



# The City of Auburn Hills

## City Council Meeting

### Minutes

February 20, 2012

**CALL TO ORDER:** by Mayor Pro Tem Hammond at 7:03 p.m.  
**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326  
Present: Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke  
Absent: Mayor McDonald  
Also Present: City Manager Auger, Assistant City Manager Tanghe, Director of Emergency Services/Police Chief Olko, City Assessors Lohmeier & Bennett, Water Resource Coordinator Keenan, Recreation Director Marzolf, City Attorney Beckerleg, City Engineers Juidici, TIFA Member Ardelean  
12 Guests

#### 4. APPROVAL OF MINUTES

4a. Regular City Council Meeting – February 6, 2012

**Moved by Mr. Kittle; Seconded by Ms. Verbeke.**

**RESOLVED:** To approve the February 6, 2012 Regular City Council Meeting Minutes as amended to include Mr. Heilbrun's comments regarding the soccer field.

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

No: None

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.025**

4b. Executive Session Council Minutes – January 23, 2012

**Moved by Mr. Knight; Seconded by Ms. Doyle.**

**RESOLVED:** To approve the Executive Session Minutes from January 23, 2012.

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

No: None

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.026**

#### 5. APPOINTMENTS & PRESENTATIONS

5a. Motion – Confirming Appointment of Erik Dilland to the Tax Increment Finance Authority for a term ending February 28, 2016

**Moved by Ms. Doyle; Seconded by Mr. McDaniel.**

**RESOLVED:** To confirm the Appointment of Erik Dilland to the Tax Increment Finance Authority for a term ending February 28, 2016.

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

No: None

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.027**

5b. Motion – Confirming Appointment of Trina Burrell to the Zoning Board of Appeals for a term ending February 28, 2015.

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

**RESOLVED:** To Confirm the Appointment of Trina Burrell to the Zoning Board of Appeals for a term ending February 28, 2015.

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

No: None

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.028**

5c. Motion – Confirming Reappointment of Michael Napier to the Local Officials Compensation Commission for a term ending February 28, 2017.

**No Action Taken**

5d. Motion – Confirming Reappointment of Patrick Hassett to the Tax Increment Finance Authority for a term ending February 28, 2016.

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

**RESOLVED:** To Confirm the Reappointment of Patrick Hassett to the Tax Increment Finance Authority for a term ending February 28, 2016.

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

No: None

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.029**

#### 6. PUBLIC COMMENT

**County Commissioner Tim Greimel** explained he has spoke with Mayor McDonald and City Manager Auger regarding this issue and wanted to inform Council of the emerging plan for rolling rapid transit, also known as bus rapid transit in southeast Michigan. A pair of bills were introduced into the legislature to establish a regional transit authority that would include various transit lines along specific corridors in metro Detroit. These buses have been equated to trains on wheels; they are longer than the typical bus, have designated lanes on the roadway and are timed with traffic signals to not having to stop, as well as raised platforms similar to trains. His concern with this plan is the designated corridors do not include Auburn Hills in the routes. The east-west route runs through Macomb county's portion of M-59, and turns south into Troy and not continuing west through Auburn Hills. With the development of these corridors should come considerable development.

Mr. Greimel stated he would like to see the route extend at least to Squirrel Road if not extending either downtown Auburn Hills or extending towards Oakland University and Oakland Community College. He has testified before the Senate Transportation Committee about his concerns of the exclusion of Auburn Hills and other north Oakland County communities. He will keep the City informed of the continuing discussions and plans.

Mr. Greimel suggested that City Council pass a resolution expressing their desire to be included in the plans to have a route in Auburn Hills.

The route presently extends from downtown Mt. Clemens west on M-59 to M-53 or Dequindre and then south to Big Beaver in Troy and west to Birmingham and then south along Woodward. He would like to see a pair of east-west routes from Mt. Clemens, the Troy route and a route extending to Auburn Hills and/or Pontiac. This should be of interest to those communities such as Auburn Hills and Pontiac that are part of the SMART system, which could be tied into the rapid bus network.

The SMART milage renewal is in August, but the BRT will have little impact on SMART. This regional transit authority would have the ability to take over some of the provisions of bus service from SMART, but only under certain circumstances.

**Kay Sendegas**, an Auburn Hills resident complained how poor the public access channel is Council meetings are barely audible.

She also suggested the corner of Adams and Auburn Roads would be a perfect location for senior citizen housing; not high rise buildings but small type condos such as Presbyterian Village. She suggested the City contact the Mocerri company to see if they might be interested since they aren't having any luck in a development along Dutton Road.

**Jim Stevens**, announced the American Council of Engineering Companies (ACEC) asked their membership of approximately 5,000 companies, for submissions for the Young Professional of the Year Award. Each year, five or so individuals are selected and Tim Juidici was one of the five selected. In addition, The National Engineers Week Foundation hosts a one week press blitz for engineers across the country. ACEC selected Mr. Juidici to be their only representative for the National Engineers Week Foundation and he is posted on their website. Also, Today USA will feature an article on Mr. Juidici as a 'new face in engineering' in the business section.

## **7. CONSENT AGENDA**

### 7a. Board and Commission Minutes

7a.1. Planning Commission – January 31, 2012

7a.2. Tax Increment Finance Authority – February 14, 2012

### 7b. Motion – Approve 2012 Sanitary & Storm Sewer Rehabilitation Engineering Services

**RESOLVED: To approve the 2012 Sanitary and Storm Sewer Rehabilitation Engineering Services in the amount not to exceed \$45,000.00; of which \$2,500.00 is funded by TIFA-A [251-000-935-000], \$30,000.00 by TIFA-B [252-000-971-000], \$10,000 by local roads [203-000-935-000], and \$2,500 by major roads [202-000-935-000].**

**Moved by Mr. Kittle; Seconded by Mr. Knight.**

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

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

**No: None**

**Motion carried (6-0)**

**RESOLUTION NO. 12.02.030**

## 8. OLD BUSINESS

### 8a. Public Hearing/Motion - Michigan Next Energy Authority- Alternative Energy Personal Property Exemption/ United Solar Ovonic, LLC

Ms. Hammond opened the public hearing at 7:38 p.m. and hearing no comments closed the public hearing at 7:39 p.m.

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

**RESOLVED: To adopt the attached Resolution (Attachment A) to opt-out of the exemption for Alternate Energy Personal Property from local taxes for United Solar Ovonic LLC as designated under MNEA Resolution 2011-140.**

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

**No: None**

**Motion carried (6-0)**

#### **RESOLUTION NO. 12.02.031**

### 8b. Auburn Hills Riverwalk Phase One - Preliminary Plan Presentation

**No Action Taken.**

## 9. NEW BUSINESS

### 9a. Motion – Investment Managers Performance Report and Funding Recommendation

*Councilpersons Doyle and Knight noted that one of the Investment Managers significantly outperformed the other, and suggested a higher amount than 50% be invested with that manager.*

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

**RESOLVED: To approve the recommendation of placing another \$5.0 million with each of the investment managers, Ambassador and Cutwater, to provide investment management services for the City's operating cash.**

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

**No: Doyle, Knight**

**Motion carried (4-2)**

#### **RESOLUTION NO. 12.02.032**

## 10. COMMENTS AND MOTIONS FROM COUNCIL

**Ms. Verbeke:**

- Thanked Trevin Robinson and Justin Fallon of the Auburn Hills Fire Department for helping her as well as another parent with the installation of child car seats.
- Asked if there was an update regarding the downtown insurance company's issues discussed at a previous meeting.

Mr. Auger stated he had talked with the proprietor of Duffy's and he wasn't aware of any issues with his neighbor, but would move the bench to the other side of the doorway. Also, the owner stated he wants to be a good neighbor and will work on the deliveries.

**Ms. Doyle:**

- Regarding Ms. Sendagas's two interesting points, would prefer to take a look at the cable channel sooner than later since it makes quite an impact on the City.
- Asked how the City is fairing in foreclosures and asked for an update at the next meeting.
- Asked about the university center mentioned in the TIFA minutes.

Mr. Tanghe explained the City is involved with a program with Avondale Schools called the 'virtual academy' as well Local College Access Network (LCAN) with Oakland Community College. The people behind these programs have requested that the downtown area include class room space which would allow these programs to thrive as well as OCC, OU, Cooley, Baker, to schedule classes in the downtown class rooms. In turn, this would generate a large amount of foot traffic in the downtown, which would encourage more businesses to locate in the downtown and to support those that are already there.

- Would like to move forward with Mr. Greimel's suggestion and have ready for the next meeting a resolution to include Auburn Hills in the bus rapid transit corridor.

**Mr. Knight:**

- Would like to see a procedure for all appointments and reappointments to boards and commissions, including an updated resume and the appointee be present at the appointment.

- Suggested Mr. Auger be involved in encouraging the rapid transit include Auburn Hills in the routes.  
Mr. Auger assured Mr. Knight he has been involved in the conversations, noting there will be a new taxing authority that will be developed through this law. The counties will be taxed for their participation and Oakland County would be the only county seat that wouldn't be serviced by this rapid transit bus system. The way this is currently being presented, there wouldn't be much support from Oakland County. Also, he will be taking with people in Lansing on Friday.
- The property at the river and Squirrel Road is owned by the City and the northeast corner looks terrible and asked if there is a plan to clean up that area.
- Is upset with the Oakland Press stating the Squirrel Road address of Oakland University is Rochester Hills and not Auburn Hills.
- There is parking on both sides of Cherryland and it makes it very difficult to get through; maybe at some point consideration could be made to prohibit parking on one side of the street.

Ms. Hammond:

- Friday is the ribbon cutting at the Pixley Funeral Home, a month or so ahead of schedule.
- Is pleased with the newest City blogger, Community Development Director Steve Cohen, noting how informative it is. She would like to see all City departments blogging to provide information to the residents.
- Noted an election is coming up and asked City Clerk Kowal to explain to the audience the different ballot types.

City Clerk Kowal explained the three ballot choices, and on the application to vote you must choose one; "Republican", which has all the candidates, including those who have dropped out of the race since ballots being printed, "Democratic", with the President or uncommitted, or "Without Presidential Preference", which is only the 29<sup>th</sup> District House of Representatives. The Republican and Democratic ballots also include the 29<sup>th</sup> District House of Representatives and on these ballots you can cross vote. That means if you vote for a Republican presidential candidate you may vote for a Democratic House candidate and vice versa. Also, the information of what type of ballot is chosen is public information. Choosing a ballot type is only for this election and does not require you to make the same choice for future elections.

**11. CITY ATTORNEY'S REPORT – none.**

**12. CITY MANAGER'S REPORT**

- Won't be able to attend the Pixley ribbon cutting because he will be in Lansing.
- There was a debriefing with the Federal Department of Transportation regarding the TIGER III grant and the City had made it to the final round. It was noted what a wonderful job had been done by the City and OHM on the application. There will be a TIGER IV, and the City was encouraged to participate; however, there will be no TIGER V

**13. ADJOURNMENT**

Hearing no objections, the meeting adjourned at 8:58 p.m.

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James D. McDonald, Mayor

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Terri Kowal, City Clerk

CITY OF AUBURN HILLS  
RESOLUTION TO EXEMPT ALTERNATIVE ENERGY PERSONAL PROPERTY  
UNITED SOLAR OVONIC, LLC

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan held in the Council Chamber at 1827 N. Squirrel Road, Auburn Hills, MI 48326, on the 20<sup>th</sup> day of February, 2012.

WHEREAS the Michigan NextEnergy Authority has notified the City that United Solar Ovonic LLC has been certified as an Alternative Energy Technology Business under PA 593 of 2002, as amended; and

WHEREAS the Michigan NextEnergy Authority has certified certain personal property owned by United Solar Ovonic LLC, and located at 2705 Commerce Parkway, Auburn Hills, as Alternative Energy Personal Property exempt from certain property taxes; and

WHEREAS the maximum value of the exempted property is \$1,302,417; and

WHEREAS the removal of the personal property from the personal property tax roll would create an economic burden on the City of Auburn Hills and other local taxing units, and result in the potential shifting of the tax burden to other residential and commercial properties within the City; and

WHEREAS, PA 593 of 2002, MCL 211.9i(4), allows the governing body of the local tax collecting unit in which the alternative energy personal property is located to adopt a resolution to not exempt that Alternative Energy Personal Property from taxes collected in that local tax collecting unit, except taxes collected under sections 1211 and 1212 of the revised school code, 1976 PA451 MCL 380.1211 and 380.1212, a tax levied under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852 to retire outstanding bonded indebtedness, or the tax levied by the state under the state education act, 1993 PA 331, MCL 211.901 to 211.906; and

WHEREAS, before acting on said exemption, the City Council of Auburn Hills held a hearing on the 20<sup>th</sup> day of February 2012, at a regularly scheduled meeting, at which time United Solar Ovonic, LLC, the City Assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said exemption; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Auburn Hills that

1. The City Council hereby determines to not exempt the alternative energy personal property of United Solar Ovonic LLC as certified by the Michigan NextEnergy Authority Certificate Resolution 2011-140 from the taxes collected in the City of Auburn Hills as provided by PA 593 of 2002, MCL 211.9i(4); and
2. The City Assessor is hereby authorized and directed to file with the Michigan Economic Development Corporation a certified copy of this resolution.

AYES:	Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke
NAYS:	None
ABSENT:	Mayor McDonald
ABSTENTIONS:	None

Resolution No. 12.02.031 Adopted (6-0)

STATE OF MICHIGAN)  
                                          )SS  
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for 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 20<sup>th</sup> day of February 2012.

IN WITNESS HEREOF, I have hereunto affixed my official signature on this 28<sup>th</sup> day of February, 2012.

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Terri Kowal, City Clerk