



# The City of Auburn Hills

## City Council Meeting

### Minutes

December 15, 2014

**CALL TO ORDER:** Mayor McDaniel at 7:00 p.m.

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

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

**Absent:** None

**Also Present:** City Manager Tanghe, Assistant City Manager Grice, Director of Emergency Services/Chief of Police Olko, Deputy Director/Fire Manning, City Clerk Kowal, Finance Director Barnes, Deputy Finance Director Schulz, DPW Director Melchert, Deputy DPW Director Herczeg, Community Development Director Cohen, Treasurer Buschmohle, Deputy Treasurer Keiser, Recreation Director Marzolf, Manager of Business Development Carroll, Management Assistant Mariuz, City Attorney Beckerleg, City Engineer Juidici

72 Guests

#### 4. APPROVAL OF MINUTES

4a. Regular Council Meeting – December 1, 2014

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

**RESOLVED: To approve the December 1, 2014 regular meeting minutes.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.241**

4b. City Council Workshop – December 1, 2014

**Moved by Hammond; Seconded by Mitchell.**

**RESOLVED: To approve the December 1, 2014 City Council Workshop minutes.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.242**

#### 5. APPOINTMENTS AND PRESENTATIONS

5a. Presentation – Oakland University Football Championship Trophy

Mr. Marzolf explained Oakland University football team has been using the Civic Center Park as their temporary home for the last two seasons; he introduced the OU Football Team President, David Brosky.

**David Brosky** stated the team won the conference trophy as well as the championship trophy, noting the team appreciates the use of Civic Center Park, being the temporary home for the OU football team for the past two years. Mr. Brosky thanked Council and the City for allowing them the use of the field and showed off the two trophies the team won.

Mayor McDaniel read the proclamation the City presented to the team.

5b. Appointment – Sam Beidoun to the Planning Commission

Mayor McDaniel introduced Sam Beidoun and thanked him for his willingness to continue serving on the Planning Commission, noting what a wonderful job the Planning Commission has done and continues to do so.

Mr. Beidoun thanked City Council for reappointing him to the Planning Commission and thanked his fellow Planning Commissioners for being a great, diversified group of people.

**Moved by Kittle; Seconded by Verbeke.**

**RESOLVED: To confirm the Appointment of Sam Beidoun to the Planning Commission for a term ending July 31, 2017.**

Ms. Mitchell noted she appreciates serving with Mr. Beidoun on the Planning Commission and is pleased with him going the extra mile in continuing his Planning Commissioner education.

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.243**

5c. Motion – Confirmation of Appointment and Oath of Office for James Manning as Fire Chief

Mr. Tanghe explained James Manning began his career with the City in 1986 and noted the positions held, accomplishments and education. James Manning is currently the Deputy Director of Emergency Services/Fire, a role that he has maintained for the last three years for which his essential duties and responsibilities are the management of the Fire Department. Having the requisite experience and education, he recommends the appointment of James Manning to Fire Chief, effective January 1, 2015.

James Manning thanked Council and Mr. Tanghe for having the confidence in appointing him Fire Chief. He thanked Director Olko for all of her support, as well as his family for their support. He thanked all the fire personnel that have supported him over the last three years and is looking forward to the future.

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

**RESOLVED: To accept the recommendation of the City Manager and appoint James Manning to the Department Head position of Fire Chief, effective January 1, 2015.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.244**

Mayor McDaniel thanked Mr. Manning on behalf of the Council and the residents for his continued service to the City. City Clerk Kowal administered the Oath of Office to James Manning.

5d. Motion – Confirmation of Appointment and Oath of Office for Michelle Schulz as Finance Director

Mr. Tanghe explained Michelle Schulz began with the City in 2007 as an accounting clerk, moving on to an accountant and is currently the Deputy Finance Director. The City has invested in Ms. Schulz through leadership development activities and she has been a part of a succession plan to replace the retiring Finance Director, Mr. Gary Barnes. Ms. Schulz is fully prepared to assume the role of Finance Director and has the requisite education and experience necessary to succeed and he recommends the appointment of Michelle Schulz to Finance Director, effective January 1, 2015.

Ms. Schulz thanked City Council for their support and confidence in her for the position and thanked Gary Barnes for his support, and helping her to learn and grow into the position.

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

**RESOLVED: To accept the recommendation of the City Manager and appoint Michelle Schulz to the Department Head position of Finance Director, effective January 1, 2015.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.245**

Mayor McDaniel thanked Ms. Schulz for her service noting the great budget reports she has had a hand in.

Mayor McDaniel also congratulated Mr. Barnes on his retirement and thanked him for his service and for mentoring Ms. Schulz to step in and fulfil the Finance Director position.

City Clerk Kowal administered the Oath of Office to Michelle Schulz.

5e. Oath of Office – Kathleen Novak for Deputy City Clerk

Mr. Tanghe noted Kathleen Novak has been employee of the City since 1999 and has held the position of Records Retention Clerks in the City Clerk's office since. Ms. Novak has the requisite experience and education to assume the role of Deputy City Clerk. Ms. Novak's promotion and appointment are effective January 1, 2015.

Ms. Kowal stated she is pleased to have Council's support in appointing Ms. Novak as Deputy City Clerk.

Mayor McDaniel is confident in Ms. Kowal's appointment and thanked Ms. Kowal and her staff for the well run elections and all week after week meeting support.

City Clerk Kowal administered the Oath of Office to Kathleen Novak.

Mayor McDaniel thanked Ms. Novak and wished her good luck.

**6. PUBLIC COMMENT**

**Annette McAvoy**, 3841 Briarvale, representing Avondale School District, wants to bring awareness of all the good things that are happening with the School District. She will attend a Council each month with 'What's Cool in School', with this month being the students. In the spirit of holiday giving, Avondale students, staff and community partners have collected 10,350 food items, 165 coats, 100 pair of snow pants, 109 pairs of gloves, 147 pairs of boots, 609 items of other clothing, and 400 toys. All of the items are new and will be distributed to area residents in need. The students raised more than \$12,500 to support specific needs in the community. Time has also been contributed by students; the high school band and choir went caroling at area nursing homes; the Auburn Elementary students are participating in 'Color Me a Smile', which sends holiday cheer to soldiers and veterans; fifth graders sewed quilts for patients at Children's Hospital; and some elementary students participated in 'Kids Helping Kids', sorting at the Pontiac distribution center.

## 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. Pension Board – November 12, 2014
- 7a.2. Retiree Health Care – November 12, 2014
- 7a.3. Planning Commission – November 20, 2014
- 7a.4. Tax Increment Finance Authority – December 9, 2014
- 7a.5. Board of Review – December 9, 2014

### 7b. Motion- Approve 2014 Budget Amendments for Major and Local Roads

**RESOLVED: To approve a motion to amend the 2014 adopted budget General fund transfers to the Major and Local Roads funds.**

### 7c. Motion – Receive and File Investment Performance Report

**RESOLVED: To accept the Investment Performance report for the year-to-date activity through November 30, 2014.**

**Moved by Mitchell; Seconded by Hammond.**

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

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.246**

## 8. OLD BUSINESS

### 8a. Motion – Adopt Resolution Accepting the Michigan Department of Environmental Quality Loan for the Project Located at 3250 Auburn Road

Ms. Carroll stated this request is to accept a loan from MDEQ which will assist with removing the soil at the site. The initial look at the site plan submitted by Burton-Katzman, needed to have a lot of the soil removed; there were structural engineering issues because of the geotechnical makeup of the soil. The cost of the excavation and bringing in new soil is approximately \$2 million. The site plan has been re-worked and includes some underground parking, which requires less soil to be brought to the site. With the site plan change, the cost is closer to \$800,000, which is near the initial cost.

To help offset some of the costs, a loan through MDEQ has been sought; as part of the loan process a resolution of support from the City Council is needed.

Mr. Knight mentioned the request for the loan will make sure the funds aren't depleted from the City's brownfield fund, noting the first two years of the loan are interest free and the balance can be paid back at any time.

Ms. Carroll agreed with Mr. Knight, but noted the first five years are interest and payment free and the loan can be repaid early without penalty.

Responding to Ms. Mitchell, Ms. Carroll stated the percentage of interest on the loan after the initial five years is 1.5%.

**Moved by Knight; Seconded by Burmeister.**

**RESOLVED: To adopt the resolution of support for the Michigan Department of Environmental Quality (MEDQ) Loan for the project located at 3250 Auburn Road.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.247**

### 8b. Public Hearing / Motion – Brownfield Plan Amendment

**Chuck Dimaggio**, Senior Project Manager for Burtman-Katzman, developer introduced himself.

**Anne Jamieson**, AKT Peerless Brownfield Consultant, introduced herself.

Ms. Carroll explained this is the final step in approving the amendment to the original brownfield plan, holding this evening's public hearing.

*Mayor McDaniel opened the public hearing at 7:37 p.m. and hearing no comment closed the public hearing at 7:37 p.m.*

**Moved by Burmeister; Seconded by Knight.**

**RESOLVED: To adopt the attached resolution (Attachment A) approving an amendment to the Brownfield Plan for 3250 Auburn Road, Auburn Hills, Michigan 48326.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.248**

**8c. Motion - Reimbursement Agreement for 3250 Auburn Road**

Ms. Carroll explained the purpose of a Reimbursement Agreement is to ensure that the City and the Developer have a clear understanding, in writing, as to what activities are eligible for reimbursement, the timeframes that the developer shall submit request for payment, and to outline the terms and conditions for the reimbursement process as established by the Auburn Hills Brownfield Redevelopment Authority. The agreement has been reviewed by City Attorney Beckerleg and has been found acceptable.

Mr. Kittle asked when the ribbon cutting will take place.

Mr. Dimaggio hopes ground breaking will take place in the fall, it was nearly a year ago when he was before Council with a site plan. Working with the City staff has been a real pleasure, one of the finest staff's he has worked with.

**Moved by Mitchell; Seconded by Verbeke.**

**RESOLVED: To approve the Reimbursement Agreement with Burton-Katzman, LLC.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.249**

**8d. Motion – Approve Amendment the Intergovernmental CATV Agreement of the ICCA**

Ms. Carroll explained the Intergovernmental Cable Communications Authority (ICCA) has been in existence since 1981. At the time, the group was brought together to oversee the franchising of a cable communications system and operated on revenue from a grant; operating solely on the grant. There is approximately \$10,000 remaining in the reserves which serves the 11 member communities. The communities operate on \$14,000 annually; which includes a monthly retainer for the attorney and the recording secretary. There were no audits conducted on Comcast or AT&T this year, but should be done next year.

The Authority has met with City Managers of the 11 communities to determine how the Authority will continue to be funded fairly for all 11 communities. A formula based on the number of residents was created, as well as a flat fee for each community. The Auburn Hills portion will be \$2,340; the flat fee of \$1,000, plus \$1,340 (number of residents using cable). The ICCA works as a group representing the 11 communities; it likely wouldn't be possible to achieve the same goals of the ICCA as an individual community and receive the same services for \$2,340 a year. An example of work being done as a group: Comcast was underpaying the franchise fee to communities, a total of over \$96,000 was recovered for the 11 communities with Auburn Hills' net recovery of \$8,082.73 for the years 2004-2006.

Also, Comcast is leaving Michigan, so the attorney, Tim Currier from Bier Howlett, will be guiding the Authority through the process involved with the transfer of all Comcast assets to Greatland Connections.

Mayor McDaniel noted City Attorney Beckerleg has reviewed the amendment the agreement.

Ms. Carroll confirmed for Mr. Knight that the fees are lower for Auburn Hills, because the majority of cable use is for homeowners and not businesses. Franchise and PEG fees are also based on the residential cable service only, no internet and applies to all cable carriers (i.e. AT&T, Comcast).

Mr. Kittle noted 11 communities make up this Authority and asked what other communities do.

Ms. Carroll explained there are other smaller groups, such as the West Bloomfield consortium, but she isn't sure about others. Communities have been watching the ICCA to see how things are done and there has been some discussion about expanding the ICCA. Responding to Mr. Kittle, she stated the ICCA is very active, the contract and activities of the public access provider, Community Media Network, are overseen, as well as promoting them. The ICCA generally meets every other month.

Continuing, Ms. Carroll explained Greatland Communications is acquiring everything from Comcast; equipment, customers, debt, liability, and staff.

**Moved by Verbeke; Seconded by Kittle.**

**RESOLVED: To approve the amendment the Intergovernmental CATV Agreement.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.250**

**8e. Motion – Approval of NOCWA Agreement**

Mr. Melchert explained the major differences between the existing DWSD contract with Auburn Hills and the new contract with NOCWA are the exhibits. Exhibit A illustrates NOCWA's water distribution points and service area. Exhibit B identifies projected and minimum annual volume, pressure range, maximum flow rate, and assumptions to flows split among the metered water connections. Some of the pressure ranges and flow splits are to be determined, which will be based on operational data collected over the next year.

Auburn Hills' 20.8% share of the total DWSD revenue requirement from NOCWA of \$21,503,600, is an expected annual savings of \$330,811 for Auburn Hills.

The agreement is expected to be approved by City of Detroit Water Board in mid-January, with new water rates beginning July 1, 2015. City Attorney Beckerleg, has reviewed the City of Detroit/NOCWA water service contract and finds it satisfactory from a legal standpoint.

Mr. Kittle noted the savings for Pontiac is remarkable, and asked if their volume is that much higher.

Mr. Melchert explained because Pontiac and Rochester Hills volumes are higher, it helps with the savings for Auburn Hills. Also, when Pontiac incorporates operational changes through efficient use of their 12 million gallons of water storage, they are able to decrease their peak hour usage below their maximum day rate, which reduces their costs.

Mr. Kittle pointed out, that Mr. Melchert will be a key-note presenter at the SEMCOG University webinar on this topic, with 260 southeast Michigan local governments invited to attend.

Mr. Melchert stated the webinar topic, Community Collaboration, is scheduled for January 12, 2015.

Responding to Mr. Knight, Mr. Melchert explained Pontiac purchasing extra water was a past contract. There is a future phase being discussed, of Auburn Hills connecting to Pontiac, which will require a capital outlay to make the connection. Yes, he agreed with Mr. Knight, that the connection has been discussed for a number of years.

Mr. Kittle asked if the Pontiac sewage treatment plant has excess capacity which could be used by other communities.

Mr. Melchert stated yes, and the Oakland County Water Resource Commissioner has purchased that facility, and has brought down sewage costs for Auburn Hills.

Mayor McDaniel thanked Mr. Melchert and Mr. Herczeg for keeping Council aware of the progress and the good job being done.

**Moved by Knight; Seconded by Mitchell.**

**RESOLVED: To approve the Water Service Contract between City of Detroit and North Oakland County Water Authority.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.251**

**8f. Motion – Acceptance of Non-Union Benefit Agreement**

Mr. Tanghe noted there are no changes to the Agreement, however, as approved in the 2014 Benefit resolution, non-union employees will be contributing 20% of their health care premium as a payroll deduction. This agreement aligns with employee bargaining units.

As in years past, Mr. Kittle believes there are areas of the Agreement that should be opened for discussion, and would like to discuss during the budget season.

**Moved by Knight; Seconded by Kittle.**

**RESOLVED: To adopt the 2015 Benefits Resolution for Non-Union Personnel.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.252**

**9. NEW BUSINESS**

**9a. Motion – Schedule a Public Hearing for the Possible Vacation of a Portion of an Alley and Lackawana Right-of-Way in the Lake Angelus Subdivision**

Mr. Cohen explained Great Lakes Landing LLC, requested to vacate a portion of an alley and Lackawana R.O.W., which is located east of Baldwin Road and north of Collier Road. Great Lakes Landing LLC owns three parcels, approximately one-half acre. The site was originally platted in 1927 as part of the Lake Angelus subdivision. The vacation would allow the three parcels to be consolidated into one useable site, six acre site. The existing utilities will remain as City owned easements.

The Master Plan for this area indicates two units per acre, which includes wetlands. The six acre site could potentially have 12 units built, a good portion of the site is unbuildable wetlands.

The previous Angela's Forest, now Baldwin Forest, was purchased and will have 84, single family homes, next year. A 90 unit apartment complex is being proposed at the site on the south side of Collier Road and east of Baldwin Road.

Mr. Cohen noted this is a two-step process, if Council wishes to proceed, a public hearing will be held January 26, 2015, in anticipation of the vacations.

Mr. Kittle asked if the sewer line will be stubbed off; it appears to be located at the edge of the wetlands.

Mr. Cohen explained any building will be around the utilities, both the sewer and water; the easements will remain as they are.

Ms. Hammond asked if signs are posted noting the possible vacations and/or have area residents been notified of the possible vacations.

Mr. Cohen explained, typically, a road vacation process requires a public hearing and staff will notify the property owners who directly abuts the right of way. In this instance, there is only one party that will be notified. If building proceeds, as discussed, residents within 1,000 feet will be notified.

**Arnold Finkelstein** representing Great Lakes Landing LLC, introduced himself and asked for Council's approval for the public hearing.

**Moved by Knight; Seconded by Burmeister.**

**RESOLVED: To adopt the attached resolution (Attachment B) and schedule a public hearing at the January 26, 2015 Regular City Council Meeting for the possible vacation of a portion of an alley and Lackawana R.O.W. in the Lake Angelus Subdivision.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.253**

**9b. Motion – Resolution to Approve List of Authorized Depositories**

Ms. Buschmohle noted the City Charter requires the City Council to select one or more depositories annually. It's important for the City to have several approved institutions to seek competitive bids when investing City money. The banks and credit unions are the same as 2013, with the addition of TCF Financial. These institutions are rated using Bankrate.com and by the City's investment manager, Cutwater Asset Management, and our former investment manager, Ambassador Capital.

The resolution listing depositories is in compliance with the City Charter and the Investment Policy. Prior Council recommendations were that approved depositories should have a rating of 20 or higher, be rated a B or better, or be strong in 2 out of the three rating categories.

Mr. Kittle asked if it was necessary to have such a long list of depositories.

Ms. Buschmohle explained the purpose of the extended list is because the FDIC insures only up to \$250,000 and the amount of money the City invests, would exceed the insurable amount.

**Moved by Knight; Seconded by Kittle.**

**RESOLVED: To adopt the attached resolution (Attachment C) approving the list of authorized depositories for City funds.**

Mr. Knight reiterated his opinion from years past, he would like to see City funds invested in credit unions, who typically have much better interest rates. The City has a number of good credit unions and would like consideration be given to them.

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.254**

**9c. Motion – Resolution to Approve List of Authorized Broker/Dealer**

Ms. Buschmohle noted approval by City Council annually is needed for the list of broker/dealers used by the City. The broker/dealers are those used by the City's present investment manager, Cutwater Asset Management. Each broker/dealer has signed an agreement to abide by Public Act 20. The Broker/Dealers do not issue debt, and are pass-through agents used by Cutwater to place trades.

Mr. Knight understands the list, but suggests expanding the list beyond Cutwater. There are others that have an equal or higher rating than those used by Cutwater.

Ms. Mitchell asked if the list could be expanded.

Ms. Buschmohle explained the only reason for using Cutwater is because the City is in the process of trying to find another investment manager. The new investment manager may have other brokers that they'll want to use; new brokers/dealers can be added at that time.

Responding to Ms. Mitchell, Ms. Buschmohle noted some interviews are scheduled for December 18<sup>th</sup>, and it is hoped a new investment manager will be determined by the first of the year.

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

**RESOLVED: To adopt the attached resolution (Attachment D) approving the list of authorized broker/dealers used by the Investment Manager on behalf of the City of Auburn Hills.**

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.255**

**9d. Motion – Approve Amendment of the Investment Policy**

Ms. Buschmohle explained there are two considerations for amending the Investment Policy, first, to add Section 4.5 to the Investment Policy, prohibiting Cross Trading, and second, combine the Water Fund and the Sewer Fund, two separate funds, into the Water/Sewer Fund.

Currently, Investment Managers may or may not engage in Cross Trading. Cross Trading is when securities are traded between portfolios without using a third party broker and going on the open market. Cross Trading is not illegal, but may lead to questions on best pricing and execution, as well as fair treatment of accounts. By adding Section 4.5 prohibiting

Cross Trading, this will clarify the City's stance. Since an Investment Manager has the authority to invest and trade securities on behalf of the City, this will remove the appearance of improprieties.

The Finance Department combined the Water Fund and the Sewer Fund into the Water/Sewer Fund in 2012. To accurately describe the City's funds listed in the Investment Policy, it is recommended to update the Policy to reflect the change.

Mr. Knight stated he is concerned with combining the funds, but asked if the accounting of each fund will continue to be separate.

Ms. Buschmohle stated that is correct, expenses and revenue for each are booked separately.

**Moved by Mitchell; Seconded by Burmeister.**

**RESOLVED: To amend the City's Investment Policy to add Section 4.5 prohibiting Cross Trading, and to combine the Water Fund and Sewer Fund previously listed separately into the Water/Sewer Fund.**

Mr. Kittle asked if there has been an opinion letter from the auditors of combining funds.

Ms. Buschmohle explained the fund combining has been done through the Finance Department and the auditors, review the financial statements as water/sewer fund combined.

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

**No: None**

**Motion Carried (7-0)**

**Resolution No. 14.12.256**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Ms. Verbeke:

- She visited Continental earlier today with Mayor McDaniel and Ms. Mitchell, where a donation of \$10,000 was accepted for the Auburn Hills Helping Hand program. She thanked Continental for making such a generous donation and helping the program.
- Noted City Council meetings will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Monday's of each month, beginning in 2015.
- Merry Christmas and Happy New Year to everyone.

Ms. Hammond:

- She was pleased with this evening's meeting, with the Oakland University football team, promotions, and the wonderful things happening in the City. She wished Mr. Barnes good luck on his retirement and thanked him for his years of service.
- Wished everyone a Merry Christmas and a Happy New Year.

Mr. Burmeister:

- He very much enjoyed the Chamber of Commerce Silver and Gold Awards event held last Friday.
- Merry Christmas and Happy New Year to everyone.

Mr. Knight:

- Every time he goes into the Chase Bank, he is told how wonderful the downtown looks all lit up for Christmas.
- Last week Director Olko headed up a combined activity between Avondale Youth Assistance and the Morning Optimist Club, who took the group of youngsters shopping. There was approximately \$150 for each youth to buy gifts for their families.
- As discussed in the past, suggested at the first meeting of the year, to have a resolution to transfer surplus funds from accounts to the general fund.
- Wished all a Merry Christmas.

Ms. Mitchell:

- Accolades to the staff on the Tree Lighting ceremony; she heard many positive comments throughout the evening.
- Thanked Emergency Services, both Police and Fire, with the many good things that have been done within the community this holiday season.
- Feliz navidad to everyone.

Mr. Kittle:

- He is very proud of all City employees with all the changes this year, but believes 2015 will be a great year for the City.

Mayor McDaniel:

- He too appreciates the staff and all the work that went into making a great Tree Lighting ceremony; it was well attended and the weather cooperated.

- This being the last Council meeting of the year, there has been much accomplished and a lot of changes. Mr. Tanghe and the staff have done a lot of adjusting and getting business done. Thanked all of staff and wished all a Merry Christmas and a successful New Year.
- Applauded Chief Olko for one of her staff, Detective Brian Martin, who received a Distinguished Service Award, given by Oakland County's Prosecutor. A great example of the wonderful men and women that work for the Police Department.

**11. CITY ATTORNEY'S REPORT – none**

**12. CITY MANAGER'S REPORT**

- Thanked everyone who participated in the Tree Lighting ceremony; there were more than 400 people in attendance. Thanked Sam Mariuz, Management Assistant for her coordinating of the event.
- Chief Olko and Lt. McDonnell attended the recent Academy graduation of two new patrol officers who were sworn in this morning.
- Five media consultants have been interviewed and two will be presented at the January 12, 2015 City Council Workshop.
- There have been discussions regarding the Lapeer Road traffic as requested by a Lapeer Road business to see if adjustments can be made. MDOT has jurisdiction over Lapper Road, not the City.
- City staff participated in the Road Show at Delphi, where it is an opportunity for the City to showcase its services and facilities to the employees of major employers within the City.
- Congratulated Shylah and Harry Trost on the birth of their son, Joshua. Shylah is the City's Coordinator of Community Promotions, in the City Manager's Office, the designer of the City's Newsletter, annual calendar and numerous promotional items for the City.
- Wished everyone a Merry Christmas and a Happy New Year.
- Reminded everyone of the new Council meeting day; the 2<sup>nd</sup> and 4<sup>th</sup> Monday's of the month. The next meeting will be January 12, 2015, with a workshop beginning at 5:30 p.m.

**13. ADJOURNMENT**

Meeting adjourned at 8:46 p.m.

---

Kevin R. McDaniel, Mayor

---

Terri Kowal, City Clerk

CITY OF AUBURN HILLS  
RESOLUTION 14.12.248  
APPROVING THE BROWNFIELD  
PLAN AMENDMENT #1  
3250 AUBURN ROAD  
EDGE LOFTS

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chamber at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 pm. On the 15<sup>th</sup> day of December 2014,

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

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 Amendment for the property consisting of 1.27 acres with Sidwell Number 02-14-36-103-015; and

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

WHEREAS, the Authority, following review of the plan amendment, unanimously approve 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 December 15, 2014, in order to review the plan amendment; and

WHEREAS, during the public hearing conducted the City Council on December 15, 2014, all persons, including the affected taxing jurisdictions, were allowed an opportunity to comment on the amended 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 Amendment and determines that the Plan Amendment, in accordance with the Act constitutes a public purpose.
2. Furthermore, the Plan Amendment 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: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke

NAYS: None

ABSENT: None

ABSTENTIONS: None

Resolution 14.12.248 Approved (7-0)

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 15<sup>th</sup> day of December 2014

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 16<sup>th</sup> day of December 2014.

\_\_\_\_\_  
Terri Kowal, City Clerk

**CITY OF AUBURN HILLS  
RESOLUTION 14.12.253  
TO SCHEDULE A PUBLIC HEARING FOR  
THE POSSIBLE VACATION OF A PORTION OF AN ALLEY AND  
LACKAWANA RIGHT-OF-WAY IN THE LAKE ANGELUS SUBDIVISION**

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 7:30 p.m., on the 15<sup>th</sup> day of December, 2014.

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

WHEREAS, Section 62-14 of the Auburn Hills City Code, as amended, provides that whenever the City Council shall deem it advisable to vacate any alley and street, it may do so by resolution, and shall, by resolution, schedule a hearing to hear objections to the proposed alley and street vacation; and

WHEREAS, the City of Auburn Hills has received a request for vacation of a portion of Lackawana and an alley; and

WHEREAS, the City Council has determined that it would be appropriate to hold a public hearing to consider the proposed vacation of the aforementioned portion of Lackawana and alley.

NOW, THEREFORE, it is hereby resolved by the Auburn Hills City Council that:

1. On January 26, 2015, the Auburn Hills City Council will hold a public hearing in the City Council Chambers at 1827 North Squirrel Road, Auburn Hills, Michigan 48326, for the purpose of hearing objections and other comments on the proposed vacation of a certain portion of Lackawana and alley, which is legally described as follows:

SEE EXHIBIT A

2. The City Clerk shall take the necessary action to ensure that notice of the above-described public hearing shall be published in a newspaper of general circulation in the City not less than 15 days before the date of the public hearing, and notice shall also be given by first-class mail to the owners of all property abutting the portion of Lackawana and alley proposed to be vacated, and, further, notice of the public hearing shall be posted at the City Hall for at least one week prior to the date of the public hearing.

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

NAYS: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION 14.12.253 Approved (7-0)

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 15<sup>th</sup> day of December, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 16<sup>th</sup> day of December, 2014.

\_\_\_\_\_  
Terri Kowal, City Clerk

**RESOLUTION 14.12.254  
TO APPROVE LIST OF AUTHORIZED DEPOSITORIES FOR THE CITY OF AUBURN HILLS**

**WHEREAS**, Section 4.23 of the Auburn Hills Charter states that “The City Council shall select annually one or more depositories in which funds of the City shall be deposited” and

**WHEREAS**, Section 7.0 of the City of Auburn Hills Investment Policy states that “The City Treasurer shall maintain a listing of financial institutions and brokers/dealers authorized to provide investment services,” approved annually by City Council for investment and depository purposes, and

**WHEREAS**, the currently approved list of legal depositories has expired,

**NOW THEREFORE BE IT RESOLVED**, that the Auburn Hills City Council approve the following financial institutions as legal depositories for all public monies effective to December 31, 2015

Bank of America  
Comerica Bank Fifth  
Third (5/3) Bank First  
Merit  
Flagstar  
Huntington National (Bancshares)  
JPMorgan Chase  
Level One Bank  
Mercantile  
PNC Financial Services  
Talmer  
TCF Financial  
The Private Bank  
Wolverine  
Alliance Catholic Credit Union Cornerstone  
Community Financial Credit Union Credit Union One  
Genisys Credit Union  
InTouch Credit Union  
Michigan Schools & Government Credit Union  
Michigan State University Credit Union Parda  
Federal Credit Union

\_\_\_\_\_  
Terri Kowal, City Clerk

**RESOLUTION 14.12.255**  
**TO APPROVE LIST OF AUTHORIZED BROKERS / DEALERS FOR THE CITY OF AUBURN HILLS**

**WHEREAS**, Section 7.0 of the City of Auburn Hills Investment Policy states that “The City Treasurer shall maintain a listing of financial institutions and broker/dealers authorized to provide investment services,” approved annually by City Council for investment and depository purposes,

**NOW THEREFORE BE IT RESOLVED**, that the Auburn Hills City Council approve the following brokers/dealers as legal pass-thru agents for all public monies effective to December 31, 2015

Citigroup Jeffries  
Group Merrill  
Lynch & Co.  
Mizuho Corporate Bank  
Morgan Stanley Raymond James  
Morgan Keegan Royal Bank of  
Canada  
UBS  
AG  
Wells Fargo & Co.

\_\_\_\_\_  
Terri Kowal, City Clerk