



The City of Auburn Hills

City Council Meeting

Minutes

August 13, 2012

CALL TO ORDER: by Mayor Pro Tem Hammond at 7:00 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
Present: Mayor Pro Tem Hammond, Council Members Doyle, Kittle, McDaniel, Verbeke
Absent: Mayor McDonald, Councilman Knight (hospital)
Also Present: City Manager Auger, Assistant City Manager Tanghe, Director Olko, City Clerk Kowal, Director of Water Resources Shawn Keenan, Fire Captain Farrell, City Attorney Beckerleg, City Engineer Juidici
52 Guests

4. APPROVAL OF MINUTES

4a. City Council Meeting – July 23, 2012

Moved by McDaniel; Seconded by Verbeke.

RESOLVED: To approve the minutes of July 23, 2012 City Council Meeting.

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

No: None

Motion carried (5-0)

RESOLUTION NO. 12.08.112

5. APPOINTMENTS & PRESENTATIONS

5a. Helping Hands Scholarship Presentation

Fire Captain Farrell explained two of the three scholarships that are available will be given this evening. Firefighter Rod Wynn, President of Helping Hands presented the first scholarship to Tyler Siems, the 2012 Arthur Pederson Scholarship. Tyler is a senior at Avondale High School and has received letters of recommendation from faculty, carries a 3.68 grade average and has been a member of the Honor Society for the past three years. He will be attending Western Michigan University in the fall and will pursue a degree in Arts Management.

Fire Captain Farrell explained the circumstances behind the Dennis E. Dearing Jr. Memorial Scholarship and how Firefighter Dearing lost his life. Captain Farrell went on to introduce Tyler Dennis Dearing-Manning, and award him with this scholarship. Tyler recently graduated high school with a 3.35 grade average and was active in sports. Tyler will be attending Saginaw Valley University, studying public safety.

Captain Farrell invited Council to attend the celebration being held at the Public Safety Building.

6. PUBLIC COMMENT – none.

7. CONSENT AGENDA

Item 7a.1 was removed by Ms. Doyle; Item 7b. was removed by Ms. Verbeke

7a. Board and Commission Minutes

7a.2. Beautification Advisory Commission – July 25, 2012

7a.3. Planning Commission – July 31, 2012

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To approve the Consent Agenda Items 7a.2., 7a.3. and 7b.

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

No: None

Motion carried (5-0)

RESOLUTION NO. 12.08.113

7a.1. Tax Incentive Review Committee – July 9, 2012

Ms. Doyle questioned the statement Mr. Lohmeier made in the minutes regarding Weber Automotive and their request for a PA 198 and PA 328, which states in part, *the Auburn Hills' Tax Incentive Policy does not state that the existence of an MTT appeal would affect any decision to approve or disapprove a tax incentive.* Ms. Doyle agrees there is no policy; however, it should have been stressed that Council does not look favorably on a tax tribunal appeal when asking for an abatement. Continuing, explaining the minutes reflect bargaining, she would like to know what information TIRC is relaying to the petitioners regarding tax tribunals and should there be a policy.

Mr. Beckerleg stated he did not attend the meeting and doesn't know what Mr. Lohmeier said, however he has been in negotiations with Weber Automotive and have made them aware that a tax tribunal appeal will not sit well with City Council when asking for tax abatements. Mr. Beckerleg doesn't see a need for a policy, Weber Automotive was made very clear of what Council expects.

Mr. Auger noted staff is very clear and consistent that a pending tax appeal will not help any company when asking for an incentive/abatement. Continuing, Mr. Auger explained some companies may have strategies to

bargain, and Weber being new in town may have dealt with other communities in that fashion; however, Auburn Hills tries to build long term relationships with companies in a friendly manner. Weber Automotive will be attending the next Council meeting.

Moved by Doyle; Seconded by Kittle.

RESOLVED: To approve the Consent Agenda Items 7a.1.

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

No: None

Motion carried (5-0)

RESOLUTION NO. 12.08.114

7b. Motion - Approve Change in Oakland University Fire Department Response Area

Ms. Verbeke asked if this change would cost the residents of Auburn Hills more money, will there be a need to increase staff and are there any obstacles or issues that accompany the change.

Director Olko explained there shouldn't be a need for additional staff and there wouldn't be a cost increase. Rochester Hills reported there are generally only 35 calls in that area annually.

Ms. Verbeke suggested the additional function would be additional 911 calls coming into Auburn Hills.

Director Olko stated that was correct. The Auburn Hills fire department currently responds to half of the campus, now Auburn Hills will respond for both fire and medical to the entire campus.

Responding to Ms. Doyle, Director Olko explained up until this agreement, Rochester Hills had been responding to all of the campus apartments along Walton Boulevard, including the ones located in Auburn Hills. This agreement has Auburn Hills taking over all the university occupied buildings as listed in the agreement and does not include the entertainment facilities, the golf course, or Meadowbrook Hall. Director Olko believes this agreement would also include future campus buildings.

Ms. Doyle, explaining Auburn Hills receives no tax dollars from Oakland University, asked if Oakland University offered Auburn Hills any type of public press release in thanking Auburn Hills for taking this on or acknowledging that the campus is located in Rochester Hills.

Director Olko stated, no, they have not.

Mr. Auger stated yes, as part of a larger picture there is ongoing conversations including the \$750,000 committed if the TIGER grant went through or if the State provided funds to move on the University Drive/I-75 ramp, as well as a streetscape the University is willing to fund extending from I-75 to the entrance of the University, which is in Auburn Hills. The relationship is very good and they are working with the City on other projects.

Ms. Doyle would like to see the national ad that won a medal for Oakland University, and see what was said about their location. This would be something that could include Auburn Hills and would not cost any more money. She would like Auburn Hills acknowledged for lending support for fire and medical services.

Mr. Kittle was concerned on how the finances would work, the fire department is already running thin.

Mr. Auger explained finances for the fire department are a state based formula including the building square footage, the number of calls, population size and other numbers, which is approximately \$30,000 a year, not a significant amount. Continuing, Mr. Auger explained the funds are all in one pot and allocates to communities that have state or federal facilities that don't pay taxes to offset those emergency services costs.

Mr. Kittle reasoned there is a cost associated with just starting a truck and the man power, regardless of the distance that is driven and questioned if those 35 additional runs would be covered by the state monies.

Director Olko explained they are seeking all avenues to recover some funds from the state; however, as stated by Mr. Auger, the pool of money available is shrinking that is shared with all facilities throughout the state which includes mental hospitals, correctional facilities and state universities. STAR EMS will continue to bill as they currently do, to each individual.

Mr. McDaniel asked in regard to the 35 calls, is there any revenue the City would be missing out on.

Director Olko explained the City recovers \$3,900 monthly from STAR, she isn't sure what percentage of those 35 calls is medical, and would guess the majority of them are medical but may not be transports.

Mr. Kittle suggested the possibility of seeking the 50% reimbursement from the \$25 million for EVIP; for expenses associated with collaborating community initiatives.

Moved by Verbeke; Seconded by Doyle.

RESOLVED: To adopt the resolution modifying the designated fire department response area on Oakland University's main campus effective September 1, 2012.

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

No: None

Motion carried (5-0)

RESOLUTION NO. 12.08.115

8. OLD BUSINESS – None

9. NEW BUSINESS

9a. Motion – Accept the First Reading of an Ordinance to Amend Chapter 14. Animals, of the Auburn Hills City Code and Set for Second Reading and Adoption at the Meeting of August 20, 2012

Mr. Keenan explained there have been many inquiries at the City regarding the keeping of chickens. At the direction of the Planning Commission an amendment has been drafted and reviewed by the Oakland County 4H Poultry Club and the City Attorney.

Ms. Hammond asked if there would be a charge for a permit.

Mr. Keenan stated there would be a minimal fee, \$20 or \$25.

Ms. Hammond noted the setback requirements and suggested there would be many properties that would not be able to accommodate the setbacks.

Mr. Keenan explained different areas of the City were visited to see how the setbacks would affect the different areas. Some of the smaller lots that were visited would be able to meet the setbacks to house the chickens. There may be a few residential lots in the Bloomfield Orchards that would be too small to accommodate the requirements; however, there are provisions in the ordinance that would allow the City Manager to grant a variance.

Mr. Keenan assured Ms. Hammond that a Code Enforcement Officer would inspect each property that applies for a permit.

Ms. Verbeke asked how a situation would be handled if a resident continually was in violation of the ordinance; would or could the annual permit be denied.

Mr. Beckerleg explained if the resident was not in compliance, then yes, they could lose their license; however, once in compliance they would be eligible for a license. He also noted that information is included in the ordinance.

Mr. Kittle asked if the eggs are used for personal consumption or can they be sold.

Ms. Verbeke stated the intention was for personal consumption only.

Mr. Keenan stated it is not included in the ordinance, but the residents calling were asking to keep chickens for their personal consumption and wouldn't stop them from sharing with neighbors.

Ms. Verbeke explained the Planning Commission discussed with the Oakland County 4H Club, on how many chickens should be allowed and it was determined six chickens would be needed to produce enough eggs for a family of five.

Responding to Mr. McDaniel, Ms. Verbeke stated one chicken will usually produce five eggs per week.

Mr. Keenan stated once a chicken reaches the age of four or five, egg production starts to decrease.

Ms. Doyle asked if the chicken manure would be considered compost, and therefore be picked up by the trash service.

Mr. Beckerleg wasn't sure and that it should be investigated; that aspect was not thought of or discussed.

Mr. Keenan noted it is suggested that the run area and coop be changed periodically, so the waste will not build up in one particular area.

Heather Barta, an Auburn Hills resident, explained having a portable coop and moving it keeps the grass growing and eliminates the build-up of waste. Responding to Ms. Doyle, Ms. Barta continued stating the waste, offal, is very good composting material and works fabulously in yards and gardens.

Mr. McDaniel asked Ms. Barta if six chickens are worth all of the work that is involved.

Ms. Barta doesn't think many people will go through all the effort to raise their own eggs; it is much cheaper to purchase them at the store.

Mr. Kittle questioned if language should be included that raising chickens is for non-commercial use.

Moved by McDaniel; Seconded by Verbeke.

RESOLVED: To accept the First Reading of an Ordinance to Amend Chapter 14. Animals, of the Auburn Hills City Code and Set for Second Reading and Adoption at the Meeting of August 20, 2012.

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

No: None

Motion carried (5-0)

RESOLUTION NO. 12.08.116

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. McDaniel:

- Appreciated the conversation today regarding the special workshop and all the ideas for other workshops in the future.

Mr. Kittle:

- Is looking forward to driving on the fresh paved roads in the northern area of Auburn Hills.

Ms. Doyle:

- Asked for an update on the Shimmons and Tienken Roads.

Mr. Juidici explained construction is well underway on Shimmons Road and is just starting on Tienken. Because of the heavy rains, Shimmons Road is a few days off schedule, but the cement for the sidewalks and driveways will be poured later this week providing the weather cooperates; and then the other portion of the road will be completed. The tentative opening date for Shimmons Road is August 28th. Tienken Road is projected to be a three week project from beginning to end; the cement curb will be poured next week and then finishing of the road will take place.

The residents on the streets have been for the most part appreciative that the roads are resurfaced; there were a few minor problems when work began on Tienken with traffic flow, but now it is working out.

- With receiving the Planning Commission's annual report, she wanted to congratulate Mr. Cohen and the Planning Commission on the work that has been done. Including, being the first city with infrastructure for electric vehicles, meeting with residents downtown to get a portion of western Auburn Road rezoned, the River Walk and a lot more important work.

Mr. McDaniel mentioned residents had contacted him regarding workmanship of road repaving in the south end of the City. In turn Mr. McDaniel contacted Mr. Auger, who was able to get the work corrected within 24 hours of the complaint. The residents were very pleased and thankful for the quick response.

Ms. Verbeke:

- Noted there are still smoke alarms available for the hearing impaired and for those interested they should call or visit the Community Center, 248-370-9353.
- Asked Mr. Auger if he had received anything from Mr. Ashley, the gentleman from the Joslyn Road golf dome.

Mr. Auger stated he had received a letter this afternoon, in which Mr. Ashley apologized for not sending the letter sooner. Mr. Auger sent the letter out to staff so options could be discussed, but he isn't sure all the information will be available for the next meeting.

- Asked Mr. Keenan if the e-mail he had sent was a list of people not paying their trash bill or if these were property owners of renters who hadn't paid their trash bill, as she had questioned at the last meeting.

Mr. Keenan stated it was a list of residents who hadn't paid their bill and who had been notified by Waste Management.

- Thanked City Clerk Kowal on a very well run primary election.
- Noted there were no sex offender verifications in the June report and asked Director Olko if sex offender verifications are checked only periodically.

Director Olko explained in the month of June there weren't any to check. The process of checking has to do with when someone is convicted and when they must report; Auburn Hills doesn't have many offenders. Auburn Hills is one of the few City's that follow up and searches for offender registrants to make sure they are registering properly.

- Asked what the process is to notify the City if there is a vacant lot that needs mowing.

Mr. Keenan explained many times it is neighbors who report the grass needs mowing or when Code Enforcement Officers are out patrolling they notice the lawn. He isn't sure about at what height the grass is that the City steps in and mows.

Ms. Hammond explained there are different heights for different situations; whether it is an occupied lot or not.

Mr. Auger explained once the grass reaches eight inches a letter is sent to the property owner and they have 14 days in which to comply; if they don't the City will mow the grass. If there is a repeat offender, after the first letter is sent and not complied with, the City will continue to mow the lawn and bill the property owner.

Ms. Hammond:

- National Night Out again was a wonderful event and the weather was great. She asked Director Olko to thank all those who helped from the police to the volunteers.

11. CITY ATTORNEY'S REPORT - None

12. CITY MANAGER'S REPORT

- Noted Auburn Hills University will be touring Chrysler next week and suggested any Council Member that has not taken the tour and wishes to attend, to contact Ms. Carroll and sign up.
- Budget workshop with the general concept and the new software that will be used will be coming up soon.

13. ADJOURNMENT

Hearing no objections, the meeting adjourned at 8:05 p.m.

James D. McDonald, Mayor

Terri Kowal, City Clerk