



*The City of Auburn Hills*  
City Council Meeting  
Minutes

September 25, 2017

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**CALL TO ORDER:** Mayor Pro Tem Mitchell at 7:00 p.m.  
**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326  
Present: Mayor Pro Tem Mitchell, Council Members Burmeister, Hammond, Kittle, Knight, and Verbeke  
Absent: Mayor McDaniel  
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Kowal, Police Chief Olko, Community Development Director Cohen, Assistant City Planner Keenan, Network Engineer Purdy, DPW Director Melchert  
  
8 Guests

**4. APPROVAL OF MINUTES**

4a. City Council Workshop Minutes – September 11, 2017

**Moved by Burmeister, Seconded by Verbeke.**

**RESOLVED: To approve the September 11, 2017 City Council workshop minutes.**

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

**No: None**

**Resolution No. 17.09.172**

**Motion Carried (6 - 0)**

4b. Regular City Council Minutes – September 11, 2017

**Moved by Kittle, Seconded by Knight.**

**RESOLVED: To approve the September 11, 2017 City Council minutes.**

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

**No: None**

**Resolution No. 17.09.173**

**Motion Carried (6 - 0)**

**5. APPOINTMENTS AND PRESENTATIONS**

**6. PUBLIC COMMENT**

Ron Moniz, 3003 Garden Ct, introduced himself to Council and stated that he is running as a write-in candidate for City Council.

State Representative Mike McCready, representing the 40<sup>th</sup> District, introduced himself to Council.

George Niedbalski, 2309 Walnut, expressed concern with the increased volume of the highway traffic heard from his backyard and questioned if there has been any discussion to install sound walls.

State Representative McCready explained that MDOT has been asked to do another sound study. He will email the information regarding the study to the City by the end of the week. Once the study results have been received, another survey will be conducted in about one year. They will then go back to the federal government to apply for approval and funding for the sound walls.

Mr. Burmeister agreed with the concern on the sound level as he is in the same neighborhood.

## 7. CONSENT AGENDA

### 7a. Board and Commission Minutes

#### 7a1. Planning Commission – August 16, 2017

**Moved by Verbeke, Seconded by Hammond.**

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

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

**No: None**

**Resolution No. 17.09.174**

**Motion Carried (6 - 0)**

Mr. Knight commented that the Planning Commission minutes should be timelier.

## 8. OLD BUSINESS

### 8a. Motion – Accepting First and Second Quarter 2017 Monitoring Network Review Summaries of the Oakland Heights Development Landfill Reports.

Andrew Foerg, Landfill Consultant, presented the First and Second Quarter 2017 reports. There was nothing notable to report in the first quarter. In the second quarter, one volatile organic compound, acetone, was detected in one well. It is at a low level and is a very common laboratory contaminant. It was resampled during the third quarter. Vinyl-chloride was found, but that has been on-going in the corner and is coming from off-site. That issue has been tabled as the levels are consistent and are not increasing.

Ms. Verbeke expressed concern with the odor. Mr. Foerg explained that those operations are not under his scope as he deals with monitoring programs such as surface water, ground water, and leachate control. He pointed out that, other than operational activities and where they are filling, heat, humidity, and wind direction are likely contributing factors to the odor problem.

Rob Moore, Environmental Manager for the landfill with Republic Services, explained that for the past six weeks, they have had an on-going gas construction project at the site. Eleven new gas collection wells have been installed and six have been replaced. The work should be done within the next week or so. He noted that they do patrol around the site on a daily basis to evaluate things.

Ms. Verbeke commented that she drives past the landfill on a daily basis and notices the odor inside her car as she gets close. Mr. Moore requested that she contact them when it occurs as time of day and weather can impact odor and he wants to make sure that all the information is being captured in order to identify any issues.

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To accept the First and Second Quarter Y2017 Monitoring Network Review Summaries prepared by Environmental Consulting Solutions of the Oakland Heights Development Landfill Reports.**

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

**No: None**

**Resolution No. 17.09.175**

**Motion Carried (6 - 0)**

### 8b. Public Hearing/Motion – Sunset/Dissolve all unused IDD districts located in the City of Auburn Hills

Mr. Griffin explained the request to dissolve all the existing industrial development districts. He explained that in order to do an actual IFEC or abatement, you are required to have a district in place first. IFECs have come and gone, but the districts have stayed. He noted that this is a housekeeping item as it is difficult to keep track of all the districts and dissolving them allows the City to have better control over this. In the future, for anyone that qualifies and requests an abatement, a district will be created at the same

time that the abatement is created. The district will sunset at the end of the facility certificate. He noted that this does not affect the City's abatement policy.

Mr. Kittle noted that Chrysler has three asterisks next to it in the report and questioned what it meant. Mr. Knight explained that they had three abatements – the original one, one for the office building, and one for the wind tunnel.

Mr. Griffin confirmed for Ms. Verbeke that it is possible to have a number of properties on an IDD district. The district can be any shape and form that the governing body would like it to be. In the future, he would like to see the districts be just the individual properties that the applicant is requesting. He explained that under the resolution, if there is a district with multiple buildings and one has an abatement currently in use, that specific district will not dissolve until the certificate ends.

Mayor Pro Tem Mitchell questioned if there would be a delay for the applicant by establishing a district and approving the abatement process at the same time. Mr. Griffin stated that it will not change anything. Rather than two visits to City Council, one to create the district and one to create the IFEC, both will be brought to Council at the same time.

Mayor Pro Tem Mitchell opened the Public Hearing at 7:29 PM. Hearing no public comment, Mayor Pro Tem Mitchell closed the Public Hearing at 7:29 PM.

**Moved by Verbeke, Seconded by Burmeister.**

**RESOLVED: To approve the request to sunset/dissolve all unused Industrial Development District and any IDDs as they expire. (Attachment A)**

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

**No: None**

**Resolution No. 17.09.176**

**Motion Carried (6 - 0)**

## **9. NEW BUSINESS**

### 9a. Motion – Approval of Site Plan / Fischer Automotive Systems

Mr. Keenan explained the request to construct a 43,266 square foot building addition that will connect the two existing buildings located at 1044 and 4084 Doris Road. The plans included the demolition of each of the buildings office areas to make room for a new two story office area. A new parking lot will be added as well. Total investment in the project is estimated at \$5.1 million. Construction is expected to begin in October, 2017 with completion in December, 2018. He noted that staff and the Planning Commission recommend approval.

Terry Cooper, president of Fischer Automotive, explained that they have been working on this proposal for ten years and are at the final stages to get the project approved. The additional space is needed and going with this method allows them to keep the jobs here, gives the employees a new place to work, and allows for future growth.

Mr. Kittle commented that it is a creative solution to a complicated problem.

Mr. Knight commented on the creativity. He questioned how the piece of property at the south end of the property is connected. Mr. Cooper explained that when MDOT came in to do the I-75 flower for the Chrysler, they took all that land away. In the end, there was a little piece left. None of the other land owners wanted it, so they gave it to JPM Investment, who was the previous land owner. There is an 8-10 foot strip that connects it. Other than having grass there, it is not useful for anything else.

Mr. Knight confirmed for Ms. Hammond that operations will continue during construction.

**Moved by Burmeister, Seconded by Knight.**

**RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan for Fischer Automotive Systems subject to the conditions of the administrative review team.**

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

**No: None**

**Resolution No. 17.09.177**

**Motion Carried (6 - 0)**

9b. Motion - Approval the Purchase of Microsoft Enterprise Mobility + Security (EMS)

Mr. Grice explained that in 2016, the Police Department was audited by the FBI for CJIS network compliance. The City was the first in the State of Michigan to achieve 100% compliance. The request tonight is a request to purchase the next level of CJIS security requirements that will keep the City in compliance with the newly updated security obligations.

Mr. Purdy confirmed for Mr. Knight that this is what the City needs in order to be in compliance.

**Moved by Verbeke, Seconded by Knight.**

**RESOLVED: To approve the purchase of Microsoft Enterprise Mobility + Security (EMS) from CDW-G for \$15,962.40 a year for three years totaling \$47,887.20. Funding for this will come from GL#101-883-814.000. Further we authorize Logicalis to perform all needed setup and configuration of Microsoft Enterprise Mobility + Security (EMS).**

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

**No: None**

**Resolution No. 17.09.178**

**Motion Carried (6 - 0)**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Kittle

- Expressed that he was saddened to hear the tragedy of the young person’s drowning at the hotel.
- Questioned the status of the Dimitri’s location and if there will be a grand opening any time soon. Mr. Keenan explained that at the last discussion with Dimitri’s, they were anticipating opening in mid-October.
- Pointed out that there will be four write-in candidates for City Council for this upcoming election and thanked them for putting their names in the hat.

Mr. Knight

- Expressed appreciation on the update for the funeral tomorrow for the Michigan State Trooper and sensitivity of closing the road.
- Noted that all the remedial work that was required on Mound Steel is done, so they can remove the concrete at any time.

Ms. Verbeke

- Explained that Squirrel Road between Dutton and Tienken will be closed tomorrow from 8:00 AM – 2:30 PM, for the funeral service of Michigan State Trooper Tim O’Neill.

Mayor Pro Tem Mitchell

- Questioned if the construction on Atlantic is still scheduled to be completed at the target completion date. Mr. Melchert explained that the N. Atlantic Blvd/Continental project is on track. He noted that Deep Woods and Pacific are both substantially complete at this point.
- Stated that she was approached by a resident who was under the impression that the workshops were not open to the public unless they were held in the Council Chamber. She clarified that the

workshops are open meetings, people are welcome to attend them no matter what room they are held in. She stated that guests are not documented in the minutes and suggested Council may want to consider adding the number of guests that attend workshops to help with the communication.

Mr. Burmeister

- Stated that he knows that there is a reason that there are no bike paths through the streets along Cross Creek. He questioned that reasoning. Ms. Mitchell requested staff return with the answer.

#### **11. CITY ATTORNEY'S REPORT**

#### **12. CITY MANAGER'S REPORT**

Mr. Tanghe

- Thanked the Veteran's Committee at FCA for the invitation to their memorial ceremony in remembrance of the victims of 9-11.
- Noted that he attended a portion of the Michigan Association of Municipal Attorneys conference. At the event, they recognized the City's Attorney, Derk Beckerleg, as the 2017 Distinguished Municipal Attorney. The award recognizes municipal attorneys who have reached the highest level of professional accomplishment in the representation of cities and villages.
- Mentioned that last week the City completed the due diligence call for the capital improvement bonds. We are winding down the preliminary steps necessary for the bond sale to take place which is expected by the end of October.
- Congratulated Code Enforcement Officer Dale Mathis and Police Detective Craig Damiani on their retirements and wished them long, healthy, and happy retirements.

#### **13. ADJOURNMENT**

Hearing no objections, the meeting adjourned at 7:48 PM.

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Kevin R. McDaniel, Mayor

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Terri Kowal, City Clerk

## ATTACHMENT A

### RESOLUTION TERMINATING INDUSTRIAL DEVELOPMENT DISTRICTS

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, Michigan 48326, at 7:00 p.m. on September 25, 2017, the following resolution was offered by Councilperson Verbeke and supported by Councilperson Burmeister:

WHEREAS, over the last several years, the City of Auburn Hills (“City”), pursuant to the Michigan Plant Rehabilitation and Industrial Development Districts Act, Act 198 of 1974, MCL 207.551 et seq. has established several Industrial Development Districts in the City of Auburn Hills; and

WHEREAS, some of the Industrial Development Districts established by the City have no Industrial Facility Exemption Certificates currently in effect in the Industrial Development Districts, while other Industrial Development Districts established by the City have existing Industrial Facilities Exemption Certificates currently in effect in said Industrial Development Districts; and

WHEREAS, pursuant to MCL 207.554(8), the City is desirous of terminating the Industrial Development Districts established in the City that do not have Industrial Facilities Exemption Certificates currently in effect in said Industrial Development Districts, with said terminations of said Industrial Development Districts to be effective on the date this Resolution is adopted by the Auburn Hills City Council; and

WHEREAS, the City is also desirous of terminating those Industrial Development Districts established in the City of Auburn Hills that currently have Industrial Facilities Exemption Certificates in effect in said Industrial Development Districts, with the termination of each respective Industrial Development District to be effective one day after the expiration of all of the Industrial Facilities Exemption Certificates in that respective Industrial Development District; and

WHEREAS, as required by MCL 207.554(9), prior to the Auburn Hills City Council considering this Resolution, at least fourteen (14) days written notice by certified mail was given to the owners of all real property within the Industrial Development Districts as determined by the tax records in the office of the Assessor or Treasurer of the City of Auburn Hills and the Auburn Hills City Council held a public hearing on the termination of the Industrial Development Districts on September 25, 2017, at which public hearing owners and other residents or taxpayers were given the right to appear and be heard; and

WHEREAS, the Auburn Hills City Council at its September 25, 2017 meeting terminated the Industrial Development Districts established in the City of Auburn Hills subject to the terms and conditions of this Resolution, while reserving the right to create new Industrial Development Districts in the City of Auburn Hills in the future.

NOW, THEREFORE, it is hereby resolved as follows:

1. The Industrial Development Districts in the City of Auburn Hills that do not have Industrial Facilities Exemption Certificates currently in effect in said Industrial Development Districts and which are set forth on Exhibit A, which is attached hereto and incorporated herein by reference, are hereby terminated immediately on the date of the Auburn Hills City Council’s adoption of this Resolution.

2. The Industrial Development Districts in the City of Auburn Hills that have Industrial Facilities Exemption Certificates currently in effect in said Industrial Development Districts and which are set forth on Exhibit B, which is attached hereto and incorporated herein by reference, shall be terminated, with the

termination of each respective Industrial Development District set forth on Exhibit B to be effective one day after the expiration date of all Industrial Facilities Exemption Certificates located in that respective Industrial Development District.

3. Notwithstanding the City's termination of the Industrial Development Districts in the City of Auburn Hills as provided for in this Resolution, the City of Auburn Hills reserves the right for the Auburn Hills City Council to create new Industrial Development Districts in the City of Auburn Hills in the future.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

STATE OF MICHIGAN )

)ss

COUNTY OF OAKLAND )

I, TERRI KOWAL, the duly qualified and acting City Clerk of 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 25<sup>th</sup> day of September, 2017, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_\_ day of October, 2017.

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TERRI KOWAL  
City Clerk

## Exhibit A

### IDD Districts Not Being Used

<u>Map IDD No.</u>	<u>IDD Name</u>	<u>Map IDD No.</u>	<u>IDD Name</u>
1	2211 Auburn Rd	46	Meadowbrook Tech Center
2	Advance Med & Research	49	Opdyke Walton Development
3	AJDamman	51	Orval Opperthausen
6	Anthony Bennett Properties	52	Palace Tech Center
8	Arena Associates	54	RA De Mattia Company
12	Automation Services Equipment	55	Roush Tech
13	Bekaert Solar Systems	58	Sigma Corporation
14	Beztak Companies	59	T & S Company
18	Brown Rd Associates	61	TK Holdings
19	Cannop Industrial Park	62	UCP Associates
20	Carrington Est Ltd	63	Wells Management
21	Chrysler Corporation ***	66	1025 Doris Rd Plant Rehab
22	Cunningham Limp Co	67	2110 Executive Hills Court
24	Dean Industrial Park	70	IBC Products
25	Eagle fasteners Inc	71	Karl Schmidt Unisia
26	EDS Corp	72	ALTe
27	Fanuc Robotics	74	Lancaster Holdings LLC
28	Farber Roth Development	77	Katcon Properties LLC
29	Ferguson Investments Co Ltd Ptm	82	Magna Corporation
31	Frankel Properties	87	City of Auburn Hills
32	Gamalski Bldg Spec	89	LVFI
33	Gardiner Brothers Investments	90	Trace Zero Inc
34	Gateway Corp Park and Spec A		
36	GKN Automotive Compo		
38	Hans Sickinger Company		
40	Koppy Corp		
42	Levine Group		
43	Levine Group 2		
44	Levon Enterprises		

