



The City of Auburn Hills
City Council Meeting
Minutes

April 10, 2017

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, Council Members Burmeister, Kittle, Knight, Mitchell and Verbeke
Absent: Hammond
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, Police Chief Olko, Fire Chief Manning, City Clerk Kowal, DPW Director Melchert, Mgr. of Business Development Carroll.

29 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council Minutes – March 27, 2017

Mayor McDaniel requested two minor changes to the minutes.

Moved by Burmeister, Seconded by Mitchell.

RESOLVED: To approve the March 27, 2017 City Council meeting minutes as amended.

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

No: None

Resolution No. 17.04.058

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Presentation of badges to Firefighters Burnett and Deming

Chief Manning recognized firefighters David Burnett Jr. and Breana Deming who have successfully completed the requirements of their one year probationary period. Over the course of the probationary period, new firefighters are required to demonstrate many firefighting and EMS skills.

5b. Introduction of Joel Nosanchuk regarding the Speculative Building Designation for Continental Property LLC approved on March 27, 2017

Mr. Grice commented that Mr. Nosanchuk is in attendance at the meeting as a result of a request from City Council at the last meeting.

Mr. Nosanchuk explained that he purchased the property ten years ago. He stated that after a few attempts to make deals for a building, they decided to try to build a speculative building. He commented that only the shell will be built until a customer is found. He is hopeful that it will be fully enclosed by December.

Mr. Kittle questioned when a speculative building will begin being taxed. Mr. Beckerleg explained that it would depend on the degree of completion.

6. PUBLIC COMMENT

7. CONSENT AGENDA

7a. Motion – Approval of 2017 Used Car Dealers Licenses

Moved by Mitchell, Seconded by Verbeke.

RESOLVED: To approve renewal of Used Car Lot Licenses for the 2017/2018 licensing period for A & S RV Center, Newcomb's Auto Service, Oakland Truck and Equipment Sales, Inc., and Parts Place, Inc.

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

Resolution No. 17.04.059

Motion Carried (6 - 0)

8. OLD BUSINESS

8a. Motion – Approve 2017 SAD Road Program Contract Award - Deep Wood Dr, Pacific Dr, N. Atlantic/Continental, OHM Scope of Construction Services and Geotechnical Materials/Testing Services

Mr. Melchert explained that bids were received on March 31st. Staff is recommending the low bidder. Along with the construction contract, the related OHM scope of engineering services for construction and inspection as well as geotechnical testing materials and testing estimate have been provided.

Moved by Knight, Seconded by Mitchell.

RESOLVED: To approve the 2017 SAD Road Program Contract Award in the amount of \$3,568,440.25 to Ajax Paving Industries, Inc., 1957 Crooks Rd. Suite A, Troy, MI 48084, OHM Scope of Construction Services in an amount not to exceed \$390,000, and the geotechnical materials/testing estimate of \$99,000, subject to City Council's Confirmation of the Rolls for SAD No. 4 and SAD No. 5. All costs will be divided into appropriate amounts and paid from account numbers 203-453-973.000-DEEPWOOD.SAD, 202-452-935.000-PACIFIC.SADX, and 202-542-973.000-N.ATLANTICXX.

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

Resolution No. 17.04.060

Motion Carried (6 - 0)

8b. Motion - Adopt Resolution Accepting the Special Assessment Roll and Setting Public Hearing on the Roll (Resolution No. 4) SAD No. 4 Pacific Drive

Mr. Melchert explained that, if adopted, Resolution #4 would accept the updated roll based on the construction bids that were received. It will also set a public hearing to allow the property owners to voice any concerns or objections to the roll. He noted that Resolution #5 will be presented on April 24th following the public hearing.

Moved by Mitchell, Seconded by Kittle.

RESOLVED: To approve Resolution No. 4, a Resolution Accepting the Special Assessment Roll for the proposed Special Assessment District No. 4, regarding the repair of and improvements to Pacific Drive, and setting a Public Hearing on the Roll for April 24, 2017, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326. (Attachment A)

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

Resolution No. 17.04.061

Motion Carried (6 - 0)

Mr. Knight questioned how the cost of the SAD is spread. Mr. Melchert explained that the cost would be spread over a ten-year period, based annually at a 5% interest on the unpaid balance. The owner also has the option to pay the entire amount up front.

8c. Motion - Adopt Resolution Accepting the Special Assessment Roll and Setting Public Hearing on the Roll (Resolution No. 4) SAD No. 5 N. Atlantic Boulevard/Continental Drive

Mr. Melchert commented that there is nothing more to add as it is the same information as the last item.

Moved by Verbeke, Seconded by Mitchell.

RESOLVED: To approve Resolution No. 4, a Resolution Accepting the Special Assessment Roll for the proposed Special Assessment District No. 5, regarding the repair of and improvements to North Atlantic Boulevard and Continental Drive, and set a Public Hearing on the Roll for April 24, 2017, at 7:00 p.m., in the City Hall at 1827 N. Squirrel Road, Auburn Hills, MI 48326. (Attachment B)

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

No: None

Resolution No. 17.04.062

Motion Carried (6 - 0)

9. NEW BUSINESS

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Knight

- A week from tomorrow is the steak and burger dinner. He invited Council to the VIP reception at 5:30 PM at Meadowbrook Hall. The main dinner will be held at 7:00 PM at the Community Center.

Mr. Kittle

- Stated that the workshop tonight was very informative.

Mr. Burmeister

- Commented that the City newsletter was late. He received it at his house on Saturday, several weeks after some of the classes had already started. He questioned whether some of the classes had to be cancelled as a result.

Ms. Carroll stated that she will follow up with staff at the Community Center with regard to the classes. She explained that when she heard the newsletter arrived late, she established a timeline to understand what could have happened between the deadline and the delivery date. She explained that there was a power outage, lasting five days, at the printer. The printer then encountered a binding problem of the newsletters, which they did not communicate to the City. She stated that going forward, we need to establish a much clearer line of communication with the printer and have a backup printer. Ms. Carroll pointed out that the newsletters are sent by bulk mail. By using the bulk permit the post office has ten to fourteen days to deliver it once it is dropped off. It was dropped off on March 29th.

In response to a question from Mayor McDaniel, Ms. Carroll stated that Color Tech is the printer used for the last three years. She stated that they provide some value added services such as printed drafts. She noted that we have not had any problems to date with them.

Mayor McDaniel stated that he can appreciate the fact that they were without power which is unplanned, but expressed concern with the lack of communication from the binding aspect. He suggested not only having a backup for the next issue, but also seeking other primary printers who may be able to provide a better line of communication.

Mr. Knight stated that it sounds like a post office issue as well. Mayor McDaniel questioned the bulk mail processing. Ms. Kowal stated that the bulk mail goes to Pontiac to be sorted. She explained that she has been meeting with the post office since the election. Soon, they are going to allow us to start bringing our local mail to the Auburn Hills Post Office to bypass the sort facility, even if it is bulk such as ballots and applications for ballots and hopefully she can work newsletters into it. She commented that we are close to that being finalized, and hopefully it will be settled before the November election.

Ms. Verbeke stated that she has not received her newsletter yet. Ms. Carroll confirmed that if anyone in the community is interested in receiving a copy of the newsletter, they should contact the City Manager's Office at 248.370.9400. Mr. Tanghe noted that the newsletter has been available on the City website as of March 17th.

Ms. Mitchell

- Noted that the annual Easter egg hunt and bonnet contest will be held on Saturday the 15th at noon.
- Expressed appreciation to Mr. Cohen and Chief Olko for the rapid response to the parking and traffic flow concern at the new plaza located at University and Squirrel. She stated that she values the thoroughness of the assessment that was done and expressed optimism that the owner will be receptive to the recommendations.
- Noted the Community Impact Center, located downtown, is celebrating its seventh year anniversary in the City.
- Congratulated Ajay Sumanth, resident and Avondale Middle School student, who qualified for the National History Bee.

Mayor McDaniel

- Wished everyone a Happy Easter

11. CITY ATTORNEY'S REPORT

12. CITY MANAGER'S REPORT

13. EXECUTIVE SESSION

13. Motion – Recess to Executive Session

Moved by Mitchell, Seconded by Verbeke.

RESOLVED: To recess into Executive Session to discuss the Sale of Land and Labor Negotiations.

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

No: None

Resolution No. 17.04.063

Motion Carried (6 - 0)

The meeting recessed into Executive Session at 7:36 PM.

City Council reconvened in open session at 8:51 PM.

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 8:52 PM.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk

ATTACHMENT A

**CITY OF AUBURN HILLS
RESOLUTION ACCEPTING THE SPECIAL ASSESSMENT ROLL AND SETTING PUBLIC
HEARING ON THE ROLL (RESOLUTION NO. 4)
PACIFIC DRIVE**

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, Michigan 48326, at 7:00 p.m. on the 10th day of April, 2017, the following resolution was offered by Councilperson Mitchell and supported by Councilperson Kittle :

WHEREAS, plans for the Project and an estimate of the cost of the Project in the amount of \$1,529,000 for the repair and improvement to Pacific Drive have been prepared and notice has been given, according to law to the owners of the property in the district with respect to a public hearing for the purpose of presenting any objections to the Project and to the special assessment district; and

WHEREAS, on February 13, 2017, the City Council adopted a Resolution Declaring Necessity and to Proceed with Project and to Defray a Portion of the Costs of the Project By Special Assessments Upon Specially Benefited Properties (Resolution No. 3); and

WHEREAS, the City Council has conducted a public hearing for construction of the proposed improvement described below (the Project) and establishing a special assessment to finance and defray a portion of the cost of the Project; and

WHEREAS, the proposed improvement (the Project) is the repair and improvements to Pacific Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district attached to this Resolution, which will be designated as Special Assessment District No. 4 (the district); and

WHEREAS, plans for the Project, the estimated cost of the Project in the amount of \$1,529,000, of which amount it was estimated that approximately \$764,500 would be defrayed by special assessments against the properties in the special assessment district, and the special assessment district have been approved by the aforementioned resolution of the City Council following the required public hearing on February 13, 2017; and

WHEREAS, based on the City obtaining and accepting a firm bid from a company who will perform the work necessary to complete the Project, the final cost of the Project is \$1,315,173, of which amount \$657,587 will be defrayed by special assessments against the properties in the special assessment district.

WHEREAS, in accordance with the direction of the City Council, the Assessor has prepared a special assessment roll allocating the total final cost of the Project to the properties within the district according to law, and the Assessor has filed such roll with the City Clerk.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council accepts the special assessment roll.
2. The special assessment roll shall be filed in the City Clerk's Office and be available for public examination and review.

3. A public hearing is hereby set for April 24, 2017, to be held at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for consideration of confirming the special assessment roll and for hearing objections by any interested person with respect to the special assessment roll. The City Council will review the roll and hear and consider any objections presented.

4. The City Clerk shall give notice that the City Council shall conduct a public hearing on April 24, 2017, at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for the purpose of considering confirmation of the special assessment roll and for the purpose of hearing objections by any interested person with respect to the special assessment roll. Notice of the public hearing shall be published twice in a newspaper published and/or circulated in the City with the first publication being at least ten (10) days before the April 24, 2017, hearing, and notice shall also be sent by first class mail to each record owner or party-in-interest in whose name the land in the district is to be assessed as shown on the City's last preceding tax assessment roll for ad valorem purposes, with said notices to be mailed at least ten (10) days before the April 24, 2017, hearing. The notice to be published and mailed by first class mail shall include the following:
 - (a) The date, time and place of the public hearing;
 - (b) A statement that the special assessment roll is on file with the City Clerk for public examination and review.
 - (c) A statement that appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal and that if the special assessment is protested properly, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days after confirmation of the special assessment roll, and that any person deeming themselves aggrieved by the special assessment roll may file their objections thereto in writing with the City Clerk at or prior to the time of the public hearing, in which case appearance in person at the public hearing is not required.

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

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, TERRI KOWAL, 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 10th day of April, 2017, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this _____ day of _____, 2017.

TERRI KOWAL
City Clerk

ATTACHMENT B

**CITY OF AUBURN HILLS
RESOLUTION ACCEPTING THE SPECIAL ASSESSMENT ROLL AND SETTING PUBLIC
HEARING ON THE ROLL (RESOLUTION NO. 4)
NORTH ATLANTIC BOULEVARD AND CONTINENTAL DRIVE**

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, Michigan 48326, at 7:00 p.m. on the 10th day of April, 2017, the following resolution was offered by Councilperson Verbeke and supported by Councilperson Mitchell:

WHEREAS, plans for the Project and an estimate of the cost of the Project in the amount of \$3,407,000 for the repair of and improvement to North Atlantic Boulevard and certain portions of Continental Drive have been prepared and notice has been given, according to law to the owners of the property in the district with respect to a public hearing for the purpose of presenting any objections to the Project and to the special assessment district; and

WHEREAS, on February 13, 2017, the City Council adopted a Resolution Declaring Necessity and to Proceed with Project and to Defray a Portion of the Costs of the Project By Special Assessments Upon Specially Benefited Properties (Resolution No. 3); and

WHEREAS, the City Council has conducted a public hearing for construction of the proposed improvement described below (the Project) and establishing a special assessment to finance and defray a portion of the cost of the Project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to North Atlantic Boulevard and certain portions of Continental Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district attached to this Resolution, which will be designated as Special Assessment District No. 5 (the district); and

WHEREAS, plans for the Project, the estimated cost of the Project in the amount of \$3,407,000, of which amount it was estimated that approximately \$1,703,500 would be defrayed by special assessments against the properties in the special assessment district, and the special assessment district have been approved by the aforementioned resolution of the City Council following the required public hearing on February 13, 2017; and

WHEREAS, based on the City obtaining and accepting a firm bid from a company who will perform the work necessary to complete the Project, the final cost of the Project is \$3,008,418, of which amount \$1,504,209 will be defrayed by special assessments against the properties in the special assessment district.

WHEREAS, in accordance with the direction of the City Council, the Assessor has prepared a special assessment roll allocating the total final cost of the Project to the properties within the district according to law, and the Assessor has filed such roll with the City Clerk.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council accepts the special assessment roll.
2. The special assessment roll shall be filed in the City Clerk's Office and be available for public examination and review.

3. A public hearing is hereby set for April 24, 2017, to be held at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for consideration of confirming the special assessment roll and for hearing objections by any interested person with respect to the special assessment roll. The City Council will review the roll and hear and consider any objections presented.
4. The City Clerk shall give notice that the City Council shall conduct a public hearing on April 24, 2017, at 7:00 p.m. in the City Hall at 1827 N. Squirrel Road, Auburn Hills, Michigan 48326, for the purpose of considering confirmation of the special assessment roll and for the purpose of hearing objections by any interested person with respect to the special assessment roll. Notice of the public hearing shall be published twice in a newspaper published and/or circulated in the City with the first publication being at least ten (10) days before the April 24, 2017, hearing, and notice shall also be sent by first class mail to each record owner or party-in-interest in whose name the land in the district is to be assessed as shown on the City's last preceding tax assessment roll for ad valorem purposes, with said notices to be mailed at least ten (10) days before the April 24, 2017, hearing. The notice to be published and mailed by first class mail shall include the following:
 - (a) The date, time and place of the public hearing;
 - (b) A statement that the special assessment roll is on file with the City Clerk for public examination and review.
 - (c) A statement that appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal and that if the special assessment is protested properly, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days after confirmation of the special assessment roll, and that any person deeming themselves aggrieved by the special assessment roll may file their objections thereto in writing with the City Clerk at or prior to the time of the public hearing, in which case appearance in person at the public hearing is not required.

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

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, TERRI KOWAL, 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 10th day of April, 2017, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this _____ day of _____, 2017.

TERRI KOWAL
City Clerk