SEPTEMBER 2014

(08-21-14)

08  Tax Incentive Review Committee, 5:30 p.m., Admin Conference Room ❖
08  City Council Budget Workshop, 5:30 p.m., Council Conference Room ◆
08  City Council, 7:00 p.m., Council Chamber ◆
09  Tax Increment Finance Authority, 4:00 p.m., Admin Conference Room ❖
11  Zoning Board of Appeals, 7:00 p.m., Council Chamber ◆ CANCELED
17  Beautification Advisory Commission, 5:30 p.m., Council Conference Room ◆
22  City Council Budget Workshop, 5:30 p.m., Council Conference Room ◆
22  City Council, 7:00 p.m., Council Chamber ◆
23  Public Safety Advisory Committee, 6:00 p.m., Public Safety Building ♦
23  Library Board, 5:00 p.m., Library, Conference Room ☝
25  Planning Commission, 7:00 p.m., Council Chamber ◆

◆ City Council Chamber (Conf. Rm.) – 1827 N. Squirrel Road
❖ Administrative Conference Room – 1827 N. Squirrel Road
♦ Public Safety Building – 1899 N. Squirrel Road
♭ Community Center – 1827 N. Squirrel Road
● Department of Public Services (DPS) – 1500 Brown Road
↑ Fieldstone Golf Course - 1984 Taylor Road
✉ Library - 3400 Seyburn Drive
истем Downtown City Offices – 3395 Auburn Road, Suite A
📚 University Center, 3350 Auburn Road, Main Floor, Classroom AHUC-02
1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COUNCIL
4. APPROVAL OF MINUTES – August 11, 2014
5. APPOINTMENTS AND PRESENTATIONS
   5a. Presentation – Retirement of Paid on Call Fire Personnel - Lieutenant James Klempert and Captain Timothy Farrell
6. PUBLIC COMMENT
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. Board of Review – July 22, 2014
      7a.2. Tax Incentive Review Committee – August 11, 2014
      7a.3. Tax Increment Finance Authority – August 12, 2014
   7b. Resolution in Support of Repealing the Fireworks Safety Act of 2011
8. OLD BUSINESS
9. NEW BUSINESS
   9a. Motion – Accepting First and Second Quarter 2014 Monitoring Network Review Summaries of the Oakland Heights Development Landfill Report
   9c. Motion – Prepay Oakland-Macomb Interceptor Drain (OMID) Segment 4
   9d. Motion – Approve 2014 Street Marking Program
   9e. Motion – Approve Forestry Aerial Lift Body Bid
10. COMMENTS AND MOTIONS FROM COUNCIL
11. CITY ATTORNEY’S REPORT
12. CITY MANAGER’S REPORT
13. ADJOURNMENT

City Council meeting minutes are on file in the City Clerk’s office. NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 370-9402 or the City Manager's Office at 370-9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.
August 25, 2014

The City of Auburn Hills
City Council Meeting
Minutes
August 11, 2014

*EXECUTIVE SESSION – Attorney Opinion – 5:30 p.m.*

CALL TO ORDER: by Mayor McDaniel at 5:30 p.m.

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

Present: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke

Absent: None

Also Present: Acting City Manager Tanghe, Acting Assistant City Manager Grice, Director Olko, Deputy Director Manning, Assistant Fire Chief Macias, City Clerk Kowal, DPW Director Melchert, Assistant City Planner Keenan, City Attorney Beckerleg, City Engineers Juidici & Stevens

53 Guests

Moved by Knight; Seconded by Verbeke.

RESOLVED: To recess to Executive Session to discuss an attorney opinion.

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

No: None

Motion Carried (7-0)

Resolution No. 14.08.145

Mayor McDaniel reconvened the regular meeting at 7:05 p.m. with the Pledge of Allegiance.

4. APPROVAL OF MINUTES

4a. Regular City Council – July 28, 2014

Moved by Mitchell; Seconded by Kittle.

RESOLVED: To approve the July 28, 2014 City Council meeting minutes.

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

No: None

Motion Carried (7-0)

Resolution No. 14.08.146

5. APPOINTMENTS AND PRESENTATIONS - none

6. PUBLIC COMMENT

Sgt. Steve Groehn, Vice Chair of the Pension and Retiree Health Care Boards explained he has the fiduciary responsibility of administering, managing, and operating each of the programs in an ethical and lawful manner. It has been nearly four years since he brought his report, Vis Legis, to City Council, which asked the legality of the Retirement Health Care and Pension Boards to assign $10.1 million of police tax revenue to benefit's accrued by non-police employees. The report also asked if it was legal for the City to use $11.5 million of police tax revenue on the golf course club house, City wide fleet fund, landscaping and a transfer to the general fund. He felt the aforementioned use of police tax revenue funds to be unlawful, particularly when the City's truth in tax budget hearings informed the taxpayers the revenue would be used solely for police purposes. Former City Council members were swayed to believe the City Charter had been administered improperly for 25 years. He believes the ad valorem property tax shall be for police purposes, as stated in the Charter, but that it was not restricted to police purposes, but used for any municipal expense that Council desired.
Continuing, Mr. Groehn stated he has authored a Vis Legis II, which outlines how the City, for years, knowingly levied a police tax that grossly exceeded the needs of residents for police protection. This resulted in over $20 million surplus police revenues and demonstrates how the most recent interpretation of the Charter is being used to circumvent the constitutional and statutory provisions that limit a city’s ability to raise revenue for general purposes. He is compelled to exercise his fiduciary responsibility and ask the City Council to exercise their powers in accordance with Section 4.21 of the City Charter by commissioning an independent investigation into what he perceives as an unlawful use of public money.

Salvatore Petras, 186 Oakmont, thanked City Council for unanimously appointing him to the Public Safety Advisory Committee. He believes an executive search for a new city manager would be a waste of taxpayer money, noting Mr. Tanghe has been the Assistant City Manager for at least 10 years and will do a fine job. Also, on the south side of Auburn Road, between Oakmont and Cherryland the cross walk is in dire need of repair.

Richard Walker, 260 Schoolcraft, has lived in the City for 50 or so years, and he and his wife are in support of Mr. Tanghe becoming City Manager. He agrees with Mr. Petras, it would be a waste of taxpayer money to conduct an executive search for a city manager. As an owner of a downtown business, The Toasted Bun, he appreciates everything City Council has done to enhance the downtown and making it a destination place.

Jim Endres, a Sylvan Lake resident, introduced himself as a navy veteran, a great-grandfather, retired State of Michigan prison guard and parole officer, and sits on various boards and commissions. He will be running for a Pontiac School Board position in November. He mentioned he read in the paper that Oakland University is holding a drive to provide students in the Pontiac School District backpacks and school supplies, which can be dropped off at the Multi-Cultural Affairs Office, located at 104 N. Foundation Hall, near the main entrance.

Kay Sendegas, asked if something will be done with the golf dome on Opdyke Road, the high fence is in disrepair and the netting is blowing in the wind. She was told quite some time ago things would change, but they haven’t as of yet. Mr. Keenan stated the owners of the golf dome are in the process of purchasing a new dome, to replace the current one. Part of the new dome approval, is the removal of the outdoor driving range, resulting in the removal of the tall fence and netting. Plans are anticipated to be submitted this month.

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.2. Beautification Advisory Commission – June 18, 2014
7a.3. Planning Commission – July 24, 2014

Moved by Verbeke; Seconded by Knight.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None

Resolution No. 14.08.147

8. OLD BUSINESS

8a. Public Hearing – Amending Ordinance Boundaries of the Downtown District

Ms. Carroll explained the purpose of this evening’s public hearing is to hear comments from the public, but no action by City Council is required.

Mayor McDaniel opened the public hearing at 7:20 p.m.

Matthew Maxim, 3198 & 3200 Auburn Road, spoke on behalf of his father who owns the property, noting his concern on how this will affect the development of his property; how the flood plain will be affected and his ability to use the property.

Mayor McDaniel closed the public hearing at 7:21 p.m.

No Action Required

8b. Motion – Approve Revision to City Council’s Rules and Order of Business

Ms. Kowal explained City Council discussed the Rules and Order of Business in a workshop session, resulting in an amended copy, collaborated on by herself and City Attorney Beckerleg.

Mr. Kittle asked on page 8, regarding 11. Council Action, item (b), that all the stricken language should not be removed.

Mayor McDaniel explained the purpose behind the stricken portion is because those rules are included in Robert’s Rules of Order, with the exception of the five-minute speaking rule. He suggested to keep item B. as is with the exception of striking out the five minute rule.
Mr. Kittle noted item (k) (i), on page 9, Withdrawl of Motion, ‘A motion may be withdrawn or amended by its maker, until the motion has received a second.

Ms. Kowal explained this is also a Robert's Rule of Order.

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To approve the proposed revisions to the Auburn Hills City Council Rules of Order and Business, adopted June 7, 2010 with the change requested.

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

No: None

Motion Carried (7-0)

Resolution No. 14.08.148

8c. Consideration of OU Agreement Regarding Library Drive to North Squirrel Road

Mr. Melchert explained this is an agreement to build the junction of the new Library Drive with Squirrel Road. The approximate location will be at Cross Creek Parkway. There are three key elements to the agreement; first the vacation of Lonedale Road. The University will close off Lonedale Road to keep students from accessing the road and a formal vacation of the road will take place at a future City Council meeting. Second is the construction of the junction, which OHM has been working with OU to make sure City standards are met. This construction will be solely at Oakland University's cost. Third is a future traffic improvement which includes traffic signals. If signals become necessary due to student enrollment increases, traffic signals will be required at the City's discretion, again solely at the University's expense. As with other signals, after the installation, the signal will be maintained and controlled by the City.

Mr. Knight asked if the access to Lonedale Road will be a public right-of-way to be maintained by the City.

Mr. Melchert noted it will not be a public right-of-way; it will be the homeowner's driveway, Mr. & Mrs. Heitsch, to be maintained by Oakland University. As part of the agreement, the homeowner's driveway will have access through Oakland University's roadway system.

Responding to Ms. Verbeke, Mr. Melchert confirmed the University has been in contact with Mr. & Mrs. Heitsch; the City has not. Currently the Heitsch’s don’t use Lonedale Road, they use the old Library Drive, according to those at Oakland University who have been in touch with them.

Mr. Beckerleg noted the agreement provides assurance that there will be continued access to the home. Continuing, Mr. Beckerleg explained only the portion west of Library Drive will become the driveway and the portion to the east will continue to be a City road. There were some difficulties in determining the vacation of Lonedale Road, so not to hold up the construction of the new Library Road the vacation will be done at a later date.

Moved by Mitchell; Seconded by Burmeister.

RESOLVED: To approve the Agreement between the City of Auburn Hills and Oakland University to Connect Library Drive to N. Squirrel Road, where all associated costs for the construction of the junction of Library Drive to N. Squirrel Road per the Agreement, will be funded by Oakland University. Further, to authorize the Acting City Manager, as Street Administrator, to approve the necessary change orders submitted to bring about a successful conclusion to the project.

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

No: None

Motion Carried (7-0)

Resolution No. 14.08.149

8d. Motion – Approve EMS Collection Agency

Assistant Fire Chief Macias explained the collection service is important in the last step of cost recovery. The collection service will not begin until Mobile Health Resources (MHR), the City's billing company, has exhausted their process. The process of MHR is on day zero, the insurance company is billed; day 15, a bill is sent to the patient; the 35th day, another bill is sent; and the 56th day, a final bill is mailed. By the 75th day, a pre-collection letter is sent, advising the account is delinquent and the account is being reviewed for collections and to call and/or set up a payment plan. Within 90 more days, MHR will review the information to determine if there is a solution or if it should be sent to collection. At any time during this process, the process can be halted when a payment plan is agreed upon. It won't be until September that there is the possibility of needing a collection agency. Rochester Hills reported they have only had 7.5% of their accounts becoming delinquent over an average of three years and going to collections.

Of transports made, the largest number was that of Auburn Hills’ residents, with Pontiac residents coming in second.

Four bids were received, and the lowest bidder, Penn Credit, is the recommendation of the Public Safety Advisory Committee. Considerations taken into account from the submitted bids were professionalism, approach and controls. Penn Credit offers a 2% discount, to those who pay within 30 days; there is also on-line payment available. Prior to letters being sent by Penn Credit, the City will preview and approve the letters. Penn Credit also has Spanish language capabilities if needed. Penn Credit has been in the collection business for 27 years and provides service to over 57 cities, counties and states with 16 of those accounts specifically EMS ambulance transport accounts. Penn Credit was recently awarded the contract for DTE.
The recommendation is to approve a two year contract with Credit Corporation, with an option for an additional one year, for the of collecting delinquent ambulance billing accounts at the rate of 19% In-house and 29% legal action. The 19% in-house rate, means money collected without legal counsel, if legal counsel is required the percentage on recovered funds increases to 29%.

Mayor McDaniel asked of the companies submitting bids, if data is available showing the success rate of receiving payments.

Assistant Fire Chief Macias stated he has no data.

Mr. Knight asked how a hard-ship case would be determined and the fee forgiven. He also asked if there a provision for those people that have insurance, in which case insurance picks up part of the tab and those that have no insurance, asking if there is a policy to handle these two situations.

Assistant Fire Chief Macias explained there was quite a bit of time paying attention to the insurance industry standards regarding the rates being charged and what insurance companies are willing to pay.

Mr. Knight stated he would hope the City would charge the uninsured the price that the insured pays, after insurance has paid their portion.

Mr. Burmeister noted the City is three months into providing EMS to the City, and asked the percentage of rate of return.

Assistant Fire Chief Macias explained because insurance companies can run as much as six months behind, it isn’t possible to give an actual figure.

Mr. Burmeister asked if there are any area communities using Penn Credit.

Assistant Fire Chief Macias stated he is only aware of Penn Credit being used by DTE through their recent contract signing.

Ms. Verbeke questioned if consideration had been given to hire a more local company, noting three of the top four are Michigan businesses, and Penn Credit is not.

Assistant Fire Chief Macias explained consideration was given to all companies and not just Penn Credit because they were the low bidder. All the Penn Credit references he called had already signed for the additional year, because they have been so pleased with the work performed. Also, most of the communication is done electronically; therefore, being in State would not make a big difference. Penn Credit also stated if the City is not satisfied, the City can stop sending them accounts. He had asked for assurance that the City wouldn’t get lost in the shuffle because of larger accounts. It was explained to him, all accounts are integrated, only when payment is received, does the account get separated out and payment is mailed to the specific account.

Responding to Mr. Kittle, Assistant Fire Chief Macias stated he talked with Orange County, Florida, the City of Pittsburgh, and one other, and none have had any problems and have been associated with Penn Credit for a number of years.

Mr. Kittle thought the Mayor had a very good point on the success of recovery. He also stated he will not support this, since he didn’t support in-house EMS.

Mayor McDaniel understands information is currently not available, but would like future reports that include tracking of outstanding amounts compared with other area communities and to see the success rate for recovery of funds. He is also pleased if there is dissatisfaction with this company, there are other choices.

Mr. Knight observed Penn Credit 19% rate is considerably less than the others, and implies to him that there is a high level of collection, because they can charge a lower rate. Penn Credit has also been in business for quite some time, which should also be noted.

Mayor McDaniel agrees, if possible he would prefer to use a local company, but with the extreme price differences he understands the recommendation, as well as the fact that distance isn’t an issue.

Moved by Knight; Seconded by Hammond.

RESOLVED: To approve the contracted service of Penn Credit Corporation for the purpose of collecting delinquent ambulance billing accounts at the rate of 19% In-house and 29% legal action for a contract length of two years (2) with an option for the City to renew for an additional one (1) year period and authorize the City Manager to sign the agreement on behalf of the City.

VOTE: Yes: Burmeister, Hammond, Knight, McDaniel, Mitchell, Verbeke

No: Kittle

Motion Carried (6-1)

Resolution No. 14.08.150

9. NEW BUSINESS

9a. Motion – Approval of Special Land Use Permit / Zax Express Wash

Mr. Keenan explained this is a request to construct a monument style, automatic changeable copy sign at Zax Express Wash, located at 941 South Opdyke Road. The proposed sign will be placed on the south side of the southern entrance and replace the existing pole sign located along Opdyke Road. The existing wall sign located on the south side of the building will also be removed to remain in compliance with the total allowable sign area square footage. The owner has
City Council Minutes – August 11, 2014

agreed to display Amber Alerts and emergency messages when asked by the City. The total investment of this project is estimated at $20,000.

Tim Dominick, Zax Express Wash Manager explained the owner is anxious to put up the new sign.

Moved by Hammond; Seconded by Mitchell.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permit for Zax Express Wash subject to staff and consultants’ conditions.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None Motion Carried (7-0)

Resolution No. 14.08.151

9b. Motion – Approval of Site Plan and Tree Removal Permit / Dr. Koehler Office Building

Mr. Keenan explained this is a request to construct a one-story, 2,072 sq. ft. medical office building on a 0.32 acre site zoned B-1, Limited Business district. The property is located on the south side of Walton Boulevard between Joswick and Snellbrook Roads, next to Angelica’s Place, that was approved in December 2012. Construction on Angelica’s Place is anticipated to begin in August.

Dr. Koehler received an eight foot, west side yard setback variance from the Zoning Board of Appeals, in lieu of the required 15 foot side yard setback. There will be an electrical vehicle charging station included on the site.

Dr. Koehler’s business has been located in Auburn Hills for more than 15 years, and he plans on relocating his business from the Walton Village Plaza to the proposed building. The ground breaking is anticipated to take place in the fall of 2014 or spring 2015 with the grand opening expected approximately six months later.

Dr. Harold Koehler, 3250 Walton Boulevard, introduced himself.

Mr. Knight explained this was reviewed at the Zoning Board of Appeals meeting and granted the variance because it will not have any negative impact on Angelica’s Place to the west nor have any other negative impacts.

Ms. Mitchell thanked Dr. Koehler for the environmental enhancements to the project.

Moved by Burmeister; Seconded by Verbeke.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan and Tree Removal Permit for the Dr. Koehler Office Building subject to staff and consultants’ conditions.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None Motion Carried (7-0)

Resolution No. 14.08.152

9c. Motion – Approval of Site Plan, Special Land Use Permit, and Tree Removal Permit / TI Automotive

Mr. Keenan explained this is a request to construct a 141,480 sq. ft., three-story, office building for TI Automotive on 9.84 acres zoned T&R, Technology and Research district. The site is located on Taylor Road, adjacent to RGIS. TI Automotive is requesting to land bank 191 parking spaces which requires a Special Land Use Permit. The zoning code requires 552 spaces, but for now, TI Automotive only needs 250 based on projected employment, but are constructing 335 parking spaces. The company anticipates adding an additional 100 employees over the next five years. There is also a conceptual agreement to sell 1.1 acres of Fieldstone Golf Club property, located adjacent to the south and southwest property lines. The additional property will allow TI Automotive to build out their parking in the future. The existing cart path and utilities will be relocated at the expense of TI Automotive in the near future.

TI Automotive has been located in Auburn Hills since 2004 and will be signing a 15 year lease with Cunningham-Limp. The total investment for this project is estimated at $15 million.

Sam Ashley, Vice-President of Cunningham-Limp, stated this will be a gateway site into the City, with great visibility from I-75. Two questions were raised at the Planning Commission meeting; the first regarding LEED certification – the tally showed 14 points, but there is actually 35 points accomplished on the LEED check off list. There will be LED lighting in the parking lot as well as in the facility. LEED certification was never being sought, but they seek to build a well performing building which includes increased thermal performance and increased natural light.

Ms. Mitchell thanked Mr. Ashley for the follow-up since the Planning Commission meeting.

Responding to Mr. Kittle, Mr. Ashley stated yes they are five points away from LEED certification, but it would cost $25,000 additional dollars to reach those five points and receive a plaque. That additional money is being spent in the employee wellness program. With this property not being near residential properties or mass transit, it diminishes many LEED certification points.

Ms. Hammond asked Mr. Ashley to clarify for the residents that the cost of replacing the cart path and moving utilities is being picked up by Cunningham-Limp, with no cost to the City.

Mr. Ashley stated the agreement that will come before Council, September 8, 2014, has everything outlined including associated costs.

Mr. Knight noted this facility will be in addition to the two facilities TI Automotive is currently operating in, within the City.
Mr. Ashley noted as a developer how refreshing it is to work with a City and staff that are willing to tackle challenges and work together for a common goal.

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

**RESOLVED:** To accept the Planning Commission’s recommendation and approve the Site Plan, Special Land Use Permit, and Tree Removal Permit for TI Automotive – North American Headquarters subject to staff and consultants’ conditions.

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

No: None

**Motion Carried (7-0)**

**Resolution No. 14.08.153**

9d. Motion – Approval of Site Plan, Special Land Use Permit, and Tree Removal Permit / HIROTEC AMERICA, Inc.

Mr. Keenan noted this request is to construct a 213,979 sq. ft. headquarters for the Americas for HIROTEC AMERICA, on a 19.85 acre site zoned T&R, Technology and Research district. The property is located in the Oakland Technology Park located on the south sides of Cross Creek Parkway and High Meadow Circle.

Although the facility will be high-tech in nature, it’s technically classified as a light industrial building since more than half of the floor space will be dedicated to manufacturing and warehousing. This light industrial emphasis requires a Special Land Use Permit in the T&R District similar to the US Farathane and Visioneering projects. In terms of floor space, 40,639 sq. ft. of the building will be utilized for office and design space and 173,340 sq. ft. will be used for manufacturing and warehousing operations. Truck traffic will be minimal (around four per day). No outside storage of materials is proposed. The building has been designed to allow for an expansion up to 350,000 sq. ft. in the future.

There are 843 replacement trees required and 685 replacement trees will be planted on the site. The developer proposes to plant the remaining 158 trees within the Oakland Technology Park, pay monies into the City’s Tree Fund, or a combination of both.

The new facility will be owned by HIROTEC AMERICA, with an investment of $26 million and an anticipated ground breaking by mid September with completion by July 2015.

Mr. Burmeister asked if there are any concerns with Pontiac Road and the increased amount of traffic.

Mr. Keenan noted the subject has not come up at any of the team meetings; the engineers don’t see that as being a problem.

Mr. Keenan explained for Ms. Verbeke, payment to the tree fund will be the same process as has been in the past, if payment is necessary. He believes most of the trees will be able to fit in Oakland Technology Park.

**Bruce Brickman, General Development Co. and Brian McGinnity**, HIROTEC Development Company introduced themselves.

Ms. Verbeke asked Mr. Brickman if he would be able to plant all the necessary trees, or would he be contributing to the tree fund.

Mr. Brickman believes he will be able to plant the trees, but there are other options. He would like to sit down with Mr. Cohen and Mr. Keenan and a study group; he has a few ideas of building up the tree fund for other purposes.

Ms. Hammond asked about truck traffic.

Mr. Brickman explained HIROTEC has a facility off of Glenmeade which will continue with operations. This new facility will only have a few semi-trucks a day coming and going, it is not a production manufacturer, more of a custom build operation.

Mr. Kittle noted the building is attractive and asked if any of the leadership from Japan will be living in the area and if the assembly lines ship globally.

Mr. McGinnity stated yes, the plan is to bring workers from around the world to this facility. HIROTEC AMERICA, used to be called Tesco Engineering and was a training ground for many of the Japanese employees who are now in senior positions across the globe. This facility will be mainly supplying both North America and South America, though products may be shipped globally.

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

**RESOLVED:** To accept the Planning Commission’s recommendation and approve the Site Plan, Special Land Use Permit, and Tree Removal Permit for HIROTEC AMERICA, Inc. subject to staff and consultants’ conditions.

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

No: None

**Motion Carried (7-0)**

**Resolution No. 14.08.154**

9e. Motion – Adopt Resolution Regarding the Open Burning of Leaves and Brush on Single-Family Residential Properties in the City

Mr. Keenan explained the Committee met recently to discuss a recommendation to City Council. Taken into consideration were the comments received from residents at the two town hall meetings, the phone calls received and the survey the
City had sent to residents. The response from the survey exceeded 700 resident replies; better than expected. Many of the surveys returned suggested taking the issue to a vote of the residents.

The last meeting held by the Committee, supported the residents request and to place the issue on the November 2014 ballot.

Mr. Kittle, Committee Chairperson, explained this issue has come up many times over the years. A committee was formed a year and a half ago, comprised of residents, City staff, emergency services personnel, and elected officials. The pros, cons, and alternatives were discussed. The decision was unanimous to place the question on the ballot by the Committee.

The City's Public Safety personnel become intermediaries between residential disputes. The data shows the number of incidents decreasing, but there is no good alternative. Mr. Knight had some suggestions and concerns which were all discussed by the Committee. Adopting a stricter ordinance would only put additional strain on the police and fire departments.

Mayor McDaniel noted this is specific to single family residential properties because leave burning is banned from other zoning districts.

Mr. Burmeister stated he has been struggling with this issue for the last 20 years; as a resident he likes the availability of burning leaves and if voted on by City Council he would vote to keep burning. As a retired employee of the Fire Department, it was non-stop utilization of resources. The call numbers go up; fire personnel checking on the burns, some of which were legal. If an emergency call came in for another location of the City, it was a tremendous drain on the safety service system.

Mr. Kittle stated burning tree limbs wasn’t legal, only leaf burning. This will not preclude chimineas or having hotdog roasts in your backyard. Two years ago when trash hauling was implemented, the trash pickup included leaves and composting services. The composting services were included because of previous discussions of banning leave burning and being able to give the residents an alternative.

Ms. Hammond agrees the residents should be able to voice their opinion and asked if the ban is voted down, will the current burning schedule continue or will there be open burning whenever one wants.

Mr. Kittle stated regardless of the outcome, the ordinance will be amended.

Mr. Knight suggested there aren’t more than 100 residents that burn leaves in the City and has advocated a burning permit system. The permit would be of no charge, but the resident must alert emergency services that they are going to burn leaves and give their address. He would prefer Council take action, and not put it on a ballot.

Mayor McDaniel stated a committee was formed including residents, City staff, emergency personnel, and elected officials asking them for a recommendation. It wouldn’t be proper to dismiss their work and recommendations, so Council could take sole action.

Ms. Verbeke asked if the question should pass, then City Council is to follow the exact wording. If the question fails, then the ordinance would have to be amended to include enforcement issues.

Mr. Beckerleg stated if the question passes, the City Council will have to adopt an ordinance prohibiting open burning of leaves and brush in single family residential areas; if it fails, the ordinance wording would be amended.

Ms. Verbeke noted if banning leave burning passes, she believes more discussion will be needed to help the residents with leaf disposal.

Ms. Mitchell couldn’t find any state law to help her with a decision, and is satisfied to hear the feedback from the voters. She has an issue with the proposal language; if voting yes on the proposal it means no to burning and voting no, means yes.

Mr. Beckerleg stated he has drafted a lot of ballot language over the years and the general rule of thumb when drafting ballot language is a yes vote requires an affirmative action of some sort.

Ms. Kowal noted on the ballot, language can be included explaining the proposal.

Mr. Beckerleg noted there isn’t time to make changes; this must be sent to the State first thing in the morning.

Ms. Kowal stated she would be delivering the ballot language to Oakland County in the morning.

Mayor McDaniel suggested the explanation could be added before tomorrow morning.

Ms. Kowal explained that language must be approved by City Council, so there wouldn’t be time to include additional language before delivering to the County in the morning. The language could be changed to ‘Do you want to allow burning in the City of Auburn Hills – vote yes or no’.

Mr. Beckerleg noted an explanation is generally included with a constitutional or charter amendment.

Mayor McDaniel asked if the language can be changed to something as simple as ‘I wish to see burning continue, yes or no’.

Mr. Beckerleg advised against it, but will do what Council requests.
Mr. Kittle read the proposed ballot language – ‘Shall the City Council of the City of Auburn Hills adopt an Ordinance completely prohibiting the open burning of leaves and brush on all single-family residential properties in the City of Auburn Hills? Yes ______ No ______’. He believes the language is straightforward.

Mr. Knight doesn’t believe brush should be included in the ballot language.

Mr. Beckerleg stated brush is included in the language because the current ordinance allows open burning of leaves and brush during certain periods of time. The words are patterned exactly as the current ordinance reads.

Mr. Knight suggested eliminating brush from the language; brush is not the problem.

Mr. Beckerleg explained by removing the word brush, there is a discrepancy between the prohibition of the current ordinance and what the ordinance reads; brush is still dangling in the ordinance.

Mayor McDaniel stated then there will be a debate as to what brush is.

Deputy Director/Fire Manning explained the State legislation that allows local ordinances to adopt leaf burning ordinances only allows for leaf burning, brush is not included in the State statute.

Mr. Beckerleg concurred with Deputy Director/Fire Manning stating the current City ordinance is in conflict with State laws regarding brush burning.

Mr. Knight suggested holding off and putting this on next year’s primary election, it won’t have any effect on this year’s leaf burning. He feels it is being rushed through and should be looked at more carefully.

Mayor McDaniel stated this committee has been formed and discussing leaf burning for two or so years and this is the recommendation that has been made, so Council should act on the recommendation and not dismiss it. Though it seems like a last minute decision, the Committee used all the available time they had to make a recommendation; not rushing to push this through. It was intended to go to the voters in November when more voters tend to vote.

Mr. Beckerleg stated every word in the ballot language is there for a specific reason, this was not a rushed process.

Mayor McDaniel asked if Director Olko or Deputy Director/Fire Manning would like to add anything, since enforcement will come from Public Safety.

Deputy Director/Fire Manning stated that he was a participant on the Committee, and feels due process was completed and agreed with Mr. Burmeister that services are stretched, but they will continue to do what they need to do.

Harold Smith, 3093 Bessie Street, believes the ordinance should be left as is.

Ron McCann, 125 N. Squirrel Road, agrees the ordinance should remain as it is. He has many trees and isn’t sure what he will do with all his leaves and asked if there can be residents grandfathered-in to allow leave burning or issue him a permit.

Ms. Hammond noted the City has the SHARP program that helps residents with such things as yard work.

Karen Roach, 915 S. Squirrel Road suggested leaving things as is because the data shows a decrease in the number of complaints. Also as new residents move into neighborhoods they are removing trees, lessening the leaf fall, as well as people being more aware of the environment.

Clarence Bennett, 3814 Tienken Road, stated he is too old to rake leaves, so he uses the lawn mower to mulch the leaves that then settle into the lawn, then the soil and fertilize the lawn. He does burn parts of the oak tree in a burner, that he isn’t able to mulch.

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To adopt the attached resolution (Attachment A), placing the issue of Leaf Burning on the November 4, 2014 election ballot.

Mayor McDaniel stated this is the process that Council follows on a regular basis, though the end result may be different. In the past a committee was formed to discuss single trash hauler which resulted in a recommendation to City Council to adopt a single waste hauler and Council followed that recommendation. With this, leaf burning, again a committee was formed with a recommendation to City Council to place the item on the November 2014 ballot for the citizens to decide. Council is now following that recommendation.

VOTE: Yes: Burmeister, Hammond, Kittle, McDaniel, Mitchell, Verbeke
No: Knight

Motion Carried (6-1)

Resolution No. 14.08.155

9f. Motion – Approve the Memorandum of Understanding for the Detroit Metropolitan Identity Theft and Financial Crimes Task Force between the Federal Bureau of Investigation and the Auburn Hills Police Department

Director Olko explained there is an increase in fraud crimes which tend to be wide spread and it is difficult for investigators to pursue these criminals. This Memorandum of Understanding and the City joining this Task Force will increase the City’s capability through interaction with other governmental agencies to pursue and prosecute these criminals. Since the Memorandum of Understanding is with the FBI, there will be more options to prosecute the criminals federally as well as within the state.

Mr. Kittle asked how many communities will be participating in this.
Director Olko stated as of now, the Task Force includes Auburn Hills, Troy, FBI, Secret Service, and a few other federal agencies. The FBI prefers to keep this a smaller group; Troy and Auburn Hills form a corridor along I-75 and both communities have a large retail basis, from where many of the crimes come.

Harold Smith, 3093 Bessie Street, complained about receiving fraudulent phone calls.
Mayor McDaniel asked Mr. Smith to stay after the meeting to gather more information.

Moved by Verbeke; Seconded by Knight.

RESOLVED: To approve the Memorandum of Understanding for the Detroit Metropolitan Identity Theft and Financial Crimes Task Force between the Federal Bureau of Investigation and the Auburn Hills Police Department and direct the Chief of Police to sign the agreement on behalf of the City.

Mr. Kittle asked Mr. Tanghe if this has any budgetary impacts.
Mr. Tanghe stated it does not.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None
Motion Carried (7-0)

Resolution No. 14.08.156

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond:
• Noted all the site plans this evening are not LEED certified with the developers explaining it is cost prohibitive to receive a plaque. She asked if the City could present appreciation plaques to those businesses that are trying to be environmentally friendly.
  Mr. Keenan stated it can be investigated.

Ms. Verbeke:
• Ms. Petras earlier this evening commented about the sidewalk issue and it has been brought up in the past. She asked if anything has been done, realizing there was an issue with a property owner.
  Mr. Herczeg explained the problem with the Auburn Road, in order to be ADA compliant, needs much more property in the City’s current road right-of-way. The City has approached at least one business owner about gaining more property, and the request wasn’t well received. It isn’t a forgotten problem and signs have been posted alerting pedestrians of the stairs. There haven’t been any additional complaints until this evening. The area will be looked at again, but the City is limited on what can be done because of the space.
  Mayor McDaniel noted the stairs are quite steep and asked if it would be possible to remove the steps and put in an asphalt pathway.
  Mr. Herczeg explained the slope is too great for a pathway and meet ADA standards.
  Mr. Knight stated the same can be said for Adams and Auburn Roads; the tree should be removed and a walkway installed.

  • Congratulated Clerk Kowal on a well run election.
  • Asked at what point does City Council get notified of funds being deposited into the Tree Fund or the alternate fund, or does the Council get notified.
  Mr. Tanghe explained a report to City Council will be provided quarterly, showing revenue coming in and expenses going out; there will be ongoing information of the account balance.
  Ms. Verbeke stated this evening Council didn’t approve where the Tree Fund money would be going, only site plan approval.
Mr. Tanghe stated the money allocated to the Tree Fund is formula driven. This evening, Council approved the tree removal permit, a count of trees will be done and the formula will result in how many trees must be planted and/or funds contributed to the Tree Fund.

Mayor McDaniel explained there are two choices for a developer; replant trees or pay into the Tree Fund, as required by ordinance. As noted by Mr. Brickman, if there are creative thoughts in lieu of the plantings or Fund, then Council discussion and approval is needed.

Mr. Burmeister:
- At the last meeting a resident complained about trees on Tienken Road and asked if there has been a resolution. Mr. Grice stated that was addressed within a few days of the meeting and the trees have been trimmed.
- Asked Mr. Keenan if the residents can be alerted to the e-coli counts in the River, noting the high counts in the water report.
  Mr. Keenan stated the best advice he can give to anyone who wants to play in any river, is not to go in after a major rain storm. A heavy rain can cause detention ponds to flow into the river, which has goose waste, as well as other areas having contaminated runoff into a river. The data comes from the County, and has a lag time of at least 24 hours to have accurate counts.
  Mr. Keenan stated he will include some information on river use in the next newsletter and/or the web site. Mayor McDaniel suggested including something in the next water bill.

Ms. Mitchell:
- Requested the public be made aware of the leaf burning question that will be on the November ballot. Information could be put on the web site and possibly the water bill. She’d like to make sure everyone is aware of the issue and understands the yes/no vote, and maybe include the clarification language that Ms. Kowal had mentioned.
- Now that the Michigan Legislature is back in session, she would like to find out the State’s rational of not mandating base line water testing for oil and gas drilling, where there is no site processing. It has been discussed in the past and she doesn’t want the topic to get lost in the shuffle.
- Wants to congratulate Mr. Cohen on a strong delivery and representing the City well at the Oakland County’s One Stop Ready meeting.
- Though she had to miss the National Night Out, she understood it went very well and stayed informed through the Twitter feed.

Mayor McDaniel:
- Thanked the Staff for their hard work as represented by this evening’s agenda with all the new development and companies coming to, or staying in Auburn Hills.
- Apologized for not clarifying earlier during the Memorandum of Understanding with the FBI, but Mr. Smith had spoke earlier prior to the meeting regarding his fraud issue. It wasn’t the time for his discussion because it doesn’t directly correlate with the Memorandum of Understanding. He thanked Mr. Smith for staying and will talk with him after the meeting and put him in touch with the appropriate people.

11. CITY ATTORNEY’S REPORT - none

12. CITY MANAGER’S REPORT
- The City’s Blog has been re-launched and can be found on the City’s website or through insideauburnhills.com. It will be more of a collaboration of all departments, not just from the City Manager’s office. One day a week will be specific to economic development activity.
- Towards the end of the month, Mr. Barnes and Ms. Schulz will be preparing a summary of the budget, with a quick overview to be presented at the August 25th meeting, prior to the seeing the budget in detail at the September 8th workshop. Budget workshops will be scheduled at 5:30 p.m. on both September 8th and September 22nd. Also, on August 25th he will be out of town, and Mr. Grice will be present.
- This year’s farmers market has been discontinued, because of the sudden departure of the market master and the declining vendor participation. The process will be reviewed, but it isn’t decided when there may be another attempt for the market. There is $90 million investment of residential construction scheduled to begin in 2015, in the greater downtown area, east to Adams Road. The farmers market should have greater success in a few years when there are more residents in the area.
- Tonight, there was approximately $40 million in construction projects approved; we as a City appreciate and thank these companies for choosing Auburn Hills.
• Tomorrow the TIFA board will be holding their annual budget workshop, starting at 4:00 p.m. City staff will attend as well as Mr. Barnes who will be presenting the proposed budget. The TIFA totals are down, so there will be less spending.

13. ADJOURNMENT

Hearing no objection the meeting adjourned at 9:22 p.m.

_________________________________   ___________________________________
Kevin R. McDaniel, Mayor     Terri Kowal, City Clerk
RESOLUTION 14.08.155 REGARDING THE OPEN BURNING OF LEAVES AND BRUSH ON SINGLE-FAMILY RESIDENTIAL PROPERTIES IN THE CITY

WHEREAS, Subsection F-307.2.2.3 of Section 38-11 of the Auburn Hills City Code of Ordinances, as amended, provides that open burning is prohibited on commercial, industrial, multiple-family residential and mobile home properties in the City; and

WHEREAS, Subsection F-307.2.2.2 and F-307.2.2.4 of Section 38-11 of the Auburn Hills City Code of Ordinances, as amended, allows open burning of leaves and brush on single-family residential properties in the City provided said open burning is conducted by the property owner on the owner’s property, in between the hours of dawn and dusk with the days of open burning being limited to Monday, Wednesday, Friday and Saturday only during the periods from May 1st through May 31st and October 15th through November 30th; and

WHEREAS the City Council is desirous of submitting to the electorate of the City of Auburn Hills at the November 4, 2014 election a proposal to completely prohibit the open burning of leaves and brush on all single-family residential properties in the City of Auburn Hills.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Auburn Hills City Council that the following language is hereby certified to the County Clerk for the County of Oakland to be placed on the November 4, 2014 election ballot to be submitted to the electors of the City of Auburn Hills:

Shall the City Council of the City of Auburn Hills adopt an Ordinance completely prohibiting the open burning of leaves and brush on all single-family residential properties in the City of Auburn Hills?

Yes ______    No ______

This Resolution is declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly held and called on the 11th day of August, 2014, in order to be certified to the County Clerk for the County of Oakland in the manner prescribed in the election laws of the State of Michigan.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Mitchell, Verbeke
NAYS: Council Member Knight
ABSENT: None
ABSTENTIONS: None

RESOLUTION 14.08.155 APPROVED (6-1)

STATE OF MICHIGAN )
   )ss.
COUNTY OF OAKLAND )

I, Terri Kowal, the duly qualified and acting 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 by the City Council of the City of Auburn Hills on the 11th day of August, 2014, the original of which is on file in my office.

____________________________________
Terri Kowal, City Clerk
To: Mayor and City Council
From: James T. Manning, Deputy Director/Fire, Emergency Services
Submitted: August 21, 2014
Subject: Presentation – Retirement of Paid-on-Call Fire Personnel

INTRODUCTION AND HISTORY

The Fire Department would like to recognize two retiring fire personnel who were long term members of the Department, Lieutenant James Klempert, 19 years of service, and Captain Timothy Farrell, 24 years of service.

Lieutenant James (Mike) Klempert started with the Fire Department on July 12, 1995. Mike is retiring after 19 years of dedicated service to the Auburn Hills community. Over the course of his career Mike has served as a Field Training Officer, FTO, for new fire personnel. As a FTO Mike was responsible for teaching new personnel the operations within the Department. As a recognized leader within the department Mike was promoted to the rank of Lieutenant where he took on the responsibility of directing other fire personnel during emergency operations. As the Department’s responsibilities for EMS grew Mike became a licensed Emergency Medical Technician so he could assist on medical calls.

Lieutenant Mike Klempert’s experience, dedication, and leadership will be missed within the Fire Department.

Captain Timothy Farrell’s career started with the Fire Department on April 28, 1990. During his more than 24 years of service Captain Farrell served many roles within the Department. As a fire fighter Tim was called upon to assist training new fire fighters as a Field Training Officer. He went on to advance his knowledge in the area of EMS, earning certification as an Emergency Medical Technician and eventually becoming a Paramedic. Captain Farrell is a state certified fire instructor and he has assisted with teaching many new fire fighters throughout the region. As a Hazardous Materials Technician, Captain Farrell served on the Oakland County Hazardous Materials Team. As a member of the hazardous materials team, Captain Farrell responded to calls beyond the borders of Auburn Hills.

Captain Farrell has served as an instructor and mentor to many new fire fighters in Auburn Hills and surrounding communities. While Tim’s leadership and dedication will surely be missed, his mentoring of many personnel insures that his legacy will continue on in the region long after his retirement date.

Lieutenant Klempert and Captain Farrell will be presented with a plaque recognizing their many years of dedicated service. There will be a brief reception in the community room in the Public Safety building following the presentation before Council.
DATE: July 22, 2014

LOCATION: 1827 N Squirrel Road – Administrative Conference Room

ROLL CALL: Present: Kay Sendegas, Floyd Warczak, Frank Schoenbaechler, Toni Whitley, Bernard Ris
Absent: None

Also Present: Assessor, Micheal Lohmeier
Deputy Assessor, Karen Blinkilde

1. Meeting called to order at 11:06 a.m. by Chairperson Sendegas.

2. March Board of Review Minutes: Mr. Warczak moved to accept the minutes of the 2014 March Board of Review, as submitted.
   Supported by Mr. Schoenbaechler
   Vote: Yes: All
   No: None
   Motion carried 5-0

3. Poverty Exemption Petitions: Ms. Blinkilde presented 8 poverty exemption applications to the Board.

   JH-01: Application for parcel 14-14-205-022: The applicant’s household income is above the poverty threshold for a 2 person household, but due to extenuating circumstances, the board approved an adjustment this year to help owners pay down significant debt. Motion made by Mr. Warczak to reduce taxable value from $62,970 to $43,170 to allow for a Poverty Exemption (Assessed value changed from $63,750 to $44,270).
   Supported by Ms. Whitley
   Vote: Yes: Sendegas, Ris, Whitley, Warczak
   No: Schoenbaechler
   Motion carried 4-1

   JH-02: Application for parcel 14-05-151-016: Motion made by Mr. Schoenbaechler to reduce taxable value from $34,680 to $22,050 to allow for a Poverty Exemption (Assessed value changed from $46,590 to $34,160).
   Supported by Mr. Ris
Vote: Yes: All  
No: None  
Motion carried 5-0

JH-03: Application for parcel 14-10-152-013: Motion made by Mr. Warczak to reduce taxable value from $34,870 to $12,920 to allow for a Poverty Exemption (Assessed value also changed from $38,330 to $16,720).  
Supported by Mr. Schoenbaechler  
Vote: Yes: All  
No: None  
Motion carried 5-0

JH-04: Application for parcel 14-25-382-022: Motion made by Mr. Schoenbaechler to reduce taxable value from $42,880 to $9,940 to allow for a Poverty Exemption (Assessed value changed from $45,430 to $13,010).  
Supported by Mr. Warczak  
Vote: Yes: All  
No: None  
Motion carried 5-0

JH-05: Application for parcel 14-35-376-033: Motion made by Mr. Schoenbaechler to reduce taxable value from $46,740 to $15,380 to allow for a Poverty Exemption (Assessed value changed from $46,740 to $15,880).  
Supported by Ms. Whitley  
Vote: Yes: All  
No: None  
Motion carried 5-0

JH-06: Application for parcel 14-06-281-002: Motion made by Ms. Whitley to reduce taxable value from $43,420 to $11,590 to allow for a Poverty Exemption (Assessed value changed from $44,400 to $13,250).  
Supported by Mr. Warczak  
Vote: Yes: All  
No: None  
Motion carried 5-0

JH-07: Application for, parcel 14-10-176-013: Motion made by Mr. Schoenbaechler to reduce taxable value from $110,030 to $35,030 to allow for a Poverty Exemption (Assessed value changed from $116,980 to $43,160).  
Supported by Mr. Ris  
Vote: Yes: Schoenbaechler, Ris, Whitley, Warczak  
No: Sendegas  
Motion carried 4-1

JH-08: Application for, parcel 14-36-479-005: Motion made by Mr. Ris to reduce taxable value from $102,440 to $37,270 to allow for a Poverty Exemption (Assessed value changed from $120,910 to $56,760).  
Supported by Mr. Warczak  
Vote: Yes: Sendegas, Ris, Whitley, Warczak  
No: Schoenbaechler  
Motion carried 4-1
4. 2014 and Prior Year Corrections: Ms. Blinkilde presented the petitions for 2011, 2012, 2013 and 2014 corrections. Ms. Blinkilde informed the Board that the corrections to be made were for homestead changes and qualified errors, as defined by MCL 211.53b. (Individual petitions are on file.)

Ms. Whitley moved to accept the 2014, 2013, 2012 corrections [There were no 2011 corrections] for the July Board of Review, as presented by the Deputy Assessor (Petitions J-01 through J-48). All petitions are to be made a part of the July Board of Review minutes.

Supported by Mr. Schoenbaechler

Vote: Yes: All
No: None

Motion carried 5-0

5. Mr. Schoenbaechler moved to adjourn the July Board of Review at 1:57 p.m.

Supported by Mr. Warczak

Vote: Yes: All
No: None

Motion carried 5-0

Karen Blinkilde, Deputy Assessor

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**2013**

**2012**

**2011**

None
LOCATION: Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills MI 48326

1. CALL TO ORDER: Chairperson DeClerck called the meeting to order at 5:31 p.m.

2. ROLL CALL: Present: DeClerck, Iacobelli, Nelson, Landsberg, Burmeister (arrived 5:52 pm)
   Also Present: City Assessor Lohmeier, Deputy Assessor Blinkilde, Community Relations and Legislative Affairs Coordinator Carroll.
   Absent: None

3. APPROVAL OF MINUTES – June 9, 2014
   A couple of typographical errors were identified and corrected.

   Motion by Mr. Iacobelli that the TIRC minutes of June 9, 2014 be accepted, as corrected.

   Supported by Mr. Nelson

   VOTE: Yes: All
   No: None

   Motion carried (4-0)

4. OLD BUSINESS (discussed after New Business)

   Mr. DeClerck thanked the committee for postponing the discussion about Ralco and their “Special Project” designation until he was in attendance. He stated that Ralco’s project numbers, compared to other designated Special Projects, were significantly different and wanted to know what criteria council used when designating Ralco Industries as a “Special Project” with a 12 year abatement: Mr. Burmeister stated that city council used no special criteria when making their determination; they thought it was a good idea at the time the company presented to council. Mr. Burmeister opined that TIRC should recommend the “Special Project” designation to council if the committee thinks it is warranted.

   Mr. Lohmeier reiterated that if Hirotec is approved as a “Special Project”, there will be three remaining designations left under current policy. He also suggested that TIRC wait for an applicant to ask for this versus offering this up front.

   Mr. Landsberg was interested to know, now that Proposal 1 passed on August 5th, how the personal property tax revenue would be impacted and how this would affect abatement applications. Mr. Lohmeier explained that the State Tax Commission will be putting together documentation for assessors on how to implement the new laws. At this time, we are not sure.
We do know that any existing IFECs for personal property will continue (even beyond their current expiration date), until those assets become exempt under the new law. The phaseout of eligible manufacturing personal property will begin in 2017. By 2023, all eligible manufacturing personal property will be exempt.

Mr. DeClerck commented that the Tax Incentive Policy will eventually have to be amended to address the new laws. Mr. Lohmeier agreed that it is a good practice to review the policy every two years, or so, anyway to see if any adjustments should be made. One item that he suggests should be revisited is Auburn Hills’ requirement for a company to apply for an IFEC prior to construction. PA 198 allows a 6 month lookback for construction. In recent years, City Council has not rejected an IFEC for companies that started construction first, since the law allowed it anyway. Perhaps our policy should be made to be consistent with PA 198. Mr. DeClerck asked that the Tax Incentive Policy review be added to old business for future TIRC meetings.

Mr. DeClerck asked if there were any companies currently working with Mr. Lohmeier to apply for an IFEC. Mr. Lohmeier said that the annual letter was sent out to existing IFEC holders to remind them of the expiration dates of their certificates. The letter also gave instruction about applying for an extension. [IFECs can potentially be extended up to 12 years, maximum.] Mr. Lohmeier has not been contacted for any extensions, to date. He has been in discussions with a number of companies considering a move to Auburn Hills, so there still may be some applications for new IFECs to be considered for this year. October 31st is the deadline for filing new application with the State.

Mr. Lohmeier also reminded the committee that Laurie Renaud is now retired. Stephanie Carroll, Coordinator of Community Relations and Legislative affairs will now be performing a role in working with businesses considering a move or expansion in Auburn Hills.

Mr. Burmeister asked if a spreadsheet existed that contained a listing of the current abatements [such a list does exist]. He would like to see a copy of the list and asked if it could be provided at the next TIRC meeting. Mr. Lohmeier said that it would be provided.

5. NEW BUSINESS

a. Request for New Facility IFEC (Real and Personal Property) – BorgWarner, Inc.

BorgWarner was represented by Scott Gallett, its VP of Marketing and Public Relations. The company is a global automotive supplier (power trains), and employs 20,000 people, worldwide. Their goal is to double their workforce by 2020.

They have applied for an IFEC for approximately 48,500 of office space they are adding to their existing building at 3800 Automation. This addition will accommodate an additional 120 employees including sales, engineering and technical professionals. Extra parking space will also be constructed for said employees. The property is zoned Technology and Research. They perform on-site testing/prototyping in the existing building on this property, but the new addition will consist of office space only.

BorgWarner owns this property, so there are no lease requirements to consider. Their world headquarters is also located in Auburn Hills in a leased building at 3850 Hamlin Road.

Construction of said addition commenced back in late April-early May. Mr. Gallett stated that the company applied for a building permit late 2013, but wanted to get the most benefit from an
abatement, so they opted not to apply for the IFEC until 2014 because they were not going to start construction until 2014. Unfortunately, the application process fell off their radar until recently. The company is asking for a 6 month look back [which is allowable under PA 198].

Mr. Iacobelli reminded Mr. Gallett about the 2 year clawback provision in the Tax Incentive Policy and stressed the importance Auburn Hills' places on businesses being involved in community events.

Motion by Mr. Iacobelli to recommend to city council, approval of an 8 year abatement for BorgWarner Inc., for [$7,920,514 of] real property improvements to be constructed at 3800 Automation Ave. and [$1,657,000 of] new personal property to be installed at same site; parcel number 02-14-03-401-013; with a term beginning 12/31/2014 and ending 12/30/2022 and the business requirement to operate the facility 2 years after the expiration of the certificate.

[Legal Desc: T3N, R10E, SEC 3 PART OF E 1/2 OF SEC BEG AT PT DIST S 00 -11-53 W 498.09 FT FROM E 1/4 COR, TH S 00-11-53 W 1909.84 FT, TH N 31-40-21 W 120.60 FT, TH ALG CURVE TO LEFT, RAD 2012.86 FT, CHORD BEARS N 47-12-53 W 1078.70 FT, DIST OF 1092.04 FT, TH N 27-14-34 E 37 FT, TH N 00-21-24 W 551.44 FT, TH ALG CURVE TO LEFT, RAD 80 FT, CHORD BEARS N 22-53-45 E 147 FT, DIST OF 186.40 FT, TH ALG CURVE TO RIGHT, RAD 698.51 FT TO BEG 26.64 A6-6-00 FR 002 & 007]

Supported by Mr. Landsberg

VOTE:   Yes:   Iacobelli, Landsberg, DeClerck, Nelson
No:    None (Mr. Burmeister was not present for this vote)            Motion carried (4-
0)

b.  Request for New Facility IFEC (Real and Personal Property) - TI Group Auto. Systems, LLC

TI Group Automation Systems, LLC was represented by Matt Johnston, its Facilities Manager. The company is a global supplier of automotive fluid systems. The company desires to construct a 141,000 sf building on Taylor Road. This building will serve as TI Automotive’s global headquarters which will include office space for their executive management and corporate professionals.

TI Automotive does not own the property. They will be leasing the property and paying all of the property taxes. A lease is currently being negotiated. No construction has started at this location.

Mr. Iacobelli asked about the two pending Michigan Tax Tribunal appeals noted in Mr. Lohmeier’s memo. Mr. Lohmeier said that representatives from TI Automotive indicated that the appeals will be resolved or withdrawn prior to approaching city council for IFEC approval.

Mr. Lohmeier handed out a revised schedule of land and building improvements with revised costs.

Mr. Iacobelli noted that the application indicated 290 new jobs would be created at this new location. He asked if these are actually new jobs or transfers from their Doris Rd. location. Mr. Johnston said that initially they will be moving 250 people into the new building, then add 30-40 additional positions shortly thereafter.

The supplemental information section of the application states that the new building will be constructed in two phases. 113,000 sf in the first phase and 28,000 sf in the second phase. Mr.
Nelson asked when the company anticipates constructing the second phase. Mr. Johnston said it would be 3-4 years, based on their current plan.

Motion by Mr. Iacobelli to recommend to city council, approval of an 8 year abatement for TI Group Automotive Systems, LLC for [$14,986,000 of] real property improvements to be constructed on Taylor Road and [$1,883,306 of] new personal property to be installed at same site; parcel number 02-14-11-102-004; with a term beginning 12/31/2014 and ending 12/30/2022 and the business residency requirement to operate the facility 2 years after the expiration of the certificate. This recommendation is contingent on TI Group securing a lease with a minimum 10 year term, effective at the time the company appears before city council.

Supported by Mr. Landsberg

VOTE: Yes: Landsberg, DeClerck, Nelson, Burmeister, Iacobelli
No: None
Motion carried (5-0)

c. Request for New Facility IFEC (Real and Personal Property) – Hirotec America, Inc.

Hirotec was represented by Brian McGinnity (CFO), James Toeniskoetter (President and COO) and Bernie Sinz (VP of Business Operations). Hirotec is recognized as a world leader in door manufacturing. They produce tooling used in the manufacture of door systems. Chrysler and General Motors are their primary customers.

The company fared well through the recent economic downturn. They added 150 jobs during that time. Currently the company is leasing buildings on the east side. For the last couple of years they have been trying to find suitable buildings to purchase and rehab to meet their needs. They were unsuccessful in finding a suitable existing building, so have decided to construct a new North (and South) American Headquarters on High Meadow Drive in Auburn Hills. The first phase of their building plan is to construct an 180,000 sf plant and 40,000 sf of office space. This property, at 19.85 acres, will allow them the opportunity to expand the facility in the future. The total build out is expected to be about 350,000 sf.

This facility will house engineering, accounting and human resources, etc. The intent is to create 140 jobs at this location (direct and contract). Hirotec utilizes many contract positions because the nature of their business is project-oriented and requires the flexibility of adding/removing positions, depending on individual project requirements.

There was discussion about recommending the Hirotec project as a “Special Project” which would allow for a 12 year abatement, versus an 8 year abatement typically approved by city council. If approved, this would be the second “Special Project” designation that city council has awarded since 1/1/2012 when five (5) “Special Project” designations were established in the Tax Incentive
Policy. Ralco Industries was awarded the first of these five designations. US Farathane was also approved as a “Special Project” under prior abatement policy. The Hirotec project is similar in size, investment and job creation to these existing “Special Projects”, so the committee recommends that city council consider the “Special Project” designation for them, as well.

Hirotec has no pending appeals filed with the Michigan Tax Tribunal.

Motion by Mr. Iacobelli to recommend to city council, approval of a 12 year abatement as well as designating this project as the second of five “Special Projects” for Hirotec America Inc., to include [$20,000,000 of] real property improvements to be constructed at 3000 High Meadow Circle and [$2,800,000 of] new personal property to be installed at same site; parcel ID: 02-14-24-100-003; with a term beginning 12/31/2014 and ending 12/30/2026 and the business requirement to operate the facility 4 years after the expiration of the certificate. The company owns the property so there is no lease to consider.

Supported by Mr. Landsberg

Motion Carried (4-0)

VOTE: Yes: DeClerck, Nelson, Burmeister, Iacobelli, Landsberg
No: None

Motion carried (5-0)

6. CITY COUNCIL UPDATE – no city council actions relating to TIRC since the last meeting.

7. OTHER – none

8. ADJOURNMENT - There being no objections, the meeting was adjourned at 6:36 p.m.

Next meeting: September 8, 2014 at 5:30 pm

Karen Blinkilde, Deputy Assessor
CALL TO ORDER: Chairman Hassett called the meeting to order at 4:00 p.m.

ROLL CALL: Present: Dilland, Goodhall, Hassett, Molnar, and Price (arrived at 4:46pm)  
Absent: Dolly, Gupta, Thornton (excused)  
Also Present: TIFA Executive Director Tom Tanghe, Acting Assistant City Manager Don Grice, Finance Director Gary Barnes, Deputy Finance Director Michelle Schulz, Director of DPW Ron Melchert, Executive Assistant Karrie Marsh  
Guests: Mayor Kevin R. McDaniel

LOCATION: University Center, Room AHUC-02, 3350 Auburn Road, Auburn Hills, Michigan 48326

PERSONS WISHING TO BE HEARD
Chairman Hassett observed a moment of silence in memory of TIFA Board Member Michael Ardelean. Chairman Hassett asked if the number of attendees for Summerfest was known. Mr. Grice responded that between 5,000 - 6,000 people attended the two day event.

CORRESPONDENCE & PRESENTATIONS - None

APPROVAL OF MINUTES
Moved by Mr. Molnar to approve the July 8, 2014 minutes as submitted.  
Supported by Mr. Goodhall.  
Yes: Dilland, Goodhall, Hassett, Molnar, and Price  
No: none

FINANCIAL REPORT
Finance Director Gary Barnes presented the financial report for July 31, 2014, reviewing the activities for this period, including the most recent revenues and expenses. That report included the following Total Liabilities and Fund Balances and Available Cash:

| TIFA 85-A | $28,414,117 | Available Cash (TIF-A) | $1,604,299 |
| TIFA 85-B | $14,185,583 | Available Cash (TIF-B) | $10,275,666 |
| TIFA 86-D | $26,990,446 | Available Cash (TIF-D) | $3,057,707 |
|           | $69,590,146 |

Moved by Mr. Molnar approve the Financial Report of July 31, 2014 as submitted.  
Supported by Goodhall.  
Yes: Dilland, Goodhall, Hassett, Molnar, and Price  
No: none

OLD BUSINESS - None

NEW BUSINESS
Mr. Molnar asked if the TIF captures MDOT/Smart bus funds and if so, would it have any effect on the budget due to the smart millage increase. There was discussion about the smart renewal with an increase. Mr. Tanghe will look into this.
Mr. Tanghe indicated at this time the Budget Workshop would begin. He introduced the proposed 2015 Budgets for TIF Districts A, B and D for review.

In TIF-A, proposed revenues and expenses were reviewed line by line. There was discussion about the Riverwalk Project which has been delayed. Phase I would include the plaza area and the amphitheater but additional private funding is needed to move forward with this project. Mr. Grice explained the phases planned for the future. There was discussion about needing additional support from the businesses coming to Auburn Hills. The overall capital budget is very modest compared to previous years.

Mr. Dilland inquired about the interfund charge expenses. Mr. Barnes explained that there are six or seven key areas that are allocated to other departments and the maintenance of buildings.

DPW Admin refers to eight or nine employees that divide their time between different areas such as roads, utilities or sewers.

**The Board recessed for dinner at 4:55 p.m.**

**The meeting was reconvened at 5:25 p.m.**

In TIF-B, proposed revenues and expenses were reviewed line-by-line. There was discussion about various road projects including Featherstone and University Dr. from I-75 to Opdyke. Property taxes were discussed, as well as the grant received for the Featherstone project. The LED lighting conversion was discussed at length.

In TIF-D proposed revenues and expenses were reviewed line by line. Regarding the University Dr. Streetscape project, a bid opening was held but not one bid was received. OHM was not anticipating much response due to the timing of the project. Most companies have their projects already scheduled for the entire season. This project will be revisited at a better time which will be beneficial regarding the pricing of the project. Bid request will be resent in January of 2015. The programmable message board for the city campus will not be ordered at this time. Revenues in TIF-D begin to increase in 2016 due to the buildings that are being constructed now.

After review of all three TIF budgets, Mr. Tanghe stated that in September the Board will approve the budgets and then they will go before City Council for their inclusion in the overall City budget.

Chairman Hassett thanked Mr. Barnes and Ms. Schulz for the presentation of the budget.

**BOARD MEMBER COMMENTS**

Mr. Molnar inquired about the Farmers’ Market. Mr. Tanghe explained the struggles of the Farmers’ Market, which resulted in it being cancelled for the remainder of the season. The idea of starting the Farmers’ Market again will be revisited at the end of 2015. The hope is that after more population density is created as a result of more residential development, the downtown area will be an ideal area to have a successful Farmers’ Market.

**ANNOUNCEMENT OF NEXT MEETING** – The next regularly scheduled TIFA Board meeting is Tuesday, September 9, 2014 at 4:00 p.m. at City Hall in the Administrative Conference Room.

**ADJOURNMENT**

Moved by Mr. Molnar to adjourn the meeting at 6:06 p.m.

Supported by Mr. Dilland.

Yes: Dilland, Goodhall, Hassett, Molnar, and Price

No: none

Motion carried

Respectfully submitted,

Steve Goodhall
Secretary of the Board

Karrie Marsh
Recording Secretary
To: Mayor and City Council
From: Thomas A. Tanghe, Acting City Manager; Terri Kowal, City Clerk
Submitted: August 21, 2014
Subject: Resolution in Support of Repealing the Fireworks Safety Act (PA 256 of 2011)

INTRODUCTION AND HISTORY
In 2011, the Michigan Legislature adopted what now is Public Act 256 of 2011, which authorized the storage and sale of fireworks without regard to local government control. This Public Act allows the sale of large fireworks for consumer use, and for the storage of fireworks in any location, including next to residential properties. The result has been increased noise, litter, and concern for public safety.

There is some movement in the State Senate to repeal the Act. This resolution, if passed, is intended to show support for the repeal of the Fireworks Safety Act.

Director of Public Safety Police Chief Olko also supports this resolution.

STAFF RECOMMENDATION
The recommendation is to approve the Resolution as proposed.

MOTION
Move to approve the resolution requesting the Michigan Legislature repeal Public Act 256 and direct the City Clerk to distribute copies to the Governor, Senator Marleau, State Representative Greimel, and other Oakland County communities.

I CONCUR:
Thomas A. Tanghe, Acting City Manager
Resolution Supporting the Repeal Of Public Act 256 Of 2011
The Michigan Fireworks Safety Act

WHEREAS, the Michigan Legislature, in 2011, enacted Public Act 256 also known as The Michigan Fireworks Safety Act, which allows the sales, purchase and discharge of fireworks whose size and noise could not be regulated by local government; And,

WHEREAS, under the Act potentially dangerous fireworks are able to be stored, sold and exploded in residential neighborhoods and near schools and day care facilities; And,

WHEREAS, the sale and discharge of fireworks causes disturbance of the peace in quiet neighborhoods, And,

WHEREAS, the residents of the City of Auburn Hills look to City Council to assist with noise and potential safety issues yet the City does not have local control over the sales or discharge; Now,

THEREFORE, BE IT RESOLVED, that the City Council of the City of Auburn Hills urges the Michigan Legislature to repeal Public Act 256 of 2011, the Michigan Fireworks Safety Act, and give recognition to their obligation to preserve the quality of life for its residents.

BE IT FINALLY RESOLVED that the City Clerk is directed to forward the resolution to Governor Snyder, Senator Marleau, Representative Greimel, and the other communities in Oakland County.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

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 25th day of August, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this day of

Terri Kowal, City Clerk
AN ACT to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts.


The People of the State of Michigan enact:

28.451 Short title.

Sec. 1. This act shall be known and may be cited as the "Michigan fireworks safety act".


28.452 Definitions.

Sec. 2. As used in this act:
(a) "Agricultural and wildlife fireworks" means fireworks devices distributed to farmers, ranchers, and growers through a wildlife management program administered by the United States department of the interior or the department of natural resources of this state.
(b) "APA standard 87-1" means 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, published by the American pyrotechnics association of Bethesda, Maryland.
(c) "Articles pyrotechnic" means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.
(d) "Citation" means that term as described in section 17a.
(e) "Commercial manufacturer" means a person engaged in the manufacture of consumer fireworks.
(f) "Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.
(g) "Consumer fireworks certificate" means a certificate issued under section 4.
(h) "Department" means the department of licensing and regulatory affairs.
(i) "Display fireworks" means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.
(j) "Firework" or "fireworks" means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.
(k) "Fireworks safety fund" means the fireworks safety fund created in section 11.
(l) "Local unit of government" means a city, village, or township.
(m) "Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.
(n) "Minor" means an individual who is less than 18 years of age.
(o) "NFPA" means the national fire protection association headquartered at 1 Batterymarch Park, Quincy, Massachusetts.
(p) "NFPA 1" means the uniform fire code, 2006 edition, developed by NFPA.
(q) "NFPA 72" means the "National Fire Alarm Code", 2002 edition, developed by NFPA.
(r) "NFPA 101" means the "Life Safety Code", 2009 edition, developed by NFPA.
(s) "NFPA 1123" means the "Code for Fireworks Display", 2010 edition, developed by NFPA.
(t) "NFPA 1124" means the "Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles", 2006 edition, developed by NFPA.
(u) "NFPA 1126" means the "Standard for the Use of Pyrotechnics Before a Proximate Audience", 2011 edition, developed by NFPA.
(v) "Novelties" means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

(i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.

(ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

(iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.

(iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

(w) "Permanent building or structure" is a building or structure that is affixed to a foundation on a site that has fixed utility connections and that is intended to remain on the site for more than 180 consecutive calendar days.

(x) "Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

(y) "Retailer" means a person who sells consumer fireworks or low-impact fireworks for resale to an individual for ultimate use.

(z) "Retail location" means a facility listed under NFPA 1124, 7.1.2.

(aa) "Rule" means that term as defined in section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207, that was promulgated by the department.

(bb) "Serious impairment of a body function" means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

(cc) "Serious violation" means a violation of this act, an order issued under this act, or a rule promulgated or adopted by reference under this act for which a substantial probability exists that death or serious impairment of a body function to a person other than the violator may result unless the violator did not and could not, with the exercise of reasonable diligence, know of the presence of the violation.

(dd) "Special effects" means a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical, or thermal effect as an integral part of a motion picture, radio, television, theatrical, or opera production or live entertainment.

(ee) "State fire marshal" means the state fire marshal appointed under section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b.

(ff) "Warehouse" means a permanent building or structure used primarily for the storage of consumer fireworks or low-impact fireworks.

(gg) "Wholesaler" means any person who sells consumer fireworks or low-impact fireworks to a retailer or any other person for resale. Wholesaler does not include a person who sells only display fireworks or special effects.


28.453 Novelties; inapplicability of act.

Sec. 3. This act does not apply to novelties. Nothing in this act allows a local unit of government to enact or enforce an ordinance, code, or regulation pertaining to, or in any manner regulating, the sale, storage, display for sale, transportation, use, or distribution of novelties.


28.454 Sale of consumer fireworks; certificate required; violation as misdemeanor; penalty; application; requirements; issuance; validity; issuance of original or renewal certificate; sales tax license information; denial; transfer; display; prohibition; location or address; disposition of fees.

Sec. 4. (1) A person shall not sell consumer fireworks unless the person annually obtains and maintains a consumer fireworks certificate from the department under this section. A person who knows, or should know, that he or she is required to comply with this subsection and who fails or neglects to do so is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine, or both, with the fine as follows:

...
(a) For a first violation of this subsection, not more than $5,000.00.
(b) For a second violation of this subsection, not more than $20,000.00.
(c) For a third or subsequent violation of this subsection, not more than $40,000.00.

(2) An application for a consumer fireworks certificate shall meet all of the following requirements:
(a) The application shall be submitted no later than April 1 of each year in which consumer fireworks are to be sold.
(b) The application shall list the name and address of each retail location from which consumer fireworks are to be sold.
(c) The application shall be accompanied by a fee of $1,000.00 for a certificate for each retail location that is a permanent building or structure or $600.00 for each retail location that is not a permanent building or structure. The fireworks certificate fee required to be paid for a retail location that is not a permanent building or structure shall not exceed 60% of the fireworks certificate fee for a retail location that is a permanent building or structure.
(d) The application shall be accompanied by a copy of the applicant’s current sales tax license, including the applicant’s account number, issued by the department of treasury for each retail location where consumer fireworks are to be sold by the applicant.

(3) A consumer fireworks certificate issued under this section is valid from the date of issue until April 30 of the year after it was issued. A person may renew a consumer fireworks certificate for a retail location by making application in the same manner as provided under subsection (2). However, the department shall not issue a renewal consumer fireworks certificate unless the department determines that the applicant properly remitted all of the fireworks safety fees required to be paid in the preceding year. The department shall provide to the department of treasury the sales tax license information received from the applicant and any additional information as may be necessary to allow the department of treasury to confirm that each sales tax license submitted by the applicant is current and valid. The department shall enter into an agreement with the department of treasury under section 28(1) of 1941 PA 122, MCL 205.28, that will allow the department of treasury to provide that information to the department. The department shall not issue an original or renewal consumer fireworks certificate to an applicant until the department of treasury has confirmed to the department that each sales tax license submitted by the applicant is current and valid, and that the applicant is otherwise eligible to obtain a consumer fireworks certificate under this act.

(4) Not more than 30 days after an application is submitted to the department under this section, the department shall issue or deny issuance of a consumer fireworks certificate to the applicant and, if issuance is denied, shall indicate to the applicant the reason for denial.

(5) If the department denies issuance of a consumer fireworks certificate under this section, the applicant may cure any defect of the application within 45 days after the denial without paying an additional fee. The department shall not unreasonably delay or deny an application under this section.

(6) A consumer fireworks certificate is transferable upon approval by the department and the payment of a $25.00 transfer fee. However, the department shall not approve the transfer of a consumer fireworks certificate unless the transferee satisfies eligibility requirements for an original consumer fireworks certificate under this act.

(7) The holder of a consumer fireworks certificate shall prominently display the original or copy of the certificate in the appropriate retail location. A person that violates this subsection is responsible for a civil fine of $100.00. Each day that the consumer fireworks certificate is not displayed as required under this subsection is a separate violation.

(8) The department shall not issue a consumer fireworks certificate to a person that is ineligible under this act.

(9) The face of the consumer fireworks certificate shall indicate the location or address for which it was issued.

(10) Fees collected under this section shall be deposited in the fireworks safety fund.


28.455 Sale of consumer fireworks from retail location; conditions; failure to comply; civil fine; insurance coverage.
Sec. 5. (1) Consumer fireworks shall only be sold from a retail location if all of the following applicable conditions are met:
(a) Except as provided in subdivision (b), a retail location satisfies the applicable requirements of NFPA 101 and NFPA 1124 not in conflict with this act, and the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. However, any provision of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, that is inconsistent with the applicable
requirements of NFPA 101 and NFPA 1124 is superseded to the extent of the inconsistency or conflict.

(b) Beginning January 1, 2013, a permanent building or structure shall be equipped with a fire suppression system in compliance with NFPA 1124.

(c) The retailer at that retail location is licensed under section 3 of the general sales tax act, 1933 PA 167, MCL 205.53.

(d) The retailer has a valid federal taxpayer identification number issued by the federal department of the treasury, internal revenue service. This requirement does not apply to a retailer that is a sole proprietorship.

(2) A person that knows, or should know, that he or she is required to comply with subsection (1) and who fails or neglects to do so is responsible for a civil fine of $2,500.00 for each violation. Each day that a person is in noncompliance constitutes a separate violation.

(3) During periods when consumer fireworks are sold, each retail location selling consumer fireworks either shall be added as an additional insured, or public liability and product liability insurance coverage shall be obtained and maintained, in an amount not less than $10,000,000.00 per occurrence. A person that knows, or should know, that he or she is required to comply with this subsection and who fails or neglects to do so is liable for a civil fine of not more than $5,000.00.


28.456 Website; establishment and maintenance by department; registration with low-impact fireworks retail registry.

Sec. 6. (1) The department shall establish and maintain, or cause to be created and maintained, an internet website that has as its purpose the protection of the residents of this state who purchase, use, or transport fireworks. The website shall include, at a minimum, both of the following:

(a) A list of every person and entity that is issued a consumer fireworks certificate under section 4.

(b) A low-impact fireworks retail registry. All of the following apply to the online low-impact fireworks retail registry:

(i) It shall be maintained and operated at no cost to a user.

(ii) The cost of its maintenance and operation shall be paid with funds described in section 11(4).

(iii) It shall provide for instant registry without condition.

(2) Beginning February 1, 2012, a person shall not sell low-impact fireworks unless he or she registers with the low-impact fireworks retail registry not less than 10 days before selling the fireworks in each calendar year.

(3) A person who sells low-impact fireworks at retail and who fails to register as described in this section shall cease the sale of low-impact fireworks until the person complies with subsection (2).


28.457 Local ordinances.

Sec. 7. (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the day preceding, the day of, or the day after a national holiday except as follows:

(a) A local unit of government with a population of 50,000 or more or a local unit of government located in a county with a population of 750,000 or more may regulate the ignition, discharge, or use of consumer fireworks between the hours of 12 midnight and 8 a.m. or between the hours of 1 a.m. and 8 a.m. on New Year’s day.

(b) A local unit of government with a population of less than 50,000 located in a county with a population of less than 750,000 may regulate the ignition, discharge, or use of consumer fireworks between the hours of 1 a.m. and 8 a.m.

(3) An ordinance under subsection (2) shall only impose a civil fine of not more than $500.00 for each violation of the ordinance and no other fine or sanction.


28.458 Fireworks safety fee; imposition; payment; deposit in fireworks safety fund; failure to comply as misdemeanor; fine.

Sec. 8. (1) A user fee, known as the fireworks safety fee, is imposed on retail transactions made in this
state for consumer fireworks and low-impact fireworks as provided in section 9.

(2) A person that acquires consumer fireworks or low-impact fireworks in a retail transaction is liable for the fireworks safety fee on the transaction and, except as otherwise provided in this act, shall pay the fireworks safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the fireworks safety fee as an agent for the state.

(3) The fireworks safety fee shall be deposited in the fireworks safety fund.

(4) A person that knows or should know that he or she is required to comply with the requirements of subsection (2) but fails to collect or remit a fireworks safety fee as required under this section is guilty of a misdemeanor punishable by a fine as follows:
   (a) For a first violation of this subsection, not more than $10,000.00.
   (b) For a second violation of this subsection, not more than $20,000.00.
   (c) For a third or subsequent violation of this subsection, not more than $40,000.00.


28.459 Fireworks safety fee; determination; rates; collection allowance.

Sec. 9. (1) Except as provided in subsections (2) and (3), the fireworks safety fee is determined by the gross retail income from consumer fireworks and low-impact fireworks received by a retail merchant in a retail unitary transaction of consumer fireworks and low-impact fireworks and is imposed before any taxes are applied at the following rates:

<table>
<thead>
<tr>
<th>FIREWORKS SAFETY FEE</th>
<th>GROSS RETAIL INCOME FROM THE RETAIL UNITARY TRANSACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 0</td>
<td>less than $ 0.08</td>
</tr>
<tr>
<td>$ 0.01</td>
<td>at least $ 0.08 but less than $ 0.24</td>
</tr>
<tr>
<td>$ 0.02</td>
<td>at least $ 0.24 but less than $ 0.40</td>
</tr>
<tr>
<td>$ 0.03</td>
<td>at least $ 0.40 but less than $ 0.56</td>
</tr>
<tr>
<td>$ 0.04</td>
<td>at least $ 0.56 but less than $ 0.72</td>
</tr>
<tr>
<td>$ 0.05</td>
<td>at least $ 0.72 but less than $ 0.88</td>
</tr>
<tr>
<td>$ 0.06</td>
<td>at least $ 0.88 but less than $ 1.04</td>
</tr>
</tbody>
</table>

(2) On a retail unitary transaction in which the gross retail income received by the retail merchant is $1.04 or more, the fireworks safety fee is 6% of that gross retail income as determined before any taxes are applied.

(3) If the fireworks safety fee calculated under subsection (1) results in a fraction of 1/2 cent or more, the amount of the fireworks safety fee shall be rounded to the next additional cent.

(4) The retailer whose retail location is a permanent building or structure may retain 1% of the fireworks safety fees that the retailer collected under this section as a collection allowance.


28.460 Fireworks safety fees; remittance; forms; manner; payment liability; past due amounts; aggregate filing; investigation.

Sec. 10.

(1) The retailer or person to whom a consumer fireworks certificate is issued is responsible for remitting all fireworks safety fees as described in section 9 to the department on forms and in the manner prescribed by the department; shall hold the fireworks safety fees collected in trust for the state until remitted to the state; and is personally liable for the payment of the fireworks safety fee money to this state.

(2) The department may refer for collection to the department of treasury past due amounts of the fireworks safety fee consistent with section 13 of 1941 PA 122, MCL 205.13.

(3) A retailer or person shall remit the fireworks safety fees no later than 20 days after the end of each preceding month. A retailer or person that operates 25 or more retail locations in this state that are permanent buildings or structures may remit the fireworks safety fees in an aggregate filing under 1 common identification number as determined by the department.

(4) The department shall investigate any fireworks safety fees reported, but not paid, by a retailer no later than September 30 of each year.


28.461 Fireworks safety fund; creation within department of treasury; investment; money remaining in fund; lapse; expenditures; delegation of inspection duties; program.

Sec. 11. (1) The fireworks safety fund is created within the department of treasury.
(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall expend money deposited in the fund as follows:
   (a) One hundred percent of the money received from fireworks safety fees under section 8 to be used for the training of firefighters under the direction and approval of the firefighters training council established under the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.
   (b) One hundred percent of the money received from consumer fireworks safety certificates under section 4 to administer this act and to pay the costs of delegating inspections under this act to local units of government under subsection (5).

(5) The department may establish a program for delegating inspection duties under this act to 1 or more local units of government. If a local unit of government agrees to carry out inspections, the department shall pay 70% of the consumer fireworks safety certificate fee paid by each retail location inspected by the local unit of government and retain the remaining 30% of that fee. If a local unit of government declines to participate in the program described in this subsection, the department retains its inspection duties under this act.


28.462 Prohibited conduct; permission required; violation as civil infraction; civil fine; sale to minor; definitions; violation of smoking prohibition as misdemeanor; signage.

Sec. 12. (1) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises. Except as otherwise provided in this section, a person that violates this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $500.00.

(2) Consumer fireworks shall not be sold to a minor. A person that violates this subsection shall be ordered to pay a civil fine of not more than $500.00, or, for a second or subsequent violation of this subsection, a civil fine of not more than $1,000.00. In addition, the person's consumer fireworks certificate shall be suspended for 90 days after the civil fine is ordered for a second or subsequent violation. This age requirement shall be verified by any of the following:
   (a) An operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.
   (b) An official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300.
   (c) An enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.
   (d) A military identification card.
   (e) A passport.
   (f) Any other bona fide photograph identification that establishes the identity and age of the individual.

(3) An individual shall not discharge, ignite, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance. As used in this subsection:
   (a) "Alcoholic liquor" means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.
   (b) "Controlled substance" means that term as defined in section 8b of the Michigan vehicle code, 1949 PA 300, MCL 257.8b.

(4) An individual who violates the smoking prohibition under NFPA 1124, 7.3.11.1 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00, or both.

(5) Signage stating the smoking prohibition described in subsection (4) satisfies the requirements of NFPA 1124.


28.463 Resident agent.

Sec. 13. A wholesaler shall maintain a resident agent who resides in this state and who has a physical address in this state. A post office box is not a physical address for purposes of this section.

28.464 Identification of firework in violation of act; investigation; determination of violation; seizure; criminal or civil proceedings.

Sec. 14. (1) A governmental or law enforcement agency that identifies a firework that is in violation of this act shall secure the firework and immediately notify the department of the alleged violation. The department or law enforcement agency shall investigate the alleged violation for compliance with this act within a reasonable time.

(2) If the department or law enforcement agency determines that a violation of this act has occurred, except for a violation of section 6(2), the department or law enforcement agency may seize the firework as evidence of the violation. Evidence seized under this section shall be stored pending disposition of any criminal or civil proceedings arising from a violation of this act at the expense of the person, if the person is found guilty, responsible, or liable for the violation.


28.465 Storage of seized fireworks; disposal or destruction; storage and disposal costs; use for training purposes.

Sec. 15. (1) Fireworks seized for an alleged violation of this act shall be stored in compliance with this act and rules promulgated under this act.

(2) Following final disposition of a conviction for violating this act, the seizing agency in possession may dispose of or destroy any fireworks retained as evidence in that prosecution.

(3) The person from whom fireworks are seized under this act shall pay the actual costs of storage and disposal of the seized fireworks.

(4) The department of state police and the department may use fireworks described in subsection (2) for training purposes.


28.466 Articles pyrotechnic or display fireworks ignition; permit; competency and qualifications of operators; retention of fee.

Sec. 16. (1) The legislative body of a city, village, or township, upon application in writing on forms provided by the department and payment of a fee set by the legislative body, if any, may grant a permit for the use of agricultural or wildlife fireworks, articles pyrotechnic, display fireworks, or special effects manufactured for outdoor pest control or agricultural purposes, or for public or private display within the city, village, or township by municipalities, fair associations, amusement parks, or other organizations or individuals approved by the city, village, or township authority, if the applicable provisions of this act are complied with. After a permit has been granted, sales, possession, or transportation of fireworks for the purposes described in the permit only may be made. A permit granted under this subsection is not transferable and shall not be issued to a minor.

(2) Before a permit for articles pyrotechnic or a display fireworks ignition is issued, the person, firm, or corporation applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the local governing authority to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person, firm, or corporation or an agent or employee of the person, firm, or corporation, and to protect the public.

(3) A permit shall not be issued under this act to a nonresident person, firm, or corporation for ignition of articles pyrotechnic or display fireworks in this state until the person, firm, or corporation has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person, firm, or corporation may be served.

(4) The local governing authority shall rule on the competency and qualifications of articles pyrotechnic and display fireworks operators as required under NFPA 1123, as the operator has furnished in his or her application form, and on the time, place, and safety aspects of the display of articles pyrotechnic or display fireworks before granting permits.

(5) A local unit of government that charges a fee to issue a permit under this section shall retain the fee paid.


28.467 Conduct not prohibited by act.

Sec. 17. Except as otherwise provided in this act, this act does not prohibit any of the following:

(a) A wholesaler, retailer, commercial manufacturer, or importer from selling, storing, using, transporting,
or distributing consumer fireworks or low-impact fireworks.

(b) The use of fireworks by railroads or other transportation agencies or law enforcement agencies for signal purposes or illumination.

(c) The use of agricultural or wildlife fireworks.

(d) The sale or use of blank cartridges for any of the following:

(i) A show or play.

(ii) Signal or ceremonial purposes in athletics or sports.

(iii) Use by military organizations.

(iv) Use by law enforcement agencies.

(e) The possession, sale, or disposal of fireworks incidental to the public display of fireworks by wholesalers or other persons who possess a permit to possess, store, and sell explosives from the bureau of alcohol, tobacco, firearms, and explosives of the United States department of justice.

(f) Interstate wholesalers from selling, storing, using, transporting, or distributing fireworks.


28.467a Issuance of citation by state fire marshal.

Sec. 17a. (1) If, as a result of an inspection or investigation, the state fire marshal or the state fire marshal's designee believes that a person has violated this act, an order issued under this act, or a rule promulgated under this act, the state fire marshal or his or her designee shall issue a citation to the person not more than 90 days after the completion of the physical inspection or investigation.

(2) Except as otherwise provided in this act, upon issuance of a citation, the state fire marshal may immediately suspend the consumer fireworks certificate of the person to whom the citation was issued.

(3) Upon a proper petition, a court of competent jurisdiction may enjoin a violation of this act.

(4) All of the following apply to a citation issued by the state fire marshal or the state fire marshal's designee under this act:

(a) It shall be in writing.

(b) It shall state on its face that it is an allegation of a violation of this act, describe with particularity the nature of the violation, and include a reference to the provision, rule, or order alleged to be violated.

(c) It shall contain all of the following:

(i) The date of the citation.

(ii) The name and title of the individual who issued the citation.

(iii) The name and address of the person to whom the citation is issued.

(iv) The actions necessary to bring the person to whom the citation is issued into compliance, including the payment of a fine.

(v) A space for the signature of the person to whom the citation is issued indicating that the person has received the citation.

(vi) A space where the person to whom the citation is issued may accept the citation and agree to comply or, in the alternative, may indicate the intent of the person to whom the citation is issued to contest the citation.

(vii) A notice that the person to whom the citation is issued shall accept or reject the terms of the citation within 15 days of the date of the citation.

(viii) A brief description of the administrative hearing process and the process for settlement as provided for by rule.

(d) A citation may either be mailed to the person to whom the citation is issued by certified mail, return receipt requested, or delivered in person by the state fire marshal or state fire marshal's designee who issued the citation.


28.468 Violation of act; penalty; reimbursement of storage costs.

Sec. 18. (1) Unless otherwise provided in this act, if a person violates this act, the person is guilty of a crime as follows:

(a) Except as otherwise provided in this section, a misdemeanor punishable by imprisonment for not more than 30 days or a fine of not more than $1,000.00, or both.

(b) If the violation causes damage to the property of another person, a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $5,000.00, or both.

(c) If the violation causes serious impairment of a body function of another person, a felony punishable by imprisonment for not more than 5 years or a fine of not more than $5,000.00, or both.

(d) If the violation causes the death of another person, a felony punishable by imprisonment for not more
than 15 years or a fine of not more than $10,000.00, or both.

(2) In addition to any other penalty imposed for the violation of this act, a person that is found guilty of a violation of this act shall be required to reimburse the appropriate governmental agency for the costs of storing seized fireworks that the governmental agency confiscated for a violation of this act. This reimbursement shall be in a form and at a time as required by the department and as otherwise required by law.


28.468a Citation for serious violation; fine; prosecution; payment of civil fines to department; collection proceedings.

Sec. 18a. (1) Except as otherwise provided in this section, a person who receives a citation for a serious violation, an order issued under this act, or a rule promulgated under this act shall be assessed a civil fine of not more than $1,000.00 for each violation.

(2) Except as otherwise provided in this section, a person who receives a citation for a violation of this act that is not a serious violation may be assessed a civil fine of not more than $500.00 for each violation.

(3) Subsections (1) and (2) do not apply to violations for which a specific civil fine is provided by this act.

(4) The state fire marshal may request that the prosecuting attorney for the county in which a violation of this act occurred issue a complaint and request a warrant for the prosecution of a person who commits a criminal violation of this act.

(5) All civil fines collected under this section shall be paid to the department within 15 working days after the date the penalty is ordered, not subject to further review, and credited to the fireworks safety fund.

(6) The department of treasury shall institute proceedings to collect any civil fines ordered but not paid under this act.


Compiler's note: Act 65 of 2013 did not amend this section and evidently should not have been cited as amended.

28.468b Issuance of certificate prohibited; revocation.

Sec. 18b. (1) The department shall not issue, and a person is ineligible to be issued, a consumer fireworks certificate if either of the following apply:

(a) The person was sentenced for a felony conviction within the preceding 5 years.

(b) The person has ever been convicted of a felony involving theft, fraud, or arson.

(2) If a person is convicted of a crime that would cause the person to be ineligible to be issued a consumer fireworks certificate on April 30 of the following year, the person's consumer fireworks certificate shall be revoked for the balance of the year for which the person's current consumer fireworks certificate was issued.


28.468c Person ineligible to obtain consumer fireworks certificates; offenses; periods; sanctions.

Sec. 18c. (1) A person who is convicted of the following offenses is ineligible to obtain a consumer fireworks certificate for the following periods of time after conviction:

(a) For a second violation of section 4(1), 5 years.

(b) For a third or subsequent violation of section 4(1), 10 years.

(c) For a first violation of section 8(4), 1 year.

(d) For a second violation of section 8(4), 5 years.

(e) For a third or subsequent violation of section 8(4), 10 years.

(f) For a violation of section 18(1)(b), 1 year.

(g) For a violation of section 18(1)(c), permanently.

(h) For a violation of section 18(1)(d), permanently.

(2) A sanction imposed under subsection (1) shall be imposed in addition to any other penalty or sanction imposed for a violation of this act.


28.469 Inspections; delegation of authority and responsibility.

Sec. 19. The department may delegate authority and responsibility to carry out inspections and other duties under this act.


28.470 Rules.
Sec. 20. (1) The department shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to administer this act, including, but not limited to, all of the following:

(a) Create uniform applications and other forms for dissemination to and use by local units of government under this act.

(b) Procedures for the collection of application fees and fireworks safety fees.

(c) Enforcement of regulatory duties.

(d) The enforcement of age limitations.

(2) Rules promulgated under this section shall conform to the following codes developed by the national fire protection association, except for any code provision that conflicts with this act:

(a) NFPA 1123, code for fireworks display.

(b) NFPA 1124, code for manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles.

(c) NFPA 1126, standard for the use of pyrotechnics.

(3) The rules promulgated under former chapter XXXIX of the Michigan penal code, 1931 PA 328, MCL 750.243a to 750.243e, pertaining to the display of articles pyrotechnic and display fireworks that are in effect on the effective date of this act shall remain in effect until rescinded or otherwise changed according to law, as provided for in section 31 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.231.


28.471 Report by state fire marshal.

Sec. 21. No later than October 1, 2013, the state fire marshal shall provide a report to the legislature that details both of the following:

(a) The costs associated with the inspection of retail locations under this act. It is the intent of the legislature that the information described in this subdivision be used to determine the consumer fireworks certificate fee for each retail location under section 4 beginning January 1, 2014.

(b) The types and number of violations of this act.

To: Mayor and City Council
From: Thomas A. Tanghe, Acting City Manager; Steve J. Cohen, Director of Community Development, and Shawn Keenan, Assistant City Planner
Submitted: August 11, 2014
Subject: Motion – Accepting First and Second Quarter 2014 Monitoring Network Review Summaries of the Oakland Heights Development Landfill Report.

INTRODUCTION AND HISTORY
Attached are the First Quarter and Second Quarter Y2014 Monitoring Network Review Summaries prepared by Environmental Consulting Solutions (ECS) for the Oakland Heights Development Landfill. The monitoring network at the landfill appears to be adequate to detect potential releases to the environment.

STATUS OF PREVIOUS ACTION ITEMS
1. MW-33R, which sits in a low area, has had numerous statistical exceedances over the last three years. Brown and Caldwell concluded and ECS agrees that the exceedances are not the result of a leachate release. In an effort to help reduce the exceedances, the area around MW-33R was regarded to alleviate ponding of surface water. Concentrations are decreasing since the area around MW-33R was regarded.

2. Action Flow Rates for Cell F were exceeded and several leachate indicator parameters and VOCs were detected, which may have been attributed to a backflow from the leachate line. Repairs have been completed and flow rates are decreasing. Continued monitoring of Cell F is warranted.

NEW ACTION ITEMS
Action Items to check from Second Quarter Y2014 Monitoring Report
1. MW-31SR has shown a pattern of increasing concentrations which may be attributed to a hydraulic connection between the perched zone aquifer and the nearby sedimentation basin. Continued monitoring of MW-31SR is warranted.

STAFF RECOMMENDATION
Staff recommends acceptance. Representative Andy Foerg from ECS and representatives from the Oakland Heights Development landfill and Brown & Caldwell are scheduled to be in attendance at the meeting should the City Council wish to discuss the summary reports.

MOTION
Move to accept the First and Second Quarter Y2014 Monitoring Network Review Summaries prepared by Environmental Consulting Solutions for the Oakland Heights Development Landfill.

I CONCUR:

THOMAS A. TANGHE, ACTING CITY MANAGER
May 29, 2014

Mr. Shawn Keenan
City of Auburn Hills
1827 North Squirrel Road
Auburn Hills, Michigan 48326

RE: First Quarter 2014 Monitoring Network Review Summary
Oakland Heights Development Landfill
ECS Project: A101-0001

Dear Mr. Keenan:


Brown and Caldwell (BC) of Columbus, Ohio is OHD’s monitoring consultant and Environmental Sampling Services Inc. (ESS) of Holly, Michigan, is the sampling contractor that performed the 2014 Q1 sampling. The following table provides a summary of the services performed and ECS’s conclusions/recommendations.

<table>
<thead>
<tr>
<th>Service</th>
<th>Notes</th>
<th>Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field Observations</td>
<td>Staff observed the sampling activities associated with the 2014 Q1 event. Sampling appears to have been performed in an acceptable manner. It is ECS’s opinion that the overall condition of the monitoring system appears acceptable with the exception of MW-33R, which sits within a low area and is vulnerable to surface water infiltration.</td>
<td>Area around MW-33R should be re-graded to alleviate ponding.</td>
</tr>
<tr>
<td>Groundwater Monitoring</td>
<td>Groundwater monitoring results for 2014 Q1 resulted in a number of statistical exceedances. BC concluded that the exceedances are not the result of a leachate release and ECS concurs with this opinion.</td>
<td>Area around MW-33R should be re-graded to alleviate ponding.</td>
</tr>
<tr>
<td></td>
<td>For the last several years, MW-33R has had numerous statistical exceedances which have been attributed to surface water infiltration, due to the location of the well in a depression. Groundwater concentrations seemed to be decreasing toward the end of 2013, however in 2014 Q1, concentrations increased again. ECS strongly recommends that OHD grade the area around to this well to prevent ponding.</td>
<td></td>
</tr>
</tbody>
</table>
The action flow rate (AFR) for Cell F has been exceeded in the last several quarters. Several VOCs and leachate indicator parameters were detected. Several rounds of repairs were made and flow rates began to decrease. However, flow rates began to increase again and VOCs were detected in 2014 Q1. OHD believes that this has been caused by ponding (and subsequent infiltration) of surface water against the temporary berm for Cell F. Construction of Cell F-East has begun and OHD believes that that when the geosynthetics are in place (estimated mid-summer) the problem will be solved.

Continued monitoring of this issue is warranted.

Surface Water Monitoring

Surface water samples were not collected during 2014 Q1 as all of the sample locations were either dry or frozen.

Acceptable

Leachate Monitoring

BC concluded that 2014 Q1 leachate sample analytical results are consistent with historical results and ECS concurs.

Acceptable

ECS is pleased to provide these services to the City of Auburn Hills. If you have any questions or desire further clarification, please contact us at (248) 763-3639.

Sincerely,
ENVIRONMENTAL CONSULTING SOLUTIONS, LLC

Andrew J. Foerg, CPG
President

Enclosures

cc: Bill Dolsen – Oakland Heights Development
    Kerri Lilly – Brown and Caldwell
July 31, 2014

Mr. Shawn Keenan  
City of Auburn Hills  
1827 North Squirrel Road  
Auburn Hills, Michigan 48326

RE: Second Quarter 2014 Monitoring Network Review Summary  
Oakland Heights Development Landfill  
ECS Project: A101-0001

Dear Mr. Keenan:


Brown and Caldwell (BC) of Columbus, Ohio is OHD’s monitoring consultant and Environmental Sampling Services Inc. (ESS) of Holly, Michigan, is the sampling contractor that performed the 2014 Q2 sampling. The following table provides a summary of the services performed and ECS’s conclusions/recommendations.

<table>
<thead>
<tr>
<th>Service</th>
<th>Notes</th>
<th>Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field Observations</td>
<td>Staff observed the sampling activities associated with the 2014 Q2 event. Sampling appears to have been performed in an acceptable manner. It is ECS’s opinion that the overall condition of the monitoring system appears acceptable.</td>
<td>Acceptable</td>
</tr>
</tbody>
</table>
| Groundwater Monitoring   | Groundwater monitoring results for 2014 Q2 resulted in a number of statistical exceedances. BC concluded that the exceedances are not the result of a leachate release and ECS concurs with this opinion. In addition, the ground surface around MW-33R has been re-graded and the well no longer sits in a depression. Concentrations are decreasing. | Area around MW-33R has been re-graded to alleviate ponding.  
MW-315R warrants continued monitoring. |
## Secondary Collection System Monitoring

The action flow rate (AFR) for Cell F was exceeded in the last several quarters. Several VOCs and leachate indicator parameters were detected. Several rounds of repairs were made and flow rates began to decrease. However, flow rates began to increase again and VOCS were detected in 2014 Q1. OHD believes that this has been caused by ponding (and subsequent infiltration) of surface water against the temporary berm for Cell F. Construction of Cell F-East has begun and OHD believes that that when the geosynthetics are in place (estimated mid-summer) the problem will be solved.

Flow rates in May and June show a significant decrease and parameter concentrations generally decreased from Q1 to Q2. Overall, the trend appears to be positive, however continued monitoring of this issue is warranted.

<table>
<thead>
<tr>
<th>Monitoring Type</th>
<th>Observations</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Water</td>
<td>BC concluded that 2014 Q2 surface water sample analytical results are consistent with recent historical results and ECS concurs.</td>
<td>Acceptable</td>
</tr>
<tr>
<td>Leachate Monitoring</td>
<td>BC concluded that 2014 Q2 leachate sample analytical results are consistent with recent historical results and ECS concurs.</td>
<td>Acceptable</td>
</tr>
</tbody>
</table>

The trend is moving in a positive direction, however continued monitoring of Cell F SCS is warranted.

ECS is pleased to provide these services to the City of Auburn Hills. If you have any questions or desire further clarification, please contact us at (248) 763-3639.

Sincerely,
ENVIRONMENTAL CONSULTING SOLUTIONS, LLC

Andrew J. Foerg, CPG  
President

Enclosures

cc:  Bill Dolsen – Oakland Heights Development  
     Kerri Lilly – Brown and Caldwell
INTRODUCTION AND HISTORY

Public Act 213 of 2007 requires local governments to prepare periodic investment reports for presentation to their governing body. The investment of the City’s working capital or surplus monies is governed by the City’s Investment Policy document which incorporates both state (Public Act 20 of 1943 as amended) and local statutes.

In September of 2009, the Investment Policy was amended to allow the City to contract with external investment firms to manage a portion of the City’s surplus operating funds. After establishing the appropriate custodial accounts with JPMorgan/Chase, $20.0 million was transferred to each of the unique custodial accounts to allow the two respective investment firms selected, Ambassador Capital and MBIA (since renamed to Cutwater Asset Management), to begin investing the City’s funds in late December.

In February of 2012 the City Council approved a staff recommendation to invest an additional $5.0 million with each manager. The additional fund transfers were made in March of 2012.

To provide a level of due diligence beyond the internal staff review, the City has engaged the services of Asset Strategies to perform quarterly reviews of the performance of the investment managers and to ensure the investment portfolios of both managers are in compliance with Public Act 20.

The attached summary of the investment earnings for the first seven months of 2014 shows that the Cutwater has earned $160,234.01 and Ambassador has earned $48,415.25 as of July 31, 2014.

STAFF RECOMMENDATION

The staff recommends the acceptance of the Cutwater and Ambassador Investment Performance reports.

MOTION

Move to accept the Investment Performance report for Cutwater and Ambassador for the year to date activity through July 31, 2014.

I CONCUR:

Thomas A. Tanghe, Acting City Manager
### City of Auburn Hills
### Investment Report
### Fiscal Period Ending July 31, 2014

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
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<th></th>
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<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
</tr>
<tr>
<td>Beginning Balance</td>
<td>$25,730,972.46</td>
<td>$25,830,711.63</td>
<td>$25,850,653.90</td>
<td>$25,793,574.75</td>
<td>$25,859,830.97</td>
<td>$25,922,773.12</td>
<td>$25,921,415.04</td>
</tr>
<tr>
<td>Fair Market Value Gain/(Loss)</td>
<td>99,739.17</td>
<td>19,942.27</td>
<td>(57,079.15)</td>
<td>66,256.22</td>
<td>62,942.15</td>
<td>(1,358.08)</td>
<td>(30,208.57)</td>
</tr>
<tr>
<td>Cumulative Earnings Change YTD</td>
<td>$99,739.17</td>
<td>$119,681.44</td>
<td>$62,602.29</td>
<td>$128,858.51</td>
<td>$191,600.66</td>
<td>$190,442.58</td>
<td>$160,234.01</td>
</tr>
<tr>
<td>2014 YTD Yield</td>
<td>0.39%</td>
<td>0.47%</td>
<td>0.24%</td>
<td>0.50%</td>
<td>0.75%</td>
<td>0.74%</td>
<td>0.62%</td>
</tr>
<tr>
<td>Pro-rata YTD Total Year Projection</td>
<td>$1,196,870.04</td>
<td>$718,088.64</td>
<td>$250,409.16</td>
<td>$366,575.53</td>
<td>$460,321.58</td>
<td>$380,865.16</td>
<td>$274,686.87</td>
</tr>
<tr>
<td>2014 Gross % Return</td>
<td>4.65%</td>
<td>2.79%</td>
<td>0.97%</td>
<td>1.50%</td>
<td>1.79%</td>
<td>1.48%</td>
<td>1.07%</td>
</tr>
</tbody>
</table>

### Since Inception 12-2009

| Monthly Gross Earnings          | $99,739.17  | $19,942.27 | (57,079.15) | 66,256.22 | 62,942.15 | (1,358.08) | (30,208.57) |
| Cumulative Gross Return         | 830,711.63 | 850,953.90 | 793,574.75 | 856,830.97 | 922,773.12 | 921,415.04 | 881,206.47 |
| Cumulative Gross % Return       | 1.00% | 1.00% | 0.92% | 0.87% | 1.03% | 1.01% | 0.64% |

### Ambassador Capital Management

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
<td>Amount</td>
</tr>
<tr>
<td>Beginning Balance</td>
<td>$25,478,784.33</td>
<td>$25,493,751.15</td>
<td>$25,502,916.64</td>
<td>$25,504,367.03</td>
<td>$25,514,212.87</td>
<td>$25,523,223.74</td>
</tr>
<tr>
<td>Fair Market Value Gain/(Loss)</td>
<td>14,966.82</td>
<td>9,185.49</td>
<td>1,450.39</td>
<td>9,845.84</td>
<td>9,010.87</td>
<td>4,659.32</td>
</tr>
<tr>
<td>Cumulative Earnings Change YTD</td>
<td>$14,966.82</td>
<td>$24,132.31</td>
<td>$25,682.70</td>
<td>$35,428.54</td>
<td>$44,439.41</td>
<td>$49,098.73</td>
</tr>
<tr>
<td>2014 YTD Yield</td>
<td>0.06%</td>
<td>0.09%</td>
<td>0.10%</td>
<td>0.14%</td>
<td>0.17%</td>
<td>0.19%</td>
</tr>
<tr>
<td>Pro-rata YTD Total Year Projection</td>
<td>$179,601.84</td>
<td>$144,793.86</td>
<td>$102,330.80</td>
<td>$106,265.62</td>
<td>$106,654.58</td>
<td>$96,197.46</td>
</tr>
<tr>
<td>2014 Gross % Return</td>
<td>0.70%</td>
<td>0.57%</td>
<td>0.40%</td>
<td>0.42%</td>
<td>0.42%</td>
<td>0.39%</td>
</tr>
</tbody>
</table>

### Since Inception 12-2009

| Monthly Gross Earnings          | $14,966.82  | $9,165.49 | 1,450.39 | 9,845.84 | 9,010.87 | 4,659.32 | (683.48) |
| Cumulative Gross Return         | 493,751.15 | 502,916.64 | 504,367.03 | 514,212.87 | 523,223.74 | 527,883.06 | 527,199.58 |
| Cumulative Gross % Return       | 0.59% | 0.59% | 0.58% | 0.58% | 0.58% | 0.58% | 0.33% |

Earnings Ambassador and Cutwater YTD | $114,705.59 | $143,813.75 | $88,184.99 | $164,287.05 | $236,240.07 | $239,541.31 | $208,649.26 |
Total Earnings Since Inception Dec 2009 | $1,324,462.78 | $1,353,570.54 | $1,297,941.78 | $1,374,043.84 | $1,445,996.86 | $1,449,298.10 | $1,418,406.05 |
Total Earnings Inception less Current Year | $1,209,756.79 | $1,209,756.79 | $1,209,756.79 | $1,209,756.79 | $1,209,756.79 | $1,209,756.79 | $1,209,756.79 |
DATE AUGUST 25, 2014

AGENDA ITEM NO. 9C.

To: Mayor and City Council
From: Thomas A. Tanghe, Acting City Manager; Gary L. Barnes, Finance Director
Submitted: August 15, 2014
Subject: Motion: Prepay Oakland-Macomb Interceptor Drain (OMID) Segment 4

INTRODUCTION AND HISTORY
Since 2010 the City has been assessed its pro-rata share of multiple segments/contracts of the OMID project. As of December 31, 2013, the total outstanding long-term principal debt owed by the City for its share of the OMID segments is as follows:

| OMID 2010A | $793,912 |
| OMID 2010B | $200,172 |
| OMID 2011A | $1,036,225 |
| OMID 2013A | $2,261,189 |

The City has recently received a letter from the Water Resources Commission advising the City that the OMID District is currently advertising for bids for Segment 4, Contracts 5 and 6. The financing, design, construction and administration of both contracts are estimated to be $18,000,000. Initially the District is planning on conducting a public sale for Drain Bonds, Series 2014A in an amount not to exceed $8,000,000. The rate of interest for the bonds is estimated to be approximately 3.2% for 20 years.

The City’s pro-rata share of the Series 2014A bonds is 3.3059% which amounts to principal debt of $264,472 with interest estimated over the 20 year period of $96,879. The City has the option of prepaying its assessment for the Series 2014A bonds. In order to prepay, the District must receive a certified copy of a resolution from the municipality’s governing body attesting to the fact that the City would like to prepay their entire assessment. The certified copy of the resolution must be given to the Water Resources Commission no later than September 2, 2014. Absent the resolution to prepay, the City will be included in the bond issue and their assessments and related interest will be collected over 20 years. Once the City adopts the resolution, it cannot rescind the decision. The prepayment of the entire assessment will be due on October 1, 2014. The prepay information in this paragraph pertains only to Segment 4, Contract 5 with an $8,000,000 project cost to the system member communities, or $264,472 for Auburn Hills.

Subsequently, the District is planning on selling to the Michigan Finance Authority through a SAW Loan its Drain Bonds, Series 2014B in an amount not to exceed $10,000,000. The anticipated date of the sale will be in December of 2014. The SAW loan will provide a fixed interest rate of 2.5% of 20 years.

The factors supporting the prepay option for the Series 2014A bonds include the following:

- Because the Bond Series 2014A involves a public sale, the interest rate will depend on prevailing market conditions when the WRC goes to the market. The estimated interest rate of 3.2% could be higher or lower when the bonds are sold.
- The principal assessment to the City of $264,472 is relatively low inasmuch as the Water/Sewer fund had cash reserves of over $19.0 million as shown on its 12/31/2013 audit statements.
- The other factor supporting a prepay decision is the extremely low investment earnings rate that the City is realizing on its excess reserves (currently less than 1.0%).
STAFF RECOMMENDATION
The staff recommends that the City prepay its pro-rata share of the OMID Bond Series 2014A in the amount of $264,472.

MOTION
Move to approve a resolution to prepay the OMID Bond Series 2014A in the amount of $264,472 and to authorize the Acting City Manager to satisfy the prepay filing requirements set forth by the Water Resource Commission.

I CONCUR:  

Thomas A. Tanghe, Acting City Manager
RESOLUTION
APPROVING PREPAYMENT OF
OAKLAND-MACOMB INTERCEPTOR DRAIN
Drain Assessment

At a regular meeting of the City Council of Auburn Hills, Oakland County, Michigan held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 p.m., on the 25th day of August, 2014.

The following resolution was offered by Council and supported by Council Members:

WHEREAS, the Oakland-Macomb Interceptor (“OMI”) Drainage District (the “District”) is currently advertising for bids for Segment 4 – Contracts 5 and 6; and,

WHEREAS, Segment 4 – Contracts 5 and 6 include the lining and grouting of sewer located in the Cities of Sterling Heights, Utica and the Township of Shelby; and,

WHEREAS, the finance, design and construction of Segment 4 – Contracts 5 and 6 is estimated at $18,000,000; and,

WHEREAS, in September, 2014 the District is planning on selling publicly its Drain Bonds, Series 2014A in an amount not to exceed $8,000,000 with a rate of interest of 3.20% for the next twenty years; and,

WHEREAS, the City of Auburn Hills has the option of prepaying the entire drain assessment for Segment 4 – Contracts 5 and 6 of the project; and,

WHEREAS, the City’s estimated drain assessment based on the apportionment adopted by the Drainage Board for the OMI Drainage District for Segment 4 – Contracts 5 and 6 is $264,472.00; and,

WHEREAS, the actual amount of the City’s assessment will not be known until after the bid has been awarded by the District, at which time the District will revise the amount of the bond issue for Segment 4 – Contracts 5 and 6 and assessments to public corporations; and,

WHEREAS, to avoid finance charges associated with the OMI Drain Bonds, Series 2014A the City of Auburn Hills agrees to prepay the drain assessment.

NOW, THEREFORE, the Auburn Hills City Council does hereby proclaim to prepay the drain assessment based on the apportionment adopted by the Drainage Board for the OMI Drainage District for Segment 4 – Contracts 5 and 6.

BE IT FURTHER RESOLVED that the City Manager and the Clerk are authorized and directed to forward this Resolution on behalf of the City of Auburn Hills to the OMI Drainage Board Secretary, the Oakland County Water Resources Commissioner.
YEAS:

NAYS:

ABSENT:

ABSTENTIONS:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN  

)  

COUNTY OF OAKLAND  

)  

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of Auburn Hills, Oakland County, Michigan at a regular meeting duly called and held on the 25th day of August, 2014, the original of which resolution is on file in my office, and that notice of said meeting was given, the meeting was held and the minutes filed in accordance with the Open Meetings Act, Act No. 267, Public Acts of Michigan, 1976, as amended.

________________________________________
Terri Kowal, City Clerk
August 7, 2014

The Honorable Nancy Buschmohle
Treasurer
City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326

Re: Oakland-Macomb Interceptor Drain Project
    Segment 4 – Contracts 5 and 6

Dear Ms. Buschmohle:

Please be advised that the Oakland-Macomb Interceptor Drainage District is currently advertising for bids for Segment 4 – Contracts 5 and 6. The bids will be opened on September 11, 2014. Contract No. 5 consists of lining and grouting of the sewer along Utica Road from Dodge Park to Hall Road which then continues into Riverbends Park and Holland Ponds Park, located in the Cities of Sterling Heights and Utica and the Township of Shelby. Contract 6 consists of lining and grouting of the sewer along M-59 (Hall Road) from Dequindre Road to Utica Road, located in the City of Utica and Township of Shelby. The financing, design, construction and administration of both contracts is estimated to be $18,000,000.

The District is planning on selling publicly its Drain Bonds, Series 2014A in an amount not to exceed $8,000,000. The anticipated date of the sale will be in September of 2014. The rate of interest is estimated to be 3.20% for 20 years.

Please be advised that each municipality has the option of prepaying their entire assessment for the Drain Bonds, Series 2014A for this segment of the project. However, in order to prepay, the District must have a certified copy of a resolution from the municipality’s council or board attesting to the fact that the municipality would like to prepay their entire assessment. A certified copy of that resolution should be submitted to the District Secretary (the Oakland County Water Resources Commissioner) no later than September 2, 2014. If the District does not receive a copy of a certified resolution by that day it will assume that the municipality will be included in the bond issue and their assessments will be collected over 20 years.

Once a municipality decides to prepay their entire assessment and adopts a resolution to that effect, the municipality cannot rescind that decision. The prepayment of the entire assessment will be due on October 1, 2014.

The estimated dollar amounts of the assessment based on the estimated bond issue of $8,000,000 for each municipality is set forth in the attached schedule and is based on the apportionments adopted in 2010 by the District.

In addition, the District is planning on selling to the MFA through a SAW Loan its Drain Bonds, Series 2014B in an amount not to exceed $10,000,000. The anticipated date of the sale will be in December of 2014. The rate of interest is estimated to be 2.50% for 20 years.
Finally, the District is planning on selling publicly its Drain Bonds, Series 2014C in an amount not to exceed $10,000,000. This funding will cover the cost of improvements necessary for the Northeast Pump Station which will be bid as a separate project. The anticipated date of the sale will also be in December of 2014. The rate of interest is estimated to be 3.20% for 20 years.

We will forward separate letters regarding prepayment for the Drain Bonds, Series 2014B and Drain Bonds, Series 2014C in October.

Should you have any questions, please do not hesitate to contact Jacklyn Thomas, Staff Assistant, at 248-858-1270 or thomasjm@oakgov.com.

Sincerely,

[Signature]

Steven A. Korth, P.E.
Manager

Enclosure
## $264,472
Oakland-Macomb Interceptor Drain Drainage District
Drain Bonds (Series 2014A) (Limited Tax General Obligation)

### ESTIMATED DEBT SERVICE SCHEDULE - AUBURN HILLS' PORTION 3.3059%

<table>
<thead>
<tr>
<th>Date</th>
<th>Principal</th>
<th>Coupon</th>
<th>Interest</th>
<th>Debt Service</th>
<th>Annual Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>04/01/15</td>
<td>$9,687.11</td>
<td>2.00%</td>
<td>$4,522.44</td>
<td>$4,522.44</td>
<td>$17,986.92</td>
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<td>10/01/15</td>
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<td>3,780.50</td>
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<td>10/01/16</td>
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<tr>
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<tr>
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<td>$14,897.24</td>
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<tr>
<td>10/01/18</td>
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<td>3,014.77</td>
<td>$3,014.77</td>
<td>$15,081.31</td>
<td>$18,096.08</td>
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<tr>
<td>04/01/19</td>
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<td>2,848.86</td>
<td>$2,848.86</td>
<td>$15,245.98</td>
<td>$18,094.84</td>
</tr>
<tr>
<td>10/01/19</td>
<td>2,678.40</td>
<td>2,678.40</td>
<td>$2,678.40</td>
<td>$15,406.11</td>
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<td>04/01/20</td>
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<td>$2,487.48</td>
<td>$15,545.79</td>
<td>$18,033.27</td>
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<tr>
<td>10/01/20</td>
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<td>2,291.61</td>
<td>$2,291.61</td>
<td>$15,845.80</td>
<td>$18,137.41</td>
</tr>
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Interest Start Date (Dated Date): 09/01/14

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las\votus\Copy of 20-omi-2014-oakdr38-public.xls 8/6/2014
Oakland Macomb Interceptor Drain Bond, Series 2014A - Public Sale

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$8,000,000

$3,880,000

8/6/2014
To: Mayor and City Council
From: Thomas A. Tanghe, Acting City Manager and Dan Brisson, Manager of Fleet and Roads.
Submitted: August 18, 2014
Subject: 2014 Street Marking Program

INTRODUCTION AND HISTORY
Budgeted for 2014 is $67,500.00 for Major Street and $9,750.00 for Local Street pavement markings. The annual street marking program is typically performed in late September and early October in preparation for the winter months. The DPW performed an inspection of pavement long line and intersection markings in July to prepare a cost estimate. Based on unit pricing from the current contract with PK Contracting, listed are the costs associated with this year's program:

- Long line markings, all city roads: $18,181.92
- Intersection markings: 19,698.70
- Allowance for surface grinding as needed for intersection work (estimated): 3,000.00
- Downtown long line and intersection markings (estimated): 15,000.00

Total Street Marking Cost Estimate: $55,880.64

Long line work already completed in June on University Bridge after pavement patching: 2,400.00

TOTAL COST ESTIMATE 2014 STREET MARKING: $58,280.64

As pavement marking plans for the downtown area have not been finalized, the cost is estimated. This cost estimate includes mobilization, repainting of all existing intersection & long lines, and the addition of edge lines.

STAFF RECOMMENDATION
The City is in the final year of a three year contract for pavement marking services with PK Contracting. The field inspection log book prepared by the DPW to determine this year’s marking schedule is available for Council’s review. Because downtown markings costs are estimated, the DPW recommends Council approves the project for a not-to-exceed amount of $60,000.00 and award the annual marking program to PK Contracting.

MOTION
Move to approve PK Contracting, 1965 Barrett, Troy, Michigan 48084 to perform Street marking Services for the not-to-exceed cost of $60,000.00. Funding is provided from Major Streets (202-452-935.100) and Local Streets (203-453-935.100).

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER
INTRODUCTION AND HISTORY
The City of Auburn Hills recently solicited bids to replace a 2000 GMC forestry aerial lift truck with a chipper box body. This vehicle was due for replacement in 2012 but has been pushed forward the last two years. This truck is the primary piece of equipment used in the forestry division. Functions include tree elevation and pruning in City parks, streets, and right of ways, tree hazard removals, storm/emergency response, street light maintenance and installation, and holiday lighting and decoration.

Using the current bid collaboration with Rochester Hills and other local communities, bid specifications were written for a vendor to provide a body and aerial lift platform to be installed on a chassis provided by the City from the purchasing collaboration. Based on preliminary pricing, this purchasing model was expected to save the City about $10,000.00 on the chassis portion of the build. Bid specifications were written for a 60 foot insulated aerial lift and chipper box body. The bid was placed on MITN and 49 vendors received notification. On May 12th the City Clerk’s office received two bids from Altec Industries, Inc. One bid included the chassis provided from the consortium (Freightliner chassis $75,792.00) and a trade allowance for our existing forestry truck at $10,000.00. An alternative bid was submitted by Altec for a stock truck, but that failed to meet our specifications and did not include a trade in value.

Since there was only one bid received, the bid was re-let on MITN with an opening date of July 29, 2014. Two additional bids were received (Dueco and Cannon) and one met our specifications.

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<td>Dueco, Inc.</td>
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STAFF RECOMMENDATION
The Forestry Division is fortunate to have an employee who has 4 ½ years of experience in private sector forestry. He has used all three of our bidder’s lift vehicles as an employee of one of the largest forestry companies in Michigan. The Dueco product, in his opinion, would provide superior equipment and extended service life. The Parks & Grounds division of the Department of Public Works recommends City Council approve the purchase of the forestry aerial lift truck from Dueco, Inc. in the amount of $149,329.00.
MOTION
Move to approve the purchase of a Freightliner chassis, with 60 foot insulated aerial lift body and forestry chipper box from Dueco, Inc, N4W22610 Bluemound Road, Waukesha, Wisconsin, 53186 for $149,329.00. Funding is provided from the Fleet Machinery & Equipment account (661-442-977.000).

I CONCUR: _____________________________

THOMAS A. TANGHE, CITY MANAGER
Move to approve the purchase of a Freightliner chassis, with 60 foot insulated aerial lift body and forestry chipper box from Dueco, Inc, N4W22610 Bluemound Road, Waukesha, Wisconsin, 53186 for $149,329.00. Funding is provided from the Fleet Machinery & Equipment account (661-442-977.000).

I CONCUR:  

THOMAS A. TANGHE, CITY MANAGER
Personnel
The Fire Departments Staffing did change this month. We had two Station 1 POC’s retire – Captain Tim Farrell 24 ½ Years – Lieutenant James (Mike) Klempert 19 Years. We hired on 6 new personnel – two Station 1 POC’s, two Station 3 POC’s and two part time paramedics (below). We currently employ 17 full-time staff and a total of 29 paid on Call personnel: 5 assigned to Station 1, 13 to Station 2, and 11 to Station 3 with an additional 13 part time medics.

July Anniversaries
LT James Klempert 7/12/1995 19 Years of Service
LT Andrew Garrett 7/12/1998 16 Years of Service
Clerk Holly Harp 7/9/2012 9 Years of Service*

*Combined (POC and Full time) years of service

Firefighter Fitness
Fire personnel are encouraged to maintain a healthy lifestyle through proper diet and exercise. During the month of July fire personnel logged 14.92 hours of workout time.

“Employee Spotlight”
Inspector Fred Solomon
21 years of service

What did you do before you stared at AHFD?
I graduated from Oakland University with BA in sociology and concentration in justice & corrections. I started working in dispatch right out of college in 1991, started as a POC firefighter in 1993, and moved to the Fire Dept. full time when the inspector’s position opened up.

Married? Kids? Pets?
Married for 9 years to Jessica Solomon, who works in dispatch. We have a two year old son, Mason and two cats.

What do you like to do outside of work?
Mason takes up most of my time, but I still manage to get in a motorcycle ride, read a book, or play some video games once in a while. I also enjoy taking bicycle rides with Jessica and Mason, cooking on the BBQ grill, and just about anything that requires mechanical skills.

Career Highlights/Awards/Commendations:
Attending the National Fire Academy and Michigan State Police Fire Investigation Schools. Awards include a certificate of Merit, Individual Commendation and Mayors Award.

What do you enjoy most about working in the fire service?
No two days are the same, seeing and doing things that the average person doesn’t get to, and the technical challenges of code enforcement and fire investigation.
Car Seat Safety Check Event
Have you ever read the installation manual for a child’s car seat and wondered how something so critical to a child’s safety can be so confusing. Emergency Services division has five personnel that are certified as Child Safety Seat Installation Technicians. These technicians must attend an intensive week long training program that covers the various types of car seats, as well as the different methods of securing these devices in all makes and models of vehicles. Personnel must also attend continuing education classes yearly to maintain their CPS certification. On Saturday, July 12th, the police and fire department hosted a car seat check event that allowed the public to come in and have a new car seat installed or have a currently installed car seat checked for proper installation. Certified personnel from both the fire and police department assisted with the 4 hour event installing car seats and educating parents on the proper use of these devices. Julie Smith of Oakland County assisted as well. A total of 15 car seats were either installed or inspected during the event. We did give away 3 or so seats to those in need, and we now have about 4 seats and a few boosters extra in our basement if the need arises. We will hold another event in the fall, and possibly an educational presentation at one or more of the faith communities locally.

Fire Department Training on Commercial Structures
Commercial structures present many challenges to firefighters when they are required to perform firefighting operations on these structures. Even seemingly simple actions such as gaining access to the building’s interior can be delayed due to steel reinforced doors, large commercial roll up doors, and shatter resistant windows. The size, height, and contents of these buildings also require much more hose, water, apparatus, and manpower than would be required for a typical house fire. Fire operations also take place over a longer period of time due to the size of the event. Training on these specialized structures is critical for our department to operate as effectively and safely as possible. The Fire department has been conducting extensive training in the now city owned Mound Steel building. These trainings allow us to practice operations like ladder placement, search and rescue, self-rescue, hose advancement, and fire attack in a controlled and safe environment.

Fulfilling a Dream
Beginning on Saturday, July 19th, a group of residents and firefighters joined together to make a dream come true. Led by Fire Chief Paul Strelchuk of Oakland Township, the Oakland Township Fire Department, and several other fire departments from surrounding areas came together to build a horse barn and fence for Becca Prange, a thirteen year old who is suffering from terminal cancer. It was Becca’s dream to have a horse and a barn. Becca and her family arrived home in Oakland Township Wednesday night to find a horse, a new barn, and a large pasture cleared. The family had just returned from week vacation sponsored by the Make a Wish foundation and they had no idea of what was happening at their home. Auburn Hills firefighters Nick Hansen and Ryan Wood volunteered their time to assist with this special gift. Firefighter Christian Penn and his family donated a saddle and other tack so Becca can ride Finely, the horse she has always wanted. It was a huge surprise and a very touching moment when the Prange family arrived at their home Wednesday evening.

Commercial Structure Fire
On Thursday, July 24th, fire personnel responded to Cooper Standard at 2110 Executive Hills Blvd. for a fire inside the building. The first arriving crew determined a fire had started inside of a large oven used in a manufacturing process of analyzing rubber hose performance under heat. The sprinkler system had activated and the fire was contained to the area of the oven. The fire crew located the fire and extinguished the remaining fire. A call for mutual aid was activated through the MABAS system. Personnel from Rochester Hills, Rochester and Oakland Twp. responded but were quickly returned to service in their respective communities. The fire started when the power was turned back on to the building. The electrical power in the area was knocked out earlier in the day when a roll off dumpster truck pulled down a power line. All but one fire apparatus had cleared the scene when the power was again turned on to the building. A second fire quickly started in another oven inside of the building. It is believed that the building experienced an electrical surge and the issue is related to the power being knocked out earlier in the day. There were no injuries to employees or fire personnel.
During the month of July the department responded to 270 calls for service. This represents a decrease of 3 incidents from June. 57% of all calls for service were in Station 2’s district. Responses for station 1 and 3 were 21% and 18% respectively. There were 7 actual fires and 266 non-fire related incidents.

Incident Type by Station

Station 2’s area continues to be the most requested for calls for service. This is due to the fact that this area has several high occupancy buildings within its response area, including Oakland University, medical facilities, large office buildings, and several senior housing complexes making up the bulk of the call volume. The department had a total of 174 EMS calls in July. Within that total, 119 of these were actual transports to a local hospital. 78 of the transports were ALS (advance life support) which requires one of the following procedures: drug therapy, advanced airway management or advance cardiac care. 41 were BLS (basic life support), which represents a stable patient who does not require any ALS procedures.

Response Times

Response times are an essential part of the success of our EMS service. One of the conditions of our agency compliance agreement with Oakland County Medical Control Authority is to keep our response time below 7 minutes on emergency calls. During the month of July we had an average response time of 6.9 minutes on emergency EMS calls.

Response by Location Type

In July, 41% of all emergency responses were to residential occupancies, 19% were at businesses and public places such as restaurants, retail stores and other buildings open to the public.
Incidents by day of the week
The data below reflects that Wednesday is the busiest day of the month, reporting 44 calls for service.

Training Hours
Suppression training continues to account for the most hours in July’s training report. This includes the monthly scheduled training dates, FTO and technical rescue. Suppression training of our personnel, particularly the Paid on Call staff is critically important due to the high risk/low frequency nature of firefighting.

Public Education
We conducted 13 programs during the month of July. Public education continues to be a very important part of the Fire Department. There were a total of 145 programs delivered last year.

Prevention Division
The graphs below reflect the activity of the Fire Prevention Division. The main focus of their efforts has been directed at getting new businesses into their buildings in an efficient and timely manner and ensuring fire safety of existing businesses as well.

The Prevention Division has also been working diligently on processing Hazardous Materials applications and issuing permits. At the end of July they have collected $56,800 in fees and have a total of 100% reported and 97% paid.
August 15, 2014

To the City of Auburn Hills Police Department;

Greetings, my name is Rose McCabe and I am writing this letter in honor of one of your finest that came to my rescue last week. Having your keys locked in your car is not an emergency by any means, however...When it concerns over $400.00 dollars of meat and a custom cake for an up-coming party...I was in a panic. Officer J. Brehmer helped me into my car at the Costco which took some patience and stamina in 89* degree asphalt parking lot. I would like to thank him officially and sing his praises to his Superiors. To many times we over look these acts of kindness, going above the call of duty. So, thank you Officer J. Brehmer!

Sincerely;

Rose McCabe
Lieutenant Gagnon,

I cannot thank you enough for allowing me such a fantastic opportunity as being the intern here at the Auburn Hills P.D.. The variety of tasks I was assigned during my time here gave me a true understanding of policing as a profession. DDACTS, riding along, and being a part of the Hit and Run investigation were amazing introductions to the real CJ world outside of school.

If you would please pass along my thanks once again, to the Officers here at AHPD. I appreciated them taking me under their wings these past months. They gave me valuable career advice as well as good role models to emulate.

Coming into the internship, I knew I wanted a federal job. Going out, I'm not so sure anymore. Working at a local p.d. such as Auburn Hills would be an honor.

Thank you,

Sade R. Todd
8-7-2014
Bluegrass festival in Auburn Hills brings stars to park

Wednesday, August 20, 2014

The “best kept entertainment secret in Oakland County” returns in September for the 18th annual Auburn Hills Parade of Stars Bluegrass Festival.

The festival will be at Civic Center Park, 1827 N. Squirrel Road in Auburn Hills from noon-7 p.m. on Saturday, Sept. 6. Admission is $5.

Attendees should bring lawn chairs or blankets.

“The theme this year is “Salute to Women,” says Tom Laing of Waterford Township. “All of the bands are headed by women or are all women.”

“Our four national bands this year feature some old friends and some new ones,” Laign says. “So, once again, the Claire Lynch Band will be with us, as will Sister Sadie, an all female band of all-stars, headlined by Dale Ann Bradley. Flatt Lonesome, a new band of young people making a splash nationally, is made up of two women and four men. Our host band, Special Consensus, has all guys in it, but even they have a few surprises in store for us.”

All four featured bands or artists are finalists for the International Bluegrass Music Association’s awards to be presented on Oct. 2, in Raleigh, N.C.:

• Special Consensus is nominated for Instrumental Recorded Performance of the Year, “Country Boy, A Bluegrass tribute to John Denver” (album).

• Recorded Event of the Year nominee “Wild Montana Skies” with Claire Lynch & Rob Ickes.

• Best Liner Notes nominee, “Country Boy, A Bluegrass tribute to John Denver.”

• Female Vocalist of the Year nominee, Claire Lynch (Claire Lynch Band)

• Female Vocalist of the Year nominee, Dale Ann Bradley (Sister Sadie)

• Emerging Artist of the Year nominee, Flatt Lonesome

David Blakney of CJAM-FM (99.1) in Windsor “will once again be our knowledgeable and personable emcee, along with Allen Audio providing stellar sound,” Laing says.

In addition, there will be giveaways, food, band CD’s and T-shirts for sale.

For more information, call 248-370-9353, or visit www.auburnhills.org.
Oakland University board picks new chair, vice chair

Birmingham attorney Mark E. Schlussel has been elected new chairman of the 20,000-student Oakland University by the OU Board of Trustees.

Schlussel replaces Michael Kramer as chair of the state university that stretches between Auburn Hills and Rochester Hills in Oakland County. The OU board also unanimously elected Richard L. DeVore as vice chairman.

Schlussel replaces Michael Kramer as chair of the state university that stretches between Auburn Hills and Rochester Hills in Oakland County. The OU board also unanimously elected Richard L. DeVore as vice chairman.

Schlussel has served in many leadership positions, including as a member of the Southfield City Council from 1972 to 1973, the Michigan Municipal Bond Authority, and more than one hospital boards. He was the founding co-chairman of The Jewish Fund and has been a board member of the Jewish Federation of Metropolitan Detroit from 1980 to the present.

"I am honored to be selected as the new board chair at Oakland University," said Schlussel. "Oakland has been on a path of growth and expansion under the leadership of Mr. Kramer, and I look forward to continuing our mission of providing the best possible educational atmosphere for our students, faculty and staff."

DeVore was appointed to OU's board in July 2013. Prior to his current responsibilities, DeVore was credit executive for commercial lending and oversaw credit training for PNC Bank. He holds a bachelor's degree in business administration from the University of Michigan and a master's degree in business from Wayne State University, where he taught banking and finance courses for four years.

The chairman of the PNC Foundation in Southeast Michigan, DeVore also serves as a board member for several organizations including Business Leaders for Michigan, Detroit Economic Club and the Detroit Symphony Orchestra, among others.

—Staff writer
Diana Dillaber Murray
Oakland University starts drive to give Pontiac kids school supplies

By Diana Dillaber Murray
dillaber@oakpress.com

A backpack and school supplies drive is being held at Oakland University through Friday, Aug. 15 to give Pontiac children a good start to the new school year.

OU's Academic Affairs office and Black Employee Resource Group Community Outreach Committee are sponsoring the drive. All donations will go to the Pontiac school district to help support their growing need of new school supplies for more than 5,000 students in the district, said Scott L. Crabill, interim vice provost for undergraduate education at OU.

"We learned from conversations with the school district that they were in critical need of backpacks and other school supplies to start the school year and provide students the tools they need to be successful," said Crabill.

The backpacks and school supplies can be dropped off at the Center for Multicultural Affairs offices located at 104 North Foundation Hall near the campus's main entrance on University Drive and Squirrel Road. For a map, visit www.oakland.edu/upload/docs/Campus%20Map/OUMAP_BW_2010.pdf.

More information is available by emailing Arthur Hampton, CORE program coordinator for CMI at hampton2@oakland.edu or by calling the CMI offices at 248-370-4404.
Golf outings

AUBURN HILLS

Auburn Hills Chamber of Commerce golf outing

The Auburn Hills Chamber of Commerce is hosting its annual Auburn Hills Open, Thursday, Aug. 14 at Fieldstone Golf Club. It will feature groups of eight to foster greater networking on the course. Included with the cost of a team is a continental breakfast, lunch, dinner, 18 holes, a day of networking, drink tickets, and contests. A 50/50 and raffle prizes will also be available. Registration is at 8:30 a.m., with a shotgun start at 10 a.m. The dinner and awards program begins at 4:30 p.m. Tickets are $650 for a team and $175 per individual. The dinner only option is $35 for members and $45 for non-members. Call 248-853-7862 or visit auburnhillschamber.com.

Applications being accepted for Fire Academy

Oakland Community College, Auburn Hills is now accepting applications for its fall session for the Fire Academy. This 10-week program is 9 a.m. to 5 p.m., Monday-Friday, Sept. 2 to Nov. 7. The academy provides the training required to meet the minimum requirements for testing and certification by the Michigan Fire Fighters Training Council Office of Fire Training. For an application, call 248-232-4580, or pick one up at the OCC Auburn Hills Campus, 2900 Featherstone Road, Building J, Room 123. For questions, call 248-232-4581.

8/15/11 — Staff writer

Oakland Press 8/13/14

AUBURN HILLS

Avondale schools interviewing candidates

Community members are invited to watch the Avondale Board of Education's first round of interviews with the candidates for the district's new superintendent, who will replace Dr. George Heitsch. The district's interim superintendent is Dr. Rick Repicky, who's retired from Fraser schools and not pursuing the position. The board is conducting three interviews each evening at 6 p.m. on Aug. 13 and Aug. 14 at the Avondale Administrative Offices at 2940 Waukegan St., in Auburn Hills. The Avondale Board of Education is also seeking candidates to fill a vacant seat left often by the departure of Trustee Cyndi Pettit. Candidates will be interviewed by the Board of Education during a special meeting at 6:30 p.m. on Tuesday, Aug. 12. For more information, visit www.avondale.k12.mi.us or call 248-537-6000.
OU nursing faculty prepares middle schoolers for a career in medicine

Dissecting a kidney may not sound like summer fun but Oakland University Camp RN may help middle schoolers decide whether to pursue a career in nursing or other areas of medicine.

Students in grades seven through nine from Oakland, Macomb and Wayne counties work in the same laboratories as OU School of Nursing students, hear lectures, and shadow doctors at Beaumont hospitals in Royal Oak and Troy.

"The camp is similar to college," said Kristina Aaron, who is co-program director with Patricia Carper.

"I really want to be a nurse," said Audrey Weber, 14, who will start ninth grade at Rochester CAMP » PAGE 5

"I thought it was really cool. Being a nurse in an ICU is a good way to help people who can't help themselves."

— Audrey Weber, 14
High in September.

"I want to work in ICU," said the teen. She explained her interest was motivated by her own experience as a patient in an intensive care unit because of a health issue.

"I thought it was really cool. Being a nurse in an ICU is a good way to help people who can't help themselves," Audrey said.

As it turned out, by the luck of the draw, she won an assignment to shadow a nurse in an intermediate ICU. Each student gets one opportunity during each of the two weeks to follow a nurse through the day in one of many of the hospital's departments.

"It was cool to see the relationship between the nurses and the patients; the way they nurses helped each other and the patients," Audrey said.

Elbert Yi, 13, an eighth grader at Detroit Country Day, said he is interested in going into radiology so when the school nurse mentioned the program and gave him a brochure, he decided he wanted to go to the camp.

"I did a shadowing in the surgical observation unit," Elbert said. "The nurse was really close to the patients. I learned a lot. I enjoyed it."

Troy Boulan Park Middle school eighth grader Shikha Lakhani, 14, enrolled in the camp because, "I wanted to look into the medical field. I want to be a psychiatrist.

"It is amazing," she said of the camp experience. "It teaches you a lot. It's like you are in college, but still only in middle school."

The goal of the pre-college program is to educate and inform middle school students of the opportunities available through a nursing career. Among their areas of study are anatomy, physiology, biochemistry, neurology, kinesiology and nutritional science. Students learn about nursing forensics, biology, math, chemistry and nursing fundamentals including CPR and First Aid Certification. They also tour the OU campus and take advantage of OU's new physical assessment laboratory to learn about the human body.

The nursing camp is among many camps and programs offered on the OU campus and in Macomb County, including dance music, sports and autism camps.

Glenn McIntosh, interim vice president for student affairs and enrollment management at OU said, "This early exposure gives students a chance to develop potential career interests and can reinforce or re-direct them along those paths. And, we find younger students learn responsibility and gain maturity through our wide range of programs."
Elbert Yi, 13, of West Bloomfield, (left) and Adrian Jelinek, 14, of Troy, dissecting sheep kidneys at Camp RN at Oakland University. The summer camp for the teens is run by the School of Nursing.