried (7 - 0)**

9e. Motion – Approve Roof Replacement Bid Award for Library

Mr. King explained that the existing Library roof has been an issue for years with leaking, poor design, poor roof system components, and inadequate undersized drainage assemblies.

Mr. Knight questioned whether a metal roof will replace the existing metal roof and how long it will last. Matt Verhey, regional manager for the southeast Michigan territory with The Garland Company, explained that the reason there are so many issues with leaking is that it was a poorly installed project. He stated that they know where the problem areas are, know how to address them, and will oversee the installation. The same warranty applies. He noted that when they are involved with the design of the roof, they are able to warranty the process.

In response to a question from Mayor McDaniel, Mr. Verhey explained that he does not work for either roofing company. He noted that Garland does not perform any of the labor. They help entities determine what the issues are, help budget, find solutions and make recommendations. Mr. Verhey confirmed for Mr. Kittle that he works directly for The Garland Co, who is the manufacturer.

Mr. Verhey confirmed for Mr. Kittle that there is a 30-year NDL warrant on this roof as well. He explained that his company is compensated when the material is purchased by the contractor.

**Moved by Knight, Seconded by Verbeke:**

**RESOLVED: To approve Library Roof Replacement Bid Award to Royal Roofing, 2445 Brown Rd., Orion, MI 48359 for \$415,860.00 to be paid for from the Amended 2017 Budget, Account # 401-901-975-000.**

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

**No: None**

**Resolution No. 17.08.146**

**Motion Carried (7 - 0)**

9f. Motion – Request to hire full-time position for Senior Services Department

Ms. Adcock explained the proposal to add a full-time position to the Senior Services Department, which would eliminate three part-time positions. She further explained the services offered by the Senior Services Department.

Mayor McDaniel commented that he was pleased to see this come forward and stated that Council appreciates all the great work that she does as the director of the department. He stated that the engagement level needs a boost and hiring this position would provide what is needed.

Ms. Adcock clarified for Mr. Knight that, of the three part-time positions, two are vacant and one is filled.

Ms. Mitchell expressed support of adding this resource as it will enhance the department. She questioned the educational degree requirement. Ms. Adcock explained that the gerontology degree is not as common as a recreational degree. She stated that they are hoping to get someone with some experience in programming and a background in recreation and or gerontology. Ms. Mitchell expressed support of adding this resource as it will enhance the department. ~~She questioned the educational degree requirement.~~ Ms. Adcock explained that the gerontology degree is not as common as a recreational degree. She stated that they are hoping to get someone with some experience in programming and a background in recreation and or gerontology. Ms. Mitchell encourages staff to consider part time resources that align with the City culture to minimize the potential for turn over if they express a willingness to obtain the specifically requested educational background.

Ms. Hammond and Mr. Burmeister expressed support of this position. Mr. Burmeister stated that he sees this as a step toward succession planning, which Council is in favor of.

**Moved by Burmeister, Seconded by Mitchell:**

**RESOLVED: To approve the request to hire a full time Program Coordinator in Senior Services.**

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

**No: None**

**Resolution No. 17.08.147**

**Motion Carried (7 - 0)**

9g. Motion – Approval to award the contract for Construction Services for the Galloway Creek Wetland Restoration Project to TSP Services, Inc.

Mr. Keenan explained that the City was awarded a grant from the EPA as part of the restoration of approximately two acres of wetland habitat along the Galloway Creek. The area being restored was a wetland until it was illegally filled in the 1980's. This is one of eleven projects being funded by the EPA to help delist the Habitat Biological Use Impairment for the Clinton River Watershed Area of Concern. In addition to increasing wetland habitat in the watershed, the project will help improve the water quality of the Galloway Creek and help provide additional flood protection for adjoining and downstream properties.

Mr. Knight questioned the cost of the project. Mr. Keenan explained that the project cost was first estimated at \$370,000, however the bids came in higher than expected. There are some funds within the Storm Water Management account to cover some of the shortfalls of the grant funding. Mr. Keenan pointed out that the City's cost for this is less than 10%.

**Moved by Kittle, Seconded by Hammond:**

**RESOLVED: To award the contract for Construction Services for the Galloway Wetland Restoration Project to TSP Services, Inc. of Redford, Michigan, in the not-to-exceed amount of \$377,980.00 with the funds to be paid from Storm Water Management account number 101-445-970.000 Gal\_Wet\_Rest. In addition, move to authorize the Finance Director to amend the City's 2017 Budget by adding \$400,000.00 to the Storm Water Management expense account number 101-445-970.000 Gal\_Wet\_Rest and \$358,000.00 to revenue account 101-445-507-000 Gal\_Wet\_Rest.**

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

**No: None**

**Resolution No. 17.08.148**

**Motion Carried (7 - 0)**

## **10. COMMENTS AND MOTIONS FROM COUNCIL**

Ms. Verbeke

- Commented on National Night Out. She attended two of the three locations. Her kids had a good time. It was pretty low attendance at the Target location. She stated that if you had an experience at a previous National Night Out events, they were more grandiose with more opportunities. She suggested it be revisited for next year and taking it back to where it was. It is a great thing the City does for the community and she would like to see it continue.

Ms. Hammond stated that more people attended the event at the Den. She agreed that more effort needs to go in to it for next year, possibly two locations instead of three. Having only one location was too chaotic.

Mayor McDaniel commented that some of the feedback received was that people missed it being one whole event. He stated that he would be interested in getting feedback from those who facilitated the event.

Lt. Gagnon commented that it was a good year to evaluate the three locations. He stated that Target is likely to pull out next year.

Mr. Burmeister

- Received a concern from a citizen regarding a pine tree located on westbound Dutton at Squirrel Road that obstructs the northbound vision. He requested staff review this area.

Mr. Kittle

- Requested an update on 3250 in downtown and Dimitri's  
Mayor McDaniel stated that Dimitri's is planning on a September opening.

Mr. Tanghe explained that all of the brownfield issues and agreements for the capture and payment schedules have been approved and signed at 3250. The developer has indicated a fall start. The lenders were waiting for the finalization of all of those documents. The remediation has taken place and the site is ready. They were waiting for final financing approval.

In response to a question from Mayor McDaniel, Mr. Tanghe explained that normally a reimbursement plan is done. Once the building is built and taxes are captured, it pays the brownfield back. The revolving fund supplied the dollars to do the work and the capture plan dollars will be paid back to the revolving fund. Mayor McDaniel stated that he would like to see the City pursue more creative measures in dispensing reimbursements related to authorities such as grants rather than fronting the funds.

- Pondered if we are limiting ourselves from a competitive standpoint by specking the roofing projects in a specific material.

Ms. Hammond

- Thanked the City Manager and DPW staff for handing the downtown restaurant and closing.

Mr. Knight

- Commented that the concert was rained out Friday night. The delay was handled well.
- Questioned the schedule for removing the concrete. Mr. Grice explained that there is a bit of brownfield work that has to happen. It is going before the board tomorrow. Staff will work out the details as soon as we get more information.
- Noted that the slab on the Mount Steel site in the southwest corner is a hotspot. It has to have special handling. He just wants to keep that one moving.

Ms. Mitchell

- Thanked Congressman Trott for his generous donation to the Auburn Hills Public Library.
- Reminded residents that the Avondale back to school supply drive has drop off locations at the Community Center and Library from July 21<sup>st</sup> – August 24<sup>th</sup>.
- Thanked staff for addressing the parking of the semi-trucks at the corner of Opdyke and Auburn.
- Questioned if there was any feedback in regards to the changes at the Fire Department.  
Mr. Tanghe commented that it has only been a couple weeks now. In general, Chief Manning has stated that it is going well.

Mayor McDaniel

- Stated that it was requested of him to see if our Public Safety members could look at the possibility of posting a sign on Opdyke Rd to prevent cars from turning left into the McDonald's parking lot

between the hours of 4:00 PM – 6:00 PM. He suggested the Police Department take a look at it and return with information or a recommendation.

**11. CITY ATTORNEY'S REPORT**

**12. CITY MANAGER'S REPORT**

**13. EXECUTIVE SESSION**

13a&b. Discussion of Attorney Opinion Letter and City Manager Personnel Evaluation

**Moved by Mitchell, Seconded by Verbeke:**

**RESOLVED: To meet in Executive Session to discuss an attorney opinion letter and the City Manager's Performance Evaluation.**

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

**No: None**

**Resolution No. 17.08.149**

**Motion Carried (7 - 0)**

The Council recessed to executive session at 9:05 PM.

The meeting reconvened in open session at 9:44 PM.

**Moved by Hammond, Seconded by Verbeke:**

**RESOLVED: To authorize the July 24, 2017 settlement with Molex as described in executive session and direct the City Attorney to draft the appropriate amendment to the backstop agreement to effectuate the settlement and authorize the City Manager to sign the amendment to the backstop agreement.**

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

**No: None**

**Resolution No. 17.08.150**

**Motion Carried (7 - 0)**

**14. ADJOURNMENT**

Hearing no objections, the meeting adjourned at 9:46 PM.

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Kevin R. McDaniel, Mayor

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Terri Kowal, City Clerk