



# CITY OF AUBURN HILLS

## Regular City Council Meeting

March 1, 2021

**CALL TO ORDER:** Mayor McDaniel at 7:02 p.m.

**LOCATION:** Virtual Meeting, Auburn Hills, MI 48326

Present: Mayor McDaniel (Auburn Hills, MI), Council Members Burmeister (Rochester, MI), Kittle (Maricopa County, AZ), Knight (Auburn Hills, MI), Marzolf (Auburn Hills, MI), Moniz (Auburn Hills, MI), and Verbeke (Auburn Hills, MI) arrived at 7:45 PM.

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Assistant to the City Manager Skopek, Fire Chief Taylor, Assistant Fire Chief Robinson, Lt. Riedy, Police Chief Baker, Deputy Police Chief Gagnon, Ofc Lane, City Planner Keenan, DPW Director Melchert, Mgr of Public Utilities Deman, Economic Development Mgr Carroll, Finance Director/Treasurer Schulz, Deputy Finance Director/Deputy Treasurer Farmer, Engineer Juidici

#### 4. APPROVAL OF MINUTES

4a. City Council Meeting Minutes, February 15, 2021

**Moved by Knight, Seconded by Moniz.**

**RESOLVED: To approve the City Council Minutes of February 15, 2021.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Resolution No. 21.03.032**

**Motion Carried (6 - 0)**

#### 5. APPOINTMENTS AND PRESENTATIONS

5a. Morning Optimist Club 2020 Persons of the Year Award

The following individuals were recognized by the Morning Optimist Club:

- Courtney Potvin - Civilian Person of the Year
- Lt. Michael Riedy - Fire Person of the Year
- Officer Michael Lane - Police Person of the Year

#### 6. PUBLIC COMMENT

There was no public comment.

#### 7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority, February 9, 2021

7a2. Public Safety Advisory Committee, October 22, 2020

**RESOLVED: To receive and file the Board and Commission Minutes.**

7b. Motion – To approve the purchase of a New Singer Pressure Reducing Valve For Walton & Squirrel.

**RESOLVED: To approve the purchase of the new Singer Pressure Reducing Valve (PRV) from Kennedy Industries in the amount of \$19,165.**

7c. Motion – To approve the purchase of a Stryker Power-Load Hydraulic Cot and Mounting System Equipment.

**RESOLVED: To purchase a Stryker power-load hydraulic cot and mounting system equipment from Stryker Medical in the amount of \$43,190.43 and approve the installation cost of \$2,800.00 to Inst-a-Tech, LLC for a total cost of \$45,990.43. Furthermore, authorize the City Manager to convey acceptance by purchase order.**

7d. Motion – To approve the Restaurant Relief Program Interlocal Agreement between Oakland County and the City of Auburn Hills.

**RESOLVED: To approve the Restaurant Relief Program Interlocal Agreement between Oakland County and the City of Auburn Hills. Furthermore, authorize the City Manager to execute the Interlocal Agreement.**

7e. Motion – To approve the 2021 HIDTA sub-recipient agreement with Oakland County.

**RESOLVED: To approve the 2021 HIDTA Agreement between Oakland County and the City of Auburn Hills and authorize the Chief of Police to sign the agreement on behalf of the City.**

7f. Motion – To approve the purchase of ten Patrol Rifles.

**RESOLVED: To approve the purchase of 10 Colt LE6943 patrol rifles from CMP Distributors at a cost not to exceed \$10,467.90 and authorize the City Manager to convey acceptance by purchase order.**

7g. Motion – To approve the purchase of Mobile Data Computers.

**RESOLVED: To approve the purchase of 10 Dell Latitude 14 Rugged 5424 laptops from Dell in an amount not to exceed \$22,840.40 and authorize the City Manager to convey acceptance by purchase order.**

7h. Motion – To approve the purchase of Livescan Fingerprint Machines.

**RESOLVED: To approve the purchase of two TPE-5600 Touch Print Livescan systems from Idemia Corp. in an amount not to exceed \$33,424.00 and authorize the City Manager to convey acceptance by purchase order.**

**Moved by Knight, Seconded by Burmeister.**

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

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Resolution No. 21.03.033**

**Motion Carried (6 - 0)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

9a. Public Hearing/Motion – To adopt the Resolution approving the Galloway Creek Restoration Project.

Ms. Carroll presented the Auburn Hills Brownfield Redevelopment Plan regarding the restoration of the Galloway Creek.

Mayor McDaniel opened the Public Hearing at 7:23 PM.

Hearing no comment, Mayor McDaniel closed the Public Hearing at 7:24 PM.

**Moved by Knight, Seconded by Marzolf.**

**RESOLVED: To adopt the attached resolution approving the Brownfield Plan for the Galloway Creek Restoration Project, in accordance with Public Act 381. (Attachment A)**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**  
**No: None**

**Resolution No. 21.03.034**

**Motion Carried (6 - 0)**

9b. Motion - To approval of the annual liquor licenses of those establishments that have met the licensing requirements of the City.

AND

Motion – To schedule a public hearing for Monday, March 15, 2021 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments who have not met the City’s requirements.

Ms. Pierce presented the findings of the establishments within the City that hold an on-premise liquor license. Community Development and the Fire Department completed their yearly inspections, found some minor violations but are working with those establishments to rectify the issues. Due to Covid restrictions, the Police Department was not able to perform their annual inspection yet based on calls for service recommend approval for these establishments. The Treasurer’s office reviewed the establishments to see if there were outstanding debts to the City. The list of establishments that have been found to be in compliance with the local ordinance were recommended for approval.

**Moved by Knight, Seconded by Moniz.**

**RESOLVED: To recommend approval of the annual liquor licenses of those establishments that have met the licensing requirements of the City:**

Alfoccino’s	German American Club	O’Brien’s Crabhouse
AMC Theatre Great Lakes 25	Hoops Food, Sports & Spirits	Rainforest Café
American Legion Post #143	Hub Stadium	Rangoli Indian Cuisine
Applebee’s #5860	Hyatt Place Hotel	Red Ox Tavern
Buddy’s Pizza	Larco Bros Pizzeria	TGI Friday’s
Chili’s Grill & Bar	Lelli’s Inn	The Olive Garden
Courtyard by Marriott	Longhorn Steakhouse	Top Golf
Fieldstone Golf Club	Miyako	Embassy Suites
On the Border	Duffy’s	

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**  
**No: None**

**Resolution No. 21.03.035**

**Motion Carried (6 - 0)**

The four establishments are currently not in compliance with the local ordinance. It was recommended that a Public Hearing be held to consider non-renewal of their liquor license. Mr. Marzolf wanted to ensure the establishments with financial difficulty knew that there were grant relief programs available from several organizations. Ms. Pierce stated that the establishments would be made aware of those opportunities.

**Moved by Kittle, Seconded by Moniz.**

**RESOLVED: To schedule a public hearing for Monday, March 15, 2021 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments who have not met the City’s requirements as stated in Section 6-10 (2) of the City Code “All personal property taxes and all real property taxes and all other obligations due and payable to the city shall be timely paid and not outstanding.”:**

Dimitri’s Opa Restaurant	Round One Entertainment
Nino’s Italian House	Two One Ventures, LLC

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Resolution No. 21.03.036**

**Motion Carried (6 - 0)**

9c. Motion – To declare Official Intent to Reimburse Expenditures with Bond Proceeds.

Ms. Schulz presented the proactive approach for Capital Improvement Projects that could be paid with bond proceeds. She stated that this resolution does not require the City to issue debt for any of the projects listed.

Eric McLaughlin of Dickinson Wright PLLC, was present in the virtual meeting.

**Moved by Knight, Seconded by Marzolf.**

**RESOLVED: To adopt the Resolution Declaring Official Intent to Reimburse Expenditures with Bond Proceeds. (Attachment B)**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Resolution No. 21.03.037**

**Motion Carried (6 - 0)**

9d. Motion – To accept the Second, Third, and Fourth Quarter 2020 Monitoring Network Review Summaries, the 2020 Annual Monitoring Network Review Summary of the Oakland Heights Development Landfill Reports.

Mr. Foerg, of Environmental Consulting Solutions, presented the yearly findings with regards to Oakland Heights. He reported that the development is doing well with the exception of a situation that occurred during the fourth quarter. Cell F, in the northeast corner, started to show a volume increase during the fourth quarter of 2020. He explained that when this happens, it requires a sampling. He reported the findings from the sampling were negative but further monitoring should take place.

Mayor McDaniel questioned if these repairs are reported to EGLE.

Mr. Robb Moore, of Republic Services, was present in the virtual meeting. He stated that repairs are documented and submitted to the State of Michigan as part of the report process. If the State had a concern they would contact Republic directly. All repairs are documented and the guidelines are followed.

**Moved by Knight, Seconded by Moniz.**

**RESOLVED: To accept the Second, Third, and Fourth Quarter 2020 Monitoring Network Review Summaries and the 2020 Annual Monitoring Network Review Summary prepared by Environmental Consulting Solutions of the Oakland Heights Development Landfill Reports.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz**

**No: None**

**Resolution No. 21.03.038**

**Motion Carried (6 - 0)**

9e. Motion – To approve the purchase of a Fire Aerial Ladder Truck.

Ms. Verbeke entered the virtual meeting.

Mr. Robinson presented the Fleet Replacement Plan and the need to replace the ladder trucks every twenty years, due to life expectancy.

Bob Coulter, of Emergency Vehicles Plus, the Michigan sales representative for Rosenbauer was present in the virtual meeting.

Mr. Knight shared his concerns with not having a backup vehicle, possibly being thin on equipment and if the new engine will have four-wheel drive. It was discussed that while stations two and three will have the newer units, station one will have an ambulance, special response unit and an engine. Chief Taylor shared that there is an option to utilize drop down chains on the fire trucks as opposed to purchasing a vehicle with four wheel drive. Mr. Coulter shared that about 1/3 of the trucks in the area have the drop down feature.

Mr. Burmeister stated that he is not in favor of a four wheel drive vehicle and shared his concern that there were only two bids submitted. Chief Taylor commented that manufactures know who they are working with and evaluate if it is worth the time to produce the bid. It was reported that this bid was placed on MTN, shared with over 200 companies and the major fire manufactures.

Mr. Moniz reported that PSAC voted unanimously to approve the purchase. He stated that Rosenbauer has excellent customer service.

Mr. Kittle confirmed that this amount was in the budget and questioned if there was any trade in value on the old truck. Mr. Coulter explained that each truck is built for the municipality and the special needs each community has. Chief Taylor shared that cuts were made to the truck and there is not a lot of special items on the truck. She stated that the vehicles are getting bigger and she would like to see improvements to the apparatus bay. Mr. Kittle stated that he would like to the Finance Director review the payment options.

**Moved by Burmeister, Seconded by Knight.**

**RESOLVED: To purchase a Rosenbauer ladder truck as proposed by Emergency Vehicles Plus in the amount of \$948,610.00 while taking advantage of a discount for pre-paying 75% of the cost of the truck for a final cost of \$922,553; with an additional \$3,450.00 for decal work to be performed by local vendor Majik Graphics. Furthermore, authorize the City Manager to execute the purchase and to give the Finance Director a chance to review the economics of the payment options prior to placing the order.**

**VOTE: Yes: Burmeister, Kittle, Knight, Marzolf, McDaniel, Moniz, Verbeke**

**No: None**

**Resolution No. 21.03.039**

**Motion Carried (7 - 0)**

## **10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight – He reported that the Veteran Memorial is almost finalized. He commented that the cement pad was reviewed to ensure the existing graves were not disturbed. He shared the water main being installed on Auburn Road will be near the middle of the road due to frontage issues.

Mr. Kittle – He commented that he appreciated the water quality report that Mr. Keenan presented and that he is looking forward to seeing everyone face to face.

Mr. Marzolf – He questioned what the traffic flow situation would be like on Auburn Road during the water main installation. Mr. Juidici shared that there will be a traffic shift in the lanes allowing the flow of traffic

to continue. He stated that there will be all access to the businesses and residences. Mr. Marzolf also shared his concern with the snow being piled close to the river and wanting to ensure there is no pollution or debris going into the Clinton River.

Mr. Moniz – He asked for clarification if the departments were to start having the Finance Department begin to review all purchases. Mr. Tanghe shared that the amount on the purchase of the Fire Truck is more than most purchases. Mr. Moniz asked for an update on the Bald Mountain Road intersection. Mr. Tanghe shared that engineering will be responsible to talk to MDOT to find the best plan for this area. This project is scheduled for 2022.

Ms. Verbeke – She asked for an update on the resurfacing project on Brown Road. Mr. Juidici stated that this project will receive Federal Aid funding and is slated for 2023.

**11. CITY ATTORNEY REPORT**

**12. CITY MANAGER REPORT**

**13. ADJOURNMENT**

Hearing no objections, the Mayor adjourned the meeting at 8:44 PM.

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Kevin R. McDaniel, Mayor

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Laura M. Pierce, City Clerk

## ATTACHMENT A

### APPROVING BROWNFIELD PLAN FOR GALLOWAY CREEK RESTORATION

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 at 7:00 p.m. On the 1st day of March, 2021.

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

WHEREAS, the City of Auburn Hills (the City) has created a Brownfield Redevelopment Authority (the Authority) pursuant to PA 381 of 1996, as amended (the Act); and

WHEREAS, the Authority met and considered the Brownfield plan submitted by City of Auburn Hills for the property consisting of parcel with Sidwell Number 14-02-451-016; and

WHEREAS, the Authority has reviewed the Brownfield plan in accordance with the Act; and

WHEREAS, the Authority, following review of the plan, approved the same and recommended approval to the City Council; and

WHEREAS, the notices required by the Act have been given; and

WHEREAS, The City Council, in accordance with the Act, met and conducted a public hearing on March 1, 2021, in order to review the plan; and

WHEREAS, during the public hearing conducted by the City Council on March 1, 2021, all persons, including the affected taxing jurisdictions, were allowed an opportunity to comment on the brownfield plan and present their view and recommendations.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Auburn Hills City Council that:

1. The City Council of the City of Auburn Hills hereby approves the Plan and determines that the Plan, in accordance with the Act, constitutes a public purpose.
2. Furthermore, the Plan meets the requirements of Section 13 of the Act.
3. Furthermore, that the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of the Act.

AYES: 6  
NAYS: None  
ABSENT: 1 (Verbeke)  
ABSTENTIONS: None

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 1<sup>st</sup> day of March, 2021.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 2<sup>nd</sup> day of March, 2021.

Laura M. Pierce, City Clerk



## **ATTACHMENT B**

### REIMBURSEMENT RESOLUTION

At a regular meeting of the City Council of the City of Auburn Hills (the "City"), held on March 1, 2021.

PRESENT: Mayor McDaniel, Council Members Burmeister, Kittle, Knight, Marzolf, Moniz

ABSENT: Council Member Verbeke

The following resolution was offered by Council Member Knight and seconded by Council Member Marzolf:

WHEREAS, the City proposes to issue its tax-exempt bonds (the "Bonds") to finance City capital improvements as hereinafter described (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City as follows:

1. The Project shall consist of capital improvements including: (a) road improvements to major and local roads within the City and any and all related appurtenances; (b) improvements,

replacements, and/or renovations to City buildings and other facilities, including without limitation the replacement of one or more roofs, HVAC units, and related appurtenances

2. The maximum principal amount of the Bonds expected to be issued for the Project is \$14,500,000.

3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project and hereby declares that it reasonably expects to reimburse advances of the City to the Project as anticipated by this resolution. The City is not obligated to make any such advances.

4. The Bonds shall be authorized in one or more series by proper proceedings subsequent to this resolution.

5. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

YEAS: 6

NAYS: None

ABSTENTIONS: 1 (Verbeke)

STATE OF MICHIGAN            )  
  )ss  
COUNTY OF OAKLAND        )

I 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, County of Oakland, Michigan, at a regular meeting held on March 1, 2021, and that notice of said meeting was given in accordance with the Open Meetings Act.

Laura M. Pierce, City Clerk  
City of Auburn Hills