CALL TO ORDER: by Mayor McDonald at 7:00 p.m.

LOCATION:
City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present:
Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle (Arrived at 7:14 pm), Knight, McDaniel, Verbeke

Also Present:
City Manager Auger, Assistant City Manager Tanghe, Director of Public Safety Chief of Police Olko, Deputy Director Hardesty, City Clerk Kowal, City Treasurer Buschmoehle, Community Development Director Cohen, Senior Director Adcock, Fleet Manager Skinner, DPS Director Melchert, City Attorney Beckerleg, City Engineers Juidici and Stevens

Guests 12

4. APPROVAL OF MINUTES

4. Regular City Council Meeting – February 18, 2013
Moved by Doyle; Seconded by Verbeke.

RESOLVED: To approve the February 18, 2013 City Council minutes.

VOTE: Yes: Doyle, Hammond, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (6-0)

Resolution No. 13.03.036

5. APPOINTMENTS AND PRESENTATIONS – none

6. PUBLIC COMMENT - none

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. Retiree Health Care – February 13, 2013
7a.2. Pension Board – February 13, 2013
7a.3. Public Safety Advisory Committee – February 26, 2013

7b. Motion – Approve the Purchase of Eight (8) 2013 Dodge Charger Police Package Patrol Vehicles

RESOLVED: To approve the purchase of eight (8) 2013 Dodge Charger Police Packages be awarded to Bill Snethkamp Dodge, 6131 S; Pennsylvania Ave., Lansing, MI 48911 at total cost of $198,891.44.

7c. Motion – Approve the Purchase of a 2014 Freightliner Recovery Truck

RESOLVED: To approve the purchase of one (1) 2014 Freightliner recovery truck be awarded to Fallsway Equipment, 25324 Orchard Lake Road, Farmington Hills, MI 48336 at a total cost of $87,700.00.

Moved by Knight; Seconded by Doyle.

RESOLVED: To approve the Consent Agenda as submitted.

VOTE: Yes: Doyle, Hammond, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (6-0)

Resolution No. 13.03.037

8. OLD BUSINESS – none

9. NEW BUSINESS

9a. Motion – Approve Liquor License Renewals

Deputy Director Hardesty explained most of the establishments are in compliance with City ordinances to have their liquor licenses renewed; however, there are four establishments that have outstanding financial obligations to the City as of 5:00 p.m., this afternoon. The four are Duffy’s, Elwell Grill, Stir Crazy and Toby Keith’s; Stir Crazy is in bankruptcy, Chapter 11.

Included is a three-year history of any violations; the underage drinking sting, which is performed twice a year, resulted in six businesses serving a minor. Since those sting operations, management and staff of those businesses have completed the TIPS program, which educates the staff of responsible alcohol service.

Mr. Knight noted some of the businesses are repeat offenders and questioned if the staff is benefiting from the TIPS training.
Deputy Director Hardesty explained Officers speak with the business owners and/or the managers to explain how serious of an issue this can be; not only a citation but also the liability associated if something should happen.

Mr. Knight suggested next year, repeat offending businesses be included in the public hearing process, and come before Council to explain why they aren’t following the rules.

Ms. Hammond noted she works for the Elwell Grill, and after speaking with Mr. Beckerleg, this evening’s discussion will not preclude her for conflict of interest; it is merely setting the public hearing for those businesses that are not in compliance with City ordinances. Continuing she noted she has no influence over paying the bills and she will abstain from participating on this issue at the next meeting.

Ms. Verbeke asked how the bankruptcy of Stir Crazy affects this process.

Mr. Beckerleg explained there is an order of stay, because of the bankruptcy, which prevents the City from taking any action that would negatively impact their assets (the liquor license).

Ms. Doyle noted two of the three businesses are locally owned and asked about Toby Keith’s; and also asked what the next step of the process is.

Deputy Director Hardesty explained Toby Keith’s I Love This Bar and Grill is owned by a company located in Arizona, and the City Clerk’s office will be in contact with the three businesses informing them of the public hearing as well as an Officer delivering letters to the establishments.

Moved by McDaniel; Seconded by Verbeke.

RESOLVED: To recommend approval of the annual liquor licenses of those establishments that have met the licensing requirements of the City; and that a public hearing be scheduled for Monday, March 18th, 2013 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments who have not met the City’s requirements.

VOTE: Yes: Doyle, Hammond, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (6-0)

Resolution No. 13.03.038

Mr. Kittled arrived – 7:14 p.m.

9b. Motion – Approve Public Recreation Hall License Renewals

Deputy Director Hardesty noted there are two businesses that have not submitted their renewal fees; The Venue and Bass Pro. It is understood The Venue will be removing their games by March 31st, the last day of the current license and Bass Pro has not responded to their renewal letter. If Bass Pro has not submitted their renewal information and payment, then a public hearing should also be set for them at the next Council meeting.

It was noted that a letter will be sent to The Venue, stating if their games are not removed by March 31st they are in violation of City ordinances and will be cited and must submit a renewal application and fees.

Moved by Knight; Seconded by Hammond.

RESOLVED: To accept the report and recommendation for renewal of Recreation Hall licenses for the establishments who have passed inspection and paid the appropriate licensing fee. Furthermore, to set a Public Hearing for the non-renewal of a Recreation Hall license for those businesses who have not paid the appropriate renewal fee by March 31, 2013.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)

Resolution No. 13.03.039

9c. Motion – Approval of Text Amendment to Zoning Ordinance / Building Height in Industrial Districts

Mr. Cohen explained the Planning Commission did an extensive study and is recommending approval of the text amendment. Currently buildings are capped at 40 feet; the growing demand is for buildings to exceed 40 feet in height. Currently the City has received a proposal to construct a 55 to 60 foot tall building. Based on the review, looking at other communities and speaking with developers and architects, it is recommended the City increase the industrial building height from 40 feet to 50 feet in the I-1, I-2, and I-3 zoning districts. It is suggested in the I-2 and I-3 districts to allow buildings to be constructed up to 65 feet tall via a Special Land Use Permit.

Ms. Doyle thanked Mr. Cohen, the Community Development Department and the Planning Commission for the thoughtful work that was done on this text amendment. She is very appreciative of the discussion allowing taller buildings, keeping Auburn Hills a progressive and responsive community.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Text Amendment to Article XVII. Schedule of Regulations of the Zoning Ordinance relating to building height permitted in the industrial districts. The amended ordinance shall be referenced as Ordinance 13-854.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)
Resolution No. 13.03.040

9d. Motion – To support the letter of intent from the City of Auburn Hills to AARP and World Health Organization (WHO) for consideration in becoming a leader in Michigan as an Age-Friendly Community.

Ms. Adcock is excited to bring the City together in a partnership and long-range planning with AARP. Karen Kafantaris, AARP’s Michigan Associate State Director, was planning on coming to this meeting; however, she is very sick and apologized for not being able to attend. Ms. Kafantaris is a very big part of this process and will continue to be a part of this process.

Continuing, Ms. Adcock explained an age friendly community strives to remove barriers and obstacles, so all people regardless of age or ability can function and live as independently as possible. Some barriers that prevent people to live independently are appropriate and affordable housing, physical activity, mobility, health supportive services, safety & security and volunteer opportunities within the community. The AARP assessment looks at Eight Domains of Life – which encompass looking at the community and life as a whole; outdoor spaces and buildings; transportation; housing; social participation; respect and social inclusion; civic participation and employment; communication and information; community support and health services.

The AARP program is more intense than the Community for a Lifetime and is a five-year process. It is broke into several steps, starting with the Letter of Intent, followed by

- Acceptance into the Network - the City of Auburn Hills is the first in Michigan to submit an application to participate in this program.
- Create a Community Team - the Team has been started with the Planning Commission being a wonderful partner through the Community for a Lifetime assessment and are excited to continue the process, as well as some community residents.
- Joint Meeting with AARP and Community Team - Complete an assessment involving extensive community participation (e.g. town hall meetings and focus groups);
- Create Plan of Action and Implement and Evaluate.

Mayor McDonald asked if AARP would be involved with the Senior Department or the City as a whole. Ms. Adcock stated both, the Senior Department will be taking the lead along with Community Development, the Planning Commission, and the City Manager’s office; every City department will be involved at some point, as well as the community. This assessment involves the entire community, not just the seniors.

Mayor McDonald noted transportation is currently available to the seniors in the City, and asked how this assessment would help. Ms. Adcock explained the assessment isn’t just for today, but well into the future for planning purposes. Using driving as an example, today the resources are limited, but in five or ten years from now many of the seniors won’t be or shouldn’t be driving and then what will the City’s needs be. This will help how the City can branch out, look out or reach the community to develop partnerships and dig deeper into the community to determine what needs are out there and what will be needed.

Ms. Adcock confirmed with Council signing this letter of intent, it is a commitment by the City to work with AARP for the next five years towards an Age-Friendly Community.

Ms. Doyle understood the town-hall meetings and getting the community involved; she questioned if there would be a team of residents appointed by the Mayor.

Ms. Adcock noted this does not require committee appointments, but does require support from City Council.

Ms. Doyle asked if other communities have appointed committees of residents as part of the process. Ms. Adcock stated she wasn’t sure if others appointed committees; but she asked other communities, Portland Oregon, Macon County Georgia and New York City, about the process and how responsive AARP was. The other communities are very different from Auburn Hills; she is hoping to represent middle to smaller communities, showing that it doesn’t take a huge city to accomplish this undertaking.

Ms. Doyle noted she was at a social gathering and was speaking with a 44th District Court Judge, upon hearing Ms. Doyle is from Auburn Hills’, he couldn’t stop talking about all the good Ms. Adcock is doing, along with Planning Commission and the City in terms of being a livable community for the seniors. He said Auburn Hills is the gold standard.

Ms. Adcock thanked Ms. Doyle. She also noted the letter of intent states the City will establish an advisory council and she would like to continue with the Planning Commission and the residents that were involved with the Community for a Lifetime assessment, and include others as the process progresses.

Mr. Kittle asked if there were any political undertones relative to this program; explaining some of the older residents he has spoke with have a love-hate relationship with AARP.

Ms. Adcock stated she asked the other communities if that was the case, and they replied AARP is being used as an assessment tool, using them as the experts. She did ask if there were strings attached, and the answer was no. There is
no financial investment; it is staff time and volunteered time, similar to the Community for a Lifetime, just spanned out over several years.

Mr. Auger assured Mr. Kittle the question of political undertones was a concern of City staff as well, because WHO and AARP do take stances on political issues; however, with Senior Services and the Planning Commission working on Community for a Lifetime which is so similar, it just made sense to move forward and utilize this another tool to work on for the community.

Mr. Kittle asked if the City could bow out at any time if it became a political issue.

Mr. Auger believes the City at any time can decide to no longer be involved with the program.

Mr. Kittle asked that Mr. Beckerleg check and make sure the City is protected if it’s decided to leave the program.

Moved by Verbeke; Seconded by Doyle.

RESOLVED: To support the efforts of the Community Planning for an Aging population team and the Letter of Intent to AARP Livable Communities.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)

Resolution No. 13.03.041

9e. Motion – Proposed Purchase of a Changeable Message Sign / Radar Trailer

Deputy Director Hardesty explained the Police Department had a portable message board they have used for many events over the years, such as Palace events, Summerfest, Brooksie Way, and emergencies. The intention was to have a replacement in the 2014 budget; however last year it broke and it was determined the sign was no longer repairable. As part of the OHSP, Office of Highway Safety & Planning program, the City is involved in the detection and arrest of drunk drivers with local communities. As part of the program it is necessary to have portable message signs alerting drivers of an enforcement zone. OHSP through TIA, Traffic Improvement Association, has obtained approval for a grant of up to $7,500.00 for Auburn Hills to purchase a changeable message sign; Auburn Hills would be paying just over half the cost of a new sign. With today’s technology, the changeable message sign is also capable of being a radar trailer. Routinely, during the summer months two radar trailers are rented; if purchased, it would be necessary to rent only one sign. The rental costs for each radar trailer is approximately $2,900.00. Based on quotes obtained from several vendors the estimated cost of a new changeable message sign with traffic radar would be approximately $16,000 to $17,500; with the $7500 from OHSP the cost to the City would be less than $10,000.

Mr. McDaniel asked if the old sign could be sold for parts.

Deputy Director Hardesty was told hauling the sign to the junkyard would cost more than what it is worth; the technology is very outdated.

Deputy Director Hardesty confirmed the old sign broke after the 2013 budget was approved.

Moved by McDaniel; Seconded by Knight.

RESOLVED: To authorize the Police Department to obtain formal bids for and purchase a changeable message sign with radar, at a cost not to exceed $17,500, of which $7500 will be from a grant awarded by the Office of Highway Safety & Planning for this purpose.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)

Resolution No. 13.03.042

9f. Motion – Purchase of 6 Mobile Replacement Computers

Deputy Director Hardesty explained as members of CLEMIS, Courts and Law Enforcement Management Information System, the Police Department participates in the system-wide mobile data computer system which allows officers to access the state, regional and national criminal justice information systems from their patrol cars. Officers also write police incident reports, electronic crash reports and electronic citations in the cars, keeping officers out of the station and in the community.

The updating of these systems is staggered among the vehicles, so not all are being updated at the same time. This upgrade is for six vehicles. CLEMIS bid the new system and awarded the bid to Dell for the 6430ATG laptop mobile computers at a cost of $13,650.80.

Moved by McDaniel; Seconded by Verbeke.

RESOLVED: To purchase 6 Dell 6430ATG Mobile Workstations from Dell under the Oakland County Bid and authorize the City Manager to convey acceptance by purchase order in the amount of $13,650.80.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)

Resolution No. 13.03.043
9g. Motion – Award of Police Vehicle Changeover Bid

Deputy Director Hardesty explained the past two years the Department contracted with Priority One to do the changeover; however, though they were low bidder they aren’t able to complete the work in a timely manner. Four vehicles were delivered to them in April, and didn’t receive the last car back until this past January.

The bid was placed on MITN and other companies were contacted who are not listed on MITN who do this type of work as well. Priority One did not bid on the job, knowing how dissatisfied the City was. Only three bids were received and Great Lakes Emergency Products was the cheapest. Calls were made to the Great Lakes Emergency Products references, and all were happy with the results. Great Lakes Emergency Products was contacted to determine why their price was so much cheaper than the nearest competitor; they explained parts are only replaced if needed, unlike some competitors, and their mark-up is less than others.

Mr. Kittle asked why there isn’t a State bid for this service, as there is for cars.

Deputy Director Hardesty explained not all agencies use the same equipment, and it also depends on the car.

Deputy Director Hardesty agreed with Mr. McDaniel, that this price is quite a bit less than in the past. It makes one do a double-take and that is why other communities were asked about their satisfaction with this company.

Deputy Director Hardesty explained Great Lakes Emergency Products has not seen the cars, they will pick up the cars and make the determination at that time what might need replacing, such as antennas, with the installation of the new equipment. If it is recommended to replace an item, the Department will also review to determine if that item needs replacing; there isn’t any indication that the cost will exceed the quoted amount.

Mr. McDaniel stated there is a tremendous amount of work that takes place to outfit the cars and he is pleased with the cost of the bid and the follow-up done with the company’s references.

Mr. Auger asked if there is any difference in the changeovers from prior years.

Deputy Director Hardesty explained the new vehicle bid will include trays and new wiring will already be installed by Chrysler, which will make any wiring problems easier to trace.

Mr. Auger noted the changeover will also fit the propane tanks.

Ms. Doyle asked if this bid included any provisions regarding the length of time it will take to complete the vehicle changeovers.

Deputy Director Hardesty stated the company stated it would take two weeks for each vehicle; and no, there are no incentives or stipulations in the bid for installation time. There was concern if including a time-frame, there may be fewer willing to bid on the changeover, and as it is, there are limited companies doing this work. This contract is for one-year, with the option to extend the contract for a year if everything is satisfactory, including the length of time.

Ms. Hammond asked if the cost includes any items that may need replacing.

Deputy Director Hardesty explained the cost does not include replacement parts beyond the changeover elements.

Deputy Director Hardesty stated most all of the prices that were seen, are much less than any of the other companies; their mark-up costs are less as is their labor costs.

Moved by McDaniel; Seconded by Knight.

RESOLVED: To award the bid to Great Lakes Emergency Products for the 2013 vehicle changeovers, and authorize the City Manager to convey acceptance by purchase order in the amount of $13,650.80.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion Carried (7-0)

Resolution No. 13.03.044

10. COMMENTS AND MOTION FROM COUNCIL

Mr. Knight:

- Asked if the angle parking for downtown would be on an agenda for Council approval.
  - Mr. Auger confirmed it will be a future agenda.

- Asked about the grant for the four-year fire paramedic and if it would be taken advantage of.
  - Director Olko explained it is currently being worked and they are in the process of looking for a recruit, who they believe will come from the paid-on-call staff. This addition will make 16 full-time firefighters.

- Was curious if there are any trouble spots in the City where flashing speed signs would be useful.
  - Director Olko stated there are locations that frequently have speeders and she could investigate the signs and get input from Mr. Melchert on sign cost repair if needed.
On March 14th, Avondale Youth Assistance is having Youth Recognition Night; there are approximately 80 youths to be recognized. He invited Council to attend, the event starts at 6:30 p.m. at the old high school on Auburn Road near Livernois.

A reminder that April 24th, the Boys and Girls Club will be having their annual Steak and Burger Dinner and invited all to attend.

Ms. Doyle:

- Asked Mr. Auger if he had any news about the fiscal cliff and the impact it may have on the City.
  
  Mr. Auger explained as a City, it won’t have any impact; all the grants the City has are funded.

- The Auburn Hills Chamber of Commerce is co-hosting an event on March 13th with the Troy Chamber of Commerce, Advancing Women to the Top. It is a breakfast and open to everyone, to be held at the Auburn Hills Marriott.

- Was excited seeing the news article about Jane Goodall coming to speak at Oakland University on March 27th at 7:00 p.m.

Mr. Kittle:

- He found the sequester in Washington D.C. interesting by giving the employees 15 furlough days; which doesn’t fix any structural issues with the budget.

- He apologized for not attending this evening’s workshop and being late for the meeting, but he attended the Pontiac School Board meeting. He asked the School Board for a status update relative to their fiscal situation and what is happening with the consent judgment. He also asked if they had submitted the tax request form to the State Department of Treasury, form L4029, a form that should kick off any tax action for residents. He asked the Board when they would comply with the audit requirements, because they are three months late in submitting their audit documents which is causing millions of dollars from being withheld from the State Aid fund.

  He also spoke with Senator Jim Marleau, who has been trying to get in touch with the Pontiac School Superintendent; there is a donor who has gift money for the school district. His phone call messages have gone unanswered.

  During the meeting, the School Board voted to ratify a union contract; a four year contract that will expire in one year. There is no transparency prevalent in the way things are conducted, all the agenda items for the meeting were very vague, no detail or backup materials. The meetings are recorded but not made available for viewing to the public for two weeks. The meeting minutes and information on line is old and lacking; not kept up-to-date. He understands there are hardships and he doesn’t believe anything is intentional; it may be the case of needing a show of support for other sources for encouragement to make some right decisions. He expressed dismay that over 50% of the consent judgment, approximately four million dollars, will be on the backs of Auburn Hills’ taxpayers if nothing is done. Senator Marleau assured him, he has been on top of the situation and is trying to get people at all levels of State and local governments involved.

  Responding to Mr. McDaniel, Ms. Verbeke stated the judge that signed the consent judgment was Judge Kumar.

  Ms. Verbeke asked Mr. Kittle if he knew when the next school board meeting will be, so Auburn Hills’ residents may attend.

  Mr. Kittle stated those meetings are the same as this Council’s; however, they meet an additional three or four times a week. He isn’t sure when the next meeting will be held. He noted there was mention at the meeting from other attendees, including Pontiac City Council that they didn’t understand why there isn’t an emergency manager for the Pontiac schools. He isn’t sure what can be done at this point, but there is a lot of action taking place outside of the School Board.

  Mayor McDonald thanked Mr. Kittle for the update.

  Mr. Knight explained the tax that Pontiac put on the residents was paid back to the City, because the courts said they couldn’t legally do that. In this instance Auburn Hills is a tax collector. He believes if there are residents that wish to file suit against Pontiac Schools that those residents be supported. As a Council they are not able to do it, but can be supportive.

  Mr. McDaniel asked Mr. Auger if the information has reached the Auburn Hills residents that fall in the Pontiac school district.

  Mr. Auger stated the City has reached out to some of the larger tax payers that fall in the district, and they are reviewing their options with their legal teams. Those companies will continue to keep the City updated in their findings.

  Ms. Verbeke asked if residents can do anything in pushing for an emergency manager for the school district.
Mr. Auger stated those actions are currently being discussed and will get the word out to the residents if that is a possible option. The City has had phone calls from several Auburn Hills residents, within the Pontiac school district who are willing to ‘be a community organizer’ to move forward.

Ms. Hammond:
- Mentioned what a great job the DPS crew did in downing and removing the trees at Riverside Park.

Mayor McDonald:
- As Mayor and Ms. Hammond as Mayor Pro Tem, they both serve on the City’s Pension Board and Retiree Health Care Board. At the last meeting, Attorney Tom Michaud, stated there is a new public act taking effect at the end of March, with various amendments to the Michigan Public Employee Retirement System that has new disclosure requirements. The process includes the Boards to have a budget line item for travel and conferences, so the public can have a full disclosure of the costs associated with the Boards actions costs. The City, in the past has taken money from the general fund. With the upcoming changes he would like Council to take action and suggested the following motion: ‘To direct City staff as they work on compliance of PA 347 to ensure all costs are included of the Pension and Retiree Health Care Boards to be budgeted, and to come from funds set aside for those benefits, including all service providers who report to those Boards’.

Moved by Kittle; Seconded by Knight.

RESOLVED: To direct City staff as they work on compliance of PA 347 to ensure that all costs are included of the Pension and Retiree Health Care Boards to be budgeted, and to come from funds set aside for those benefits, including all service providers who report to those Boards.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke
No: None

Motion Carried (7-0)

Resolution No. 13.03.045

11. CITY ATTORNEY’S REPORT - none

12. CITY MANAGER’S REPORT
- The City has been invited to attend the Foreign Trade Mission with the Federal Government, this year visiting Belgium, Netherlands and Copenhagen. He will be gone the week of April 15th looking for more foreign investors as well as those businesses looking for a North American footprint. The last trip, Auburn Hills was the only City attending.

14. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

_________________________________   _________________________
James D. McDonald, Mayor                 Terri Kowal, City Clerk