



CITY OF AUBURN HILLS

Regular City Council Meeting

March 15, 2021

CALL TO ORDER: Mayor McDaniel at 7:18 p.m.

LOCATION: Virtual Meeting through Microsoft Teams, <https://bit.ly/AH-Mar15-CC>

Present: Mayor McDaniel (Auburn Hills, MI), Council Members Burmeister (Auburn Hills, MI), Kittle (Auburn Hills, MI), Knight (Apopka, FL), 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, Deputy Police Chief Gagnon, Recreation Director Hegdal, Assessor Griffin, Senior Services Director Adcock, DPW Director Melchert, Deputy DPW Director Stahly, Mgr of Roads & Fleet Michling, Community Development Director Cohen, Finance Director/Treasurer Schulz, Deputy Finance Director/Deputy Treasurer Farmer, A/R Manager Culver, Accountant Potvin, Engineer Juidici, Management Assistant Hagge

4. APPROVAL OF MINUTES

4a. City Council Meeting Minutes, March 1, 2021

Moved by Moniz, Seconded by Knight.

RESOLVED: To approve the City Council Minutes of March 1, 2021.

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

No: None

Resolution No. 21.03.040

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Auburn Hills Age Friendly Report

Ms. Adcock stated that the City of Auburn Hills has been designated as an age friendly community for 7 years in the State of Michigan and has become a worldwide network for the senior community that is livable for all. She provided a report that will be published with AARP and the WHO. She stated that an action plan was created based on community conversations with residents, businesses within the community, health care providers, and educational institutions. She also reported that it has been a challenge to maintain volunteers to help with various activities due to Covid but have managed to pull through from the help of committed residents and staff.

6. PUBLIC COMMENT

Mr. Wertheimer brought greetings from the office Brenda Carter and stated that the lines of communication are always open with the State Representative.

7. CONSENT AGENDA

Mr. Knight and Mr. Marzolf requested that Item F (Establishing Rules for Remote Attendance) be removed from the Consent Agenda.

7a. Board and Commission Minutes

7a1. Public Safety Advisory Committee, February 23, 2021.

7a2. Planning Commission, March 3, 2021

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

7b. Motion - To approve the purchase of an Asphalt Hot Patch Machine.

RESOLVED: To purchase the K&M 8000TEDD Hot Patch Machine from K&M International 6561 Bernie Kohler Drive, North Branch, MI 48461 under the MiDEAL contract #190000000171 for a total of \$27,096.57. Funding for this purchase will be provided from the Fleet Management Account # 661-442-977.000.

7c. Motion - To authorize the City Manager to order and purchase road salt for the 2021/22 season.

RESOLVED: To authorize the City Manager to submit a road salt order of 2,000 tons to the State of Michigan for the 2021/22 season to participate in the MiDEAL bid process.

7d. Motion - To approve 2021 Summer Maintenance Agreement for Street Sweeping.

RESOLVED: To authorize the City Manager, as Street Administrator, to accept on behalf of the City of Auburn Hills, the 2021 RCOC Summer Maintenance Agreement to provide street sweeping services on Walton Boulevard, Baldwin Road, Joslyn Road, and parts of Brown Road for an annual compensation of \$7,607.25 payable by RCOC to the City of Auburn Hills.

7e. Motion - To approve MDOT Public Act 51 Mapping updates.

RESOLVED: To approve resolution 21-01 through resolution 21-06 to add Calgary, Waller, Alpeana, Simmons and Kircher to the MDOT ACT 51 Map. (Attachments A - F)

Moved by Kittle Seconded by Moniz.

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 21.03.041

Motion Carried (6 - 0)

7f. Motion – To adopt a resolution establishing Rules for Remote Attendance due to the Coronavirus Pandemic.

Mr. Marzolf asked for clarification with the statement regarding meeting virtually until December 31, 2021. He stated that he would like to start meeting in person sooner.

City Attorney Beckerleg clarified that from a legal standpoint, the resolution allows you to continue remote meetings if needed and that the resolution does not prohibit you from doing so. The Mayor followed up by stating the goal is to start meeting in person however, this gives the flexibility to change back to virtual meetings if needed. Mr. Tanghe stated that July is currently the target month to return to in person meetings due to the availability of the Covid vaccine.

Moved by Knight, Seconded by Kittle.

RESOLVED: To adopt the attached resolution titled: Resolution Establishing Rules for Remote Attendance by City Council and City Board and Commission Members; and Members of the Public Due to the Coronavirus Pandemic. (Attachment G)

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

No: None

Resolution No. 21.03.042

Motion Carried (6 - 0)

8. OLD BUSINESS
9. NEW BUSINESS

9a. Public Hearing/Motion – To consider renewal of the on-premise liquor licenses.

Ms. Pierce updated the findings from the 2021 Liquor License renewals for the four establishments that were not in compliance with the City Ordinance. She reported that a Public Hearing was scheduled and since the last meeting Round One and GameTime have paid their outstanding balances. She recommended to cancel the Public Hearing for these two establishments and approve their 2021 Liquor Licenses. Due to Nino's having a case pending with the Michigan Tax Tribunal, the public hearing for them is cancelled and approval should be given to renew their liquor license.

She stated that Dimitri's Opa Restaurant paid the renewal fee and provided copies of checks written to the Oakland County Treasurer's Office for payment of taxes. Confirmation was not made with the County regarding receipt of the payment and they still carry a balance for the 2020 winter taxes.

Ms. Verbeke arrived at 7:45 PM.

Mayor McDaniel opened the Public Hearing at 7:45 PM.

Mr. Nick Gegic, President of Dimitri's was present in the virtual meeting. He stated they paid the fees and mailed in the summer taxes to Oakland County. He stated that their restaurant was hit very hard by Covid and by April 30th they should be able to operate under better circumstances. He has contacted Oakland County to pay the winter taxes and they are not making arrangements for payment plans for the 2020 winter taxes at this time.

Conversation focused on the importance of Mr. Gegic looking into available funding from the most recent stimulus package, funding with Oakland County and especially loans through the TIFA and DDA.

Mr. Gegic stated that they receive money from the State and are in the process of obtaining PPP funding. They are hoping to stay in the downtown area but commented that for the past three years it has been difficult to operate effectively.

Mayor McDaniel questioned the appropriateness of approving the liquor license pending confirmation from the Oakland County Treasurer's Office. Attorney Beckerleg stated that would be appropriate.

Hearing no further comment, Mayor McDaniel closed the Public Hearing at 7:59 PM.

Moved by Moniz, Seconded by Kittle.

RESOLVED: To recommend approval of the annual liquor license for Nino's Italian House, Round One Entertainment, Two One Ventures LLC (GameTime) and Dimitri's Opa Restaurant; with an extension for Dimitri's to April 28, 2021 to pay their remaining balance owed on winter taxes and to confirm that the check has cleared for payment of summer taxes and water to Oakland County.

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

No: None

Resolution No. 21.03.043

Motion Carried (7 - 0)

9b. Motion – To approve the combined PUD Step One – Qualification / Step Two – Site Plan / The Brunswick.

Mr. Cohen presented the plan for The Brunswick to be a four story, 29,184 square foot mixed use building in the downtown area. Construction is expected to take about ten months.

Mr. Michael Wayne of Detroit Riverside Capital and his team were present in the virtual meeting.

Moved by Kittle, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the combined PUD Step One – Qualification and Step Two – Site Plan for The Brunswick to construct a mixed-use building subject to the conditions of the City’s Administrative Review Team.

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

No: None

Resolution No. 21.03.044

Motion Carried (7 - 0)

9c. Motion – To approve the Special Land Use Permit / Nino’s Italian House – Outdoor Seating.

Mr. Cohen presented the Special Land Use Permit allowing Nino’s Italian House to obtain outdoor seating. The outdoor enhancements will meet the City design standards. Construction is expected to be completed by August.

Mr. Peter Maniaci, architect, was present in the virtual meeting.

Moved by Moniz, Seconded by Verbeke.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permit for Nino’s Italian House’s outdoor seating subject to the conditions of the City’s Administrative Review Team.

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

No: None

Resolution No. 21.03.045

Motion Carried (7 - 0)

9d. Motion – To adopt a resolution authorizing publication of Notice of Intent to issue Capital Improvement Bonds.

Ms. Schulz stated that publication of the Notice of Intent to issue bonds is required by Michigan law. This resolution fulfills this requirement and starts a 45-day statutory referendum period that must run before the bonds can be issued. This approval will formally appoint Dickinson Wright as the City’s bond counsel and PFM Financial Advisors LLC to server as the City’s municipal advisor for the bond issues.

Mr. Eric McGlothlin was present in the virtual meeting.

Mr. Kittle confirmed that this resolution is not an obligation and that there is still work to be done for further evaluation. He stated that this action will take the City to the next level and that the word “Intent” is not a confirmation of doing it. Ms. Schulz clarified that this is regarding the Notice of Intent to issue Capital Improvement.

Mr. Kittle pointed out that there is still investigative work that needs to be completed. The motion may insinuate that the next order of business is to issue bonds and that is not the case in this instance.

Moved by Knight, Seconded by Marzolf.

RESOLVED: To adopt Resolution Authorizing Issuance of Capital Improvement Bonds as attached. (Attachment H)

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

No: None

Resolution No. 21.03.046

Motion Carried (7 - 0)

9e. Motion – To approve the Grant Application for resurfacing of the Clinton River Trail.

Ms. Hegdal presented the grant application for resurfacing the Clinton River Trail. It was shared that at the time of purchase the decision was made to use recycled asphalt millings and overtime the surface has become uneven and it is now time to resurface the trail. She reported that in 2021 the City budgeted \$60,000 to resurface but recently has learned of the Ralph C. Wilson Trails Maintenance grant to help resurface the trail.

OHM performed a cost estimate totaling \$444,800. She explained that the grant requires a 1:1 match, therefore staff will request \$222,400 through the grant and the City will be required to match the other half. Ms. Hegdal reported that TIFA has approved their support of up to \$20,000 and DDA has approved their support of up to \$20,000. There is \$60,000 in the current 2021 budget, leaving the City's financial responsibility at an additional \$122,400 to be allocated in the 2022 budget. If the City were to be awarded the funds, completion of the project would be in 2022. If the grant is not awarded, then the original plans will be revisited.

Mr. Marzolf stated that approval of this project will make many trail users happy and is pleased with the work staff has done to see this project come together.

Mr. Knight asked if there would be any adjustments made to the size of the trail. Ms. Hegdal stated that it would stay the same eight feet that it currently is due to the sloping in some areas.

Moved by Marzolf, Seconded by Knight.

RESOLVED: To support the application to the Ralph C. Wilson Trails Maintenance Fund to resurface the Clinton River Trail with asphalt, and to approve the allocation of up to \$122,400 in the 2022 budget in support of this project.

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

No: None

Resolution No. 21.03.047

Motion Carried (7 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Marzolf – He thanked staff for the nice job on making the meeting work with the technical difficulties.

Mr. Kittle – He commented that he found the Narcan article interesting and a great testament to the work that the public safety staff perform. He is glad to see that there is action taken focused on the opioid problems. He also commented that he found the Nino's approval for outdoor seating interesting as they are currently at the MTT appealing the taxes. He questioned if they came to the City but were unable to

reach any kind of satisfactory outcome. Mr. Tanghe stated that Mr. Griffin has the authority under statute to negotiate those situations.

Mr. Kittle commented on wanting to add clarity to the bond issue. He stated that he is not naïve with the issue and understands that it will come down to some real challenges from an engineering resource perspective. He stated that many municipalities are amping up their game relative to infrastructure and are hiring multiple engineering resources with regards to the needs of the community as well as a capability standpoint to add some competition. He feels that it would be advantageous to be proactive with the projects coming up. Mr. Kittle sought input from other council members regarding the idea of Directing the City Manager to investigate and present a potential plan to City Council for consideration including pros and cons for using multiple engineering resources.

Mr. Tanghe stated that he is aware that other municipalities utilize multiple civil engineering firms. He has no objection to the current civil engineers. He stated that certainly there is pressure to deliver on the promises the City has made with the list of projects. He would not object to multiple engineering resources and will fulfill the wishes of City Council.

Mayor McDaniel quantified that he would discourage from a motion that has not been discussed thoroughly as a Council and would propose to see this discussed in a workshop first. Mayor McDaniel reminded council that this City is currently under contract with an engineering firm, and it should be left to staff to decide if there need to be alternatives. Mr. Kittle stated that he would not like to have this discussion in a workshop, but rather confirm if the majority of council feels that this is worth an investigation to understand the pros and cons or potential benefits. He feels it is important to know what the benefits may or may not be.

Ms. Verbeke stated that she is not getting a good reception and is not comfortable with continuing the discussion while not having good reception.

Mr. Knight stated that he appreciates the discussion, but he is not comfortable with the spur of the moment change. He would rather have something ahead of time to review.

Mr. Kittle shared that he is not trying to dictate action but investigate the idea of multiple engineers when so many other communities are doing this type of work. He stated that he thinks it is wise to see what the advantages and disadvantages are and then make a decision.

Mr. Knight – He commented that the presentations by staff were outstanding. He would appreciate it if finance department would publish a 5 year plan showing the cash flow of the projects with and without the bonds so that Council can see what is in which accounts. He commented that he is more interested in the cash flow of the project rather than the life of the project.

Mayor McDaniel – He sought clarification regarding the topic of multiple consultants and Section 6.1c from the Charter. Attorney Beckerleg stated that the City is able to hire more than one consultant and you do not have to relieve one consultant prior to hiring another. The consultants serve at the pleasure of Council, so Council has the ability to go in a different direction if they so choose.

- 11. CITY ATTORNEY REPORT**
- 12. CITY MANAGER REPORT**
- 13. ADJOURNMENT**

Hearing no objections, the Mayor adjourned the meeting at 8:47 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

RESOLUTION NO. 21-01

ACCEPTANCE OF CALGARY STREET FROM QUEBEC STREET TO ROADS END

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Calgary Street.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF CALGARY STREET (30 FT. WIDE)
(BETWEEN QUEBEC STREET & ROADS END)

A centerline of road being situated in the NE 1/4 of Section 6, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the E ¼ corner of said Section 6; thence S 85°59'12" W 1341.28 feet along the centerline of Lake Angelus Road (66 ft. wide) and the E-W 1/4 line of said Section 6; thence N 02°26'30" W 1378.38 feet along the centerline Quebec Street (60 ft. wide) to the Point of Beginning; thence S 85°18'56" W 450.19 feet along the Calgary Street (30 ft. wide) to the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT B

RESOLUTION NO. 21-02

ACCEPTANCE OF CALGARY STREET FROM WALLER STREET TO ROADS END

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Calgary Street.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF CALGARY STREET (30 FT. WIDE)
(BETWEEN WALLER STREET & ROADS END)

A centerline of road being situated in the NE 1/4 of Section 6, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the E ¼ corner of said Section 6; thence S 85°59'12" W 1341.28 feet along the centerline of Lake Angelus Road (66 ft. wide) and the E-W 1/4 line of said Section 6; thence N 02°26'30" W 1083.08 feet along the centerline Quebec Street (60 ft. wide); thence S 85°59'12" W 600.02 feet along the centerline of Amberwood Street (60 ft. wide); thence N 02°26'30" W 288.26 feet along the centerline of Waller Street (60 ft. wide) to the Point of Beginning; thence along the centerline of Calgary Street (30 ft. wide), S 85°18'52" W 103.54 feet and S 89°02'48" W 96.50 feet to the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT C

RESOLUTION NO. 21-03

ACCEPTANCE OF WALLER STREET FROM AMBERWOOD STREET TO CALGARY STREET

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Waller Street.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF WALLER STREET (60 FT. WIDE)
(BETWEEN AMBERWOOD STREET & CALGARY STREET)

A centerline of road being situated in the NE 1/4 of Section 6, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the E ¼ corner of said Section 6; thence S 85°59'12" W 1341.28 feet along the centerline of Lake Angelus Road (66 ft. wide) and the E-W 1/4 line of said Section 6; thence N 02°26'30" W 1083.08 feet along the centerline Quebec Street (60 ft. wide); thence S 85°59'12" W 600.02 feet along the centerline of Amberwood Street (60 ft. wide) to the Point of Beginning; thence N 02°26'30" W 288.26 feet along the centerline of Waller Street (60 ft. wide) to a point on the centerline of Calgary Street (30 ft. wide), also being the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT D

RESOLUTION NO. 21-04

ACCEPTANCE OF ALPEANA STREET FROM MANITOBA STREET TO ROADS END

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Alpeana Street.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF ALPEANA STREET (60 FT. WIDE)
(BETWEEN MANITOBA STREET & ROADS END)

A centerline of road being situated in the NE 1/4 of Section 6, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the E ¼ corner of said Section 6; thence N 02°34'06" W 363.02 feet along the centerline of Manitoba Street (60 ft. wide) to the Point of Beginning; thence along the centerline of Alpeana Street (60 ft. wide), S 85°59'12" W 435.01 feet to the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT E

RESOLUTION NO. 21-05

ACCEPTANCE OF SIMMONS COURT FROM HILL ROAD TO ROADS END

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Simmons Court.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF SIMMONS COURT (50 FT. WIDE)
(BETWEEN HILL ROAD & ROADS END)

A centerline of road being situated in the NE 1/4 of Section 9, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the E ¼ corner of said Section 9; thence S 88°37'01" W 792.0 feet along the E-W 1/4 line of said Section 9 to a point on the centerline of Hill Road; thence N 01°44'09" W 260.0 feet along the centerline of said Hill Road to the Point of Beginning; thence along the centerline of Simmons Court (50 ft. wide) the following two (2) courses: N 88°37'01" E 264.0 feet and N 01°44'09" W 400.0 feet to the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT F

RESOLUTION NO. 21-06

ACCEPTANCE OF KIRCHER COURT FROM N. OPDYKE ROAD TO ROADS END

At a regular meeting of the City Council of the City of Auburn Hills, Michigan, held at the City Hall on March 15, 2021, the following resolution was offered by Council Member Kittle and supported by Council Member Moniz:

Whereas the City of Auburn Hills did acquire title to Kircher Court.

And whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said street as described:

CENTERLINE OF KIRCHER COURT (66 FT. WIDE)
(BETWEEN N. OPDYKE ROAD & ROADS END)

A centerline of road being situated in the SW 1/4 of Section 14, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the W ¼ corner of said Section 14; thence S 89°20'07" E 1384.96 feet along the E-W 1/4 line of said Section 14 to a point on the centerline of N. Opdyke Road (50 ft. ½ width); thence S 01°08'57" E 703.96 feet along the centerline of said N. Opdyke Road; thence S 87°36'52" W 50.01 feet to the point of Beginning; thence S 87°36'52" W 627.20 feet along the centerline of Kircher Court (66 ft. wide) to the Point of Ending.

2. That said street is located within a City right-of-way and under the control of the City of Auburn Hills.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the municipal street system and is open to the public for public use on or before December 31, 2020.

Resolution duly adopted.

(City Clerk)

(Date)

Certified to be a true copy.

(City Clerk)

(Date)

ATTACHMENT G

STATE OF MICHIGAN COUNTY OF OAKLAND CITY OF AUBURN HILLS

RESOLUTION ESTABLISHING RULES FOR REMOTE ATTENDANCE

BY CITY COUNCIL AND CITY BOARD AND COMMISSION MEMBERS; AND MEMBERS OF THE PUBLIC DUE TO CORONAVIRUS PANDEMIC

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, partially held in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, and partially held electronically, at 7:00 p.m. on the 15th day of March, 2021, the following resolution was offered by Councilperson Knight and supported by Councilperson Kittle:

WHEREAS, on March 10, 2020, Governor Whitmer declared a state of emergency as a result of the Coronavirus (COVID-19) outbreak; and

WHEREAS, on March 11, 2020, the World Health Organization declared the Coronavirus outbreak a pandemic; and

WHEREAS, on March 13, 2020, the President declared a National Emergency as a result of the Coronavirus outbreak; and

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) has issued Interim Recommendations for COVID-19 Community Mitigation Strategies; and

WHEREAS, such strategies include encouraging staff to tele-work when feasible and implementing social distancing measures as feasible, including limiting in-person meetings, and prohibiting large gatherings; and

WHEREAS, on March 18, 2020, Governor Whitmer issued Executive Order 2020-15 to suspend rules and procedures relating to physical presence at meetings and hearings of public bodies to allow for public bodies to continue to conduct public business during the COVID-19 emergency and the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, on October 2, 2020 the Michigan Supreme Court invalidated Executive Order 2020-15 effective on April 30, 2020; and

WHEREAS, Act 228 of 2020 amended the Open Meetings Act to allow virtual public meetings, and the Act was amended again by Act 254 of 2020 to extend the time period for allowing a virtual public meeting for any circumstance, the Act now authorizes virtual public meetings: before March 31, 2021 and retroactive to March 18, 2020 for any circumstance; from on or after March 31, 2021 through December 31, 2021 for only those circumstances requiring accommodation of members absent due to military service or a medical condition, or a declared statewide or local state of emergency that would risk the personal health or safety of members of the public or the public body if the meeting were held in person; after December 31, 2021 for only those circumstances requiring accommodation of members absent due to military service; and

WHEREAS, Act 228 of 2020, Sec. 3(2) provides:

(2) All decisions of a public body must be made at a meeting open to the public. For purposes of any meeting subject to this section, except a meeting of any state legislative body at which a formal vote is taken, the public body shall, subject to section 3a,¹ establish the following procedures to accommodate the absence of any member of the public body due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter or local ordinance by the governor or a local official, governing body, or chief administrative officer that would risk the personal health or safety of members of the public or the public body if the meeting were held in person:

(a) Procedures by which the absent member may participate in, and vote on, business before the public body, including, but not limited to, procedures that provide for both of the following:

(i) Two-way communication.

(ii) For each member of the public body attending the meeting remotely, a public announcement at the outset of the meeting by that member, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.

(b) Procedures by which the public is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the public body to provide input on any business that will come before the public body.

WHEREAS, on March 2, 2021 the MDHHS issued an Emergency Order under MCL 333.2253 - Gathering and Face Mask Order concluding that the COVID-19 pandemic continues in Michigan; and

WHEREAS, on December 7, 2020 the Auburn Hills City Council (hereinafter referred to as the "City Council") declared a Local State of Emergency under Section 10 of the Emergency Management Act, Act 390 of 1976; and

WHEREAS, to implement MDHHS's mitigation strategies; to allow the City Council and all other City boards, commissions, and committees (hereinafter referred to collectively as "Public Bodies") to continue public business and to allow Public Bodies to meet entirely and/or partially remotely; and to allow the public to attend meetings of the Public Bodies remotely if they desire, consistent and in compliance with Act 228 of 2020, as amended by Act 254 of 2020, the City Council desires to establish rules to authorize and allow its members and members of the public to attend meetings of the Public Bodies by telephone, video conference, or other electronic means as specifically set forth in this Resolution;

NOW THEREFORE, BE IT RESOLVED, that the City Council immediately authorizes its members and members of the public to attend meetings of City Public Bodies by the electronic means described herein and establishes these rules, as required by Act 228 of 2020, Sec. 3(2):

A. CONDUCT OF THE MEETING:

1. The telephone, video conference, or other electronic technology to be utilized by Public Bodies shall be Microsoft Teams and it shall allow the members of the Public Body to be heard by any other member in attendance and any member of the public or staff attending during public comment and shall allow any member, any staff attending, or any member of the public when recognized during the public comment portion of the meeting and/or during the public comments portion of a particular agenda item to communicate with any member attending.
2. A member's remote attendance shall be considered attendance for the purpose of establishing a quorum.
3. Any vote by a member participating remotely pursuant to this Resolution shall be counted in the total number of votes for any matter and shall not be held invalid for the reason that it was cast by a member remotely.
4. If any member is participating remotely, all votes on any matter shall be taken by roll call vote.
5. For closed sessions conducted under this policy, each member and authorized attendee of the closed session shall not allow anyone else to hear or view the closed session. All members and authorized attendees of the closed session shall affirm, before the closed session begins, that they are in compliance with this subsection.
6. If an email is received at clerk@auburnhills.org for public comment before the close of the public comment portions of the meeting, the email will be read by the City Clerk, or other member of the Public Body designated in the absence of the City Clerk, and it may be addressed by the Public Body as appropriate during the meeting.
7. If a meeting is held remotely only to accommodate a member or members absent due to military duty or a medical condition, only those members absent due to military duty or a medical condition may participate remotely and in that circumstance, any member who is not on military duty or does not have a medical condition must be physically present at the meeting to participate. On and after March 31, 2021, each member of the public body attending the meeting remotely must announce at the outset of the meeting, to be included in the meeting minutes, that the member is in fact attending the meeting remotely and the reason for the remote attendance. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely, although a specific address is not required by this section.

B. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Immediately after calling the meeting to order, the City Clerk or other designated facilitator shall ensure that the method of conducting the meeting remotely is working. If the means of conducting the meeting remotely is not working, the meeting shall be immediately adjourned by the chair of the meeting without any decision or deliberation on any matter.
2. If any member of the public is attending remotely, each member of the public shall be provided an opportunity to provide public comment by e-mail or by the use of Microsoft Teams during a public comment portion of the agenda pursuant to the rules of the Public Body on public comment and the public shall also be provided an opportunity to provide public comment by e-mail or through the use of Microsoft Teams during the public comment

portion of a particular agenda item. Until those portions of the agenda, each member of the public attending remotely will be muted to prevent disruption of the meeting. During the public comment portions of the meeting, opportunity to comment shall be given by the Mayor or designated facilitator asking those attending the meeting remotely whether they have any public comment. Comment shall be limited to 3 minutes per person.

3. If any member of the public is attending, and a closed session is called by the Public Body as permitted by the Open Meetings Act, a separate call in number or other electronic means of remotely participating shall be available for the Public Body to utilize for a closed session that is not available to the public. The City Clerk shall clearly indicate at what point in the agenda the closed session will occur, that the public will not be able to hear the Public Body or provide comment during the closed session, and the Public Body shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.
4. A person wishing to make a comment during the public comment portions of the meeting will be asked to provide his or her name and address when participating but will not be required, as a condition of participation, to provide the information.

C. NOTICE OF MEETINGS:

1. For every meeting to be held partially or entirely remotely pursuant to this Resolution, the City Clerk shall comply with the requirements of PA 2020, No. 254 (MCL 15.263a), including posting on the homepage of the City's website in a conspicuous location and on the doors of City Hall located at 1827 N. Squirrel Road, Auburn Hills, Michigan, a notice containing the following:
 - a. An explanation of why the Public Body is meeting remotely;
 - b. Contact information for all members of the Public Body along with information about how the public may contact the member(s) to provide input on any business that will come before the Public Body;
 - c. The e-mail address and Microsoft Teams information or other necessary information for members of the public to utilize in order to access the meeting remotely;
 - d. The agenda for the meeting at least 2 hours prior to the meeting; and
 - e. Procedures by which persons with disabilities may participate in the meeting.
2. If any meeting includes a public hearing, all material that will be considered by the Public Body at the public hearing shall be posted or linked on the homepage of the City's website in a conspicuous location or as otherwise required by law at least 2 hours before the meeting. This provision shall not apply to written public comments received by the Public Body for the public hearing.

This Resolution is intended to establish rules and guidelines for and authorize participation by remote access by members of the Public Bodies and attendance by remote access by members of the public in the interest of the public health, safety, and welfare during the Coronavirus outbreak while preserving meaningful access to meetings and communication for members of the Public Bodies and members of the public, including members of the press and other news media.

In the event of a conflict between this Resolution and the Rules or Bylaws of the City Council or other Public Body, the terms of this Resolution shall control.

This Resolution shall be effective at 12:01 a.m. on March 30, 2021 and shall remain in effect until December 31, 2021 at 11:59 p.m. or until the City Council determines that the COVID-19 pandemic is no longer a threat in the City of Auburn Hills, whichever occurs first.

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

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

I, Laura M. Pierce, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 15th day of March, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 15th day of March 2021.

LAURA M. PIERCE
City Clerk
City of Auburn Hills

ATTACHMENT H

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held on March 15, 2021.

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

ABSENT: None

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

WHEREAS, the City of Auburn Hills (the "City") proposes to issue its capital improvement bonds (the "Bonds") in one or more series to finance (a) road improvements to major and local roads within the City and any and all related appurtenances and (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 (the "Project"); and

WHEREAS, prior to issuing the Bonds, the City is required to publish a notice of intent to issue the Bonds pursuant to Section 517(2) of Act 34, Public Acts of Michigan, 2001, as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn Hills, Oakland County, Michigan, as follows:

1. The maximum principal amount of Bonds expected to be issued for the Project is \$14,500,000.
2. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
3. The City Clerk is hereby instructed to publish the notice attached hereto once in a newspaper of general circulation in the City, which notice shall not be less than ¼ page in size in such newspaper.

4. The firm of Dickinson Wright PLLC is hereby appointed as bond counsel to the City, and PFM Financial Advisors LLC is hereby appointed as the City's registered municipal advisor in connection with the issuance of the Bonds.

5. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

YEAS: 7

NAYS: None

STATE OF MICHIGAN)

)ss

COUNTY OF OAKLAND)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held on March 15, 2021, the original of which is on file in my office. I further certify that notice of said meeting was given in accordance with the Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ___ day of _____, 2021.

Laura M. Pierce, City Clerk
City of Auburn Hills

Note: This notice must be not less than ¼ page in size in the newspaper.

NOTICE OF INTENT TO ISSUE BONDS
BY THE CITY OF AUBURN HILLS, MICHIGAN

NOTICE IS HEREBY GIVEN that the City of Auburn Hills, Oakland County, Michigan, intends to issue capital improvement bonds in one or more series in the aggregate principal amount of not to exceed \$14,500,000 for the purpose of defraying all or part of the costs of (a) road improvements to major and local roads within the City of Auburn Hills and any and all related appurtenances and (b) improvements, replacements, and/or renovations to City of Auburn Hills buildings and other facilities, including without limitation the replacement of one or more roofs, HVAC units, and related appurtenances.

The bonds will bear interest from their date at a rate or rates to be determined upon the sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under and pursuant to the provisions of Act No. 34, Public Acts of Michigan, 2001, as amended, and the full faith and credit of the City of Auburn Hills will be pledged to pay the principal of and interest on the bonds as the same shall become due. The City of Auburn Hills will be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem taxes on all taxable property within its corporate boundaries to pay the principal of and interest on the bonds as the same shall become due; provided, however, that the amount of taxes necessary to pay the principal and interest on the bonds, together with the taxes levied for the same year, shall not exceed the limit authorized by law. In addition, sources of payment of the principal of and interest on the bonds may include, without limitation, revenues from State of Michigan collected taxes returned to the City of Auburn Hills for highway purposes, tax increment and other revenues provided by the City of Auburn Hills' Tax Increment Finance Authority, and other lawfully available funds of the City of Auburn Hills.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Auburn Hills, to and for the benefit of the electors of the City of Auburn Hills in order to inform them of their right to petition for a referendum

upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors residing within the City of Auburn Hills, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Auburn Hills qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Auburn Hills, 1827 North Squirrel Road, Auburn Hills, Michigan 48326.

This notice is given pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended.

Laura M. Pierce, City Clerk
City of Auburn Hills