



The City of Auburn Hills

City Council Meeting

Minutes

March 3, 2014

CALL TO ORDER: by Mayor McDaniel at 7:07 p.m.

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

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

Absent: Council Member Hammond

Also Present: City Manager Auger, Assistant City Manager Tanghe, Director Olko, Deputy Director/Police Hardesty, Deputy Director/Fire Manning, Lt. Gagnon, Treasurer Buschmohle, Deputy Treasurer Keiser, Assessor Lohmeier, Deputy DPW Director- Infrastructure Herczeg, Deputy DPW Director-Quality of Life Services Grice, Community Development Director Cohen, Recreation Director Marzolf, DPW Manager/PGA Pro Marmion, City Attorney Beckerleg, and City Engineers Juidici & Stevens

20 Guests

4. APPROVAL OF MINUTES

4a. Regular Council Meeting – February 17, 2014

Moved by Verbeke; Seconded by Mitchell.

RESOLVED: To approve the February 17, 2014 regular meeting minutes.

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

No: None

Motion Carried (6-0)

Resolution No. 14.03.046

5. APPOINTMENTS AND PRESENTATIONS – none.

6. PUBLIC COMMENT

Mayor McDaniel noted public comments will be limited to, two minutes per speaker.

Clarence Bennett, 3814 Tienken Road, was very appreciative to receive a call from a Water Billing Clerk who contacted him regarding an increase in his water usage, which was detected because of the smart meters. It turned out a pipe had ruptured under his house.

Cheryl Gregory, 3220 Pinecrest Way, asked for an update on the oil and gas ordinance.

Mayor McDaniel stated staff is working on an ordinance and will be bringing a draft back to Council.

Kay Sendegas, 165 S. Opdyke Road, expressed her appreciation at how well and quickly the DPW clears the streets after a snow fall.

Continuing, she expressed the poor quality, both the visual and audio of the Council meetings on the City's public television station and would like something done. The quality of other communities stations are much better, as well as having much more programming.

Vicki Poynter, with the American Legion and Auxiliary asked if the City would again be supporting the picnic after the Memorial Day Parade with supplying hot dogs. She also welcomed City Council to participate in the parade.

Mayor McDaniel stated staff will be in contact with her.

Jim Nash, Oakland County Water Resource Commissioner, spoke on the potential negative impact oil drilling and fracking has on the environment, noting an incident in Kentucky where a creek was polluted with heavy metals and killed all the fish; heavy metals can be a result of fracking. Water and brine is a by-product of drilling and can be very damaging to local water resources. He explained it is possible to have many drilling sites from one platform, which will increase truck traffic for a significant amount of time.

Mr. Nash offered to speak to Council any time and has a PowerPoint presentation he can present.

Mr. Kittle asked Mr. Nash, noting his position with Oakland County, if it is the County's position being against oil drilling exploration.

Mr. Nash stated his office yes, which is a separate office from the rest of the County. The County is looking at possible drilling on County property, which he opposes but has no control.

Michael Runk, 3516 Riverside Drive, has lived in Auburn Hills for 13 years and is opposed to oil and gas drilling on City property, parks and residential areas. He is also against changing the tree ordinance; those funds should only be used for replacement trees or another green initiative. He would like to see Hawk Woods left as is, with no potential for drilling.

Jim Przybylo, 3778 Tienken Road, supports Mr. Nash and his efforts and asked the status of the ordinance to ban drilling.

Dawn DeRose, 910 Sewart, Detroit, is against oil drilling and all the health hazards and economic impact it could have on the public.

Italia Milan, 3744 Bald Mountain Road, relayed a story of an Exxon CEO who is totally against a water tower for drilling within view of his yard and the truck traffic it will produce. This man is a proponent of fracking, just not near his property. She is displeased with Mr. Nash being allowed to only speak for two minutes.

Mayor McDaniel explained Mr. Nash was not included on the agenda for giving a presentation, and he must also be limited to the time limit for Public Comments.

Don Hughes, 3744 Bald Mountain Road, appreciates all the steps that are being taken in writing an ordinance for the oil drilling, including considerations of comments made by residents as well as oil company representatives. He hopes the City refrains from signing any leases and asked for a timeline for the ordinance.

Mr. Hughes mentioned the fuel spill at an area company over the weekend, and suggested the impact of an oil drilling accident taking place of an unmanned oil well over the weekend would be disastrous.

Mayor McDaniel noted staff is working on the ordinance and doing their due diligence; currently there have been no permits given for any oil drilling. As with all public meetings and public hearings, it will be posted.

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. Tax Increment Finance Authority – February 11, 2014

7a.2. Public Safety Advisory Committee – February 15, 2014

7b. Motion – 2014 Bloomfield Orchards Subdivision- Water Main Replacement & Concrete Street Patching Scope of Engineering Services

RESOLVED: To approve the OHM Scope of Engineering Services for the 2014 Bloomfield Orchards Subdivision, Water Main Replacement & Concrete Street Patching for the not-to-exceed amount of \$43,872.00. Funding is provided from Local Streets (203-453-935.000) and Water Fund (592-536-977.000).

Moved by Verbeke; Seconded by Mitchell.

RESOLVED: To approve Consent Agenda Items 7a and 7b.

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

No: None

Motion Carried (6-0)

Resolution No. 14.03.047

8. OLD BUSINESS

8a. Public Hearing/Motion - Adopt Ordinance to Amend Article VIII. Woodlands Preservation in Chapter 34. Environment of the Auburn Hills City Code on Second Reading

Mr. Cohen explained, in an effort to offer another tool in the City's tool box, an amendment to the Woodlands Preservation Ordinance has been drafted. It would allow for improvements that provide a public benefit to be offered by a developer and considered by the City Council, in lieu of the current standard of paying money into the City's Tree Fund.

Payment into the Tree Fund typically occurs when a site is revegetated to meet or exceed the Zoning Ordinance, but the developer is unable to fit all the required replacement trees back onto the site as required by the Woodlands Preservation Ordinance due to new impervious surface area being added (e.g., parking lots and building).

It was the consensus of City Council that additional restrictions should be placed in the amendment so the Tree Fund does not become in jeopardy of being depleted in the future. They included allowing consideration of this new provision only on non-residential sites; and to provide a cap on the Tree Fund balance so that sufficient funds are available when needed to replace dead or damaged trees due to storms or disease.

The public improvement that may be considered shall be tied to an improvement documented in a recognized City plan.

This unique provision would work like a Planned Unit Development (PUD), where a proposal is offered and both sides would have to mutually agree to proceed. Thus, if the City does not like the developer's offer it does not have to accept it. This option would allow a developer to build an improvement in a City park, pave a road, or other City planned projects, provided the City Council finds the improvement constitutes a public benefit or provides a public value. It would potentially allow a proposal to be made which would address a desired public improvement where little to no allocated funds exists. Thus, it would allow City Council to consider and approve a lesser contribution from a developer to address a needed public improvement today, in lieu of receiving full payment into the Tree Fund restricted to future tree planting. The best estimation is that there are very few sites left that this would affect.

Mr. Cohen, through a PowerPoint presentation, noted six specific sites in the City that would have difficulty replacing all the required trees.

Ms. Verbeke believes the restrictions should include the clause that this option is not available to any development that abuts, is adjacent to, or near to a residential area, and a stipulation stating such is included in the proposed ordinance. She noted the six parcels represented this evening are not near residential areas, but there may be others that are.

Mr. Cohen said there may be more, but these six immediately came to mind and there may be some near residential areas.

Ms. Verbeke isn't in favor of removing trees and not replacing them with a green element.

Mr. Kittle confirmed this isn't an option just because a developer doesn't want to replace trees.

Mr. Cohen explained a developer would much rather replace trees than pay \$380 for every replacement tree that isn't planted. Planting the trees is much cheaper.

Mr. Kittle noted Auburn Hills exceeds many communities in landscaping requirements and always encourages LEED certified projects.

Ms. Verbeke noted the Tree Fund balance is high because maintenance of the trees has been taken from the general fund, when it could have been taken from the Tree Fund. The Tree Fund allows for planting and the maintenance of the trees. This proposed ordinance would have never come up, had the Tree Fund money been spent maintaining the trees; the Fund wouldn't have had such a high balance. Case in point is the recently approved \$40,000 for the Squirrel Court project.

Mr. Cohen confirmed for Mr. Burmeister there may be more than the six depicted sites, but these are potential development sites.

Mr. Burmeister asked if the ordinance is being amended for these six sites.

Mr. Auger explained this is another tool being added to the existing ordinance, which may or may not be used, but giving the opportunity for these sites to be developed.

Mayor McDaniel explained the ordinance is giving oversight to Council to make an ultimate decision of a fair trade or paying into the Tree Fund.

Mr. Auger stated that is correct. The developer will still have to put as many trees as possible back onto the site, but in some cases the total amount required may be impossible to replant. This option allows for Council to possibly request the building be LEED certified or for a developer to host a project that is of public value; a project that has been planned for in one of the City's approved plans. The option would have to be approved by Council.

Mr. Auger confirmed improving a City park could be an option; the improvement would have to be noted in one of the City's Master Plans. Stipulating the project must be from an approved Master Plan eliminates any possible improprieties.

Mr. Burmeister believes this is a unique idea, and originally supported the amendment, but he questions how much less the City is willing to accept.

Mayor McDaniel explained Council does not have to accept a project; it must be a mutual agreement.

Ms. Verbeke stated she would be in favor of the amendment if it was limited to improving parks; green for green.

Mayor McDaniel asked for clarification, he understood this amendment allows for anything that is in support of anything considered being green or a green space.

Mr. Auger specified it would be anything that Council sees as public value. It could include drainage issues, helping to carry water to the river, park improvements or an amphitheatre.

Ms. Verbeke stated the amendment does not stipulate environmental issues.

Mayor McDaniel explained any project would be approved by Council; what Council believes and feels is appropriate.

Ms. Mitchell was pleased with the additional information provided as well as the additional provisions in the ordinance. She is pleased a specific amount is to remain in the Tree Fund and asked what the current amount is in the Fund.

Mr. Cohen stated currently there is approximately \$500,000 in the Tree Fund.

Mr. Grice noted Council approved spending \$40,000 of that Fund for the Squirrel Court improvements; trees, tree wells, irrigation and planter boxes. There is also \$200,000 budgeted for 2014, in anticipation of a funding source for the amphitheater at Riverside Park for the landscaping improvements.

Mr. Cohen confirmed the developer will still go before the Planning Commission seeking a recommendation to City Council for a project.

Ms. Mitchell noted she is comfortable with the ordinance, understanding many of the projects may be green related, but some projects may not be.

Mayor McDaniel opened the public hearing at 7:43 p.m.

Larry Douglas, 3871 Brimfield, asked for confirmation that a developer can pay into the Tree Fund for those trees that aren't able to be replaced on the site. He commended Council on a job well done.

Mr. Auger confirmed that is correct, that is how the ordinance currently reads. This amendment would allow, as an example, the developer offers to build the amphitheater that is in the Approved Parks and Recreation Master Plan. It would be up to Council to decide if the developer builds the amphitheater or put the money into the Tree Fund. Continuing, Mr. Auger confirmed there is no option if the Tree Fund does not have the minimum balance of \$250,000.

Ms. DeRose, a Detroit resident, questioned the background in ecology or environment of those considering diverting money from replacing or maintaining trees to building amphitheaters or sidewalks. Replacing older, larger trees, with new smaller trees doesn't produce nearly the same amount of oxygen, nor does it replace all the good provided from those trees.

Mr. Kittle explained the City has inventoried all the trees in the City and is known as Tree City, but when a developer develops a site and can't fit any more trees on the site, money is put into a bank account. The Tree Fund could last many years, because there is no available space to plant more trees. The Fund will maintain a good balance, using the remaining funds more effectively for the health, safety and betterment of the community.

Ms. Sendegas suggested the extra funds be used in the parks; there is a need for more swings and playground equipment.

Mr. Auger noted the funds currently in the Tree Fund account are only for the tree replacement and maintenance; this amendment does not affect the money currently in the Fund. This amendment would be for projects from this point forward.

Mr. Hughes believes the Fund should be used for replacement trees and tree support or green infrastructure projects, but needs limitations on what is deemed as public improvement.

Mr. Przybylo doesn't believe the money should be spent on anything other than trees.

Mayor McDaniel closed the public hearing at 7:54 p.m.

Moved by Knight; Seconded by Kittle.

RESOLVED: To adopt an ordinance to amend Article VIII. Woodlands Preservation in Chapter 34. Environment of the Auburn Hills City Code on second reading, to be known as Ordinance No. 14-858.

VOTE: Yes: Kittle, Knight, McDaniel, Mitchell

No: Burmeister, Verbeke

Motion Carried (4-2)

Resolution No. 14.03.048

8b. Motion –Approve Revised 2014 Golf Fees

Mr. Marmion explained over the past few weeks staff has been reviewing the 2014 fee schedule in an effort to find additional cost saving opportunities for City residents. The rate structure is based on several factors: Cover the overall financial investment; annual maintenance costs; and consideration of competitive rates for a premier daily fee facility. Green fees are slightly less than direct competitors; Orchards, Sheppard's Hollow, Pine Trace, Greystone, BoulderPoint, and West Wynd.

This pricing structure and strategy has provided good results, placing Fieldstone in the top 10% in the State for annual golf rounds. The resident rates, also referred to as, Preferred Player Rates, are established at the minimum rates the golf course can charge City residents, business owners and premier customers and still maintain operational margins goal of 20%. This category produces the most rounds of golf at Fieldstone and additional discounts will affect the bottom line.

The full 20% discount for residents was not achieved; however, there are areas within the regular and resident rates where further discounts can be applied. It is important to note, that senior rates, twilight rates, spring & fall rates are discounted rates to begin; therefore, the resident discount which is applied is less. Fieldstone also offers a few promotional programs, where residents and patrons can pre-purchase golf rounds for even further discounts.

Mr. Knight noted a good job was done on the fee adjustments for the residents; however, he didn't realize the rates also apply to the people that work in the City.

Mr. Kittle believed it is the business owners who receive the discount, not all of the business employees.

Mr. Marmion explained originally there were rates established for residents, which have always reflected the minimum amount of capture. As part of the marketing program a preferred players program data base was built, allowing email campaigns and taking care of those who patronize the facility the most. Those players receive the same rate as the residents and the business owners, which have grown to approximately 10,000 players, generating much of the revenue. It is very difficult having two price structures, but it is appreciated by players.

Mr. Kittle noted it is the residents and business owners who have helped subsidize the golf course for approximately \$1.5 million per year. He asked who the premier customers are.

Mr. Marmion explained anyone can sign up to become a premier customer.

Mayor McDaniel asked if there is a different rate for premier customers and residents.

Mr. Marmion stated it is the same rate; it wouldn't be possible to have three rate structures. The preferred rate structure includes the residents, and is about 45% of the players and the other 55% are non-preferred, using the regular rate structure.

Mr. Kittle didn't understand some of the abbreviations, such as WE DIS 2, with no legend on the fee review.

Mr. Marmion explained the WE stands for weekend (18 holes with a cart), DIS is discount, 2 refers to the second time frame discount. The standard fee on the weekend is \$65.00, at 11:00 a.m. it drops to \$58.00 and at 2:00 p.m. the rate drops another \$10.00, to \$45.00 and the twilight fee is \$26.00.

Mayor McDaniel was surprised there isn't a special rate for residents and asked if it is possible to give a better rate to a resident, an incentive for the residents to play at Fieldstone.

Mr. Marmion explained the golf club is becoming comfortable with the clientele base, and restructuring of the rates has been discussed, including charging for the preferred player's card, which will better benefit residents.

Mayor McDaniel asked if the data base shows how many residents are playing the course.

Mr. Marmion stated it does, but he doesn't know the number off the top of his head.

Mayor McDaniel wants the fees for residents looked at more closely for next year, realizing the 2014 fees must be posted soon.

Mr. Kittle suggested possibly forming a golf course marketing committee to hear different ideas and perspectives.

Ms. Mitchell agreed there should be special rates for the residents, and is satisfied that it be looked at for next year.

Moved by Kittle; Seconded by Knight.

RESOLVED: To approve the revised 2014 Fee Schedule for Fieldstone Golf Club of Auburn Hills.

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

No: None

Motion Carried (6-0)

Resolution No. 14.03.049

8c. Report – 2014 Parks & Recreation Fees

Mr. Marzolf explained Parks & Recreation is not looking to change any of the fees. The fees have always been designed to be affordable for the residents; the staff has received no complaints from residents regarding the rates in recent years. It's important to note the Parks & Recreation Department provides a scholarship program designed to meet the needs of those residents who cannot afford the fees for a recreation program.

Parks and Recreation is attracting residents with very affordable programming, as well as attracting non-residents with fees that are competitive with the neighboring communities. These non-resident fees significantly help with the overall annual revenue; therefore, no changes are recommended.

Continuing, Mr. Marzolf noted the three most popular programs are open swim, t-ball, and teen fitness.

Mr. Kittle asked where the open swim takes place.

Mr. Marzolf explained the residents swim at the Avondale High School pool. Avondale submits a quarterly invoice for the number of residents who have swam at the school. There are over 400 residents who swim on a regular basis. The non-residents pay \$4.00 to swim and the residents pay nothing, the City picks up that tab.

Mr. Auger stated the annual cost for swimming is between \$7,000 and \$10,000.

Responding to Mr. Kittle, Mr. Marzolf explained staff reviews the spread sheet that is submitted with the invoice detailing the name of the person swimming; that list is checked against the list of current Community Center card holders. The 400 swimmers are unique numbers.

Ms. Verbeke verified when she has been at the pool it is very, very crowded.

Mr. Kittle asked how much it costs to swim at the YMCA.

Mr. Marzolf isn't sure of the cost, but believed a membership was needed or a daily pass could be purchased.

Mr. Kittle asked the strategy of 100% subsidizing t-ball and teen fitness for residents.

Mr. Marzolf explained historically there haven't been any charges for residents of these popular programs. As noted, 90% of the fees are at a 20% or higher discount for residents.

Ms. Mitchell appreciates the Recreation Department and has taken advantage of some of the programs. She asked how many residents take advantage of the scholarship program and how it is advertised.

Mr. Marzolf stated there are generally a few scholarships each season. The availability of the scholarship is advertised in the City newsletter and on the web site. The scholarship is based on the honor system; if someone asks about it, there is some discussion and then granted.

Mr. Marzolf confirmed, if reserved in advance, all the park pavilions are free to residents, as well as local companies.

Ms. Verbeke applauded the summer camp her children attend, noting the \$110 fee.

Mr. Marzolf explained the fee is for the six-week session. Regarding the seniors, they swim at the Hilton, who charges a fee to swim.

Mr. Knight suggested a 55+ softball program be started.

Mr. Kittle requested the grand total spent on programs be broke down by what is spent on each program.

Received and filed.

9. NEW BUSINESS

9a. Public Hearing/Motion – Request to Approve Industrial Facilities Tax Exemption Certificate for Atlas Copco Assembly Systems LLC for New Real and Personal Property

Mr. Lohmeier explained an application for an Industrial Facilities Exception Certificate (IFEC) has been received for real property and personal property at 3301 Cross Creek Parkway, Auburn Hills; a 14.63 acre site. The request was submitted on January 31, 2014, with no personal property purchased or installed. Construction began for the real estate on November 20, 2013, which is within six (6) months of it filing an application. Atlas Copco is seeking forgiveness from the City's policy of beginning construction prior to filing its application.

The real property will cost \$12,000,000 (excluding land) and the personal property will cost \$1,298,650 for a total project investment of \$13,298,650. The real property consists of a new 120,000 square foot hi-tech industrial building, used for manufacturing and assembly of engineered to order fastening systems. The personal property consists of a variety of furniture and equipment.

This project will result in 0 jobs being retained and 30 new jobs. Jobs will be transferred from the existing location at 2998 Dutton Road, a building half the size of this new facility and of which the lease is expiring.

Atlas Copco has signed an 11 year lease and is seeking an eight year abatement. If this abatement is granted, the potential property tax savings for the applicant over the term of the abatement is approximately \$1,215,000; while the loss in City tax revenue would be approximately \$271,000. Atlas Copco does not have any existing real or personal property abatements in the City; and staff has no knowledge of any pending tax appeals for this property or this applicant.

Mr. Kittle noted the Dutton Road location has 165 employees; however the memo indicates that zero jobs will be retained. He asked for clarification.

Mr. Lohmeier explained the application asks how many jobs will be retained at this facility and because it was a vacant site and will be a brand new facility, there currently are no employees working at this site.

Mr. Lohmeier introduced Dennis McCarthy, Business Controller and Richard Barr, Legal Counsel.

Responding to Mr. Knight, Mr. Barr stated Atlas Copco has been in Auburn Hills since 2004.

Ms. Verbeke asked why construction began prior to submitting an application.

Mr. Barr explained the application delay was due to the current landlord on Dutton Road having a tax appeal, which has since been resolved. It was assumed that filing for an IFEC with that tax appeal could create problems. Working with City staff, the appeal was able to get resolved approximately three weeks ago.

Mr. Knight asked if that should have prevented the company from moving forward, because it wasn't their tax appeal.

Mr. Lohmeier stated it shouldn't have had an impact on Atlas Copco, but they wanted the issue resolved prior to filing their application.

Mr. Barr thanked the City for enjoying the last 10 years in the City and hopes to have at least another enjoyable 11 years.

Mr. Knight asked for a little history behind this expansion.

Mr. Barr explained Atlas Copco is about 140 years old and is based in Stockholm, Sweden, with 140,000 employees throughout the world. This division is for industrial tools, making equipment for Ford and Chrysler to build cars. Over the last three years, there has been 100% to 110% growth; business has been very good and they need a larger facility. There is also a Novi company that was purchased and will be moving into this new facility.

Mayor McDaniel opened the public hearing at 8:22 p.m. Hearing no comments he closed the public hearing at 8:23 p.m.

Moved by Knight; Seconded by Burmeister.

RESOLVED: To approve the request for the request for an 8-year IFEC pertaining to new real property and personal property for Atlas Copco Assembly Systems LLC with a real property investment of \$12,000,000 and personal property investment of \$1,298,650 for a combined total investment of \$13,298,650 by adopting the attached resolution.

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

No: None

Motion Carried (6-0)

Resolution No. 14.03.050

9b. Motion – Approve Purchase of Emergency Medical and Fire Dispatch Software and Training

Lt. Gagnon explained this item was approved for the 2014 budget for \$95,000. This bid had gone out a second time, after realizing there was more than one company that provided this service. Three companies were asked to submit bids, two companies, Priority Dispatch and APCO (Association of Public Communication Officials), submitted bids, the third company, Power Phone, could not meet the City's specifications. Both APCO and Power Phone are training companies and offer a component of software for medical emergency dispatching.

The Fire Department responds to approximately 3,000 calls per year, with about 1,800 medical emergencies, and 25 structure fires, both residential and commercial.

Lt. Gagnon explained there are three types of emergency dispatch systems: Guidecards, which are flip charts with tabs to quickly flip to the section that applies to the caller's needs and notes what steps the dispatcher should take for that particular situation. Next are Spreadsheets, homemade, with information copied from the flip charts and onto an Excel spreadsheet and used in the same manor. The third is software integrated into Computer Aided Dispatching (CAD). When calling 911 the address automatically appears, and simultaneously the information being asked by the dispatcher is fed into the computer aided dispatching computer; the two computers talk with each other. This is the quickest and most efficient for the dispatcher to assess the needs and put the necessary response into motion.

The advantages of Priority Dispatch's ProQA software are:

- Establishes a standard of service (Protocol Based) – providing the best constant and consistent service all of the time. Both the seasoned as well as the less experienced dispatcher will be asking the same questions and making the same determination; the system requires step-by-step, with no step being skipped or ignored. The APCO program requires the Department to complete a template, on which steps can be skipped and it is not protocol based.
- Enables prioritized responses (Determinant Codes) – the system codes medical calls from an Alpha through an Echo call, with Echo being the most severe cases. Echo calls and Delta calls are responded to with lights and sirens. This enables the Department to determine how to respond to the various Determinant Codes. An Alpha call is not necessarily a true emergency, so emergency vehicles would not use lights and sirens and would stop at stop signs and traffic signals, thus presenting less risk to the public. APCO does not provide any determinant code.
- Enables quality assurance/improvement of services – Priority Dispatch will be there to make sure the system is being followed accurately, with periodic reviews.
- Liability risk reduction (Protocol Based) – providing the program is followed properly, Priority Dispatch will support the Department in the event of any litigation. APCO is a training company; the Department builds the program so if anything goes wrong there is no support from APCO.
- Accurate, consistent and concise information to first responders
- Certification & Accreditation – a grading system for the Department, making sure all dispatchers are meeting certification and the proper protocols are being followed.
- On-site training of all communications staff – the company is based out of Salt Lake City, Utah, and will come to the City to train the staff. The trainers are required to have five years of medical experience; doctor, nurse or paramedic and five years of dispatch service. APCO is on-line, train the trainer program. The Department would have one dispatcher and one firefighter take the two, six week program and in turn, they would teach the staff.
- Project management & on-site installation – will be at the station, making sure of proper installation. APCO's software must be integrated with the CAD system, and the cost is unknown. This would be the responsibility of the Department's; and the program has never been installed on a system with CLEMIS.

Mayor McDaniel asked if the training is ongoing.

Lt. Gagnon explained the initial training for medical dispatch is 24 hours; and fire is an additional 24 hours. After the first 12 months, 24 hours of training is required each year. Priority Dispatch offers a monthly publication, with the purchase of their system, representing one hour of training, so there is 12 hours of training built into this system. Additional training isn't necessarily through Priority Dispatch; however, additional training is a State mandate.

APCO International "911 Advisor" software review:

- Software provides a basic template (agency completes the instructions & pre-arrival instructions)
- Train the trainer program conducted on-line (two, six week programs)
- Unknown additional costs associated with the integration of software with CAD
- This software is not in use currently with CLEMIS or any other Michigan 911 center
- Quality assurance/improvement program is a guide and not protocol based
- Call takers are not required to follow protocols and can skip questions/instructions
- No determinant codes provided to determine level of response

Two examples of how the system works when calls come in to the dispatcher were presented through the PowerPoint presentation.

Lt. Gagnon noted Priority Dispatch offers services to more than 3,000 agencies world-wide and have processed over 67 million calls. More calls are processed with Priority Dispatch software in one week than APCO does in a year.

The emergency medical dispatch program has been established since 1987; physicians designed and built this program. This program is approved by Oakland County Medical Control; STAR EMS and Oakland County Dispatch use Priority Dispatch. This is the only product Oakland County Medical Control will endorse, because it is protocol based and has been very successful.

Priority Dispatch provides instant software updates using evidence based approaches as medical procedures change.

Over 40 agencies in Michigan use Priority Dispatch; APCO was not able to supply any references from Michigan.

Currently when a medical emergency calls comes in to the Department it is transferred to a third party EMS company, creating a delay in response time.

Lt. Gagnon stated the price for Priority Dispatch will not exceed \$81,000. Most of the costs quoted are fixed, the installation/implementation cost is an estimate; the exact costs will depend on programming time.

Mr. Knight asked how quickly a first responder is en route.

Lt. Gagnon explained as the information is being put into the computer by the dispatcher through the series of questions being asked, there is a flag that will flash on the software noting what type of response is necessary, another dispatcher who is operating the radio would send the appropriate responders.

The Priority Dispatch program provides real time, live updates to the department, there is not third party involved.

Responding to Mr. Knight, Lt. Gagnon explained there is a dispatcher who is the call taker and another that operates the radio; there is never only one person in the communications center. The call taker will give instructions to the caller and the information is automatically transferred to the radio operator's computer screen so the proper units are being sent.

Mr. Knight stated the dispatch is for Police, Fire and EMS.

Deputy Director/Police Hardesty explained originally \$95,000 was requested which included the police dispatching software; however, Oakland County has been using the police dispatch software for approximately a year, and it has not integrated quite as well as fire and medical. At this time Auburn Hills will not be pursuing the police dispatching software, letting Oakland County continue working out the bugs.

Mr. Knight asked how the dispatching for police is handled.

Deputy Director/Police Hardesty explained because of the small department size, it is easier to monitor and understand the response.

Mr. Burmeister asked how the information is relayed.

Lt. Gagnon explained patient condition changes would be relayed over the radio, and the CAD card would be updated.

Mr. Kittle commended Lt. Gagnon for the thoroughness of the presentation defending a purchase.

In response to Mr. Kittle, Lt. Gagnon noted it takes approximately 90 seconds to 2 minutes to process a call in the system for the average 911 call. There is no pre-notification for responders prior to getting the patient's chief medical complaint. We don't want to over respond if it isn't necessary. A determination will be made of exactly what is needed and what will be sent; the determinate code will establish policies on how to respond. The call taker and radio operator sit in the same area, so the radio operator could hear key words from the call taker that would have them send responders immediately, such as 'robbery'.

Deputy Director/Police Hardesty explained the questions may sound robotic, but the process helps to get the correct information quickly. Many 911 callers are not as calm as depicted in the earlier call demonstration and all the questions asked help to evaluate the situation to send the appropriate responders. In some instances the dispatcher will not let the caller hang up; in more serious situations the caller remains on the line until emergency personnel arrive on the scene.

Mr. Kittle asked why \$81,000 is being requested, when the cost as noted in the memo is \$76,000.

Deputy Director/Police Hardesty explained there are two parts to the installation, and it is not known how much programmer time may be involved with integrating the system with the City's.

Ms. Verbeke noted she had witnessed an accident at Opdyke Road and Walton Boulevard and called 911, but ended up speaking with Oakland County dispatch; she asked if this program would correct where that call was routed.

Deputy Director/Police Hardesty explained that incident has to do with cellular towers. This program has nothing to do with cellular towers; the City reports those situations to the cell tower companies, but has no control. The FCC regulates how many times those calls go to the correct tower and do spot checks.

Mr. Burmeister asked if this program has a turn-around time of one and a half minutes, then what is the current turn-out time.

Lt. Gagnon stated one and a half minutes is the processing time from the caller to the determinate code.

Deputy Director/Fire Manning explained currently there is a one-minute turn out time, which will not change.

This is client based software; a server on site communicates with Oakland County's system, CLEMIS system with CAD, noted by Lt. Gagnon.

Mayor McDaniel stated two items stood out; the on-site training and not being a template based program.

Council was in agreement on how well and informative the presentation was.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To approve the purchase of Emergency Medical and Fire Dispatching Software from Priority Dispatch and authorize the City Manager to convey acceptance by purchase order in the amount not to exceed \$81,000.00.

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

Motion Carried (6-0)

Resolution No. 14.03.051

9c. Motion – Approve the Renewal of Liquor Licenses

Deputy Director/Police Hardesty explained this is the time when City Council reviews all On-Premises Liquor Licenses for renewal. If the City wishes to object to the renewal of a license, the Michigan Liquor Control Commission (MLCC) must receive the written objection at least 30 days prior to the expiration date of April 30, 2014.

Pursuant to the ordinance, license holders pay a renewal fee to the City and are inspected by the Police, Fire, and Building Departments. The Fire Department found some violations in establishments and is working with the businesses to correct the issues. The Building Department also found some minor violations and they too are working with the businesses to correct these violations. Both Departments recommend approval for all establishments.

In 2013, the Police Department conducted two under age sting operations, resulting in two Class C establishments furnishing alcohol to a minor. As part of the follow-up process, these establishments were referred to the TIPS program (Training for Intervention Procedures), which educates bartenders and wait staff on how to recognize intoxicated individuals and what actions they are to take if they are confronted with intoxicated persons on their premises. One of the establishments accepted the training and the other stated they would use their in-house training.

As of this evening all but four establishments have met all ordinance requirements for renewals. There are four businesses that have either/or outstanding water/sewer bills, taxes, or have not paid their renewal fees. For those businesses a public hearing should be set for the next Council meeting to determine if non-renewal of licenses should be recommended to the MLCC.

Mr. Knight was pleased to see there are fewer violations at these businesses, and thanked the Police Department for their constant efforts.

Responding to Ms. Verbeke, Deputy Director/Police Hardesty stated American Legion was contacted and they will be in tomorrow (Tuesday), to pay their \$60 water bill.

Mayor McDaniel noted a \$7,000 water bill for one of the businesses and asked if that was for the entire year.

Ms. Buschmohle explained March 30, 2013 there was a zero balance and a \$1,500 payment was made November 2013; that was the last payment.

Mayor McDaniel asked if any of the businesses have been in contact with the City, other than the American Legion.

Ms. Buschmohle stated Elwell's taxes are paid, but their water is outstanding; neither Toby Keith's nor Duffy's has been in to pay.

Mr. Kittle asked if water and sewer isn't paid for a year if there is any interest or penalties.

Ms. Buschmohle stated there is a penalty charge of 10% of the current bill every month that it is left unpaid. If any amount is outstanding as of May 1st, and still unpaid on August 1st, it would be transferred to the property taxes.

Moved by Verbeke; Seconded by Knight.

RESOLVED: To approve the annual liquor licenses of those establishments that have met the licensing requirements of the City; and that a public hearing be scheduled for Monday, March 17, 2014 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments who have not met the City's requirements.

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

Motion Carried (6-0)

Resolution No. 14.03.052

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Verbeke:

- Asked when the ordinance for oil drilling would be ready for Council review.
Mr. Auger stated it should be ready for one of the April meetings.
- Questioned if the leaking fuel from RGIS had reached the Galloway Creek.
Director Olko stated MDEQ was on site as well as others helping with the cleanup; no there was no leakage into Galloway Creek.
- Mentioned there is another Age Friendly Community meeting being held at the Auburn Hills Christian Church on Walton Boulevard at 6:30 p.m., tomorrow, Tuesday, March 4, 2014.

- Asked if there is anything that can be done with the holes in Joslyn Road, recognizing it is a County road, if just a sign alerting drivers of the pot holes.

Mr. Auger and staff will continue to be in contact with the Road Commission, but the Road Commission has been very busy.

Mr. Knight asked if it wouldn't be possible for the County to pay the City to fix Joslyn Road.

Mr. Auger stated the County doesn't have the funds to hire the City; however, the City will repair roads in an emergency situation.

Mr. Burmeister:

- Asked if the home invasion suspect had been caught.
Director Olko stated one has been caught and it is believed there may be another
- Noted how bad Squirrel Road is north of Tienken Road, it is a buck-board.

Ms. Verbeke:

- Asked about the cable channel and Ms. Sendegas' comments. She also asked for better programming.

Mr. Tanghe explained a module replacement has been ordered for the microphones, noting the sound board is quite old and will need replacing. Other communities have dedicated staff for producing community cable shows, along with a hefty budget.

Mayor McDaniel noted at the very least the sound and video portions of the Council meetings should be fixed and addressed as soon as possible.

Ms. Mitchell:

- Was very pleased with the format of the first Age Friendly workshop, it was a great start.
- Thanked Code Enforcement for addressing some of the issues she brought to their attention. She is receiving good feedback on them.
- She realizes it isn't easy to maintain the roads with all the pot holes, but thanked DPW for the extra effort.
- Mentioned the Louise Saks Parliamentarian Unit will be having a session on how to run effective meetings, including Robert's Rules of Order and efficient practices on April 5th from 8:30 a.m. until 12:30 p.m. at the Oakland County Executive building; registration is available on their web site.
- Stated Council meetings are available on the website, and are very audible.

Mr. Knight:

- Noted there will be an Avondale Youth Assistance ceremony honoring about 80 young people, at 6:30 p.m., Thursday, March 13, 2014 at the Upper Elementary School and invited Council to attend.
- Suggested increasing Board and Commission compensation by \$5.00; it has been a number of years since remunerations have been reviewed.
- Is frustrated with comments and questions from residents regarding the oil drilling issue. He doesn't believe the City has gone on record stating the City's plan of action. There should be a statement noting #1. There are no requests for permits at this time. #2. The City is holding off a moratorium until one is needed. #3. The City is against fracking. He doesn't believe the residents understand the City is working on the issue and has it under control at this point
- Mayor McDaniel noted fracking will not be allowed in Auburn Hills; the company who may pull a permit for oil drilling stated they will not be fracking. Staff has heard the concerns of Council and Council has heard the concerns of the residents. The process of an ordinance must be done methodically; a draft to the Planning Commission, Planning Commission's recommendation to Council; a first reading by Council; a public hearing and then adoption. An ordinance is currently being drafted and will soon be ready for Council review; however, the draft ordinance will be ready only after all due diligence has been carefully completed.

Mr. Knight understands the issue is under control, however, only the people that have complained have gotten a response from Council. There is concern if the City is doing anything, while waiting for an ordinance. Just a brief paragraph noting: yes the City is working on an ordinance; no the City has made no commitments for public land; a moratorium has been drafted, in the event it is needed.

Mayor McDaniel stated all those things have been discussed in a public setting; but there must be patience to allow the process to proceed. The Council and staff have been very proactive working on an ordinance and keeping residents informed of the status and the process.

Mr. Kittle noted with Mr. Nash wishing to speak about fracking, there isn't the need, because fracking won't be allowed in Auburn Hills.

Mr. Kittle:

- Asked if there was any additional information available regarding the car purchases approved at the last Council meeting.
Mr. Auger stated Mr. Melchert will be in touch.
- Suggested including a small table or paragraph reflecting the tax revenue the City would receive today; what the tax revenue the City will received under the new terms of the abatement; and the savings to the company - making the information more comprehensible.

Mayor McDaniel:

- There are large holes at Squirrel and Auburn Roads.
- Regarding the American Legion, yes, the City will supply the hot dogs for the Memorial Day Parade Picnic.

11. CITY ATTORNEY'S REPORT - none

12. CITY MANAGER'S REPORT

- There are many road project planned for the next three years, as indicated on his blog. Many road projects have been deferred to allow for state and federal funding; in 2014 there will be road work done costing approximately \$16 million, with \$9 million being the City's responsibility, and the remaining funding coming from federal and state funds. Other planned projects include North Squirrel Road, Joslyn Road, University Drive from the University to Opdyke; Opdyke Road, a county road, will be done during that same time. There will be some temporary fixing done to those roads scheduled to be replaced.

13. ADJOURNMENT

The meeting adjourned at 9:33 pm.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk

**CITY OF AUBURN HILLS
RESOLUTION 14.03.050
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR ATLAS COPCO ASSEMBLY SYSTEMS LLC**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **3rd day of March, 2014**.

The following resolution was offered by Council Member Knight and supported by Council Member Burmeister:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **15th day of September, 1986**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Schostak-Comerica Industrial Development District; and**

WHEREAS, **Atlas Copco Assembly Systems LLC** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real and personal property** within the **Schostak-Comerica Industrial Development District; and**

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **3rd day of March, 2014** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before **31st day of January, 2014**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the **real and personal property** is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, **shall not** have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.

2. The application from **Atlas Copco Assembly Systems LLC** for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **Schostak-Comerica Industrial Development District**; to wit;

The real property parcel the facility is located on is identified as tax parcel 02-14-24-100-002, having an address along 3301 Cross Creek Parkway, Auburn Hills, MI 48326, including:

Legal Description: T3N, R10E, SEC 13 & 24 PART OF W 1/2 OF SEC 13 & PART OF NW 1/4 OF SEC 24 BEG AT PT DIST N 87-07-26 E 2660.21 FT & S 01-01-44 W 150.33 FT & N 62-15-07 W 240.61 FT & S 70-20-53 W 403.56 FT FROM NE COR OF SEC 23, TH S 33-52-03 W 420.88 FT, TH S 33-41-03 W 376.97 FT, TH S 81-17-58 W 417.02 FT, TH N 08-42-02 W 222.82 FT, TH N 00-44-20 W 175.70 FT, TH N 40-32-10 W 173.22 FT, TH ALG CURVE TO RIGHT, RAD 240 FT, CHORD BEARS N 45-51-10 E 30.54 FT, DIST OF 30.56 FT, TH N 49-30-00 E 92.82 FT, TH ALG CURVE TO LEFT, RAD 252.03 FT, CHORD BEARS N 18-13-08 E 261.73 FT, DIST OF 275.20 FT, TH ALG CURVE TO RIGHT, RAD 799.12 FT, CHORD BEARS N 67-00-19 E 83.80 FT, DIST OF 83.84 FT, TH N 64-00-00 E 478.63 FT, TH S 26-00-00 E 232.25 FT, TH S 53-11-27 E 275.94 FT TO BEG 14.63 A 12-12-13 FR 14-23-200-010

is hereby approved for **real property and personal property improvements**.

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **eight (8) years**, and the starting date for the certificate is **December 31, 2014** and the ending date is **December 30, 2022**.

4. The total project investment approved is **\$13,298,650**.

5. Atlas Copco Assembly Systems LLC agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **two years** after the date of the certificate's expiration.

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

NAYS: None

ABSENT: Council Member Hammond

ABSTENTIONS: None

RESOLUTION 14.03.050 ADOPTED (6-0)

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the **3rd day of March, 2014.**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on **this 5th day of March, 2014.**

Terri Kowal, City Clerk