



# The City of Auburn Hills

## City Council Meeting

### Minutes

October 1, 2012

**CALL TO ORDER:** by Mayor McDonald at 7:00 p.m.  
**LOCATION:** City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326  
**Present:** Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke  
**Also Present:** City Manager Auger, Assistant City Manager Tanghe, Deputy Director Hardesty, City Clerk Kowal, City Treasurer Buschmohle, DPW Director Melcher, Community Development Director Cohen, Fieldstone Manager Marmion, Library Director McCoy, City Attorney Beckerleg, City Engineers Katers and Taryn Juidici.  
8 Guests

#### 4. APPROVAL OF MINUTES

4a. City Council Meeting – August 20, 2012

**Moved by Hammond; Seconded by Verbeke.**

**RESOLVED: To approve the minutes of September 10, 2012 as submitted.**

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

**No: None**

**Motion carried (7-0)**

#### **RESOLUTION NO. 12.10.153**

4b. City Council Meeting – September 17, 2012

**Moved by Doyle, Seconded by Kittle.**

**RESOLVED: To approve the minutes of September 10, 2012 as submitted.**

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

**No: None**

**Motion carried (7-0)**

#### **RESOLUTION NO. 12.10.154**

#### 5. APPOINTMENTS & PRESENTATIONS

5a. Motion – Appoint Karen Lewis to the Beautification Advisory Committee for a term to expire 12-31-13

Mayor McDonald stated Ms. Lewis attended the Citizens Police and Fire Academy in the past and has recently moved to Dexter Road and would like to be involved with keeping the City beautiful.

Ms. Lewis explained she has been an Auburn Hills resident for 13 years and is looking forward to making Auburn Hills beautiful.

Responding to Ms. Doyle, Ms. Lewis explained she is interested in seeing how others maintain gardens and take some of those ideas for her gardening.

**Moved by McDaniel; Seconded by Knight.**

**RESOLVED: To appoint Karen Lewis to the Beautification Advisory Committee for a term to expire 12-31-13.**

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

**No: None**

**Motion carried (7-0)**

#### **RESOLUTION NO. 12.10.155**

5b. Motion – Appoint Celeste Yoskovich to the Beautification Advisory Committee for term to expire 12-31-14

Ms. Yoskovich stated she has been an Auburn Hills resident for 25 years. She is an avid gardener and has won the Beautification Award three different times. Besides her love of gardening she recycles, reduces and reuses as well as commutes to work on her bicycle. She would like to promote the City and keep it more beautiful.

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

**RESOLVED: To appoint Celeste Yoskovich to the Beautification Advisory Committee for a term to expire 12-31-14.**

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

**No: None**

**Motion carried (7-0)**

#### **RESOLUTION NO. 12.10.156**

Mr. Knight noted Beautification Board Member Brocklebank relayed the rave reviews and compliments the City received from attendees of the quarterly meeting of Beautification Council of Southeastern Michigan (BCSEM). There were approximately 80 people who attended the meeting.

5c. Presentation – Complete Streets

Mr. Cohen explained the Planning Commission has been looking at adopting a policy that would have the City look at all modes of transportation when roadway projects are being considered.

Ms. Katers explained Ms. Juidici is part of the Traffic Division at OHM and is very knowledgeable about Complete Streets; she has worked with many communities in adopting Complete Street policies. Continuing, Ms. Katers noted she has been working with the City for 13 years and she now spends more time behind the scenes but is up-to-date on Auburn Hills. This presentation will show what Auburn Hills has been doing and what is needed to take it a step further. Auburn Hills has been doing a good job with incorporating the different components of this concept already in City projects. This is a follow-up to the Juidici's meeting with the Planning Commission back in January and how to proceed.

Continuing, Ms. Katers began a Power Point presentation noting there are many areas that have problems allowing all users to have freedom of movement. Many times there hasn't been much thought put into the placement of utilities or the lack of pedestrian facilities along the side of a road in Auburn Hills.

Ms. Juidici explained the main principle behind Complete Streets is having the roads do more than just move cars. Roads are used by pedestrians and bicyclists, as well as emergency vehicles, delivery trucks and transit. A Complete Street is designed to accommodate all the anticipated users for a particular road. It doesn't, however, mean that every street has a bike lane, but does accommodate bicyclists in some way. The Complete Streets concept is based on the shift of demographics; one segment is the aging baby boomer that would prefer to walk to destinations as opposed to always driving and the other demographic is the generation that is now entering the work force and is looking for more core, urban living. Many people are looking to live more healthy active lifestyles, which urban living supports as well as accessible transportation.

Complete Streets is not a new concept or very unique. It falls under the umbrella of Mobility and Safety in traffic engineering. The implementation of traffic calming was the first time road designs were looked at closely. How roads impact other things, not just cars; and characteristics that could be done with a roadway to slow traffic down and make roads safe for pedestrians and other road users are now being considered. Traffic calming evolved into Context Sensitive Solutions and now the newest buzz is Green Roads, which includes sustainable design principles.

Principles of Complete Streets –

- Context is key; a roadway should fit with a community's goals. Context should also extend beyond the road right-of-way; adjacent development actually determines who will be using that particular road.
- Auburn Hills is very good at keeping the stakeholders involved and often participating; a key principle of Complete Streets.

Major characteristics of a Complete Streets -

- First and foremost **most** complete streets have accommodations for non-motorist transportation. It could be in the form of extra wide sidewalks in downtown areas, or a non-motorized trail, maybe a non-motorized trail that isn't within the right of way, but allows for reaching point A from point B.
- Accommodates pedestrians with possibly a shorter cross-walk, a different colored pavement, high intensity pavement markings to improve the safety of a crosswalk, ADA compliant (using the truncated domes at the crossings).
- Bicycle accommodations are often included in complete streets, both on road and off road paths, a designated bike lane, or a Bicycle Sharrow, which indicates to the bicyclist where to ride in the lane and of upcoming conditions.
- Incorporating transit is often forgotten about for Complete Streets. It isn't only a subway system, regional bus service or light rail, but also school buses. The location of transit stops is going to be important as well as the possibility of an increased sidewalk width where children congregate waiting for that bus.

A rode diet is when a road was designed to carry a larger number of vehicles, than the number of vehicles that actually travel on it. An example would be a seven lane road that could easily accommodate traffic for only a five lane road. Those extra two lanes could potentially be used for on-street parking, biking lanes, or increase the width of sidewalks.

Responding to Mr. Knight, Ms. Juidici stated lane width should not be reduced, nor should there be extra wide lanes.

Ms. Juidici continued stating Complete Streets is using best practices in transportation engineering, which is something that is always looked at when doing street projects.

Complete Streets is really Complete Network to accommodate vehicle, bicycles, pedestrians, and transit; however, not all streets need to accommodate everything. A community may have streets that are geared more to vehicular traffic, some streets more towards bicyclists and some accommodating both, which allow for the Complete Networking.

Ms. Katers explained Public Act 51 was revised, with MDOT taking 1% for non-motorized facilities and putting away a pot of money for which communities can apply as the Transportation Enhancement Grants; which Auburn Hills has done in the past. A point system is in place in order to receive these funds; points can be achieved by Council establishing a resolution or ordinance for Complete Streets. Roads owned by MDOT or RCOC that are within a community must now sit down with that community and discuss the needs of the community corridors when improvements are being done. An example is the M-24 job being done by MDOT; non-motorized facilities are being looked at for that portion from Harmon Road to Brown/Dutton Roads. MDOT has adopted the policy of Complete Streets at the State level. Auburn Hills currently has many of the building blocks in place; the pathway master plan, the recreation master plan, thoroughfare master plan, and a pavement maintenance program. Separately this doesn't fulfill the Complete Streets requirements, but together and developed into one policy Auburn Hills is much closer than many other communities.

Ms. Katers explained the extra 1% is additional to the grant funds that have been available.

Mr. Auger explained the 1% is taken from the State gas taxes.

Ms. Juidici noted there are many communities in the area that have either a resolution or an ordinance currently in place for being a Complete Streets community. Also, it is her understanding that the state of Michigan is number one in the country for having the most communities adopting a resolution or ordinance as a Complete Streets community.

Ms. Doyle questioned if Auburn Hills is behind in adopting a policy or ordinance, since Michigan is number one.

Ms. Katers explained MDOT has asked that all communities in the State adopt a policy or ordinance by the end of 2013; and Auburn Hills falls in the middle.

Mr. Cohen suggested moving slowly, with first adopting a resolution of intents and then Planning Commission, Community Development, DPS, Staff and OHM move forward with writing a policy, followed by an ordinance if needed.

Responding to Ms. Doyle, Mr. Auger explained the article regarding quad-skis that are being built in Auburn Hills are an off-road vehicle generally, but can be licensed like a car.

Mr. Auger stated the Planning Commission is looking for direction from Council. The first step would be for Council to make a resolution for the Planning Commission to move forward composing a policy. An ordinance will take much longer and be much more involved.

Mr. Kittle asked how the recent Shimmons Road project stacks up to the Complete Streets standards.

Ms. Katers noted there were no pedestrian facilities along the entire corridor; though it isn't bicycle centered it is balanced to serve motorists, pedestrians and bicyclists.

Ms. Juidici noted there is a parallel corridor to Shimmons Road, the Galloway Path runs between Bald Mountain and Squirrel Roads.

Ms. Katers noted the Galloway Path has a dual purpose, it runs along the sanitary sewer line which allows access in the event any repairs are needed to the line.

Ms. Doyle suggested a sign be erected; most people wouldn't know there is a path. She also noted visiting the west side of the State, there is signage indicating back roads where bicyclists ride.

Mayor McDonald noted Council is in support of the Complete Street policy and asked Mr. Cohen to proceed with creating a policy, noting.

## **6. PUBLIC COMMENT – none.**

## **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. Retiree Health Care – August 15, 2012

7a.2. Pension – August 15, 2012

Mr. Knight asked if Dodge & Cox is the management company as mentioned in the Retiree Health Care minutes.

Mayor McDonald stated yes.

Mr. Kittle asked if both the Retiree Health Care and the Pension plan were switching to the new managers.

Ms. Hammond stated a percentage of funds from each fund are being placed with this new manager.

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

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

**VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke**  
**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.10.157**

**8. OLD BUSINESS - none**

**9. NEW BUSINESS**

9a. Motion – Approve 2013 Fee Schedule

Mr. Knight has discussed with the City Manager and City attorney the delinquent account fees, that the City must be consistent regardless of the delinquent amount.

Mr. Kittle noted he attended a Government Finance Officers Association, cost allocation model regarding fees, and is to make sure the community is capturing the true cost, including all overhead fees. The fees that transfer back into the general fund from the unilateral overhead funds should be revisited from a formula standpoint every other year. He doesn't recall if that has ever been done.

Ms. Doyle has a concern with the \$35.00 charge regardless of the delinquent amount and believes there should be a tiered system as in other fees.

Mr. Auger explained the time and process is the same regardless of the delinquent amount.

Ms. Doyle doesn't believe it is fair to charge the same amount and the matter should be looked at further.

**Moved by Kittle; Seconded by Hammond.**

**RESOLVED: To approve the 2013 Fee Schedule as presented.**

**VOTE: Yes: Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke**  
**No: Doyle**

**Motion carried (6-1)**

**RESOLUTION NO. 12.10.158**

9b. Motion – Replacement of Weapons for Police Staff

Deputy Director Hardesty explained the 2012 budget included \$5800 to replace the night sights on 50 handguns as they have exceeded their useful lifespan of ten years; however, it was learned new Glock handguns could be purchased for a minimal price difference. The new Glock Generation IV model 22 & 23 handguns have an interchangeable back-strap that allows the individual user to adjust the grip for the size of their hand, increasing accuracy of the shooter. This option is not available on our current handguns. No change would be required in holsters, duty gear, or training to upgrade to these pistols. Forty additional magazines would be required to fit the model 22 guns. An additional cost of approximately \$3,400 the 54 police officers could be outfitted with a duty weapon that fits their hand size.

Deputy Director Hardesty confirmed for Mayor McDonald the cost includes trading in of the current handguns as stipulated in the quotes received.

Mr. McDaniel asked if increasing the caliber size was considered.

Deputy Director Hardesty explained the fire arms instructors consider what Auburn Hills uses as very good. Changing the fire arms to an increased caliber is very expensive, into six figures. All new training would be needed as well, and there isn't any real advantage for that type of investment.

Responding to Mr. Kittle, Deputy Director Hardesty stated it was part of the bid for the fire arms selling company to buy the current fire arms.

Mr. Knight asked how many times in the last five years has an officer needed to discharge their fire arm in the line of duty.

Deputy Director Hardesty stated once for an individual, but many times for injured animals.

Ms. Doyle noted she sits on the Public Safety Advisory Committee and there was a conversation noting officers don't discharge their guns often, but sometimes they need to be drawn to calm down a situation.

**Moved by McDaniel; Seconded by Knight.**

**RESOLVED: To authorize the Police Department to obtain formal bids for the sale of 68 Glock model 23 handguns and the purchase of 64 Glock model 22/23 handguns with 40 extra magazines.**

**VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke**  
**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.10.159**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight:

- Questioned if the Open Issues Log included the difficulty of bicycles crossing M-59.  
Mr. Auger stated he would look into it.

Ms. Verbeke:

- Asked when a replacement would be appointed to the Planning Commission  
Mayor McDonald stated by the end of the month.

Ms. Doyle:

- The special assessment transfer fee was requested by Council to be included in the Open Issues Log, but was curious if that issue has been resolved.  
Mr. Auger stated by adopting the Fee Schedule, has been resolved for this year. It can be tracked this year to see if there is any cost reduction on the \$35.00 fee and be reviewed next year.  
Mr. Knight said the cost should be reviewed but also be philosophical about the individual that has a very small delinquent amount.
- Asked about the Survey Monkey report.  
Mr. Auger stated it is in his report.
- Noted a disturbing article on the front page of the Oakland Press regarding the parking issues at Oakland University, including some students parking at businesses across the street. Was curious if any of the businesses contacted the City with concerns or if there is anything the City can do on a temporary basis to help.  
Mr. Knight noted the article also included there are parking spaces available, but people are slothful and choose not to park in the available spaces in the far lots.

Mr. Kittle:

- Mentioned in the past there has been talk regarding a bridge or a tunnel across Walton to allow students to safely cross the road, especially with many students living off site.  
Mr. Auger explained there has been discussion with O.U. and landowners on both sides. Also, with the parking garage being built down town it is a goal of Council to start the first leg of a transit system which may be one of the answers.  
Mr. Auger stated OU has the 'Bear Bus', a shuttle for the students on campus as well as off campus.
- Asked when the budget will be brought before Council for approval. He would like any proposed projects to be kept out of the budget and be brought forward as a budget amendment if they materialize. He would like to keep the proposed budget as accurate as possible.
- Would like to make a motion to ban leaf burning in the City of Auburn Hills.

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

**RESOLVED: To ban leaf burning in the City of Auburn Hills.**

Ms. Verbeke asked if this wasn't an item in the Open Issues Log.

Mayor McDonald confirmed it is.

Mr. Knight agreed it is on the Open Issues Log and a motion should not come out of the blue, but could be a request for the issue to be put on the next agenda for discussion and action.

Mr. Kittle noted he mentioned this a year ago and was told that going to a single trash hauler who would be picking up leaves may decrease the number of persons burning leaves and that leaf burning would be discussed again. He has had many complaints from residents who wish to see a burning ban as well as noting that Auburn Hills is one of three communities in Oakland County that allows opening burning.

Mr. McDaniel believed the idea of a single trash hauler was to allow an alternate opportunity for disposal of leaves and yard waste.

Ms. Doyle didn't believe that was the driving force of the single waste hauler; it was the number of trucks, but composting and leaf pickup was part of the negotiations.

Mr. McDaniel hasn't any many resident complaints; however, in principle he believes there is the opportunity of getting yard waste picked up at no additional cost to the resident and no limit to the number of bags.

Mayor McDonald stated he would not support the motion; it is on the List for discussion.

Mr. Auger explained the City should examine the number of residents burning leaves since the opportunity of having the trash hauler picking up yard waste is available.

The current Open Issues Logs issues should be completed by January,

Mr. Knight stated there are some very large lots that can produce a great number of bags full of leaves, and there should be something the City can do for them. An amendment to the ordinance allowing only specific lot sizes the ability to burn, may be a possibility. He would like to see a compromise.

Ms. Hammond noted open burning starts in a few weeks; Council cannot change the policy at such short notice. She agrees we should see how the pickup goes before making any changes.

Mr. Kittle stated he will withdraw the motion, but this is an important topic and he won't lose sight of it.

Mr. Knight agreed it should be discussed prior to the end of the year and before another burning season starts.

Ms. Verbeke agreed this issue should be reviewed sooner rather than later and suggested looking for an alternative for those with larger lots. Possibly allowing them to set the leaves curbside and having them being picked up.

**Motion withdrawn.**

Ms. Hammond:

- Noted mums were being planted in the downtown planters and asked Mr. Melchert if the systems were repaired.

Mr. Melchert stated he would investigate and let her know.

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

#### **12. CITY MANAGER'S REPORT**

- Distributed a memo from Mr. Guess regarding benefit benchmarks.
- The City's EFIP, which was due today, was sent to the State.
- The new AV equipment is installed and working. There will be some experimenting and working out the bugs.
- The new Council computers have been ordered.
- The Survey Monkey survey, on which 21 issues were prioritized, had some instances where there was the ability to combine a few together. Because the appropriate staff member must be present at the workshop when a particular issue is discussed, Council will receive the schedule when dates and times are confirmed with staff. The workshops will begin in November.

Ms. Doyle stated she would like to see a copy of the list.

- Stated if the old AV equipment isn't part of new package, it will most likely be auctioned or sent out for bid.

Mr. Kittle asked if it could be bequeathed to a school with the provision it can't be sold.

Mr. Auger stated he would look into it.

#### **13. EXECUTIVE SESSION – Property Acquisition**

**Moved by Hammond; Seconded by Verbeke.**

**RESOLVED: To adjourn to Executive Session.**

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

**No: Kittle**

**Motion carried (6-1)**

#### **RESOLUTION NO. 12.10.160**

*Adjourned to Executive Session at 8:22 p.m. Reconvened Regular Session at 9:15 p.m.*

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

**RESOLVED: To Authorize the Mayor and City Clerk to execute an offer to purchase the property located at 38 Churchill in the amount of \$45,000. Furthermore, authorize Assistant City Manager Thomas Tanghe to sign all necessary documents to facilitate the sale up to and including those required at closing. Funds for the purchase are available from the general fund, capital improvements, 101.901.970.000.**

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

**No: Kittle**

**Motion carried (6-1)**

#### **RESOLUTION NO. 12.10.161**

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

**RESOLVED: To Authorize the Mayor and City Clerk to execute an offer to purchase the property with parcel identification numbers 14-25-451-007 and 14-25-451-010 in the amount of \$140,000. Furthermore, authorize Assistant City Manager Thomas Tanghe to sign all necessary documents to facilitate the sale up to and including those required at closing. Funds for the purchase are available from the general fund, capital improvements, 101.901.970.000.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.10.162**

**14. ADJOURNMENT**

Meeting adjourned at 9:22 p.m.

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James D. McDonald, Mayor

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Terri Kowal, City Clerk