



The City of Auburn Hills

City Council Meeting

Minutes

April 2, 2012

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, Knight, McDaniel, Verbeke
Absent: None
Also Present: City Manager Auger, Assistant City Manager Tanghe, Police Chief Olko, DPS Deputy Director Grice, Community Development Director Cohen, City Clerk Kowal, City Attorney Beckerleg, City Engineer Judici, Planning Commission Chair Ouellette
10 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council Meeting – March 19, 2012

Moved by Ms. Verbeke; Seconded by Ms. Doyle.

RESOLVED: To approve the March 19, 2012 Regular City Council Meeting minutes as amended.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.052

5. APPOINTMENTS & PRESENTATIONS – none.

6. PUBLIC COMMENT – none.

7. CONSENT AGENDA

Items 7a.2. and 7b. were requested to be removed from the Consent Agenda.

7a. Board and Commission Minutes

7a.1. Planning Commission – March 1, 2012

7a.3. Planning Commission – March 27, 2012

Moved by Mr. McDaniel; Seconded by Ms. Verbeke.

RESOLVED: To approve the Consent Agenda with the removal of items 7a.2. and 7b.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.053

Item 7a.2. was removed from the Consent Agenda by Ms. Doyle.

7a.2. Public Safety Advisory Committee – March 12, 2012

Ms. Doyle thanked the Police Chief for including more detail in the minutes.

Moved by Ms. Doyle; Seconded by Ms. Verbeke.

RESOLVED: To approve the minutes of the March 12, 2012 Public Safety Advisory Committee meeting as submitted.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.054

Item 7b. was removed from the Consent Agenda by Mr. Kittle.

7b. Motion – Approve a request from Battaglia's LL, LLC to transfer ownership of an escrowed 2011 Class C & SDM licensed business.

Mr. Kittle asked if the owners of the Santé Fe Restaurant wanted to introduce themselves to the community and speak about the restaurant.

Joe Battaglia, owner introduced himself and Sonya Diaz, manager, and is looking forward to offering liquor along with the food and intends on complying with the laws and ordinances to the fullest. There have been many requests by customers to be able to have a margarita with their food.

Mr. Battaglia continued, stating business is moving along and they are getting positive responses to the authenticity of the restaurant. Sonya and Juan Diaz are the operating managers of the restaurant. The restaurant is located south of Hoops on Lapeer Road in the old Big Boy restaurant.

Moved by Mr. Kittle; Seconded by Ms. Hammond.

RESOLVED: To adopt the resolution approving the request from Battaglia's LL, LLC to transfer ownership of an escrowed 2011 Class C & SDM licensed business with Dance-Entertainment permit from Margaret E Taylor and Thomas B Taylor from 1302 W Huron, Waterford MI 48328, Waterford Twp, Oakland County.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.055

8. OLD BUSINESS – None.

9. NEW BUSINESS

9a. Motion – Accept the Planning Commission's Findings and Grant Permission to Distribute the Revised Draft Amendment to the Master Land Use Plan for the Auburn Road Corridor - West Side

Mr. Ouellette, Planning Commission Chair, explained this project was started about a year ago, with the Planning Commission walking along Auburn Road. Three meetings were held with residents and were very well attended. The main concern of the residents was to maintain the current residential area as residential. It is currently zoned either B-2 or industrial zoning. Because of the current zoning, it has kept many of the residential homeowners from improving their property as they cannot get loans on property which is built non-conforming of its zoning classification. A major concern of many of the residents is they feel left out, with the downtown district ending at the bridge.

Mr. Cohen explained the property north of Auburn Road is zoned commercial with a number of residential homes and south of Cross Street is zoned light industrial, but also is a residential neighborhood. This zoning has been in place for 60 years and there has been no redevelopment in that time. Because of the zoning, it is very difficult to obtain a mortgage or other funding for possible additions or upgrades; therefore residents have had a difficult time in maintaining or improving their property. This plan is a result of the meetings that were held with the residents.

Mr. Cohen explained the first step in the process would be to amend the master plan and then change the zoning; the two must be consistent.

A concept was presented of a gateway or an entryway near the post office, with a unique feature that would help to include this residential area as being part of the downtown.

Mr. Cohen explained if Council wishes to proceed, this plan would be forwarded to surrounding communities and to Oakland County. If there are no objections, then a public hearing would be held by the Planning Commission to adopt the master plan, proceeding then with rezoning the properties. The proposed master plan provides for mixed zoning, so it won't interfere with the businesses that are established along Auburn Road.

Responding to Mr. Kittle, Mr. Cohen explained the SP zoning on Auburn Road is for the German Marksmanship facility and will remain SP zoning.

Mr. Cohen explained the northeast corner of Auburn Road at Churchill is planned to be rezoned to D, (Downtown District) once the plan is adopted. Since this parcel is owned by the City, the thought is the City should set the stage for what has been envisioned in the new plan. Once the new master plan has been established, then the parcels shown as Mixed Use can be rezoned to D (Downtown District) when ready for redevelopment. This change would allow future developers to submit Planned Unit Developments with zero lot line building setbacks and a mixture of land uses in the same structure.

Mr. Knight was very pleased with the planning and thought it was very well done. He inquired if the businesses along Auburn Road were included in the planning.

Mr. Cohen assured Mr. Knight that the businesses along Auburn Road have been part of the discussion along with the residents.

Ms. Doyle questioned if there would be street parking available.

Mr. Juidici explained there isn't sufficient room for on-street parking where the majority of the residences are located; the road widens closer to the post office. It may be possible to narrow the existing three lanes some to accommodate parking on one side of the street, but not both sides. With the proposed master plan change, it wouldn't have any impact on possible on-street parking in the future.

Ms. Doyle extended her appreciation to Mr. Cohen, the Planning Commission, Mr. Juidici and the residents for their hard work and great plan.

Moved by Ms. Hammond; Seconded by Mr. Knight.

RESOLVED: To accept the Planning Commission's findings and grant staff permission to distribute the revised draft amendment of the City's Master Land Use Plan for the Auburn Road Corridor – West Side.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.056

Mayor McDonald asked about the east side of Auburn Road.

Mr. Cohen explained it is the Planning Commission's hope to have the plan ready later this year; it shouldn't take as long as this west side process has.

9b. Motion – Approve the City of Auburn Hills Department of Public Service Membership into the Michigan Water/Wastewater Agency Response Network Mutual Aid Authority.

Mr. Grice explained over the past several months the Department of Public Service has entered into a number of mutual aid agreements. The agreements position the City to be better prepared in the event of a natural or manmade disaster, but also provides collaboration between communities for sharing equipment and labor. As a direct result, member communities can operate leaner, more fiscally responsible departments.

Responding to Mr. Knight, Mr. Grice stated there is no cost to the City for this membership.

Moved by Mr. Knight; Seconded by Ms. Verbeke.

RESOLVED: To approve the City of Auburn Hills Department of Public Service membership into the Michigan Water/Wastewater Agency Response Network Mutual Aid Authority.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.057

9c. Motion – Award the 2012-2014 Lawn and Ornamental Bed Maintenance Bid to: U.S. Lawns, 15040 Dumay, Southgate, MI 48195.

Mr. Grice explained this was to continue with the roadside maintenance of the City streets and would be a three-year contract. The maintenance includes the mowing of roadsides and boulevards as well as maintenance of flower beds.

Mr. Knight had two concerns. The grass is cut too short, and the lawns are mowed the same day every week regardless of whether it needs cutting or not. Since the billing is based per occurrence, he asked if there is a way to stop the company from unnecessary grass mowing and that the grass length be no shorter than 3" to 3 1/2" as recommended by DPS to all their customers.

Mr. Grice explained there is a clause in this year's contract that allows the City to notify the company of certain areas that don't require cutting on any given scheduled day, which will reflect in the billing occurrences. There is also a stipulation stating the grass should be cut no shorter than 3". Staff has also measured and inspected the height of the lawn mowers to ensure the grass isn't being cut too short.

Mr. Grice stated staff maintains and cuts the grass in the parks as well as some streets.

Ms. Doyle asked if the tulip bulbs are available to residents after they have been removed from the beds.

Mr. Grice stated yes, but there isn't a specific date when they are available. As residents call and ask for the bulbs, their names and numbers are recorded and phoned when the bulbs become available.

Ms. Doyle asked that notification of bulbs being available be posted on the front page of the website as well as face book and other places.

Ms. Verbeke asked why a three-year contract is recommended.

Mr. Grice explained it's very difficult to train a contractor of what the City is expecting of them each year, so a three year minimum is our goal. And the price is also locked in for three years.

This contract does not include lawn mowing for those who violate the noxious weed ordinance.

Moved by Mr. Kittle; Seconded by Ms. Hammond.

RESOLVED: To award the 2012-2014 Lawn and Ornamental Bed Maintenance Bid to: U.S. Lawns, 15040 Dumay, Southgate, MI 48195.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.058

9d. Motion – Approve the purchase of a 2012 Aerial Lift Truck replacement from Cannon Truck Equipment, 51761 Danview Technology Court, Shelby Twp., MI 48315 at a total cost of \$76,978.00.

Mr. Grice noted this request is to replace two trucks, the current lift truck and a van that is utilized by the City electrician. It will be a single use vehicle by the electrician for the street lights, parking lot lights, building maintenance.

Mr. Kittle noted the bids were inconsistent and asked about the specs.

Mr. Grice explained the specs were very specific which included different size tool boxes, an 11 foot utility bed, and a rat-pack, which is a very specific drawer system.

Moved by Mr. Kittle; Seconded by Mr. McDaniel.

RESOLVED: To approve the purchase of a 2012 Aerial Lift Truck replacement from Cannon Truck Equipment, 51761 Danview Technology Court, Shelby Twp., MI 48315 at a total cost of \$76,978.00.

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

No: None

Motion carried (7-0)

RESOLUTION NO. 12.04.059

Mayor McDonald welcomed the newest County Commissioner, Angela River, and asked if she would like to speak.

Ms. River thanked the Mayor and noted legislation passed both the House and Senate regarding redistricting, cutting the number of County Commissioners from 25 to 21. The redistricting will affect all of Oakland County. Two public meetings are scheduled; the first on Tuesday, April 5, 2012 at 8:00 p.m. in Committee Room A, then on Wednesday, April 11, 2012 at 7:00 p.m. The final vote for the Commission will be Friday, April 13, 2012 at 9:00 a.m.

She has a new e-mail address angelariver@gmail.com, in addition to her current e-mail address.

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond:

- Wished Mr. Auger an early Happy Birthday.

Ms. Doyle:

- Asked about the length of the minutes and how other Council members felt about them. She likes the more detailed minutes.
- Ms. Kowal explained there are different philosophies of detailed vs. less detailed minutes. The law requires that the minutes contain only the motion, the motion maker and supporter, and the vote. She prefers more detail, not too much but containing some information about the agenda item and why Council voted as they did. The minutes are a permanent record, and in the future they need to tell the story of the events that took place today. An example would be the City Council votes something down now, and the issue comes up many years later. She would like the record to reflect the comments that indicate why the Council voted as they did, so that future Council members can take those thoughts into consideration.

However; the decision is entirely Council's and she will follow whatever direction she is given.

Mr. Kittle asked about the verbatim portion of the minutes.

Mayor McDonald stated he requested the verbatim portion of the minutes.

Mayor McDonald suggested continue doing the minutes as they are currently being done for another month or so, and then they can be reviewed and discussed whether to proceed or make a change.

Ms. Verbeke agrees; she likes to have the history available.

Responding to Mr. McDaniel, Ms. Kowal stated any Council member can request verbatim minutes. The current policy is to honor that request from any member. However, she is willing to handle that issue however Council prefers also.

Mr. McDaniel too, prefers the more detailed minutes.

Mr. Knight felt the minutes could be a little less detailed, only to include major points being made.

- Asked Mr. Grice if the tall grasses along many of the roads are an invasive species.

Mr. Grice stated it is phragmites. The DPS has a program established trying to deal with them, including a controlled burn at Hawk Woods as well as some chemical applications. There is a private contractor doing some work along Squirrel Road, including cutting and herbicide treatments. A meeting with the contractor will take place in the next couple of weeks to determine if a prescribed burn in that area is necessary.

Mr. Grice stated it is a very aggressive plant and it chokes out native species and has an impact on wildlife.

Mayor McDonald:

- Congratulated Mr. Cohen on his four year anniversary of being Director of Community Development.

11. CITY ATTORNEY'S REPORT – none.

12. CITY MANAGER'S REPORT

- During the Italy trade mission, he visited three parent companies that are currently located in Auburn Hills and increased the relationship value. Six very good prospects were visited and before he returned one had already been in touch with Ms. Johnson, Economic Development Coordinator. Another will be here this summer to explore the possibilities of a North American footprint in Auburn Hills. A third company has suggested an Oakland County visit possibly in two years.

13. ADJOURNMENT

Hearing no objections, the meeting adjourned at 8:00 pm.