



AUBURN HILLS MEETING SCHEDULE

248-370-9402 | WWW.AUBURNHILLS.ORG

MARCH, 2023

DAY	TITLE	TIME	LOCATION
6	City Council Workshop	5:30 PM	Administrative Conference Room 1827 N. Squirrel Road
6	City Council Meeting	7:00 PM	Council Chamber 1827 N. Squirrel Road
7	Board of Review Organizational Meeting	9:00 AM	Council Conference Room 1827 N. Squirrel Road
8	Planning Commission	7:00 PM	Council Conference Room 1827 N. Squirrel Road
8	Pension Board/Retiree Health Care	3:00 PM	Administrative Conference Room 1827 N. Squirrel Road
9	Zoning Board of Appeals	7:00 PM	CANCELED
13	Board of Review	9:00 AM	Administrative Conference Room 1827 N. Squirrel Road
13	Library Board	7:00 PM	Auburn Hills Public Library 3400 Seyburn Drive
13	Downtown Development Authority	5:30 PM	Administrative Conference Room 1827 N. Squirrel Road
14	Board of Review	2:00 PM	Administrative Conference Room 1827 N. Squirrel Road
14	Tax Increment Finance Authority	4:00 PM	Council Chamber 1827 N. Squirrel Road
15	Board & Commission Training	6:00 PM	Council Chamber 1827 N. Squirrel Road
20	City Council Meeting	7:00 PM	Council Chamber 1827 N. Squirrel Road
21	Brownfield Redevelopment Authority	6:00 PM	Administrative Conference Room 1827 N. Squirrel Road

NOTE: Anyone planning to attend the meeting who has need of special assistance under the American's with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 48 hours prior to the meeting. Staff will be please to make the necessary arrangements. PLEASE BE ADVISED, DUE TO A LACK OF AGENDA ITEMS, SOME MEETINGS MAY BE CANCELED.



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APRIL, 2023

DAY	TITLE	TIME	LOCATION
3	City Council Meeting	7:00 PM	Council Chamber 1827 N. Squirrel Road
5	Planning Commission	7:00 PM	Council Chamber 1827 N. Squirrel Road
10	Library Board	7:00 PM	Auburn Hills Public Library 3400 Seyburn Drive
11	Tax Increment Finance Authority	4:00 PM	Administrative Conference Room 1827 N. Squirrel Road
13	Zoning Board of Appeals	7:00 PM	Council Chamber 1827 N. Squirrel Road
17	City Council Meeting	7:00 PM	Council Chamber 1827 N. Squirrel Road
18	Brownfield Redevelopment Authority	6:00 PM	Administrative Conference Room 1827 N. Squirrel Road
24	City Council Goals & Objectives Workshop	5:30 PM	Public Safety Building 1899 N. Squirrel Road

NOTE: Anyone planning to attend the meeting who has need of special assistance under the American's with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 48 hours prior to the meeting. Staff will be please to make the necessary arrangements. PLEASE BE ADVISED, DUE TO A LACK OF AGENDA ITEMS, SOME MEETINGS MAY BE CANCELED.



CITY OF AUBURN HILLS
MONDAY, MARCH 20, 2023
Regular City Council Meeting ♦ 7:00 PM

Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI
248-370-9402 ♦ www.auburnhills.org

1. MEETING CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF COUNCIL

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, March 6, 2023.

4b. City Council Regular Meeting Minutes, March 6, 2023.

5. APPOINTMENTS AND PRESENTATIONS

6. PUBLIC COMMENT

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

7a1. Public Safety Advisory Committee, February 28, 2023

7a2. Planning Commission, March 8, 2023

7b. Motion – To approve the purchase of Mobile Vehicle Mitigation Barriers.

7c. Motion - To approve the MDOT Public Act 51 Mapping Updates.

7d. Motion – To authorize the City Manager to order and purchase road salt for the 2023/24 season.

7e. Motion – To approve the 2023 HIDTA Sub-Recipient Agreement with Oakland County.

7f. Motion - To approve the Auburn Hills 2023 Painting Services Bid to Northstar Painting

8. OLD BUSINESS

9. NEW BUSINESS

9a. Motion – To approve the Revised PUD Step Two – Site Plan and Tree Removal Permit / The Avant at Five Points.

9b. Public Hearing/Motion – To consider renewal of the remaining 2023 Liquor Licenses.

9c. Motion – To accept the First Reading of an Ordinance to amend Chapter 74 to repeal existing Article I – Stormwater Discharge and adopt a new Article I – Stormwater Management and to set a Public Hearing for Second Reading / Adoption at the Meeting of April 17, 2023.

9d. Motion – To approve the resolution to file Chapter 20 Petition for the Clinton River Water Resource Recovery Facility Optimization Project.

10. COMMENTS AND MOTIONS FROM COUNCIL

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

13. ADJOURNMENT

City Council meeting minutes are on file in the City Clerk's Office. NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 or the City Manager's Office at 248.370.9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 4A

CITY COUNCIL



CITY OF AUBURN HILLS

City Council Workshop

DRAFT Minutes

MARCH 6, 2023

CALL TO ORDER: Mayor McDaniel at 5:33 PM

LOCATION: Admin Conference Room, City Hall, 1827 N. Squirrel Rd, Auburn Hills, MI 48326
Present: Mayor McDaniel, Council Members Carrier, Hawkins, Marzolf, and Verbeke
Absent: Council Members Cionka & Knight

Also Present: City Manager Tanghe, Assistant City Manager Skopek, Clerk Pierce, Police Chief Gagnon, Fire Chief Massingill, Asst Chief Robinson, Community Development Director Cohen, Construction Coord Lang, Director of Senior Services Adcock, DPW Director Baldante, Mgr of Fleet & Roads Hefner, Management Assistant Hagge, Engineer

0 Guests

The workshop was held to discuss Emergency Preparedness.

Chief Massingill explained that the Emergency Operations Procedures (EOP) manual consists of six types of incident classifications which includes natural disasters, critical infrastructure incidents, complex law enforcement incidents, complex fire incidents, health and human services incidents, and planned events. The role of each department and staff member will vary depending on the type of incident. There are three levels of management that each fill a different role: the City Management Team, the Emergency Management Team, and the Incident Management Team. He noted that the Fire Department has the ability to bring in a large amount of resources from across the state.

Mr. Baldante reviewed the Department of Public Works emergency operations. He discussed the machinery and equipment available and pointed out the mutual aid agreements.

Chief Gagnon explained the Police Department resources and partnerships available, including the FBI Task Force and OAKTAC. He discussed the department's equipment for handling various incidents obtained through grants.

Discussion ensued on resources available in case of various situations, potential shelter locations, and the location of the City's Emergency Operations Center. It was noted that the City's radios cannot be scanned by a third party as the Oakland County system is encrypted.

Chief Gagnon explained that the role of City Council is to be supportive and be in communication with the City Manager. He discouraged Council from speaking to the media during an incident as the communications officer

would provide regular updates to the media. At an appropriate time, Council may be called to be in a supportive role with the communications officer. He noted that the City has the EOP manual, but it is important that all involved remain flexible. It takes everyone collectively to handle each incident.

The meeting adjourned at 6:50 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 4B

CITY COUNCIL



CITY OF AUBURN HILLS REGULAR CITY COUNCIL MEETING

DRAFT

MARCH 6, 2023

CALL TO ORDER:

Mayor McDaniel at 7:00 PM.

LOCATION:

Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

Present: Mayor McDaniel, Council Members Carrier, Hawkins, Marzolf, Verbeke

Absent: Council Members Cionka and Knight

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Ballantyne, City Clerk Pierce, Police Chief Gagnon, Fire Chief Massingill, Asst Fire Chief Robinson, Director of Senior Services Adcock, Assessor Griffin, Commercial/Industrial Appraiser Griffin, DPW Director Baldante, Mgr of Fleet & Roads Hefner, Mgr of Municipal Properties Wisser, Community Development Director Cohen, Construction Coord Lang, Management Assistant Hagge, Engineers Juidici & Driesenga

34 Guests

4. APPROVAL OF MINUTES

4a. City Council Regular Meeting Minutes, February 20, 2023.

Moved by Carrier, Seconded by Verbeke.

RESOLVED: To approve the City Council Regular Meeting Minutes of February 20, 2023.

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.022

Motion Carried (5- 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Administration of Oath to Fire Inspector Webb and Firefighter Andary

Congratulations were given to Firefighter Stephen Andary and Fire Inspector Nelson Webb.

5b. ISO Rating Review Results, presented by Fire Chief Massingill

Motion – To receive and file the ISO Rating Review Results.

Chief Massingill reported that the ISO Ratings show the Auburn Hills Fire Department being ranked in the top 2% of Michigan Fire Departments and 6% in the Nation for protection classification.

Moved by Hawkins, Seconded by Verbeke.

RESOLVED: To accept and place on file the 2023 Insurance Service Officer Public Protection Classification Summary Report created December 26, 2022, which will go into effect on April 1, 2023.

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.023

Motion Carried (5- 0)

6. PUBLIC COMMENT

There was no public comment.

7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Brownfield Redevelopment Authority, February 21, 2023

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

7b. Motion - To approve Unique Short Tree Upholstery to reupholster banquet chairs and to amend the Senior Department Budget.

RESOLVED: To approve Unique Short Tree Upholstery to reupholster Seyburn A & B banquet chairs for \$18,885.00. Also, to amend the General Fund Senior Department increasing appropriations of \$18,885.00.

7c. Motion – To approve the purchase of patrol rifles.

RESOLVED: To approve the purchase of 17 FN15 patrol rifles and accessories from AZ Arms, at a cost not-to-exceed \$28,243.00 and authorize the City Manager to convey acceptance by purchase order.

7d. Motion – To approve the purchase of wireless routers for patrol cars.

RESOLVED: To recommend the purchase of twenty (20) Cradlepoint IBR900M-B wireless routers from CDW-G under the Oakland County Bid in an amount not to exceed \$24,000.00 and authorize the City Manager to convey acceptance by purchase order.

7e. Motion – To approve the purchase of a cardiac monitor/defibrillator.

RESOLVED: To approve the purchase of a Lifepak15 cardiac monitor/defibrillator from Physio-Control (Stryker) in the amount of \$46,423.78, which is budgeted in line item 101-339-978.000.

7f. Motion – To award the design services for the DPW Back Lot Reconstruction.

RESOLVED: To approval of the OHM Advisors scope of design services for the DPW Back Lot Reconstruction in the not-to-exceed amount of \$33,000.00.

7g. Motion – To approve the purchase of two enclosed wedge trailers.

RESOLVED: To approve the purchase of two enclosed 18' wedge trailers for \$23,994 from DR Trailer Sales and amending the 2023 Fleet Budget with an increase in appropriations of \$23,994.

Moved by Verbeke, Seconded by Carrier.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.024

Motion Carried (5- 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Motion – To approve the purchase of a Rosenbauer 78’ Quint Fire Apparatus.

Chief Massingill shared the need to update the Quint Fire Apparatus so that reliable service can be maintained. The specifications selected will best service the community.

Moved by Marzolf, Seconded by Verbeke.

RESOLVED: To approve the purchase of a 2023 Rosenbauer 78’ Quint Fire Apparatus from Emergency Vehicles Plus based on the Sourcewell Government Purchasing Program at a cost of \$1,424,750 with an additional \$3,950 for decal work. Further, to approve an increase to the 2023 Fleet Fund appropriations for \$1,428,700.

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.025

Motion Carried (5- 0)

9b. Public Hearing / Motion - To revoke the Industrial Facility Exemption Certificate (IFEC) # 2015-105 granted for 2501 Commercial Drive / Total Filtration Services, Inc.

Mr. Ben Griffin, Industrial Appraiser, presented the need to revoke the Industrial Facility Exemption Certificate for Total Filtration Services. He explained that Total Filtration Services entered into an agreement in 2015 and agreed to operate out of this facility until December, 2025, however they vacated the property in January, 2023. He further explained that because they did not comply, the claw back policy would be adhered to and a resolution was requested to revoke the exemption certificate for this property. There is no known reason as to why they left the City and they are still in business. Total Filtration has paid back what was owed to the City and for procedural reasons, this process is being followed.

The Mayor opened the Public Hearing at 7:22 PM.

Hearing no public comment, the Mayor closed the Public Hearing at 7:22 PM.

Moved by Carrier, Seconded by Hawkins.

RESOLVED: To approve the IFEC claw back and for recipient, Total Filtration Systems, to pay back the full tax benefit that the IFEC provided in the amount of \$41,983.27.

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.026

Motion Carried (5- 0)

9c. Motion – To consider the 2023 Liquor License Renewals.

City Clerk Pierce presented the establishments that are to be approved for the 2023 Liquor License. She also recommended a Public Hearing be set for Got Wings, due to ordinance violations, Sonesta Select for fees owed to the City, Rochester Mills Brewery for fees owed to the City and she clarified that AMC paid their balance. It was discussed that Got Wings owes their application fee but they also have a Stop Work Order from Community Development due to working without permits. It was also discussed that it is up to City Council if they feel an establishment should not receive approval due to the amount of violations they have.

Moved by Verbeke, Seconded by Carrier.

RESOLVED: To recommend approval of the annual liquor licenses of those establishments that have met the licensing requirements of the City as stated. (Attachment A)

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.027

Motion Carried (5- 0)

Moved by Carrier, Seconded by Hawkins.

RESOLVED: To set a public hearing for Monday, March 20, 2023 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments listed who have not met the City's requirements as stated in Sections 6-10 and 6-11 of the City Code. (Attachment B)

VOTE: Yes: Carrier, Hawkins, Marzolf, McDaniel, Verbeke

No: None

Resolution No. 23.03.028

Motion Carried (5- 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Marzolf – He stated he enjoyed the workshop on Emergency Preparedness.

Ms. Verbeke – She questioned if there would be any credibility to submitting a resolution to MDOT regarding the removal of the I-75 ramp. She also mentioned that she would like to reengage in conversations regarding the removal of the old railroad rails at Joslyn Road and Brown Road.

Mr. Hawkins – He shared that he enjoyed the workshop that took place this evening.

11. CITY ATTORNEY REPORT

City Attorney Ballantyne - She commented that MDOT is engaging with communities that are being impacted by the I-75 ramp removal. She stated that if City Council was interested, they could present a resolution to MDOT.

12. CITY MANAGER REPORT

Mr. Tanghe – He stated that he would reach out to Bloomfield Township to see what action they have taken with regards to the I-75 ramp removal and report his findings back to City Council. He also shared that he has received contact from the House of Representative and the Senate regarding appropriations. He is looking into a list of projects that this money could be used towards.

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 7:36 PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

Liquor License Establishments Recommended for Approval

A+ King Crab	Fieldstone Golf Club	O'Brien's Crabhouse
Alfoccino's Restaurant	German American Club	On the Border
AMC Great Lakes 25	Hoops Food, Sports & Spirits	Rainforest Café
American Legion Post #143	Hub Stadium	Rangoli Indian Cuisine
Applebee's	Hyatt Place Hotel	Red Ox Tavern
Bar Louie	Lelli's Inn	Round One Entertainment
Blue Skies Brewing, LLC	Longhorn Steakhouse	The Olive Garden
Buddy's Pizza	M&D Downtown Auburn Hills	Top Golf
Chili's Grill & Bar	Michigan By the Bottle	Twin Peaks Restaurant
Crowne Plaza	Miyako	
Embassy Suites	Nino's Italian House	

ATTACHMENT B

Liquor License Establishments Recommended for Public Hearing

Sonesta Select	Section 6-10 (2)	Outstanding fees owed to the City
Rochester Mills Brewery & Tap Room	Section 6-10 (2)	Outstanding fees owed to the City
Got Wings	Section 6-10 (1) & (2) Section 6-11 (1) & (4)	Outstanding fees owed to the City Non-compliance with City standards, plans, conditions Violations of City Ordinances



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7A1

PUBLIC SAFETY ADVISORY COMMITTEE

CITY OF AUBURN HILLS PUBLIC SAFETY ADVISORY COMMISSION MEETING

February 28, 2023

CALL TO ORDER: Mr. Moniz, Chairman, called the meeting to order at 5:00 p.m.

ROLL CALL: Mr. Jay Boelter, Present
Mr. Gail Cartwright, Present
Mr. Eugene Hawkins, Present
Mr. Donearl Johnson, Present
Mr. Ron Moniz, Present

Also, Present: Chief Ryan Gagnon, Police Department
Deputy Chief Scott McGraw, Police Department
Lt. Jeremy Stubbs, Police Department
Lt. Michelle Hesse, Police Department
Chief Adam Massingill, Fire Department
Asst. Chief Trevin Robinson, Fire Department
Lt. Bryan Shambeck, Fire Department
Firefighter Tony Randolph, Fire Department
Clerk Dawn Schultz, Fire Department

LOCATION: Public Safety Community Room.

APPROVAL OF MINUTES Hawkins moved to approve the minutes from August 23, 2022, with no corrections.

Supported by Boelter.

VOTE: Yes: Boelter, Moniz, Hawkins, Cartwright, Johnson
No: None

Motion carried (5-0)

ADDITIONS TO THE AGENDA:

None

COMMUNICATIONS (PERSONS WISHING TO BE HEARD)

None

OLD BUSINESS

None

NEW BUSINESS

7a. ISO Announcement. This item was presented by Fire Chief Adam Massingill.

- ISO report was received in January, effective April 1, 2023. The Department's rating improved from a 3 to a 2.
- Historically a 5 (2014). Improved from a 5 to a 3 in 2018. Now improved from a 3 to a 2 in 2023.
- Reviewed every four (4) years.
- Departments are rated from a 1 to a 10. 10 indicates no fire protection at all. 1 indicates the best, only one department in the state is rated a 1.
- 20 departments in the state are classified a 2. We are in 2% of the state and 6% of the country.
- Rating is for fire suppression response, not emergency medical response.

Discussion with questions and answers ensued including congratulations on the improvement, water hydrant and pressure information from OU, Stellantis, and DPW, positive affect on homeowner's insurance rates, updating the ISO requirements. Chief Massingill stressed the need to maintain or improve on this rating in the future. Discussions also included how credit was earned and preparation for the review.

7b. Quint Purchase Request. This was presented by Chief Adam Massingill, Lt. Bryan Shambeck and Firefighter Tony Randolph.

- History on forming an apparatus committee and putting the new quint in service for a few months to determine the needs of the department with a new apparatus purchase.
- A new engine was budgeted for 2024, but the committee and command staff agreed that a quint was the preferred option based on the service model.
- Committee reviewed needs and met with representatives to discuss possible purchasing options.
- Discussed putting the purchase out to bid, but determined there were potential issues with the bidding process:
 - i. Rosenbauer was solely able to meet the needs of department as determined unanimously by the committee.
 - ii. Rosenbauer is historically competitive or more competitive pricewise than anything else on the market.
 - iii. There is a March 1st price increase of 7% or \$99,000 on the apparatus. The manufacturer has agreed to hold off on the increase for us until March 10 to accommodate both PSAC and City Council approval.
 - iv. The delayed price increase deadline will allow for the city to utilize Sourcewell financing.
- The representatives from the Apparatus Committee (Lt. Shambeck and FF Randolph) spoke about meeting with several manufacturers' representatives and the capabilities and benefits of the Rosenbauer apparatus.

- i. Jack Spread
- ii. Control Operation
- iii. Low Grade Capabilities
- iv. Consistency and standardization of components

Discussion with questions and answers ensued including improvements to new quint, ability to change ladder to rescue mode, versatility of quint, improvement from gas powered generator to battery powered inverter, decision to not put this purchase out to bid, how Sourcewell assists with larger purchases, inoperable apparatus, and location where new apparatus will be housed. Questions were also discussed regarding the new 6 story building and the ability to reach the top floors. Delivery of the new apparatus would be expected in 2025. Discussion regarding budgeting for new quint and possible use by OCC of old vehicle. Committee members were commended and noted that younger staff were involved. It was noted that Rosenbauer has the shortest turn radius. Discussion regarding financing through Sourcewell.

Motion Hawkins moves to recommend to City Council the purchase of a 2023 Rosenbauer 78' Quint Apparatus from Emergency Vehicles Plus based on the Sourcewell Government Purchasing Program at a cost of \$1,424,750 with an additional \$3,950 from Majik Graphic for decal work.

Supported by Johnson.

VOTE: Yes: Johnson, Boelter, Hawkins, Moniz, Cartwright
No: None

Motion carried (5-0)

7c. Grant Update This was presented by Chief Adam Massingill.

- Recently received notification of being awarded a State Grant without much additional information to share.
- State of Michigan EMS Workforce Grant in the amount of \$170,145 to be used to train 9 of our EMTs to the paramedic level.
 - i. 3 full-time employees' tuition and wages will be covered.
 - ii. 6 part-time employees' tuition and wages will be covered.
- FEMA Grant submitted-Cascade System
- Safer Grant submitted-3 additional firefighter positions.

Discussion with questions and answers ensued including retention of personnel, potential retirements in the next few years and FF Randolph's 36 years of service.

7d. Purchase of FN15 Patrol Rifles This was presented by Lt. Jeremy Stubbs

- 35 rifles in fleet, one rifle in each patrol car, one rifle for each patrol officer assigned to a specialized unit, 10 rifles used for training.
- 7 of the training rifles were bought in 2007-16 years old. They have exceeded barrel round count.

- Proposing to add 10 additional rifles.
- Invitation to Bid was placed for 17 FN15 rifles with 5 bids received.

i. AZ Arms	\$28,243.00
ii. ProForce Marketing, Inc	\$28,296.72
iii. Primary Arms	\$29,899.93
iv. CMP Distributors	\$33,812.05
v. Kiesler Police Supply	\$33,847.00
- \$30,000 approved in the 2023 budget to purchase patrol rifles.

Discussion with questions and answers ensued including range in price, trade in values, identical products, same 223 caliber, veteran owned or minority owned companies, no training needed, Michigan owned company, training at Multi Lakes Outdoor Range and possible 2 week turnaround time.

Motion Cartwright moves to recommend to City Council the purchase of 17 FN15 rifles and accessories from AZ Arms in an amount not to exceed \$28,243.00.

Supported by Johnson

VOTE Yes: Johnson, Boelter, Hawkins, Moniz, Cartwright

No: None

Motion carried (5-0)

7e In-Car Wireless Routers This was presented by Chief Ryan Gagnon.

- Routers run the connectivity of the in-car computers from the police cars to the internet.
- Must be approved by CLEMIS.
- Current routers were purchased in 2017 and manufacturer's support will end in May 2023.
- \$25,150 budgeted for 20 routers in 2023.
- Oakland County conducted a bid that was awarded to CDW-G for Cradlepoint IBR900-1200M-B routers at a cost of \$1,200 each.

Discussion with questions and answers ensued including trade in values, destroying the old routers, the number of patrol vehicles in the fleet, confirming the funds have been budgeted for this purchase.

Motion Hawkins moves to recommend to City Council the approval to purchase 20 Cradlepoint IBR900-1200M-B wireless routers from CDW-G under the Oakland County Bid in an amount not to exceed \$24,000.00.

Supported by Boelter

VOTE Yes: Johnson, Boelter, Hawkins, Moniz, Cartwright

No: None

Motion carried (5-0)

7f Mobile Vehicle Mitigation Barriers This was presented by Chief Ryan Gagnon.

- Protects the public during special events.
- Historically DPW has shut down roads with Type III barricades or cones, which will not stop a vehicle.
- Concrete “Jersey” barriers will stop a vehicle, but they take significant staff time and equipment to move. Once deployed, they are not designed to be moved in times of an emergency.
- There have been over a dozen malicious vehicle-borne attacks in the United States since 2020.
- A request for bid was posted for a solution to close (4) two lane roads with mobile vehicle mitigation barriers. Three companies submitted bids:

i. Rologuard Global Company	\$89,200.00
ii. Advanced Security Technologies	\$140,582.00
iii. Meridian Rapid Defense Group	\$157,662.88
- Staff evaluated the three products considering protection capabilities, efficiency of deployment, ease of use in the field, durability, and cost. The department’s recommendation is to purchase the Archer 1200 barriers from Meridian Rapid Defense Group.
- There are currently no funds in the Police Department 2023 budget for this purchase. The Police Department recommends converting \$113,420 in cash that was found in a stolen vehicle to department use to assist in purchasing these barriers.
- Archer 1200 Barriers are ADA compliant and can easily be moved into place with a manual hauler by one person and removed in an emergency. They are 700lbs each, 100% reusable and have a lifetime warranty.

Discussion with questions and answers ensued including showing a video for the Archer 1200 barriers, the different technology resulting in different pricing, having individuals available to move these units, ability to haul the trailer carrying these barriers, and the number of barriers and trailers needed. City Administration recommended to bring this proposal to TIFA, discussion about the infrequent use of barriers in locations not downtown. Chief Gagnon would be upfront about the location of use. Questions arose about which department would set up the barricades, the ability to stop a vehicle if hit on the end of a barrier (not in the center), the ability to use cables to extend the safety distance, aesthetically pleasing and the simplicity of use.

Motion Johnson moves to recommend to City Council the approval to purchase 16 Archer 1200 barriers and a trailer system from Meridian Rapid Defense Group in an amount not to exceed \$157,662.88. Authorize staff to identify the proper funding source to purchase the equipment.

Supported by Cartwright

VOTE Yes: Johnson, Boelter, Hawkins, Moniz, Cartwright

No: None

Motion carried (5-0)

7g Cardiac Monitor/Defibrillator This was presented by Chief Adam Massingill.

- Late addition based on necessity. 46 weeks lead time due to supply chain issues.

- This device is twelve years old and no longer supported by the manufacturer.
- American Heart Association recommends a five-year life cycle, Physio-Control recommends an eight-year life cycle.
- There is trade in value of \$6,500 while it is still functioning.
- All current monitors and AEDs are Physio-Control LifePak brand and are compatible, so continuing to use the same brand is important, although there are three manufacturers.
- Model comes with a one-year warranty and another four years are included in the purchase.

Discussion with questions and answers ensued including no training needed, as it is the same model, funds are budgeted in 2023 for replacement, age of the other monitors, and new model will be the same 12 lead as the older model.

Motion Hawkins moves to recommend to City Council the approval to purchase of a cardiac monitor from Physio-Control in the amount of \$46,423.78.

Supported by Boelter

VOTE Yes: Johnson, Boelter, Hawkins, Moniz, Cartwright

No: None

Motion carried (5-0)

REPORTS FROM THE DEPARTMENTS

- a. **Fire Department Annual Report Review.** Fire Chief Adam Massingill presented.
 - a. 4,200 calls in 2022-more calls than ever before.
 - b. 13,000 training hours-reflected in our ISO rating being well documented.
 - c. Fire Inspectors-17% increase in the inspection work as compared to 2021.
 - i. By adding an inspector, continued improvement in the inspection program is anticipated.
 - ii. Additional inspector will allow department to get in more businesses to make sure they are safe.
 - d. Organizational Structure Redesign-more reflective of how we operate.
 - e. 4 full-time and 12 part-time firefighters added to our staff.
 - f. 73% of all calls are EMS calls, which falls within the average 70-80% of all fire departments providing medical service.
 - g. The busiest time of day for calls is between 0700 and 2300.
 - h. The average Priority Fire Response was 6 minutes, 29 seconds.
 - i. There were 30 structure fires and 23 vehicle fires in 2022.
 - j. Priority EMS calls are tracked. The average Priority Response Time for EMS runs was 6 minutes, 31 seconds.
 - k. Simultaneous calls are a concern. It can affect service delivery.
 - i. 131 times we had 4 or more calls in 2022.
 - l. Mutual Aid is also tracked very closely.
 - i. Mutual Aid for fires is expected and not concerning.
 - ii. Mutual Aid for medical calls can delay care.
 - iii. Received mutual aid 94 times in 2022.
 - iv. Gave mutual aid 62 times in 2022.
 - v. 56 times we received mutual aid for medical calls.

- m. Fleet information included in the report to assist in keeping track of the data and departmental needs.

Discussion with questions and answers ensued including the administration move to the new building, intent to move sleeping quarters upstairs for personnel, number of false alarms, commended for keeping response time low, accuracy of the response time data, how ISO reviews response time, and staffing numbers.

b. Police Department Annual Report Review. Police Chief Ryan Gagnon presented.

- a. Update on License Plate Readers (Deputy Chief McGraw presented)
 - i. Locations of cameras around the city.
 - ii. Road Commission delayed progress, readers installed by Flock.
 - iii. 1,095,482 plate reads with 22 cameras.
 - iv. 28 hits, including locating a missing person, recovering stolen vehicles, and helping with investigations.
 - v. Great Lakes Crossing Mall and Stellantis are now interested.
 - vi. All department personnel get notified of hits.
- b. Staffing Changes and Promotions
 - i. Chief, Deputy Chief, Lieutenant and 3 Seargent promotions.
 - ii. Fully staffed in 2022 after hiring 10 people.
 - iii. Currently one vacancy and a couple pending retirements. Pre-hiring to train and fill those positions.
- c. Neighborhood Patrols
 - i. 9% increase in the time spent in neighborhoods since 2021.
 - ii. Transitioning away from current US Fleet Tracking Devices to Verizon.
 - 1. More reliable.
 - 2. 50% of the cost.
- d. Citizens Police Academy
 - i. 12 new volunteers
 - ii. Brian Miller placed back in Community Engagement Officer position.
 - iii. Joe Sears promoted.
 - iv. Discussed with Chief Massingill additional training for volunteers, perhaps a certification program.
- e. CORE Mental Health Program
 - i. \$260,000 Grant to hire a second clinician.
 - 1. A candidate has been identified and accepted a conditional offer.
 - ii. Bringing in the city of Rochester.
 - iii. 624 people have been served since the program's inception.
 - iv. Lt. Hesse is the coordinator of the program and is the Crisis Intervention Training Officer.
 - 1. 81 officers have been trained to date in the county.
- f. Calls for Service.
 - i. Up 10.5% compared to 2021.
 - ii. Responded to 24,000 calls.
 - iii. Crime Clearance Rate still very high
 - 1. 68.9% of crimes are cleared.
 - iv. Arrested 1,300 people in 2022.
 - 1. 23% decrease in arrests since 2021.
 - 2. Change in the law related to misdemeanor offenses is the cause for the decrease.
 - v. Traffic Stops increased by 39%
 - 1. 6,400 vehicles were stopped in 2022.

2. Citation issuance up 28%.
- g. Fatal and Serious Injury Crashes up in 2022.
 - i. 8 occurred in Auburn Hills.
- h. 11 new people were trained-9,240 hours of training.
 - i. Lt. Stubbs oversees this program.
 - ii. Bringing on new reporting software.
- i. Detectives have investigated 769 cases.
 - i. 232 warrants obtained.
 - ii. 197 search warrants conducted on homes, cell phones and computers.
- j. School Resource Officer (SRO) single handedly responded to 611 calls for service in 2022.
 - i. Need for additional SRO.
 - ii. The need is greater than ever in schools.
- k. Budget
 - i. \$10.8 million dollars in revenue.
 - ii. \$9.2 million dollars in expenditures.
 - iii. \$1.5 million balance.
 - iv. Future Capital Items
 1. Upgrades to the range
 2. Buying a drone
 3. Furniture upgrades
 4. Procuring electric bikes for special events.

Discussion with questions and answers ensued including goals for crime clearance rate, accuracy in reporting, AHPD in top 3 departments in the county for crime clearance, safe cities, mental health calls, Co-Responder schedule and responding to calls, positive results from co-responder's interaction especially impactful to helping first responders, working with Wayne State University to accurately measure outcomes, and reduction in the number of these types of calls. Questions and discussion also regarding other local departments following the Auburn Hills model, gun buy back program, cadet program success, the necessity of vehicle pursuits and how quickly they are terminated.

Motion Hawkins motioned to adjourn the meeting.

Supported by Boelter.

VOTE: Yes: Hawkins, Boelter, Johnson, Moniz, Cartwright
No: None

Motion carried (5-0)

ADJOURNMENT 7:48 p.m.

Respectfully Submitted,
Dawn Schultz
Fire Department Clerk



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7A2
PLANNING COMMISSION



CITY OF AUBURN HILLS PLANNING COMMISSION MINUTES **NOT YET APPROVED**

March 8, 2023

CALL TO ORDER: Chairperson Ouellette called the meeting to order at 7:00 p.m.

ROLL CALL: Present: **Sam Beidoun, Dominick Tringali, Laura Ochs, Cynthia Pavlich, Brian Marzolf, Greg Ouellette**
Absent: Carolyn Shearer, Chauncey Hitchcock, Ray Saelens
Also Present: Director of Community Development Steve Cohen, City Planner Shawn Keenan
Guests: 10

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

3. PERSONS WISHING TO BE HEARD

4. APPROVAL OF MINUTES – February 8, 2023

Moved by Beidoun to approve the minutes of February 8, 2023.

Second by Ochs.

VOTE: Yes: Pavlich, Beidoun, Tringali, Ochs, Marzolf, Ouellette
No: None

Motion Carried (6-0)

5. PETITIONERS

5a. The Avant at Five Points (7:02 p.m.)

Public Hearing/Motion – Recommendation to City Council for approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit to construct a multiple-family residential development.

Mr. Keenan explained that this is a request from OYK Engineering and Construction (OYK) for approval to revise the site plan, previously approved by City Council on November 18, 2019. The revised plans call for a 68-unit, low-rise multi-family residential development on the 2.66-acre parcel located at 3355 Five Points Drive that is zoned B-2, General Business district.

The applicant provided a letter from his attorney explaining the reason for the delay and the changes in the plan. The general appearance and function of the proposed building will remain the same as previously approved by the City Council with the following revisions to the site plan:

1. Seven apartment units were added to the building, increasing the total number from 61 to 68 units. The unit makeup is now closer to a 50/50 mix of one and two-bedroom units.
2. The building façade has fewer windows and balconies than the previously approved building.
3. Seventeen parking spaces were added to the outdoor parking lot, with the parallel parking spaces being converted to 90-degree parking spaces.
4. The drainage swale was extended along the north, west, and south property lines.
5. The number of landscape trees was increased from 65 to 75 trees with the extra trees to be planted in the west buffer.

All seven design elements from the previous plan are carried over to this plan. The applicant also agreed to further enhance the buffer by adding ten more trees to help address residents' concerns about vehicle headlights. Staff

would like to note that the site design exceeds City standards for buffer area and screening requirements designed for developments that immediately abut a one-family zoning district.

Construction is anticipated to begin in spring 2023, with completion by spring 2024. The total investment is estimated at \$10 million.

Peter Stuhlreyer, Designhaus Architecture, 3300 Auburn Road, Suite 300, Auburn Hills, MI 48326 and **Fred Hadid, OYK Engineering & Construction, 30700 Telegraph Road, Franklin, MI 48025** and the rest of their team were available to answer any questions of the Commission.

Mr. Beidoun asked what precipitated the re-design to smaller units. Mr. Stuhlreyer explained that market analysis revealed that it would be prudent to modify the design given current conditions. The three-bedroom units were changed to one-bedroom units.

Mr. Marzolf stated he was concerned with the wetland area in 2019, and is still concerned. He asked the applicant how the standing water on the site is being handled. Mr. Stuhlreyer stated that drainage and excavation will be part of the engineering process. He explained that they will be installing two sump pumps to redirect the surface water.

Jim Tack, OYK Engineering, explained that around the holidays' OHM requested that a bulkhead be installed at the exit point. Prior to that, the water had been removed down to 2'. The applicant discovered that clay tiles had been installed years ago and the water was draining from the AT&T site. This was mostly surface water. The clay tiles have been removed, and repairs will be done to fix the detention area.

Mr. Marzolf asked if it could be spring fed. Mr. Tack stated that there was no underground spring. PEA and OHM have both been to the site. Mr. Stuhlreyer stated that they would not pursue the project if there was a concern with the engineering.

Ms. Ochs asked where the water was redirected to once those clay tiles were removed. Mr. Tack stated that the water was stopped from entering this property by removing those clay tiles draining water from the AT&T property.

Mr. Tringali asked if the elevation and height of the development would be staying the same as originally approved in 2019. Mr. Stuhlreyer confirmed that elevation and height have not changed.

Mr. Ouellette asked if the lighting on the property would stay on all night. Mr. Stuhlreyer explained that the lighting will be shielded in such a way as to shine down and will not leave the site. It is the minimum lighting required for safety. He stated that they would follow the code and provide calculations in the permitting process.

Mr. Cohen stated that the police department will require lighting to be on all night for safety and security purposes. It will be at a minimum level and directed downward.

Mr. Ouellette asked if the wall, berm and screening will be sufficient to protect neighboring properties from headlights. Mr. Stuhlreyer explained that the light will be completely shielded from Joswick. The applicant has measured the height of headlights on a number of larger vehicles. The 6' screening wall and 4' berm with trees on top will be more than sufficient to screen neighboring properties. He further explained that the proposal exceeds the City's standards.

Mr. Marzolf asked about the building permit that the applicant had referenced. Mr. Cohen explained that a building permit had been issued for construction under the original approved project. The applicant has chosen to modify their plan and will need to apply for a new permit if site plan amendments are approved.

Mr. Ouellette opened the public hearing at 7:26 p.m.

Patricia Hassett, 2471 Joswick, stated that she appreciated the work the applicant did to measure the headlights. She expressed concern with the water in the pond, concern with the underground parking and the noise from two constantly running sump pumps. She also stated that by changing the 3-bedroom units to 1-bedroom units there will be a lot more cars on the site, increasing traffic in the area.

Mario DiBartolomeo, 2401 Joswick, stated that he is concerned with the headlights. He feels the headlights will shine onto his property and requested that the applicant plant arbor vitae to help screen the area. He is also concerned with the water. Additionally, he questioned the applicant's hardship.

Mr. Ouellette asked the applicant to describe the noise from the sump pumps. Mr. Stuhlreyer explained that the sump pumps are submersible pumps in the parking structure, below the slab. The parking structure is enclosed

and has a door. He confirmed that there will be no noise pollution from the sump pumps. Mr. Ouellette asked if the sump pump drains into the storm sewer. Mr. Stuhldreier confirmed that it does drain into the storm sewer.

Mr. Beidoun asked if the applicant was open to adding arbor vitae to provide further screening for Mr. DiBartolomeo's property. Mike Pizzola, Designhaus, explained that 6'-8' evergreen trees are being planted. These trees will provide much more screening than arbor vitae. There will also be deciduous trees, and more evergreens adjacent to the parking area. Ornamental trees will be planted, as well as oak trees. There will be more screening designed to block headlights than is required by the City.

Mr. Tringali asked if engineering had reviewed the plan. Mr. Keenan stated that the swale has been extended and engineering has reviewed the storm management plan.

Ms. Ochs asked Ms. Hassett when she observed standing water. Ms. Hassett stated that there has not been a time that water was not on the site. Mr. Stuhldreier explained that the clay tiles were removed in the fall of 2021, following record rainfalls. A sump pump was used to pump out the water and it was reduced to a level of approximately 1'-2'. The current water table is below the proposed basement elevation.

Ms. Ochs stated that she is sensitive to preserving trees and asked whether it would be possible to include some arbor vitae to provide additional screening. Mr. Tack explained that it is possible; however, he cautioned that arbor vitae grow to be approximately 3' wide at maturity. An 8' tall evergreen will provide 5'-6' of screening. He explained that the tiered approach that is being proposed will provide a solid mass of screening.

Mr. Keenan explained that the city's woodland consultant has looked at the plan. The future growth of the trees is taken into consideration. The applicant's proposal exceeds what is required for developments built immediately adjacent to a one-family residential district. The distance from the closest parking spot to the closest house is 191'. He also reminded the Commission that headlights are designed to shine out and down and do not stay on indefinitely.

There being no further public comments, Mr. Ouellette closed the public hearing at 7:37 p.m.

Moved by Beidoun to recommend to City Council approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit for The Avant at Five Points to construct a multiple-family residential development, subject to the conditions of the City's Administrative Review Team. The revised project, including all site improvements, shall be completed by July 1, 2024.

Second by Tringali.

VOTE: Yes: Ochs, Tringali, Beidoun, Pavlich, Ouellette

No: Marzolf

Motion Carried (5-1)

6. OLD BUSINESS – None.

7. NEW BUSINESS – None.

8. COMMUNICATIONS

Mr. Marzolf asked about the status of the Parks and Recreation Master Plan. Mr. Cohen stated that a Recreation Director would be hired soon, and once this person has had a chance to review the proposed plan, it will be brought back before the Parks and Recreation Commission.

Mr. Marzolf thanked Mr. Cohen and Mr. Keenan for the Annual Report.

9. NEXT SCHEDULED MEETING

The next scheduled meeting is on April 5, 2023 at 7:00 p.m. in the City Council Chamber.

Mr. Keenan stated that there will be meeting on Wednesday, March 15, 2023 in the City Council Chambers. An expert on Robert's Rules of Order will be conducting training. All Commissioners were invited to attend.

10. ADJOURNMENT

There being no further business, Chairperson Ouellette adjourned the meeting at 7:55 p.m.

Submitted by:
Susan McCullough, CMC, CMMC
Recording Secretary



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7B

POLICE DEPARTMENT

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Ryan Gagnon, Chief of Police
Submitted: March 15, 2023
Subject: Motion – Purchase of Mobile Vehicle Mitigation Barriers

INTRODUCTION AND HISTORY

The City of Auburn Hills has been steadily increasing the number of special events over the last few years, particularly in the downtown area including the Memorial Day Parade, Summerfest, SeptemBEERfest, Avondale Homecoming Parade, and Tree Lighting event. Private businesses and organizations also host special events such as 5k runs or bike races in the community. These events typically involve the closure of roads to vehicular traffic. Historically DPW staff in coordination with police personnel close roads with either Type III barricades, cones, and/or concrete “Jersey” barriers. While Type III barricades and cones do not stop vehicle attacks or errant drivers from crashing through them, concrete “Jersey” barriers do. The downside to concrete barriers is that it takes significant staff time and equipment to transport and deploy where needed. Once deployed, these barriers are not designed to be moved during times of emergency and/or take significant time/equipment to move.

Unfortunately, there has been a myriad of worldwide incidents where nefarious individuals, terrorists, home-grown extremists, and those with contaminated thought have caused death, casualties, and destruction during events. Vehicle-borne ramming attacks are the most common type of vehicle-borne attack in the United States according to the Joint Counter Terrorism Assessment Team (JCAT). In the last several decades there have been approximately 200 vehicle-borne attacks in the world. Since 2020, there have been over a dozen malicious or intentional vehicle-borne attacks in the United States. The following list includes some of the most recent vehicle-borne incidents:

- January 2018: Charlottesville, Virginia, car rams into a crowd at “Unite the Right” rally killing one person and injuring 19 others.
- November 2021: Waukesha, Wisconsin, driver of SUV intentionally rams into crowd during a Christmas parade killing six people and injuring 62 others.
- May 2022: Lincoln, Nebraska, car crash kills two people and injures 19 others after cars slam into a crowd of people watching the Memorial Day parade.

Over the last several years there have been barrier products developed by companies that can be rapidly deployed, with minimum staffing/equipment needed, that will stop a vehicle-borne ramming attack. These barriers can be easily deployed and moved with one person when needed. The Police Department has identified some solutions to secure our special events when closing roads but were not familiar with all options or companies that provide these types of barriers. For this reason, a request for bids was posted on BidNet Direct to provide a solution to close (4) two lane roads with mobile vehicle mitigation barriers. The solicitation for bids was posted on January 18, 2023. The closing of the bid was February 17, 2023, at 1:00 p.m. at the City Clerk’s Office. Three (3) vendors responded with sealed bids:

Vendor	Location	Equipment	Shipping	Total
Rologard Global Company	Bottineau, North Dakota	\$89,200.00	Included	\$89,200.00
Advanced Security Technologies	Closter, New Jersey	\$136,132.00	\$4,450.00	\$140,582.00
Meridian Rapid Defense Group	Pasadena, California	\$148,097.88	\$9,565.00	\$157,662.88

Staff have evaluated the three products that were bid to determine which one would be the best solution to meet our needs. Priorities were established to compare products based on protection capabilities, efficiency of deployment, ease of use in the field, durability, and cost. (Photographs of each solution are found in Appendix A.)

Rologard provided a bid for (2) flatbed trailers containing six K2600 base units per trailer with transport kits. These units will already be assembled on the trailer with tie-downs and can be deployed rather quickly. AST provided a bid for the AST3X-60 barriers with trailer system. These 60 units are stored in a trailer and assembled on site with locking arms and pins. Meridian provided a bid for the Archer 1200 barriers that are stored on a flatbed trailer with hydraulic floor that lowers to roll off the barriers in the field. There is no assembly required on site.

The department's recommendation is to purchase the Archer 1200 barriers and trailer from Meridian Rapid Defense Group. The Archer 1200 barriers weigh 700 lbs. each and can be easily deployed from the trailer with a manual hauler by one person and within minutes. The barriers require no assembly in the field and cannot be moved by a person without access to the manual hauler. These barriers have received the highest recognition and are on the approved product list for the US Department of Homeland Security designating it as qualified anti-terrorism technology. These barriers are 100% reusable after impact and have a lifetime warranty. The barriers are deployed four feet apart, which allow for pedestrian movement between barriers, while effectively protecting people from a vehicle-borne attack or crash. The barriers are also aesthetically pleasing for special events in the community. The Archer 1200 is utilized by communities and sports stadiums throughout the United States. In Michigan they are being utilized by Farmington Hills, Ferndale, Holland, Grand Haven, and Zeeland.

Currently, there are no funds available in the Police Department 2023 budget. However, the Police Department recommends converting \$113,420.00 in cash that was found in a stolen vehicle with a large quantity of narcotics in 2021, to department use to assist in purchasing these barriers. As well as utilize funding from TIFA to cover the remaining balance. The proposal was presented to the Public Safety Advisory Committee (PSAC) on February 28, 2023. PSAC recommended the purchase of the Archer 1200 barriers, with the understanding that the proposal would also be presented to TIFA for consideration. The proposal was presented to TIFA on March 14, 2023. The TIFA board of directors recommended approval of the purchase and to fund the project in an amount not-to-exceed \$44,242.88 to cover the remaining balance of the equipment.

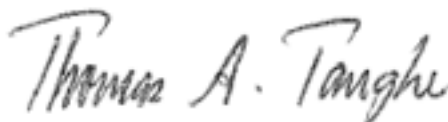
STAFF RECOMMENDATION

Staff recommends approval to purchase the Archer 1200 barriers and trailer system from Meridian Rapid Defense Group.

MOTION

Move to approve the purchase of Archer 1200 barriers and trailer system from Meridian Rapid Defense Group in an amount not to exceed \$157,662.88 and the City Manager to convey acceptance by purchase order.

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER

Appendix A:

Rologard K2600 Barriers:



Advanced Security Technologies ASTX-3 Barriers:



Meridian Archer 1200 Barriers:





CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7C

DEPARTMENT OF PUBLIC WORKS

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads
Submitted: March 14, 2023
Subject: Motion to Approve MDOT Public Act 51 Mapping Updates

INTRODUCTION AND HISTORY

In accordance with Public Act 51, the Michigan Department of Transportation (MDOT) requires cities and villages to complete an Annual Road Mileage Certification Mapping Report. Any changes in the City's local and major street mapping are reported at this time. Upon a detailed comparison of the ACT 51 map and the City's map we discovered some discrepancies.

The following resolutions are attached to certify changes in the City's Street Inventory:

- Resolution 23-01: Acceptance of Hamlet Court from Hamlet Road to roads end.
- Resolution 21-02: Acceptance of Old Salem Court from Old Salem Road to roads end.
- Resolution 21-03: Acceptance of Old Salem Road from Jamestown Road to roads end.
- Resolution 21-04: Acceptance of Southampton Court from Southampton Road to roads end.
- Resolution 21-05: Acceptance of St. Marys Alley from St Marys Street to roads end.

The above resolutions, in addition to a previously approved resolution on November 14, 2022 for the Fountain Circle development's portions of Parkways Boulevard, Fountain Lane, and College Boulevard, will add 3,051.11 centerline feet to our local roads. This additional footage should add approximately \$2,000.00 to our annual ACT 51 funding for local roads.

STAFF RECOMMENDATION

Staff recommends City Council approves the resolutions listed above to make the necessary mapping changes to the ACT 51 MDOT Map in compliance with Public Act 51 as amended.

MOTION

Move to approve resolution 23-01 through resolution 23-05 to add Hamlet Ct, Old Salem Ct, Old Salem Rd, Southampton Ct, and St. Marys Alley to the MDOT ACT 51 Map.

EXHIBITS

- Exhibit 1 – MDOT Sheet of Additions/Subtractions during 2022
- Exhibit 2 – Resolutions 23-01 through 23-05

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER

INSTRUCTIONS: Complete form and mail to Michigan Department of Transportation, Bureau of Transportation Planning, P.O. Box 30050, Lansing, MI 48909.

[illegible]

RESOLUTION NO. 23-01
ACCEPTANCE OF HAMLET COURT FROM HAMLET 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 _____, the following resolution was offered by member _____, and supported by member _____.

Whereas the City of Auburn Hills did acquire title to Hamlet 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 HAMLET COURT (60 FT. WIDE)
(BETWEEN HAMLET ROAD & ROADS END)

A centerline of road being situated in the South 1/2 of Section 35, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:
Commencing at the W 1/4 corner of said Section 35; thence S 00°04'13" E 362.53 feet along the West line of said Section 35; thence N 77°00'09" E 2392.25 feet; thence S 12°59'51" E 206.0 feet; thence N 77°00'09" E 16.86 feet; thence S 12°59'51" E 60.0 feet; thence S 10°41'30" E 324.0 feet; thence N 79°18'30" E 120.0 feet; thence S 10°41'30" E 880.02 feet to a point on the South right of way line of Hamlet Road (60 ft. wide); thence along said South line 135.0 feet along a curve to the right, radius 180.0 feet, delta 42°58'24", chord bears N 79°12'27" W 131.86 feet; thence N 47°59'07" W 60.88 feet to a point on the centerline of Hamlet Court (60 ft. wide), also being the Point of Beginning; thence along said centerline: S 51°45'05" W 127.98 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, 2022.

Resolution duly adopted.

(City Clerk) (Date)

Certified to be a true copy.

(City Clerk) (Date)

RESOLUTION NO. 23-02
ACCEPTANCE OF OLD SALEM COURT FROM OLD SALEM 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 _____, the following resolution was offered by member _____, and supported by member _____.

Whereas the City of Auburn Hills did acquire title to Old Salem 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 OLD SALEM COURT (60 FT. WIDE)
(BETWEEN OLD SALEM ROAD & ROADS END)

A centerline of road being situated in the South 1/2 of Section 35, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows: Commencing at the W 1/4 corner of said Section 35; thence S 00°04'13" E 362.53 feet along the West line of said Section 35; thence N 77°00'09" E 890.0 feet; thence S 10°25'07" E 221.91 feet; thence S 14°53'56" E 64.45 feet; thence S 39°35'57" E 112.40 feet; thence S 27°23'59" W 75.21 feet; thence S 12°59'51" E 62.10 feet; thence S 07°29'45" W 63.98 feet; thence S 11°05'10" E 79.06 feet; thence S 01°52'30" E 41.85 feet; thence N 77°00'09" E 685.36 feet; thence S 12°59'51" E 120.0 feet to a point on the Northerly right of way line of Old Salem Road (60 ft. wide); thence along said Northerly line S 77°00'09" W 260.26 feet and 165.05 feet along a curve to the left, radius 315.0 feet, delta 30°01'16", chord bears S 61°59'31" W 163.17 feet; thence S 41°29'28" W 60.28 feet to a point on the centerline of Old Salem Court (60 ft. wide), also being the Point of Beginning; thence along said centerline of Old Salem Court N 54°00'00" W 105.0 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, 2022.

Resolution duly adopted.

(City Clerk) (Date)

Certified to be a true copy.

(City Clerk) (Date)

RESOLUTION NO. 23-03
ACCEPTANCE OF OLD SALEM ROAD FROM JAMESTOWN 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 _____, the following resolution was offered by member _____, and supported by member _____.

Whereas the City of Auburn Hills did acquire title to Old Salem Road.

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 OLD SALEM ROAD (60 FT. WIDE)
(BETWEEN JAMESTOWN & ROADS END)

A centerline of road being situated in the South 1/2 of Section 35, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the W 1/4 corner of said Section 35; thence S 00°04'13" E 362.53 feet along the West line of said Section 35; thence N 77°00'09" E 890.0 feet; thence S 10°25'07" E 221.91 feet; thence S 14°53'56" E 64.45 feet; thence S 39°35'57" E 112.40 feet; thence S 27°23'59" W 75.21 feet; thence S 12°59'51" E 62.10 feet; thence S 07°29'45" W 63.98 feet; thence S 11°05'10" E 79.06 feet; thence S 01°52'30" E 41.85 feet; thence N 77°00'09" E 685.36 feet; thence S 12°59'51" E 150.0 feet to a point on the centerline of Old Salem Road (60 ft. wide), also being the Point of Beginning; thence along said centerline of Old Salem Road S 77°00'09" W 111.25 feet to a point on the centerline of Old Salem Road and the extended Westerly line of Jamestown Road, 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, 2022.

Resolution duly adopted.

(City Clerk) (Date)

Certified to be a true copy.

(City Clerk) (Date)

RESOLUTION NO. 23-04
ACCEPTANCE OF SOUTHAMPTON COURT FROM SOUTHAMPTON 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 _____, the following resolution was offered by member _____, and supported by member _____.

Whereas the City of Auburn Hills did acquire title to Southampton 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 SOUTHAMPTON COURT (60 FT. WIDE)
(BETWEEN SOUTHAMPTON ROAD & ROADS END)

A centerline of road being situated in the South 1/2 of Section 35, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:
Commencing at the S 1/4 corner of said Section 35; thence S 89°39'29" W 878.40 feet along the South line of said Section 35; thence N 00°20'31" W 60.0 feet; thence N 89°39'29" E 20.0 feet; thence N 00°20'31" W 153.0 feet; thence S 89°39'29" W 20.0 feet; thence N 00°20'31" W 64.44 feet; thence N 60°30'12" W 24.51 feet; thence N 29°29'48" E 140.0 feet; thence N 38°57'15" E 60.82 feet; thence N 29°29'48" E 110.0 feet; thence N 33°56'24" W 54.04 feet; thence N 79°55'00" W 79.73 feet to a point on the Northerly right of way line of Southampton Road (60 ft. wide); thence along said Northerly line 106.01 feet along a curve to the right, radius 360.0 feet, delta 16°52'17", chord bears N 55°11'52" E 105.62 feet; thence N 68°25'53" E 60.22 feet to a point on the centerline of Southampton Court (60 ft. wide), also being the Point of Beginning; thence along said centerline of said Southampton Court N 16°39'01" W 149.88 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, 2022.

Resolution duly adopted.

(City Clerk) (Date)

Certified to be a true copy.

(City Clerk) (Date)

RESOLUTION NO. 23-05
ACCEPTANCE OF ST MARYS ALLEY FROM ST. MARYS 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 _____, the following resolution was offered by member _____, and supported by member _____.

Whereas the City of Auburn Hills did acquire title to St. Marys Alley.

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 ST. MARYS ALLEY (20 FT. WIDE)
(BETWEEN ST. MARYS STREET & ROADS END)

A centerline of alley being situated in the E 1/2 of the SW 1/4 of Section 5, Town 3 North, Range 10 East, City of Auburn Hills, Oakland County, Michigan, described as follows:

Commencing at the S 1/4 corner of said Section 5; thence S 87°06'42" W 1182.80 feet along the South line of said Section 5; thence N 13°09'25" W 405.48 feet along the Easterly right of way line of Baldwin Road; thence N 86°08'49" E 110.82 feet to a point on the centerline of St. Mary's Alley (20 ft. wide), also being the Point of Beginning; thence N 03°51'11" W 538.0 feet along said centerline 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, 2022.

Resolution duly adopted.

(City Clerk) (Date)

Certified to be a true copy.

(City Clerk) (Date)



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7D

DEPARTMENT OF PUBLIC WORKS

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Jason Hefner, Manager of Fleet & Roads
Submitted: March 13, 2023
Subject: Motion – Authorize City Manager to Order and Purchase Road Salt for the 2023/24 Season

INTRODUCTION AND HISTORY

The State will be bidding road salt purchases for the 2023/24 winter season in the near future through the MiDEAL process. In order to participate in the bid, each participating government entity must place an order for road salt by April 5, 2023 prior to bid pricing being available in August. To provide their best price, vendors will bid based on quantity expectations from the buyers. However, when the State awards the bid, the order then becomes a commitment to purchase at least 80% of the quantity regardless of the price. This is the same approach the City took the past five seasons with City Council review and approval.

Past experience has shown us that salt pricing varies year to year and it's challenging to know what action is best to take. We've bid road salt purchases in-house with what we believe was a good result and then migrated to a local consortium administered through the City of Farmington Hills and found better pricing with the larger group participation. In 2017, we found pricing through the MiDeal bid program to be approximately \$50,000 in savings for the City over the Farmington Hills Consortium bid. For the 2018/19 season the MiDEAL price of \$45.80/ton was \$5.34/ton less than the Farmington Hills Consortium bid of \$51.14/ton, saving the City roughly \$15,000.

At first consideration, the concept of blindly committing to an order without knowing the price seemed nonsensical. However, when we consider the alternatives relating to risk versus return, maintaining a relationship with the MiDEAL road salt program should bring the most value.

We have two options; one is to place an order through MiDEAL or we can bid road salt on our own. It's likely that bidding a quantity of 2,000 tons of salt on our own will produce a much higher price than the MiDEAL bid of over 239K tons for the local government agencies in Oakland, Macomb, and Wayne Counties. For reference, the last Farmington Hills Consortium bid was 73K tons and their 2020-21 price per ton for Oakland County Communities was \$54.25; Auburn Hills paid \$50.72 per ton. The rate through MiDEAL for the 2021-22 season was even lower at \$45.99 per ton.

Not only should we see a much lower bid price based on quantity through MiDEAL we will also have our quantities guaranteed and will have priority delivery. Staff believes that the best choice is to provide a committed salt order to the State bid process rather than taking our chances on our own. However, per the City's purchasing ordinance (local law), purchases over \$10,000 for goods require City Council Approval. By committing to an order without knowing the cost is contrary to the normal process we typically follow. Therefore, Staff needs City Council authorization to place an order, with a commitment to purchase 80% of that quantity to participate in the MiDEAL bid process.

Going forward, staff recommends the following strategy to minimize our risk exposure. On average, we use just over 2,100 tons of salt per season. A severe winter could extend our salt use over 3,000 tons for the season. Staff

will place a salt order of 2,500 tons for the 2023/24 season with the State of Michigan to participate in the bid process. If the 2023/24 winter season experiences minimal snow precipitation, the City will only be obligated to purchase 80%, or 2,000 tons. With excessive snow precipitation, the City can opt to purchase 30% over the order amount or 3,250 tons. Staff is confident that, given our current supply, this strategy will see us through the season without experiencing a salt shortage.

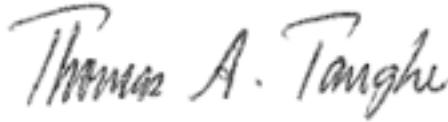
STAFF RECOMMENDATION

Staff recommends that the City Council waive the typical process outlined in the Purchasing Ordinance and authorize the City Manager to submit a road salt order for the 2023/24 season to participate in the State of Michigan road salt bid process.

MOTION

Move to authorize the City Manager to submit a road salt order of 2,500 tons to the State of Michigan for the 2023/24 season to participate in the MiDEAL bid process.

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7E

POLICE DEPARTMENT

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Ryan Gagnon, Chief of Police
Submitted: March 15, 2023
Subject: Motion – To Approve the 2023 HIDTA Sub-Recipient Agreement with Oakland County

INTRODUCTION AND HISTORY

In 2014, City Council approved an inter-local agreement to enter the Oakland County Narcotics Enforcement Team. This team is largely supported by federal and state grants and forfeiture dollars derived from the proceeds of criminal enterprises. Part of the funding is a federal grant known as High-Intensity Drug Trafficking Area (HIDTA). HIDTA was created by Congress with the Anti-Drug Abuse Act of 1988 and provides assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States. This grant program is administered by the Office of National Drug Control Policy (ONDCP). There are currently 28 HIDTAs, which include approximately 16 percent of all counties in the United States and 60 percent of the U.S. population. HIDTA-designated counties are located in 46 states, as well as in Puerto Rico, the U.S. Virgin Islands, and the District of Columbia. The DEA plays a very active role and has 589 authorized special agent positions dedicated to the program. At the local level, the HIDTAs are directed and guided by Executive Boards composed of an equal number of regional federal and non-federal (state, local, and tribal) law enforcement leaders.

The purpose of the HIDTA program is to reduce drug trafficking and production in the United States by:

- Facilitating cooperation among federal, state, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities;
- Enhancing law enforcement intelligence sharing among federal, state, local, and tribal law enforcement agencies;
- Providing reliable law enforcement intelligence to law enforcement agencies to facilitate the design of effective enforcement strategies and operations; and
- Supporting coordinated law enforcement strategies that make the most of available resources to reduce the supply of illegal drugs in designated areas of the United States and in the Nation as a whole.

HIDTA requires an agreement for the purpose of delineating the relationship and responsibilities regarding the County's uses of grant funds to reimburse municipalities for overtime expenses that are incurred related to its participation in the Oakland County Narcotic Enforcement Team ("N.E.T.")

Oakland County submitted an Initiative Description and Budget Proposal to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy to grant N.E.T. an award of \$132,300.00 for the 2023 program year to reimburse N.E.T. participating agencies for eligible law enforcement overtime costs.

The City of Auburn Hills is a sub-recipient and therefore must enter into the attached sub-agreement with Oakland County.

The attached inter-local agreement has been reviewed by City Attorney Beckerleg and found to be satisfactory from a legal standpoint.

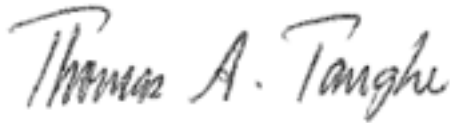
STAFF RECOMMENDATION

Staff recommends the approval of the 2023 HIDTA Agreement between Oakland County and the City of Auburn Hills.

MOTION

Move to approve the 2023 HIDTA Agreement between Oakland County and the City of Auburn Hills and authorize the Chief of Police to sign the agreement on behalf of the city.

I CONCUR:

A handwritten signature in dark ink, reading "Thomas A. Tanghe". The signature is written in a cursive, flowing style. The first name "Thomas" is written with a large, looped 'T'. The middle initial "A." is written in a smaller, simpler script. The last name "Tanghe" is written with a large, looped 'T' and a trailing flourish.

THOMAS A. TANGHE, CITY MANAGER

**PROGRAM YEAR 2023
HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA)
SUBRECIPIENT AGREEMENT BETWEEN
THE COUNTY OF OAKLAND AND CITY OF AUBURN HILLS
Data Universal Numbering System (DUNS) #: 020822961**

This Agreement is made between Oakland County, a Constitutional Corporation, 1200 North Telegraph, Pontiac, Michigan 48341 ("County") and City of Auburn Hills, 1827 N. Squirrel Rd., Auburn Hills, MI 48326, a Michigan Municipal Corporation ("Municipality"). The County and Municipality shall be collectively referred to as the "Parties."

PURPOSE OF AGREEMENT.

The Parties enter into this Agreement for the purpose of delineating their relationship and responsibilities regarding the County's use of Grant funds (defined below) to reimburse the Municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement Team ("N.E.T."), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office ("OCSO").

Under the Parties' separate N.E.T. agreement, the Municipality is responsible for providing a full-time employee for participation in N.E.T. and for all costs associated with that employment, including overtime.

The County, as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal (Exhibit A) to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy ("ONDCP") to grant N.E.T. an award for program year (PY) 2023 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime. PY 2023 begins January 1, 2023 and ends December 31, 2023.

If ONDCP grants N.E.T. an award for PY 2023, the ONDCP disburses the HIDTA grant funds to the Michigan State Police ("MSP"). To receive the Grant funds for overtime costs, N.E.T. must submit requests for reimbursement with the required supporting documentation to Michigan HIDTA. If Michigan HIDTA approves the N.E.T. overtime reimbursement requests, the MSP should distribute the Grant funds to County on behalf of N.E.T. The County has the authority to allocate a portion of the Grant funds to reimburse the Municipality for qualifying overtime costs subject to the terms and conditions of this Agreement.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

- 1. DEFINITIONS.** The following terms, whether used in the singular or plural, within or without quotation marks, or possessive or nonpossessive, shall be defined, read, and interpreted as follows.

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- 1.1. **Claim** means any alleged loss, claim, complaint, demand for relief or damages, cause of action, proceeding, judgment, deficiency, liability, penalty, fine, litigation, costs, and/or expenses, including, but not limited to, reimbursement for attorney fees, witness fees, court costs, investigation expenses, litigation expenses, and amounts paid in settlement, which are imposed on, incurred by, or asserted against the County or Municipality, or the County's or Municipality's agents or employees, whether such claim is brought in law or equity, tort, contract, or otherwise.
- 1.2. **Grant funds** mean the funds that may be awarded to the County and the other participating agencies in N.E.T. pursuant to Michigan HIDTA Initiative Description and Budget Proposal Version 2023 (Exhibit A) submitted to Michigan HIDTA by County on behalf of itself and the other participating agencies in N.E.T.

2. EXHIBITS. The Exhibits listed below are incorporated and are part of this Agreement.

- 2.1. **Exhibit A** – Michigan HIDTA Initiative Description and Budget Proposal Version 2023.
- 2.2. **Exhibit B** - Template Request for HIDTA Overtime Reimbursement (Locals to County).
- 2.3. **Exhibit C** – Sample letter regarding notification of current overtime pay rate.
- 2.4. **Exhibit D** – Sample overtime slip, signed by the officer's supervisor that supports each Request for HIDTA Overtime Reimbursement.
- 2.5. **Exhibit E** – Sample paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement.

3. FEDERAL AWARD PROJECT DESCRIPTION.

- 3.1. Catalog of Federal Domestic Assistance ("CFDA") #: 95.001
- 3.2. Federal Awarding Agency: United States Office of National Drug Control Policy ("ONDCP")
- 3.3. Program: High Intensity Drug Trafficking Areas (HIDTA)
 - 3.3.1. HIDTA Objective: To reduce drug trafficking and drug production in the United States by: (A) facilitating cooperation among Federal, State, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities; (B) enhancing law enforcement intelligence sharing among Federal, State, local, and tribal law enforcement agencies; (C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and (D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.
- 3.4. Period of Performance: January 1, 2023 through December 31, 2023.

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- 3.5. The Federal Award Identification Number (FAIN) is provided in the HIDTA Grant Agreement between ONDCP and MSP, which is incorporated into this Agreement by reference.

4. USE OF HIDTA FUNDS.

- 4.1. The total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality is not to exceed **\$5,700.00** for each participating law enforcement officer unless otherwise provided herein. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality amount may change as funds are available on a pro rata basis. Such commitment and obligation for overtime costs is contingent upon the ONDCP awarding the Grant funds to N.E.T and the MSP reimbursing the County.
- 4.2. The County will reimburse the Municipality up to **\$5,700.00** for each participating law enforcement officer for qualifying N.E.T.-related overtime unless otherwise provided herein. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the maximum reimbursement amount may change as funds are available on a pro rata basis. Such reimbursement shall only be made after the supporting documentation is submitted by the Municipality and approved by the County, as described in Paragraph 5.1. Such reimbursement is contingent upon the ONDCP awarding the grant funds to N.E.T and the MSP reimbursing the County.
- 4.2.1. HIDTA funds shall be used to pay overtime only if the overtime was performed in support of a HIDTA-designated Enforcement initiative or Intelligence and information Sharing Initiative. HIDTA funds shall not be used to pay overtime related to training attendance, financial management, drug treatment, drug demand reduction or prevention, or non-investigative related administrative work.
- 4.2.2. No HIDTA funds shall be used to supplant the Municipality's funds that would otherwise be made available for the same purposes.
- 4.3. There is no research and development performed pursuant to this Agreement.
- 4.4. No indirect costs shall be charged or reimbursed under performance of this Agreement.

5. REIMBURSEMENT OF ELIGIBLE NET OVERTIME.

- 5.1. To request reimbursement for eligible N.E.T. overtime costs, the Municipality shall submit to the County the documentation described in the following subparagraphs no later than thirty (30) days after PY 2023 has expired. If the County, in its sole discretion, determines that the

documentation submitted by the Municipality does not reconcile, then the Municipality shall provide any additional documentation requested by the County in order to process payment.

- 5.1.1. A fully completed and signed Request for HIDTA Overtime Reimbursement attached as Exhibit B.
- 5.1.2. A letter substantively similar to the sample letter regarding notification of current overtime pay rate attached as Exhibit C.
- 5.1.3. Overtime slips, signed by the officer's supervisor, that support each Request for HIDTA Overtime Reimbursement. The overtime slips shall be substantively similar to the sample overtime slip attached as Exhibit D.
- 5.1.4. The paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement. The paystub or payroll report shall be substantively similar to the sample paystub attached as Exhibit E.
- 5.2. County will only reimburse Municipality for approved overtime costs after County has received the Grant funds from MSP for that particular reimbursement request.

6. GENERAL COMPLIANCE.

- 6.1. The Municipality shall comply with to 28 C.F.R. Part 69 (New Restrictions on Lobbying) and 2 C.F.R. Part 25 (Universal Identifier and System of Award Management).
- 6.2. The Municipality shall comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.
- 6.3. The Municipality shall perform all activities in accordance with The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.
- 6.4. The Municipality shall comply with ONDCP's HIDTA Program Policy and Budget Guidance, all other applicable Federal, state, and local laws and regulations, and the terms and conditions contained in this Agreement.
- 6.5. The Municipality shall comply with all applicable requirements for subrecipients that are provided in the HIDTA Grant Agreement between ONDCP and MSP. The HIDTA Grant Agreement between ONDCP and MSP will be provided to the Municipality within a reasonable time after the County receives a copy of it.
- 6.6. As specified in the HIDTA Program Policy and Budget Guidance, the Municipality must:

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- 6.6.1. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that Federal award funds are managed in compliance with Federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in “Standards for Internal Control in the Federal Government,” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- 6.6.2. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- 6.6.3. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the Federal award.
- 6.6.4. Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
- 6.6.5. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or the Municipality designates consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

7. FINANCIAL ACCOUNTABILITY AND AUDIT REQUIREMENTS.

- 7.1. The Municipality shall maintain standards of financial accountability that conform to 2 C.F.R. §200.302 (Financial Management) and 2 C.F.R. §200.303 (Internal Controls).
- 7.2. The Municipality shall comply with audit requirements contained in 2 C.F.R. Part 200, Subpart F, which requires the Municipality to have an annual audit conducted within nine (9) months of the end of their fiscal year, if the Municipality has an aggregate expenditure of more than \$750,000 in federal funds in a fiscal year. Any deficiencies noted in audit reports must be fully cleared by the Municipality within thirty (30) days after receipt of same. The Grant funds spent by the County on behalf of the Municipality for training expenses shall be included on the Schedule of Expenditures of Federal Awards if the Municipality is required to have a single audit performed. Municipalities that are exempt from the Single Audit requirements that receive less than \$750,000 of total Federal funding must submit a Financial Statement Audit prepared in accordance with Generally Accepted Auditing Standards (“GAAS”) if the audit includes disclosures that may negatively impact the HIDTA program including, but not limited to fraud, financial misstatements, and violations of any contract or grant provisions. The County shall have the right to review and audit all records of the Municipality pertaining to any payment by the County.

8. CONFLICT OF INTEREST.

- 8.1. The Municipality shall comply with the following ONDCP conflict of interest policies:

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- 8.1.1. As a non-Federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of subawards and contracts.
- 8.1.2. None of your employees may participate in the selection, award, or administration of a subaward or contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a sub-award or contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or contractors or parties to subawards or contracts.
- 8.1.3. If you have a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

9. MANDATORY DISCLOSURE.

- 9.1. As a non-Federal entity, the Municipality must disclose, in a timely manner, in writing to ONDCP all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII “Award Term and Condition for Recipient Integrity and Performance Matters,” are required to report certain civil, criminal, or administrative proceedings to System for Award Management (SAM). Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of the deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 “Remedies for Noncompliance”.

10. RECORD RETENTION.

- 10.1. The Municipality shall comply with the record retention provisions of 2 C.F.R. 200.333 (Retention requirements for records).
- 10.2. The Municipality should, whenever practicable, collect, transmit, and store Federal award-related information in open and machine readable formats rather than in closed formats or on paper in accordance with 2 C.F.R. 200.335 (Methods for collection, transmission and storage of information).

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11. ACCESS TO RECORDS.

- 11.1. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the County, or any of their authorized representatives, have the right of access to any documents, papers, or other records of the Municipal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Municipality's personnel for the purpose of interview and discussion related to such documents. The right of access to the Municipality's records is not limited to the required retention period but last as long as the records are retained.
- 11.2. The Municipality shall permit the County and auditors to have access to the Municipality's records and financial statements as necessary for the County to meet the requirements of 2 C.F.R. Part 200.

12. TERM.

- 12.1. This Agreement and any amendments hereto shall be effective when executed by both Parties with concurrent resolutions passed by the governing bodies of each Party, and when the Agreement is filed according to MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered in the official minutes of the governing bodies of each Party. This Agreement shall end on December 31, 2023.

13. ASSURANCES.

- 13.1. Each Party shall be responsible for its own acts and the acts of its employees and agents, the costs associated with those acts, and the defense of those acts.
- 13.2. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.
- 13.3. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, laws, and requirements applicable to its activities performed under this Agreement.

14. TERMINATION OF AGREEMENT.

- 14.1. This Agreement may be terminated in whole or in part as follows:
 - 14.1.1. by the County, if the Municipality fails to comply with the terms and conditions of this Agreement;
 - 14.1.2. by the County for cause;

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14.1.3. by the County with the consent of the Municipality, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;

14.1.4. by the Municipality upon sending to the County written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the County determines in the case of partial termination that the reduced or modified portion of the subaward will not accomplish the purpose for which this Agreement was made, the County may terminate the Agreement in its entirety.

14.2. The County must provide to the Municipality a notice of termination. Written suspension or notice of termination will be sent to the Municipality's business address. If this Agreement is terminated or partially terminated, both the County and the Municipality remain responsible for compliance with the requirements at 2 CFR 200.343 Closeout and 2 CFR 200.344 Post-closeout Adjustments and Continuing Responsibilities.

15. CLOSEOUT.

15.1. The County shall close-out this Agreement when it determines that all applicable administrative actions and all required work under this Agreement have been completed by Municipality.

15.2. The Municipality shall comply with the closeout provisions of 2 C.F.R. 200.343 (Closeout).

16. POST-CLOSEOUT ADJUSTMENTS AND CONTINUING RESPONSIBILITIES.

16.1. The closeout of this Agreement does not affect any of the following:

16.1.1. The right of County to disallow costs and recover funds on the basis of a later audit or other review. The County must make any cost disallowance determination and notify the Municipality within the record retention period;

16.1.2. The obligation of the Municipality to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments;

16.1.3. Audit requirements in Subpart F—Audit Requirements of 2 C.F.R. Part 200.

16.1.4. Records retention as required in Subpart D—Post Federal Award Requirements of this part, §200.333 Retention requirements for records through §200.337 Restrictions on public access to records.

17. REMEDIES FOR NONCOMPLIANCE.

17.1. If the Municipality fails to comply with federal statutes, regulations, or the terms and conditions of this Agreement, the County may impose additional conditions, as described in 2 CFR §200.207 Specific Conditions. If the County determines that noncompliance cannot be

2023 HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT
SUBRECIPIENT AGREEMENT BETWEEN
OAKLAND COUNTY
AND
CITY OF AUBURN HILLS

remedied by imposing additional conditions, the County may take one or more of the following actions, as appropriate in the circumstances:

- 17.1.1. temporarily withhold cash payments pending correction of the deficiency by the Municipality or more severe enforcement action by the County;
- 17.1.2. disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
- 17.1.3. wholly or partly suspend or terminate the Agreement;
- 17.1.4. recommend that the Federal awarding agency initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations;
- 17.1.5. withhold further funds for the project or program;
- 17.1.6. take other remedies that may be legally available.

18. NO THIRD-PARTY BENEFICIARIES. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right, in favor of any other person or entity.

19. DISCRIMINATION. The Parties shall not discriminate against their employees, agents, applicants for employment, or another persons or entities with respect to hire, tenure, terms, conditions, and privileges of employment, or any matter directly or indirectly related to employment in violation of any federal, state or local law.

20. PERMITS AND LICENSES. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations necessary to carry out its obligations and duties pursuant to this Agreement.

21. RESERVATION OF RIGHTS. This Agreement does not, and is not intended to waive, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties.

22. DELEGATION/SUBCONTRACT/ASSIGNMENT. Neither Party shall delegate, subcontract, and/or assign any obligations or rights under this Agreement without the prior written consent of the other Party.

23. NO IMPLIED WAIVER. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement.

No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

24. SEVERABILITY. If a court of competent jurisdiction finds a term, or condition, of this Agreement to be illegal or invalid, then the term, or condition, shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

25. CAPTIONS. The section and subsection numbers and captions in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers and captions shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.

26. NOTICES. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first-class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery service or personal delivery; or (3) three days after mailing first class or certified U.S. mail.

26.1. If Notice is sent to the County, it shall be addressed and sent to: Oakland County Board of Commissioners Chairperson, 1200 North Telegraph, Pontiac, Michigan 48341, with a copy to Oakland County Sheriff's Office, Sheriff Fiscal Officer, 1200 N. Telegraph, Bldg. 38E, Pontiac, Michigan 48341.

26.2. If Notice is sent to the Political Subdivision, it shall be addressed to: City of Auburn Hills.

26.3. Either Party may change the address and/or individual to which Notice is sent by notifying the other Party in writing of the change.

27. CONTACT INFORMATION.

<u>County of Oakland</u>	<u>City of Auburn Hills</u>
Lieutenant Sean Jennings Investigative & Forensic Services Division Narcotics Enforcement Team Office: 248-858-1722 Fax: 248-858-1754 Email: jennings@oakgov.com	Chief Ryan Gagnon Auburn Hills Police Department 1899 N. Squirrel Rd. Auburn Hills, MI 48329 Phone: 248-364-6851 Fax: 248-370-9365 Email: rgagnon@auburnhills.org

28. GOVERNING LAW. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, without regard to Michigan's conflict of laws provisions.

29. AGREEMENT MODIFICATIONS OR AMENDMENTS. Any modifications, amendments, rescissions, waivers, or releases to this Agreement must be in writing and executed by both Parties.

30. ENTIRE AGREEMENT. This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other oral or written agreements between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

IN WITNESS WHEREOF, David T. Woodward, Chairperson, Oakland County Board of Commissioners, acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the County to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
David T. Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____
Printed Name:
Title:

IN WITNESS WHEREOF, _____, acknowledges that he/she has been authorized by a resolution of the Municipality's governing body, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the Municipality to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
Printed Name:
Title:

WITNESSED: _____ DATE: _____
Printed Name:
Title:



Michigan HIDTA

Initiative Description and Budget Proposal

All Initiatives which seek HIDTA funding must complete this proposal and return to Michigan HIDTA via e-mail by the announced deadline. Completion of all sections of this proposal is required. The Office of National Drug Control Policy examines these submissions very closely. Your proposal must be clear, concise and complete. **A complete proposal consists of this form AND the Michigan HIDTA FMS Budget Sheet.**

Program Year: Initiative Title:

Submitter's Rank/Name: Submitter's Telephone #:

Submitter's E-mail Address:

SECTION 1: INITIATIVES

Level of Activity - Check all that apply

☒ Local DTO Focus ☒ Multi-State DTO Focus ☐ International DTO Focus ☐ Interdiction Focus

Does this Initiative Routinely Provide Information to the HIDTA Investigative Support Center (ISDC)?

☒ YES ☐ NO

SECTION 2: PROFILEInitiative Description

Enter Lead Agency:

Enter Location of Initiative (City):

Check All That Apply

- ☐ Initiative is Collocated with other HIDTA Initiatives
- ☒ Initiative is Staffed with Full-Time Federal and Full-Time State/Local Personnel
- ☒ Full-Time Members of Initiative are Collocated and Commingled with Federal and State/Local Personnel

Initiative Description and Budget Proposal Instructions

Enter your initiative description and budget detail in the text box on the following page. The text box is not character limited, nor is it limited to the visible field on the page. It works best to compose the narrative in Word and copy into the text field on the following page. Please use narrative only to complete this section. The PMP software will not accept graphs, tables, charts, images, etc.

The narrative section is intended to describe the mission and proposed activities for your initiative (dismantling DTOs, meth labs, interdicting drugs/money, apprehending fugitives, etc.) and detail your initiative's funding request. This description should indicate when the initiative was first funded by HIDTA.

Your narrative must be clear, concise and complete. Do not include a long narrative detailing the history or accomplishments of your initiative. Please **limit** your initiative description to several short paragraphs.

The first paragraph should clearly **identify the threat** (drug problem, violent crime, money laundering) in your area. ONDCP expects detailed information regarding the threat in the **HIDTA county/counties which your initiative serves**. Describe the types of drugs being trafficked, the presence/activities of gangs and drug-related violent crime. Include information on DTOs and MLOs operating in your area. DO NOT use specific names/addresses for any organizations or provide any information which is law enforcement sensitive or classified. Referring to the Michigan HIDTA Annual Threat Assessment/Drug Market Analysis is essential when describing the threat in your region.

In the next paragraph **discuss your plan to attack the threat** in your region. Describe your initiative and detail your plan to address the specific threats/problems in your area and achieve your performance targets. If your initiative consists of multiple teams, explain how each team's activities attack the drug threat in your HIDTA county. Detail how you will work more efficiently and effectively by conducting intelligence-driven investigations and sharing information (leads).

The next paragraph(s) should **present your budget request**. Remember that HIDTA funding is added-value funding and cannot be used to supplant normal operating budget items. Each budget line item (overtime, equipment, supplies, vehicles, phones, services, etc.) must be detailed in narrative form, specifying the amount requested and how each line item amount will be utilized. It is important to relate why each line item is needed and how it fits into your plan to attack the threat in your region and attain your performance targets. Provide a clear, concise and complete explanation of all items in your budget request. The budget narrative will be reviewed by the Michigan HIDTA Steering Committee and Executive Board before being sent to ONDCP for review and approval.

ONDCP closely examines **vehicle expenditures**. Lease costs and other vehicle-related expenses must be detailed. Ensure the number of vehicles and expenses match the number of eligible officers in your initiative. Examples: "6 vehicles @ \$500/month x 12 months = \$36,000; Gasoline Expense, 6 officers @ \$200/month x 12 months = \$14,400 .

ONDCP also scrutinizes **overtime expenses**. Ensure these expenses line-up with eligible officers in your initiative. ONDCP caps overtime for individual officers at \$9,500 annually. The Michigan HIDTA limits the cap to \$6,500 per officer annually. Each initiative is required to maintain documentation/spreadsheet to ensure these limits are not exceeded. Example: 10 task force officers x \$3,000/annually = \$30,000 annual overtime.

PLEASE NOTE: Equipment vs. Supplies - There has been a change in how these items are categorized. All items purchased for **\$5,000 or more per item** are categorized as **Equipment**. All items purchased for **\$4,999 or less per item** are categorized as **Supplies**.

Equipment expenses must be detailed. Provide specifics for what will be purchased, the cost, and how it relates to your plan to address the threat. Example: 10 ballistic shields @ \$6,000 each = \$60,000.

Supplies expenses must be detailed. Provide specifics for what will be purchased, the cost, and how it relates to your plan to address the threat. Example: 12 laptop computers @ \$1,000 each = \$12,000.

Service expenses must also be detailed. Example: Monthly cell phone service for 12 officers @ \$100/monthly x 12 months = \$14,400.

The total of all items must match the total entered in the **"Total Dollar Amount Requested"** field at the top of the next page.

A complete proposal consists of this form AND the Michigan HIDTA FMS Budget Sheet.

Enter Initiative Description and Budget Proposal Detail Below

Total Dollar Amount Requested: **\$132,300**

INITIATIVE PURPOSE:

The Oakland County Narcotic Enforcement Team (NET) is a cooperative partnership of federal, county and local law enforcement agencies in Oakland County, Michigan. NET is located at the Oakland County Sheriff's Office in Pontiac and focuses on mid- to upper-level drug trafficking organizations (DTOs) and criminal groups operating in Oakland County. NET also supports street level investigative operations targeting smaller quantities of cocaine, crack cocaine, methamphetamine, fentanyl, and controlled prescription drugs.

THREAT FOCUS:

Fentanyl and fentanyl mixed with other narcotics continue to be the most lethal category of illicit substances misused in Oakland County. Heroin-related overdose deaths remain at high levels in the county. NET has observed a substantial increase in methamphetamine distribution and use. Cocaine has become a resurgent threat and is widely available throughout the county. Controlled prescription drugs remain an area of concern. Regional and local DTOs are the primary drug trafficking threats in the NET Area of Responsibility (AOR). These DTOs transport cocaine, heroin, fentanyl, and methamphetamine into Oakland County. Most of the illegal narcotics remain in the county and are distributed by local DTOs and criminal groups and eventually consumed by users.

PERSONNEL STRUCTURE AND PARTICIPATING AGENCIES:

NET is led by the Oakland County Sheriff's Office and supported by full-time law enforcement personnel assigned by the Drug Enforcement Administration (DEA), Homeland Security (HSI), Oakland County Prosecutor's Office, Auburn Hills Police Department, Birmingham Police Department, Bloomfield Township Police Department, Farmington Hills Police Department, Ferndale Police Department, Franklin Police Department, Hazel Park Police Department, Madison Heights Police Department, Rochester City Police Department, Royal Oak Police Department, Troy Police Department, Waterford Police Department and West Bloomfield Police Department. The multi-agency approach combines local and federal law enforcement officers and their investigative capacities as a means to dismantle and disrupt large and mid-level DTOs and criminal groups in Oakland County.

INVESTIGATIVE APPROACH:

NET will leverage HIDTA funds to support investigative overtime and communication services. Drug seizures will be thoroughly investigated by NET investigators in order to (1) trace these seizures back to the source(s) of supply, (2) assist investigators in ultimately disrupting and dismantling DTOs and seizures back to the source(s) of supply, and (3) assist investigators in ultimately disrupting and dismantling DTOs and criminal groups. NET investigators monitor DTO trafficking patterns and share the information with our federal partners. The NET task force initiates investigations into upper- and mid-level DTOs and criminal groups. The main goal of the task force is to identify, disrupt, and dismantle local DTOs and criminal groups. If the DTO is identified as a multi-state or international organization, then this intelligence is passed on to the DEA for investigation and federal prosecution. In addition to DEA participation in NET, NET further assigns two investigators to work closely and coordinate with two other DEA groups. This partnership ensures that interstate and international DTOs operating in Oakland County are being thoroughly investigated and prosecuted.

Agency Positions

Predicting Expected Outputs: When developing your expected outputs for the Program Year, please ensure you take into consideration your past 2-3 year performance averages. ONDCP frequently refers to these averages when evaluating future performance target numbers.

SECTION 3: DTOs

DTO Expected Outputs:

Predict the number of DTOs and MLOs you expect to disrupt and/or dismantle during the Program Year. Your performance targets should be aggressive but reasonably attainable, considering expected staffing and funding. Remember that your initiative's performance is compared to how successfully it attained its predicted totals. Please note Initiative's performance is not compared to the performance of other initiatives. Include pertinent notes in the Notes/Additional Information box.

DISRUPTED Defined

DISMANTLED Defined

Enter Number of **DTOs** Expected to be Disrupted or Dismantled This Program Year:

5

Notes/Additional Information:

Enter Number of **MLOs** Expected to be Disrupted or Dismantled This Program Year:

0

Notes/Additional Information:

SECTION 4: CLANDESTINE LABS

Predict the number of each of the following items which you expect to seize during the Program Year. Include pertinent notes in the Notes/Additional Information box.

Enter the Number of Lab Dump Sites Expected to be Seized

0

Enter the Number of Chemical/Glassware/Equipment Expected to be Seized

0

Enter the Number of Children Expected to be Affected

0

Enter the Number of **Meth Labs** Expected to be Dismantled

0

Enter the Number of **Other Clan Labs** (Production/Conversion) Expected to be Dismantled

0

Notes/Additional Information:

SECTION 5: ACTIVITIES

Predict the number of each of the following items for the Program Year. Include pertinent notes in the Notes/Additional Information box.

New HIDTA Cases:

Enter the Number of New HIDTA Initiative Cases Expected to be Opened This Program Year:

Notes/Additional Information:

Case Support:

Enter the Number of Cases Expected to be Provided Analytical Support This Program Year:

Refer to definition of Analytical Support (AS). Project only number of cases which will receive AS from an analyst embedded with your TF or the DSEMIIC/MIOC. Do not include cases which will receive AS from an analyst seated at the HIDTA. A case can be reported receiving AS only **ONCE IN A CALENDAR YEAR** but can be counted each calendar year it receives AS. Project the number of separate cases to receive AS in the year, not the number of times AS is received on all cases. **Important: Remember to submit a completed survey with your quarterly report for each case receiving AS.**

Enter the Number of Event Deconflictions Expected to be Submitted This Program Year:

Enter the Number of Case Matching Requests Expected to be Submitted This Program Year:

Notes/Additional Information:

SECTION 6: FUGITIVES

Predict the number of fugitives you expect to apprehend for the Program Year. A *Fugitive* is defined as an apprehension made pursuant to some type of court-issued pick-up order, such as an arrest warrant, a writ, etc. An *Arrest* is defined as any apprehension made absent any type of court-issued pick-up order, primarily arrests made on probable cause. Initiative plans to make *Arrests* during the year are indicated by selecting *Arrests* from the *Other Outputs* pick list in Section 7.

Enter the Number of Fugitives Expected to be Arrested This Program Year:

Notes/Additional Information:

SECTION 7: OTHER OUTPUTS

ENTRY OF MANDATORY OUTPUTS

FORENSIC ENHANCEMENT - MSP TECHNICAL SUPPORT UNIT - REDRUM

Continue to report Other Outputs contained in the pick list boxes below. Other Output information provided will be maintained internally at the HIDTA but will not be reported in PMP.

ALL OTHER HIDTA INITIATIVES

Report **ONLY** the four Other Outputs **ARRESTS, CRIMINAL GROUPS, FIREARMS SEIZED** and **T-III WIRETAPS**. This information will be reported in PMP.

FUGITIVES VS. ARRESTS

Fugitives: Provide a projection of how many fugitives your task force will arrest for the year in *Section 6: Fugitives*.

A fugitive is defined as an apprehension made pursuant to some type of court-issued pick-up order, such as an arrest warrant, a writ, etc.

Arrests: No projection of how many arrests your task force will make for the year is required. **An arrest is defined as any apprehension made absent any type of court-issued pick-up order; primarily arrests made on probable cause.** Indicate your task force's intentions to make arrests during the year by selecting/loading ARRESTS into one of the Other Output boxes below.

Definition of Wiretap

A wiretap is a form of electronic monitoring where a Federal or state court order authorizes law enforcement to surreptitiously listen to phone calls or intercept wireless electronic text messages or video communications. Indicate your plan to utilize wiretaps by selecting T-III WIRETAPS in one Other Output box to the right.

Reporting Wiretaps

No projection regarding the number of wiretaps to be utilized is required. The actual number of wiretaps is reported each quarter on the Task Force Quarterly Report. Report only the number of lines (telephone numbers) for which a court order authorized eavesdropping. Do not report an extension of a court order for the same telephone line (number) unless the extension is spanning the calendar year being reported. Note: Dialed number recorders (Pen Registers) are not considered a wiretap for PMP reporting purposes.

Select the Other Outputs your initiative plans to utilize in the pick list boxes below.

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:

Other Output:



Michigan HIDTA
Request for HIDTA Overtime Reimbursement

ONE FORM PER OFFICER

REGULAR OVERTIME

Exhibit B

Michigan HIDTA
Mary Szymanski - Financial Manager
FAX: 248.356.6513
mszymanski@mi.hidta.net

OFFICER'S NAME AND RANK

HOME DEPARTMENT NAME

PHONE NUMBER

MAILING ADDRESS

FEDERAL TAX ID OR MSP INDEX/PCA

REQUESTING OFFICER IS REQUIRED TO TYPE HIS/HER NAME IN THE BLUE BORDERED BOX BELOW. By typing my name in the box below, I certify that this overtime was incurred pursuant to HIDTA-related investigations on the dates and in the amounts listed.

APPROVING TASK FORCE COMMANDER IS REQUIRED TO TYPE HIS/HER NAME IN THE RED BORDERED BOX BELOW: By typing my name in the box below, I certify I received this overtime request from the Requesting Officer, and have reviewed and approved after determining it to be in compliance with ONDCP Program Policy as previously provided to me.

ITEM #	COMPLAINT #	DATE OT WORKED	# OT HOURS WORKED	OT HOURLY RATE	TOTAL ENTRY COST	LOCATION: Address, City/Township/County
OVERTIME APPROVED FOR STATE/LOCAL OFFICERS ONLY. LIMIT PER OFFICER IS \$8,000 ANNUALLY AS PER MICHIGAN HIDTA PROGRAM POLICY.						
FEDERAL PARTICIPANTS ARE NOT ELIGIBLE TO RECEIVE HIDTA OVERTIME.						
1					\$0.0000	
2					\$0.0000	
3					\$0.0000	
4					\$0.0000	
5					\$0.0000	
6					\$0.0000	
					\$0.0000	

ITEM #	PROVIDE A BRIEF DETAIL OF THE CORRESPONDING ITEM # FROM THE TABLE ABOVE.
1	
2	
3	
4	
5	
6	

THIS INFORMATION IS CONFIDENTIAL. DISCLOSURE OF CONFIDENTIAL INFORMATION IS PROTECTED BY THE FEDERAL PRIVACY ACT.

YOUR AGENCY LETTERHEAD

January 17, 2018

Director
Michigan HIDTA
28 W. Adams
Suite 400
Detroit, MI 48226

Dear Director

Please accept this correspondence as notification of the current pay rate for the listed **ADD YOUR AGENCY NAME** police officer assigned to the Oakland County Narcotic Enforcement Team (NET). The rate became effective **July 1, 2017**.

Parent Agency:	ADD YOUR AGENCY NAME
Employee Name/Rank:	ADD OFFICER'S NAME AND RANK
Regular Pay Rate:	OFFICER'S REGULAR HOURLY RATE
Overtime Pay Rate:	OFFICER'S OVERTIME HOURLY RATE

As requested, the overtime rate listed does not include any fringe benefits, such as retirement, FICA, etc. Please contact my office if additional information is required.

Sincerely,

Please Note: This document is used for illustrative purposes only and the required documentation does not have to be the same, but must contain the same elements.

Required: Overtime slip signed by officer's supervisor. This item should include name, date, and overtime hours associated with HIDTA. The overtime rate should also be included unless provided in the paystub or payroll report.



[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

TIME SHEET

DATE	HOURS	OVERTIME	NET#
------	-------	----------	------

07/11/2016	08:30-16:30		
07/12/2016	08:30-16:30		
07/13/2016	08:30-16:30		
07/14/2016	08:30-16:30		
07/15/2016	08:30-16:30		

APPROVED

8/16/16

[REDACTED]

08/01/2016	15:00-23:00		
08/02/2016	15:00-23:00		
08/03/2016	14:00-00:00	2hour	16-net-419
08/04/2016	14:00-23:00	1hour	IR-16-263
08/05/2016	03:00-07:00	4hour	IR-16-264
08/05/2016	15:00-23:00		

APPROVING SIGNATURE: _____

[REDACTED]

[REDACTED]

OVERTIME IN RED HAS BEEN TAKEN AS NET TIME (COMP)
OVERTIME IN GREEN HAS BEEN SUBMITTED FOR MJ OT GRAMP

Please sign and return.

Please Note: This document is used for illustrative purposes only and the required documentation does not have to be the same, but must contain the same elements. **Exhibit E**

Required: Pay stub or payroll report containing the same information as pay stub. If the paystub does not indicate the overtime rate of pay, then please include with the overtime slip.

Pay Period Ending On: 08/07/2016
Check #: 
Check Date: 08/12/2016
Primary Rate: 31.2962
Withholding Rate: 00
Federal Allowances: 0

PAYCODE ID	HOURS	OT HOURS	GROSS	YTD	DEDUCTION ID	AMOUNT	YTD
LONGEVITY_PS	0.00	0.00	0.00	350.00	FIW	475.02	8,268.40
SALARY	80.00	7.00	2,832.31	41,498.79	SITW	112.08	1,906.87
TRAINING_PS	0.00	0.00	0.00	876.28	SOCSEC_EE	176.08	2,991.56
SICK PS 07/01	0.00	0.00	0.00	625.92	MEDICARE_EE	41.18	699.64
F/Y SICK PAYOUT	0.00	0.00	0.00	594.63	DUES_PSO	29.63	444.38
PS SCK GAP	0.00	0.00	0.00	2,879.25	PS_HBL VISION	9.13	104.73
IN_LIEU_MED_P_S	0.00	0.00	115.38	1,846.08	RETIRE_PS_OFF	84.97	1,424.49
LIFE INS	0.00	0.00	0.00	8.96	ICMA_PCNT	117.91	1,959.14
HOLIDAY	0.00	0.00	0.00	1,251.85	FLEX_PLAN	98.50	1,576.00
					SAVINGS_PSO	5.60	84.00
					PNC	647.59	11,474.94
					PNC	1,000.00	16,588.65
					ALLY	150.00	2,400.00
TOTALS:	80.00	7.00	2,947.69	49,931.76	TOTALS:	2,947.69	49,922.80

Net Pay This Period: 1,797.59

LEAVE BANK	PRIOR BALANCE	HOURS ACCRUED	HOURS LOST	HOURS TAKEN	NEW BALANCE
COMP_PS	7.50	0.00	0.00	0.00	7.50
F/Y SICK PAYOUT	0.00	0.00	0.00	0.00	0.00
PS KELLY BANK	0.00	0.00	0.00	0.00	0.00
SICK PS 07/01	96.00	0.00	0.00	0.00	96.00
SICK PS GAP	41.00	0.00	0.00	0.00	41.00
VAC_PS	124.00	0.00	0.00	0.00	124.00

08/12/2016

1,797.59

VOID**VOID*****VOID*****CHECK STUB REPRINT*****



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 7F

DEPARTMENT OF PUBLIC WORKS

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Tim Wisser, Manager of Municipal Properties
Submitted: March 15, 2023
Subject: Motion to approve the Auburn Hills 2023 Painting Services Bid to Northstar Painting

INTRODUCTION AND HISTORY

The Municipal Properties division consists of 12 full-time employees. Part of this team's responsibilities are the maintenance and repair of over 40 municipal buildings and 20 structures throughout the City of Auburn Hills. Over the past several years staff have been monitoring the exterior condition of these assets. In 2019, staff began to build and implement a citywide painting schedule as part of our asset management program. Since that time, staff have planned, budgeted, and executed many exterior painting projects such as all six cabins at Hawkwoods, all our park pavilions citywide, the Hawkwoods comfort station, the Riverwoods comfort station, and the Riverside comfort station. Staff had budgeted in 2022 to repaint City Hall and the Community Center, however, after budget planning for this year was complete it was later decided to push this work out to 2023. In addition to these two buildings, staff budgeted in 2023 to repaint both the Windmill storage building, the Fieldstone Golf Course Clubhouse, along with other municipal structures and assets. Although the Library exterior was not originally considered for maintenance in 2023, staff recommended including it in a prospective bid due to its declining condition. It is important to note that each of these buildings was last painted when they were built or remodeled 15-20 years ago, which is well past the recommended time frame of 7-12 years. Staff believes the extended life of these assets is a result of the quality craftsmanship they received at the time of construction.

On January 18, 2023, an invitation to bid was published to the Michigan Intergovernmental Trade Network (MiTN) for painting services to be performed throughout the City (**Exhibit 1**). Fourteen (14) contractors attended the mandatory pre-bid meeting held at the Department of Public Works on February 7, 2023. At the meeting, DPW staff reviewed the bid in its entirety, along with each asset and expectations such as painting and staining products, the requirement to follow all manufacturers recommendations, daily progress reports, and potential accommodations due to the nature of the services City staff provides. It was requested that each contractor submitting a bid price, also include individual proposals for each project. As part of the proposal, staff requested details such as pictures, schedule, product spec sheets, itemization, including an explanation of the necessary prep-work and painting process. Additionally, it was requested that contractors not only provide references, but also pictures of comparable projects they have completed within the past two years. Eight (8) contractors submitted sealed bids which were opened in the lobby of the Office of the City Clerk on February 1, 2023. The bid sheet contained an itemized list of 11 public assets with a lump-sum total (**Exhibit 2**).

In an effort to evaluate each proposal and as part of the bid review process, a follow up letter was sent to each of these eight contractors requesting additional information about the companies they represent to help determine their qualifications, capabilities, and professionalism. Staff also included in the letter a request for group pricing if the four Civic Center Campus buildings and the Fieldstone Clubhouse were awarded together. Upon review of all the information we were able to gather, DPW staff were able to narrow the prospective bid winners to the three lowest bids received which were from CertaPro Painting, Renu Painting, and Northstar Painting.

COMPANY NAME	TOTAL
CertaPro Painters	\$ 89,862.00
Renu Painting	\$ 187,690.00
Northstar Painting	\$ 191,775.00
TN Construction LLC	\$ 232,950.00
Bennings Painting & Industrial Flo	\$ 234,083.00
Kettler Painting, LLC	\$ 250,544.00
Independence Pain Services	\$ 277,397.00
Allied Building Service	-

CertaPro was the lowest bidder by a substantial amount. They did provide separate proposals as requested, along with responding to the additional information inquiry. However, because of CertaPro's past work for the city for which we were not satisfied, along with their subcontractors, staff does not have confidence in recommending CertaPro for this package of work. Renu Painting did not respond to any of the three attempts made for more information, nor did they provide a detailed proposal of how they arrived at their proposed number. As a result, staff is not confident in awarding services to this company. Northstar Painting has been the most professional and communicative company throughout the bid process. During the pre-bid meeting they asked many questions and pointed out deficiencies that other contractors did not see, exhibiting a high knowledge of their trade. They provided all the information requested including pictures from their portfolio with references. Northstar Painting also provided an additional savings of \$13,550 if they were awarded all five of the previously mentioned buildings (*Fieldstone, Library, Windmill, Community Center, City Hall*). After a thorough review of proposals, references, and past work history, DPW staff are recommending the bid award to Northstar Painting for the 2023 Auburn Hills Painting Services and are seeking approval from both City Council and the Tax Increment Finance Authority board of directors (**Exhibit 3**).

STAFF RECOMMENDATION

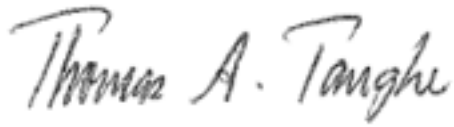
Staff is recommending the approval of the Auburn Hills Painting Services 2023 bid award to Northstar Painting; authorizing painting services at Fieldstone Golf Course for \$27,625.00 (Acct. 584-753-808.000) and the DPW Brine Storage Area for \$2,200 (Acct. 101-265-931.000) This recommendation is subject to approval from the TIFA Board for the remaining buildings and assets at the meeting scheduled on April 11, 2023.

MOTION

Move to award the Auburn Hills Painting Services 2023 bid to Northstar Painting, authorizing exterior painting services at Fieldstone Golf Course for \$27,625.00 and the DPW Brine Storage Area for \$2,200.00. Complete bid award is contingent upon funding approval from the respective Tax Increment Finance Authority budget line items. Budget funding was approved by the City Council as part of the 2023 Adopted Annual Budget depicted in the table below.

General Ledger Number	Amount
101-265-931.000	\$2,200.00
584-753-808.000	\$27,625.00
251-735-800.199	\$26,500
253-737-800.199	\$135,450

I CONCUR:

A handwritten signature in dark ink, reading "Thomas A. Tanghe". The signature is written in a cursive style with a large, stylized 'T' and 'A'.

THOMAS A. TANGHE, CITY MANAGER

ATTACHMENTS

Exhibit 1: ITB-CAH-02-01-2023-001

Exhibit 2: BID SHEET



BID ID: ITB-CAH-02-01-2023-001

BID NAME: Auburn Hills Painting Services

ITEM: Painting Services

DUE DATE: February 1st, 2023, 11:00AM EST

<u>IMPORTANT DATES</u>		
1/18/23	WED	Bid Posting
1/25/23	WED	Pre-Bid Meeting
2/01/23	WED	Bid Opening

The City of Auburn Hills (City) is seeking bids from experienced and qualified contractors to provide painting services for the preservation and maintenance of public buildings. There will be a mandatory site visit held on **January 25th at 10:00 AM**. The meeting will start at 1500 Brown Road in Auburn Hills Michigan, 48346.

Bids will be accepted by the City Clerk until **Wednesday, February 1, 2023, at 11:00 AM**. Bids will be opened at that time in the front lobby of the City Clerk at 1827 N. Squirrel.

Bids to receive consideration shall be received prior to the specified time of opening as designated on the bid form. **NO LATE BIDS WILL BE ACCEPTED**. Bids are considered received when received and date stamped by the office of the City Clerk.

PREPARATION OF BID

- Unless otherwise approved by the City, all bidders must attend the **MANDATORY PRE-BID MEETING on Wednesday, January 25, 2023 at 10:00 AM**. Bidders will meet at the Department of Public Works building at 1500 Brown Road Auburn Hills, MI.
- Each bidder shall furnish all information required on the bid form. Erasures or other changes must be initialed by the person signing the bid form.
- If there is any doubt as to the meaning of any part of the specifications or other conditions within this invitation, contact either Tim Wisser by email/phone at twisser@auburnhills.org / 248-364-6901 or Terry Barnett by email/phone at tbarnett@auburnhills.org / 248-364-6907.



SUBMISSION OF BIDS

- All bids shall be submitted in sealed envelopes and shall include the following information on the face of the envelope:

Bidder's Name
Bidder's Address
Bid Number
Bid Item (Name of Bid)

Failure to do so may result in a premature opening of or failure to open such proposal. All bids must be hand delivered or mailed to:

Auburn Hills City Clerk's Office
1827 N. Squirrel Road
Auburn Hills, MI 48326

- Bidders are responsible for submitting proposals before stated closing time. Delays in the mail will not be considered. Any proposal received after the stated deadline will be rejected.
- Any bid may be withdrawn by giving written notice to the Clerk's Office before stated closing time. After stated closing time, no bid may be withdrawn or cancelled for a period of one hundred and eighty (180) days after said closing time.

GENERAL INFORMATION

- Pricing shall be stated in units of quantity specified in the Bid Document. In case of discrepancy in computing the amount of the bid, the unit price will govern.
- The proposal evaluation criteria should be viewed as standards, which measure how well a vendor's approach meets the desired requirements and needs of the City.
- All proposals shall be opened publicly at the date and time specified. Each shall be recorded with the name of the proposer. All proposals shall be in accordance with the Purchasing Ordinance and the requirements of this notice in order to be deemed "responsive."
- No proposal will be accepted from any person, firm, or corporation who is in arrears upon any obligation to the City or who otherwise may be deemed irresponsible or unreliable by the City.
- No proposal will be allowed to be withdrawn after it has been deposited with the City of Auburn Hills, except as provided by law. All proposers are held to prices proposed for 180 days or award, whichever comes first, except the successful proposer whose prices shall remain firm through contract expiration.
- Any deviation from the scope of work must be noted in the proposal.



- The Invitation to Bid document together with its addenda, amendments, attachments, and modifications, when executed, becomes the contract or part of the contract between the parties.
- Any proposal submitted which requires a down payment or prepayment of any kind prior to work completion and full acceptance as being in conformance with specifications will not be considered for award.
- All costs incurred in the preparation and presentation of this proposal, in any way whatsoever, shall be wholly absorbed by the prospective firm. All supporting documentation shall become the property of the City of Auburn Hills unless requested otherwise at the time of submission. The confidentiality or disclosure of any information submitted is governed by the Michigan FOIA. The City cannot promise, warrant or guarantee confidentiality nor will the information presented be exempt from disclosure under the FOIA. The City may honor requests for confidentiality only to the extent that FOIA permits.
- The City reserves the right to waive any informality in the proposal received, and to accept any proposal or part thereof, which it shall deem to be most favorable to the interests of the City of Auburn Hills.

Sub-Contractors Insurance Requirements

If approval is granted by the City of Auburn Hills for Contractor to subcontract any or all of this contract to others, then prior to commencing the subcontract, the Contractor shall furnish certificates evidencing the same insurance for the City of Auburn Hills as required in this Invitation to Bid document.

Scope of Services:

The City is seeking bids from qualified contractors to provide painting, staining, sealing, and epoxy coat services for the restoration and maintenance of municipal buildings to be completed by **September 1, 2023**. All sealing and paint products must be from brand name Sherwin Williams. Some specific products may be determined during the pre-bid meeting. Contractor must follow all product specifications including, but not limited to surface preparation, caulking, application of appropriate primers, and coating rates. Contractor must include in their bid the replacement of any rotten or missing wood, siding, or trim boards. Contractor is also responsible for providing before and after pictures of their work and including a report for all wood and siding replacement. The assets in need of services are included in the table below.



Building Name	Address
DPW Brine Storage Area	1500 Brown Road
City Hall	1827 N Squirrel Road
Wind Mill	1827 N Squirrel Road
Library	3400 Seyburn Drive
Community Center	3350 E Seyburn Drive
Fieldstone Golf Course	1984 Taylor Road
The Den - Deck, Logs	3388 Auburn Road
Amphitheater	3311 Parkways
Riverside Wood Stump Carving-Art	3311 Parkways
Decorative Light Poles	Downtown Area
Parking Lot Light Poles	1827 N Squirrel Road

Preparation of Proposal:

Qualified companies are invited to deliver proposals in accordance with the attached plans and specifications. Bids must be based on specified materials; no alternatives will be accepted.

Contract Award:

The City of Auburn Hills reserves the right to accept or reject any or all bids and to waive any informalities or irregularities in any proposal or the bid process. The competency and responsibility of all bidders shall be taken into consideration in the award of the contract for this work. If bidders are unknown to the City of Auburn Hills, or their competency questioned, it shall be understood that they will, upon request, file with the City of Auburn Hills reliable data and references for investigation. The City may make such investigation as it deems necessary to determine the ability of the bidder to perform the work. The City reserves the right to award the contract to the bidder offering the best value, but not necessarily to the one submitting the lowest price. City may award fewer than the indicated bid items and may award them in any combination deemed in the best interest of the City.

Guarantee:

The successful bidder must guarantee the installation for a period of not less than two years against defects of materials or workmanship. This guarantee shall be dated from the time of acceptance of the work and receipt of final payment. The successful bidder shall replace or



correct any work proved to be defective (except when it is clearly shown that the defects are caused by misuse) immediately upon notifications in writing without expense to the City.

Delivery:

The City will work with the contractor to establish a mutually agreeable timetable. **However, all elements of this project must be complete, and all invoices must be received by the City before September 1, 2023.** Contractor shall, to the extent possible, indicate on the proposal form their anticipated timeframe for the work. Should conditions develop which alter the anticipated timetable, the contractor shall notify the city as soon as possible.

Contractor's Use of Site and Premises:

The contractor shall confine their equipment, apparatus, the storage of materials, and operations of their employees to the limit indicated by law, ordinances, permits, or directions of the City and shall not unnecessarily encumber the premises with their materials or equipment. Contractor shall store their materials, supplies, and equipment in a neat and orderly manner so as not to unduly interfere with the progress of their work, the work of other contractors, or the operation of City business.

Contractor shall remove all rubbish and debris from City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not allow waste material, or rubbish, caused by their employees to accumulate in or about the premises, but shall have it promptly removed.

The contractor shall take all necessary measures to prevent damage to other areas of buildings, grounds, and utilities adjacent to their work. The contractor shall be responsible for damage to the City's premises that may be caused by their work. Should damage occur as a result of the contractor's work, the contractor is responsible for the repair and/or replacement of the damaged area at their own expense. Otherwise, the City shall repair and/or replace the damaged area and charge the contractor or deduct the amount from the contractor's payment.

All work shall be performed in a professional manner using quality equipment and materials, all of which must be maintained and operated with the highest standards as well as meeting all Michigan Occupational Safety Health Administration (MIOSHA) regulations.

Contractor is advised that their employees must act in a polite and professional manner at all times and refer any questions, complaints, or concerns received from the public to a representative of the City.



The City reserves the right to require the contractor to replace any employee the City deems to have performed in a non-professional, or discourteous manner toward the public or any City representative.

All employees of the awarded firm assigned to this project shall carry proper company identification and be dressed in a company uniform so as to present a professional appearance. Use of tobacco products while providing services to the City is strongly discouraged.

Minimum Qualifications:

It is the intention of the City to award a contract only to a Contractor who furnishes satisfactory evidence of requisite experience and ability and enough capital and facilities to complete the work successfully and promptly within the timeline established between the parties.

Proposals will be evaluated and ranked. The City reserves the right to reject all proposals to make and award based directly on the proposals or to negotiate further with one or more firms. The City reserves the right to award bid to the contractor with the lowest bid price for each building or the entire lowest lump sum bid, depending on qualifications. The firm selected for the award will be chosen based on the apparent greatest benefit to the City, including but not limited to:

1. Qualifications and Experience.
2. Comparable Projects/References.
3. Cost Proposal.
4. Written Warranties

Bidders will be rejected and deemed non-responsive if they do not meet the following qualifications:

- The bidder must be duly licensed by the appropriate authorities to provide the services required.
- The bidder must provide three business references where similar contracted services have been completed.



Insurance Requirements for Work on/or Within City Property/Facilities:

Liability Insurance

An ACORD certificate of insurance, or its equivalent, shall be furnished to the City of Auburn Hills at 1827 North Squirrel Road, Auburn Hills, Michigan 48326 evidencing insurance in force for the duration of and applicable to this contract with an insurance company acceptable to the City of Auburn Hills with a minimum A.M. BEST rating of “A”, and the following minimum requirements:

a. General Liability (affording coverage not less than ISO Commercial General Liability coverage form):

I. Check mark indicating occurrence as opposed to claims made form

II. Limits of Liability:

\$2,000,000 each occurrence

\$4,000,000 general and products-completed operations aggregates

III. Personal Injury \$2,000,000 aggregate

b. Automobile Liability:

I. Check mark indicating coverage as to any automobile

II. Certificate must reflect Michigan “No Fault” PIP and PPI statutory coverages are also afforded

III. Limits of Liability: \$2,000,000 combined single limit

c. Acceptable alternate limits are combinations of primary and excess or umbrella limits to equal not less than those shown in (a) and (b) above.

d. Description section of ACORD form is to read: *It is understood and agreed that the following shall be additional insured: The City of Auburn Hills, including all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities, including but not limited to the Tax Increment Finance Authority, Brownfield Redevelopment Authority and the Building Authority, and their employees, representatives and volunteers. The coverage shall be primary to the additional insured and not contributing with any other insurance or similar protection available to the additional insured. This shall not apply to the contractor's required worker's compensation/employer's liability.*

e. The Description of Operation section of the Certificate shall also name or describe the project and/or event for which coverage is provided.

Owner's and Contractor's Protective Liability



The Contractor shall procure and maintain during the life of the contract Owner's and Contractor's Protective Liability and Insurance in the name of the City of Auburn Hills, in an amount not less than \$2,000,000 per occurrence, and \$4,000,000 aggregate for injuries, including death, to persons and property damage including loss of use thereof. This insurance shall be in an insurance company acceptable to the City of Auburn Hills.

Workers Compensation

The Contractor shall procure and maintain during the life of the contract, statutory Michigan Workers Compensation and Employers Liability Insurance for all employees employed at or in the vicinity of the Contractor's property, or any property used in connection with the Contractor's operation or in carrying out any work related to this contract.

Michigan Workers Compensation and Employers Liability Insurance shall be procured and maintained with the following limits of liability:

- \$100,000 E.L. each accident
- \$100,000 E.L. each disease – each employee
- \$500,000 E.L. Disease – Policy Limit

This insurance shall comply with all applicable rules and regulations of the State of Michigan and shall be in an insurance company acceptable to the City of Auburn Hills.

Certificate of Insurance

The Contractor agrees that he/she will file all required Certificates of Insurance satisfactory to the City of Auburn Hills with the City of Auburn Hills simultaneously with or prior to the execution of this contract indicating that the insurance required herein has been issued and is in full force and effect.

Further, the Contractor will provide updated certificates annually prior to the policies expiration dates, to indicate that the policies and conditions required hereunder are in full force and effect during the life of this contract.



Hold Harmless/Indemnification Agreement

It is further required that all contractors providing services or performing duties for the City of Auburn Hills and/or its Authorities shall enter into a Hold Harmless/Indemnification Agreement with the City and all other entities, in which Agreement the Contractor and its employees, representatives and agents agrees to release, indemnify, defend, and hold harmless The City of Auburn Hills, including all elected and appointed officials, all employees, representatives, and volunteers, all boards, commissions, and/or authorities, including but not limited to the Tax Increment Finance Authority, Brownfield Redevelopment Authority and the Downtown Development Authority, and their officers, employees, representatives and volunteers from any injuries, liability, damages, expenses, attorney's fees, causes of action, suits, claims or judgments, costs, incurred and/or arising from the Contractor's performing its work, jobs, duties and/or any other actions and/or omissions of the Contractor and/or its employees, representatives and/or agents pertaining to and/or in connection with the Activity.



Auburn Hills Painting Services 2023
ITB-CAH-02-01-2023-001
Proposal Form

Building Name	Address	Description	Product	Color		Bid Price
DPW Brine Storage Area	1500 Brown Road	Wood facias, posts, and support beams.	Superdeck	Cedar Tone Natural	Stain and seal all wood surfaces	
City Hall	1827 N Squirrel Road	Wood siding, trim, railings, foundation, and ceiling.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	
Windmill	1827 N Squirrel Road	Wood siding, trim, window, and door.	Emerald Rain Refresh	White	Paint all previously painted surfaces.	
Library	3400 Seyburn Drive	Wood siding and trim.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	
Community Center	3350 E Seyburn Drive	Wood siding, trim, block walls, and columns.	Emerald Rain Refresh	White	Paint, stain, and seal all previously treated surfaces.	
Fieldstone Golf Course	1984 Taylor Road	Siding, ceilings, trim, and beams.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	
The Den - Deck, Logs	3388 Auburn Road	Deck, railings, and logs.	Superdeck	Clear/3562 Blue Spruce	Paint, stain, and seal all previously treated surfaces.	
Amphitheater	3311 Parkways	Ceiling, walls, and columns.	Oil-Based Transparent	Cedar Tone Natural	Stain and seal all wood surfaces	
Riverside Wood Stump Carving-Art	3311 Parkways	Entire carving.	Cabot’s Australian Timber Oil	Match Existing	Stain and seal all wood surfaces	
Decorative Light Poles	Downtown Area	75 Poles and bases (not the head).	Water based Acrolon 100HS	Tricorn Black	Paint poles and bases (not the head).	
Parking Lot Light Poles	1827 N Squirrel Road	Poles and bases (not the head).	Water based Acrolon 100HS	Match Existing	Paint poles and bases (not the head).	
City Wide		Small projects/maintenance work			Hourly Painting Services Rate	

LUMP SUM BID	
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VENDOR QUESTIONNAIRE

Firm Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number: _____

E-mail Address: _____

Years in Business: _____

Explain your company's capabilities/knowledge as it relates to wood staining and sealing, painting, concrete sealing, and epoxy coatings.

Provide Three (3) References (names, telephone numbers, and email addresses).

1) _____

2) _____

3) _____



Respectfully Submitted By,

Company: [Click or tap here to enter text.](#)

Address: [Click or tap here to enter text.](#)

Telephone: [Click or tap here to enter text.](#)
to enter text.

Fax: [Click or tap here](#)

Email: [Click or tap here to enter text.](#)

Authorized Signature

Title

Printed Name

Date

Approval

Authorized Signature

Title

BID ITEM: Painting Services
BID OPENING DATE: February 1, 2023
BID OPENING TIME: 11:00 AM



COMPANY NAME	DPW Brine Storage	City Hall	Wind Mill	Library	Community Center	Fieldstone Golf Course	The Den - Deck, Logs	Amphitheater	Riverside Wood Stump	75-Decorative Poles	37-Parking Lot Poles	TOTAL
CertaPro Painters	\$ 989.00	\$ 19,735.00	\$ 2,788.00	\$ 19,985.00	\$ 18,735.00	\$ 14,980.00	\$ 1,995.00	\$ 3,650.00	\$ 336.00	\$ 3,799.00	\$ 2,870.00	\$ 89,862.00
Renu Painting	\$ 3,528.00	\$ 32,760.00	\$ 5,688.00	\$ 36,000.00	\$ 33,000.00	\$ 28,440.00	\$ 6,336.00	\$ 12,600.00	\$ 3,288.00	\$ 11,250.00	\$ 14,800.00	\$ 187,690.00
Northstar Painting	\$ 2,200.00	\$ 41,150.00	\$ 4,400.00	\$ 34,800.00	\$ 44,000.00	\$ 27,625.00	\$ 7,000.00	\$ 7,500.00	\$ 1,500.00	\$ 10,500.00	\$ 11,100.00	\$ 191,775.00
TN Construction LLC	\$ 4,600.00	\$ 41,900.00	\$ 5,900.00	\$ 59,000.00	\$ 52,800.00	\$ 30,900.00	\$ 4,900.00	\$ 4,800.00	\$ 3,400.00	\$ 11,250.00	\$ 13,500.00	\$ 232,950.00
Bennings Painting & Industrial Fl	\$ 3,157.00	\$ 38,346.00	\$ 10,825.00	\$ 43,298.00	\$ 43,909.00	\$ 41,026.00	\$ 10,660.00	\$ 10,951.00	\$ 2,442.00	\$ 19,964.00	\$ 9,505.00	\$ 234,083.00
Kettler Painting, LLC	\$ 2,781.00	\$ 44,471.00	\$ 29,111.00	\$ 47,500.00	\$ 38,796.00	\$ 28,313.00	\$ 6,960.00	\$ 2,712.00	\$ 400.00	\$ 28,875.00	\$ 20,625.00	\$ 250,544.00
Independence Pain Services	\$ 1,932.00	\$ 66,300.00	\$ 5,800.00	\$ 52,455.00	\$ 73,125.00	\$ 45,250.00	\$ 5,250.00	\$ 3,585.00	\$ 825.00	\$ 13,875.00	\$ 9,000.00	\$ 277,397.00
Allied Building Service	\$ 2,057.50	-	\$ 4,955.00	-	-	-	\$ 5,750.00	\$ 7,500.00	\$ 1,225.00	\$ 22,500.00	\$ 14,065.00	-



**Auburn Hills Painting Services 2023
ITB-CAH-02-01-2023-001
Proposal Form**

Building Name	Address	Description	Product	Color		Bid Price
DPW Brine Storage Area	1500 Brown Road	Wood facias, posts, and support beams.	Superdeck	Cedar Tone Natural	Stain and seal all wood surfaces	2200.00
City Hall	1827 N Squirrel Road	Wood siding, trim, railings, foundation, and ceiling.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	41150.00
Windmill	1827 N Squirrel Road	Wood siding, trim, window, and door.	Emerald Rain Refresh	White	Paint all previously painted surfaces.	4400.00
Library	3400 Seyburn Drive	Wood siding and trim.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	34800.00
Community Center	3350 E Seyburn Drive	Wood siding, trim, block walls, and columns.	Emerald Rain Refresh	White	Paint, stain, and seal all previously treated surfaces.	44000.00
Fieldstone Golf Course	1984 Taylor Road	Siding, ceilings, trim, and beams.	Emerald Rain Refresh	Match Existing	Paint, stain, and seal all previously treated surfaces.	27625.00
The Den - Deck, Logs	3388 Auburn Road	Deck, railings, and logs.	Superdeck	Clear/3562 Blue Spruce	Paint, stain, and seal all previously treated surfaces.	7000.00
Amphitheater	3311 Parkways	Ceiling, walls, and columns.	Oil-Based Transparent	Cedar Tone Natural	Stain and seal all wood surfaces	7500.00
Riverside Wood Stump Carving- Art	3311 Parkways	Entire carving.	Cabot's Australian Timber Oil	Match Existing	Stain and seal all wood surfaces	1500.00
Decorative Light Poles	Downtown Area	75 Poles and bases (not the head).	Water based Acrolon 100HS	Tricorn Black	Paint poles and bases (not the head).	10500.00
Parking Lot Light Poles	1827 N Squirrel Road	Poles and bases (not the head).	Water based Acrolon 100HS	Match Existing	Paint poles and bases (not the head).	11100.00
City Wide		Small projects/maintenance work			Hourly Painting Services Rate	60.00/hr

LUMP SUM BID	191,775.00
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VENDOR QUESTIONNAIRE

Firm Name: Northstar Painting

Address: 600 Old N. Woodward, Ste. 305

City/State/Zip Code: Birmingham, MI 48009

Telephone Number: 866.823.8583

E-mail Address: chris@northstarpainting.com

Years in Business: 22 years

Explain your company's capabilities/knowledge as it relates to wood staining and sealing, painting, concrete sealing, and epoxy coatings.

Our company prides itself in being 100% self-performing. All of our projects are treated with a personal, invested touch by experienced company employees, none of our work is sub-contracted. With over 20 years of experience in the painting industry, we have extensive knowledge and experience in wood staining and sealing, painting, concrete sealing, and epoxy coatings and have many references to refer to.

Provide Three (3) References (names, telephone numbers, and email addresses).

- 1) John Mudreyko- General Foreman, City of Taylor
phone: 734.287.6550
mobile: 313.330.7511
Email: jmudreyko@ci.taylor.mi.us
- 2) Bill Garland- Head of Facilities, Romulus Community Schools
phone: 313.429.9316
mobile: 734.652.7493
wmgarland@romulusk12.org
- 3) Nicholas Watkins - Owners Rep, U-Haul
mobile: 734.263.9200
Nicholas_watkins@uhaul.com



Respectfully Submitted By,

Company: Northstar Painting

Address: 600 Old N. Woodward, Ste.305
Birmingham, MI 48009

Telephone: 248.825.1110

Fax:

Email: Chris@northstarpainting.com

Authorized Signature

owner's rep

Title

Chris Terry

Printed Name

1/31/23

Date

Approval

Authorized Signature

Title



Quote

Quote No **Q9974**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326
Attention: Tim Wisser

1500 Brown Rd | Brine Storage Area

1500 Brown Rd
Auburn Hills, Mi 48246

Costs

Description

Brine Storage Area Facia Boards & Support Post

Power wash all surfaces to be stained to remove dirt and debris before applying Superdeck Cedar Tone Natural stain by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Ceiling and Rafters

Rubbish and Debris Removal

Contractor shall remove all rubbish and debris from City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not allow waste material, or rubbish, caused by their employees to accumulate in or about the premises, but shall have it promptly removed.

Guarantee

Northstar will guarantee the installation for a period of not less than two years against defects of materials or workmanship. With a written guarantee from Sherwin Williams as well. This guarantee shall be dated from the time of acceptance of the work and receipt of final payment.

Sub Total	2,200.00
None	0.00
Total	2,200.00



Quote

Quote No **Q9975**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

1827 North Squirrel Rd | City Hall

1827 North Squirrel Rd
Auburn Hills, Mi 48326

Costs

Description	Quantity	Rate	Amount
Siding	1.00	20,000.00	20,000.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
*All work performed after five or Saturday and Sunday			
*Excludes Vinyl Siding			
*Excludes Gutters & Down Souts			
*Excludes Aluminum Wrapped Fascia & Window Frames			
*Excludes Vinyl Soffits			
Foundation Painting	1.00	1,400.00	1,400.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Prime bare concrete with Loxon Concrete & Masonry Primer. Use Loxon Conditioner if previously painted surfaces still have a powdery surface then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
*All work performed after five or Saturday and Sunday			
Seal Exposed Stone Porch	1.00	600.00	600.00
All work performed after five or Saturday and Sunday			
Bottom Rail, Top Rail, & Balusters	1.00	700.00	700.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			



Quote

All work performed after five or Saturday and Sunday			
Lift Cost	1.00	3,100.00	3,100.00
All work performed after five or Saturday and Sunday			
Stain Soffits & Beams	1.00	3,200.00	3,200.00
Remove all existing stain use wood reviver to revive the wood, and use sickens Cetol 1 & 2 by brush and roll or spray. Cover and protect all surfaces not scheduled for stain. Cover and protect all surfaces not scheduled for stain.			
All work performed after five or Saturday and Sunday			
Cupola, & Dormer Window Frames	1.00	6,500.00	6,500.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
All work performed after five or Saturday and Sunday			
Door & Frames	3.00	200.00	600.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
All work performed after five or Saturday and Sunday			
Window Frame & Sill	2.00	100.00	200.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
All work performed after five or Saturday and Sunday.			
Trim Around Window Frames	18.00	75.00	1,350.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
All work performed after five or Saturday and Sunday			
Carpentry Allowance For Board Replacement	1.00	3,500.00	3,500.00
Replace Fascia Board on the side of the building above the storefront glass wall. Replace the board on the front that the 3" furnace vent is going through. Replace			



Quote

the Damaged bottom board of the dormers using paintable PVC board. All labor and materials are included for the scope above.

If additional damaged areas are found after power washing and preparing the surface this fee will be applied. Labor to remove & Install will be billed at Eight Dollars afoot for LABOR ONLY.

The Material cost will vary customer can supply material, or Northstar will order material and provide receipts with a 10 percent handling charge added to the material.

Rubbish and Debris	1.00	0.00	0.00
--------------------	------	------	------

Contractor shall remove all rubbish and debris from City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not allow waste material, or rubbish, caused by their employees to accumulate in or about the premises, but shall have it promptly removed.

Sub Total	41,150.00
None	0.00
Total	41,150.00



Quote

Quote No **Q9976**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326
Attention: Tim Wisser

1827 North Squirrel Road | Wind Mill

1827 North Squirrel Road
Auburn Hills, Mi 48326

Costs

Description

Cedar Shake Siding

Remove Mildew before painting by washing with a solution of 1 part liquid bleach and 3 parts water. Apply the solution and scrub the mildewed area. Allow the solution to remain on the surface for 10 minutes. Rinse thoroughly with water and allow the surface to dry before Removing all dirt, dust, loose particles, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Window Frame & Grilles

Remove Mildew before painting by washing with a solution of 1 part liquid bleach and 3 parts water. Apply the solution and scrub the mildewed area. Allow the solution to remain on the surface for 10 minutes. Rinse thoroughly with water and allow the surface to dry before Removing all dirt, dust, loose particles, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Door & Frame

Remove Mildew before painting by washing with a solution of 1 part liquid bleach and 3 parts water. Apply the solution and scrub the mildewed area. Allow the solution to remain on the surface for 10 minutes. Rinse thoroughly with water and allow the surface to dry before Removing all dirt, dust, loose particles, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Carpentry Allowance

All bad wood will be identified and brought to management's attention before replacement. Labor to remove & Install will be billed at Eight Dollars afoot for LABOR ONLY.

The Material cost will vary customer can supply material, or Northstar will order material and provide receipts with a 10 percent handling charge added to the material.



Quote

Rubbish and Debris

Contractor shall remove all rubbish and debris from City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not allow waste material, or rubbish, caused by their employees to accumulate in or about the premises, but shall have it promptly removed.

Sub Total	4,400.00
None	0.00
Total	4,400.00



Quote

Quote No **Q9977**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326
Attention: Tim Wisser

3400 Seyburn Drive | Library

3400 Seyburn Drive
Auburn Hills, Mi 48326

Costs

Description

Board & Batten & Ship Lap Siding

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk, then apply two coats of Sherwin-Williams Solid Wood Scapes Stain by brush and roll or spray. Cover and protect all surfaces from dust and debris.

White Wood Siding

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Soffits & Fascia

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh or Wood scapes Solid Satin by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Window Trim, Doors & Frames

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Expansion Joint

Remove the old caulk and backer rod and Install new caulk and backer rod.

Carpentry

Replace damaged boards on the rear of the building that has holes in them from woodpeckers. Replace Ship lap siding on the side of the building that is warped and pulling away from the building.
All bad wood will be identified and brought to management's attention before replacement.



Quote

If additional damaged areas are found after power washing and preparing the surface this fee will be applied. Labor to remove & Install will be billed at Eight Dollars afoot for LABOR ONLY.

The Material cost will vary customer can supply material, or Northstar will order material and provide receipts with a 10 percent handling charge added to the material.

Rubbish & Debris

Contractor shall remove all rubbish and debris from City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not allow waste material, or rubbish, caused by their employees to accumulate in or about the premises, but shall have it promptly removed.

Sub Total	34,800.00
None	0.00
Total	34,800.00



Quote

Quote No **Q9978**
Date 28 January 2023
Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326
Attention: Tim Wisser

3350 E Seyburn Drive | Community Center

3350 E Seyburn Drive
Auburn Hills, MI 48326

Costs

Description

Work to Be Performed by June 1st

Hardie Siding

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams Sher-Max caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

CMU Walls

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams Shermax caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Window Trim

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams Shermax caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Porch Columns

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Soffit

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Dormers

Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where



Quote

needed using Sherwin-Williams Shermax caulk, then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Expansion Joints

Remove the old caulk and backer rod and install new.

Carpentry Work

Replace broken boards on Porch columns, Replace Broken Hardie on the Roof Parapet wall, and Replace Broken Siding around Window Frames & Dormers.

All labor and materials are included for the scope above.

If additional damaged areas are found after power washing and preparing the surface, this fee will be applied. Labor to remove & Install will be billed at Eight Dollars afoot for LABOR ONLY.

The Material cost will vary customer can supply material, or Northstar will order material and provide receipts with a 10 percent handling charge added to the material.

Guarantee

Northstar will guarantee the installation for a period of not less than two years against defects of materials or workmanship. With a written guarantee from Sherwin Williams as well. This guarantee shall be dated from the time of acceptance of the work and receipt of final payment.

Sub Total	44,000.00
None	0.00
Total	44,000.00



Quote

Quote No **Q9979**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

1984 Taylor Road | Fieldstone Golf Course

1984 Taylor Road
Auburn Hills, MI 48326

Costs

Description	Quantity	Rate	Amount
All Work to be Performed by May 21st as Long as Weather Permits	1.00	0.00	0.00
Siding	1.00	15,125.00	15,125.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
Soffits	1.00	0.00	0.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
Fascia	1.00	0.00	0.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
Stained Beams	1.00	9,000.00	9,000.00
Remove all existing stain use wood reviver to revive the wood and use sickens cetol 1 & 2 by brush and roll or spray. Cover and protect all surfaces not scheduled for stain.			
Over Hangs	1.00	0.00	0.00
Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.			
Steel Columns	14.00	0.00	0.00
Lightly Sand the steel columns to promote adhesion and apply (PRO-INDUSTRIAL WATERBASED ALKYD URETHANE ENAMEL SEMI-GLOSS) by brush and roll or spray. Mechanically sand rust apply Pro-Cryl rust inhibiting primer before top			



Quote

coating with (PRO-INDUSTRIAL WATERBASED ALKYD URETHANE ENAMEL SEMI-GLOSS.

Trim Around Windows	1.00	0.00	0.00
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Remove all dirt, dust, grease, oil, loose particles, laitance, foreign material, and peeling or defective coatings. Allow the surface to dry thoroughly. Caulk where needed using Sherwin-Williams 1050 Quick dry caulk then apply two coats of Emerald Rain Refresh by brush and roll or spray. Cover and protect all surfaces from dust and debris.

Carpentry Work	1.00	3,500.00	3,500.00
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Replace broken Hardie siding with new. Replace deteriorating Hardie at the bottom of the door with new or smooth face PVC board if approved. All Labor and materials included.

Sub Total	27,625.00
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None	0.00
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Total	27,625.00
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Quote

Quote No **Q9980**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

3388 Auburn Road | The Den

3388 Auburn Road
Auburn Hills, Mi 48326

Costs

Description

Wood Logs

Power wash all surfaces to be stained to remove dirt and debris before applying Superdeck Clear Log Home & Deck Stain by brush and roll or spray. Cover and protect all surfaces not scheduled for paint

Deck

Powerwash deck, balusters, and top and bottom rails before applying Super Deck Stain tinted to 3562 Blue spruce by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

Sub Total	7,000.00
None	0.00
Total	7,000.00



Quote

Quote No **Q9981**

Date 28 January 2023

Valid To 27 February 2023

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

3311 Parkways | Amphitheater

3311 Parkways
Auburn Hills, MI 48326

Costs

Description

Amphitheater

Mechanically sand the existing clear coat and apply a new clear coat over ceilings, columns, and rafters. Cover and protect all surfaces not scheduled for stain.

Sub Total	7,500.00
None	0.00
Total	7,500.00



Quote

Quote No **Q9982**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

3311 Parkways | Wood Stump Art

3311 Parkways
Auburn Hills, MI 48326

Costs

Description

Riverside Wood Stump Carving-Art

Clean surface free of all dirt, mildew stains, loose wood fibers and other foreign matter. So the stain able to penetrate the surfaces properly. Prepare previously stained surfaces with FEST Tool, Cabot®Problem-Solver® WoodCleaner, Wood Brightener, or Wood Strippers. or sanding with 80-100 grit sandpaper is to open the pores for maximumpenetration. Cover and protect all surfaces not scheduled for stain.

Sub Total	1,500.00
None	0.00
Total	1,500.00



Quote

Quote No **Q9983**

Date 28 January 2023
Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326
Attention: Tim Wisser

Downtown Area | Decorative Light Poles

Downtown Area
Auburn Hills, Mi 48326

Costs

Description

Decorative Light Poles

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

Sub Total	10,500.00
None	0.00
Total	10,500.00



Quote

Quote No **Q9984**

Date 28 January 2023

Valid To 27 February 2023

Northstar Painting
600 N. Old Woodward
Suite 305
Birmingham MI
48009
Phone: 866-823-8583

City of Auburn Hills
1827 North Squirrel Road
Auburn Hills
MI 48326

Attention: Tim Wisser

1827 North Squirrel Road | Parking Lot Poles

1827 N Squirrel Road
Auburn Hills, Mi 48326

Costs

Description

Parking Lot 1

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Parking Lot 2

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Parking Lot 3

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles



Quote

*Excludes Heads

*Excludes Cement Bases

Parking Lot 4

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Restricted Parking Behind Lot 4

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Parking Lot 5

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Parking Lot 6

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles



Quote

*Excludes Heads

*Excludes Cement Bases

Parking Lot 7

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Parking Lot 8

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Seyburn Rd / University Drive Exit

Remove oil, grease, dirt, oxides, and other contaminants from the surface by power washing. Smooth, hard, or glossy coatings and surfaces will be dulled by abrading the surface to promote proper adhesion. Rusted areas are to be Mechanically sanded before applying rust-inhibiting Pro-Cryl primer. Then apply Pro Industrial Water-based Acrolon 100HS by brush and roll or spray. Cover and protect all surfaces not scheduled for paint.

*Excludes Decorative Light Poles

*Excludes Heads

*Excludes Cement Bases

Guarantee

Northstar will guarantee the installation for a period of not less than two years against defects of materials or workmanship. With a written guarantee from Sherwin Williams as well. This guarantee shall be dated from the time of acceptance of the work and receipt of final payment.

Rubbish and Debris Removal

Contractor shall remove all rubbish and debris from the City property and legally dispose of it. Upon completion of any work, the work areas shall be cleaned of all refuse caused by work performed under this agreement. The contractor shall not



Quote

allow waste material, or rubbish, caused by their employees to accumulate in or about the premises but shall have it promptly removed.

Sub Total	11,100.00
None	0.00
Total	11,100.00



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 9A

COMMUNITY DEVELOPMENT

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Steven J. Cohen, AICP, Director of Community Development; Shawn Keenan, AICP, City Planner
Submitted: March 14, 2023
Subject: The Avant at Five Points
Motion – Approval of the Revised PUD Step Two - Site Plan and Tree Removal Permit

INTRODUCTION

This is a request from OYK Engineering and Construction (OYK) for approval to revise the PUD Step Two - Site Plan, previously approved by City Council on November 18, 2019, to construct a three-story, 68-unit, low-rise multi-family residential development (an increase from 61 units). The general appearance and function of the proposed building will remain the same as previously approved by the City Council. The 2.66-acre site is located at 3355 Five Points Drive and is zoned B-2, General Business district.

The revised development will consist of 35 one-bedroom and 33 two-bedroom units ranging from 475 square feet to 1,060 square feet in size. OYK anticipates rental rates ranging from \$1,500 to \$1,800 per month, depending on the unit size. Construction is expected to begin this Spring, with completion by Spring 2024. The total investment is estimated at \$10 million.



Rendering of the Proposed Building

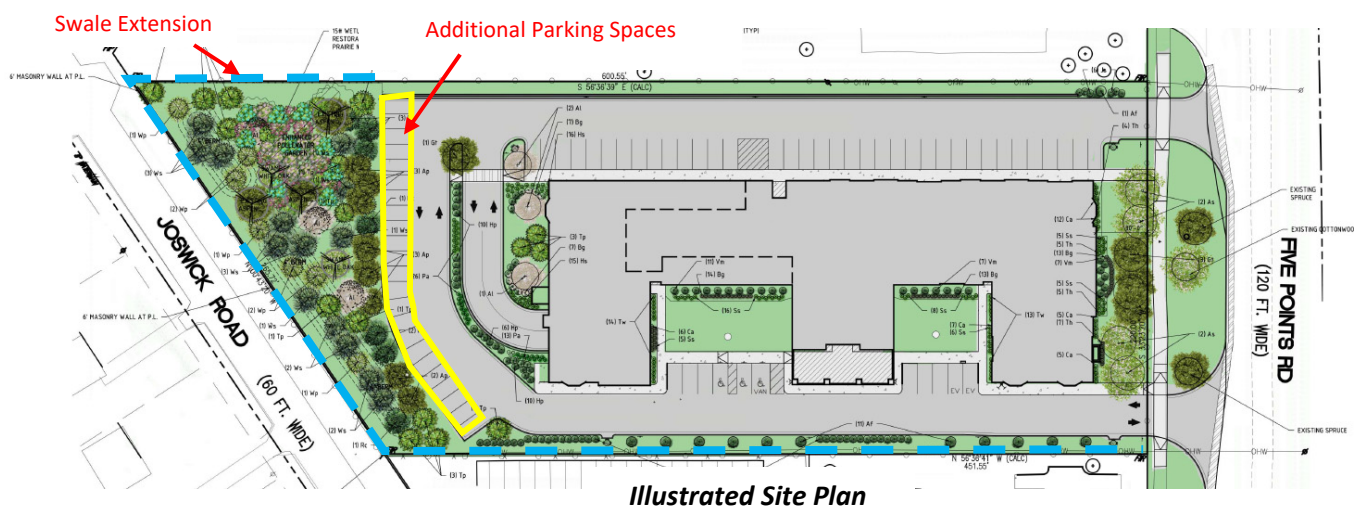
PLAN REVISIONS SINCE CITY COUNCIL APPROVAL

The following revisions are proposed to the site plan:

1. **Seven Apartment Units Were Added to the Building.** The total number of apartment units increased from 61 to 68. The increase in units was accomplished by replacing all five three-bedroom and six two-bedroom units with 18 one-bedroom units. The residences will now consist of 35 one-bedroom units and 33 two-bedroom units. Two of the one-bedroom units are studio-type units.

Unit Type	Previous Plan Number of Units	Proposed Plan Number of Units	Change In the Number of Units
One-Bedroom Units	17	35	+18
Two-Bedroom Units	39	33	-6
Three-Bedroom Units	5	0	-5
Total Units	61	68	+7

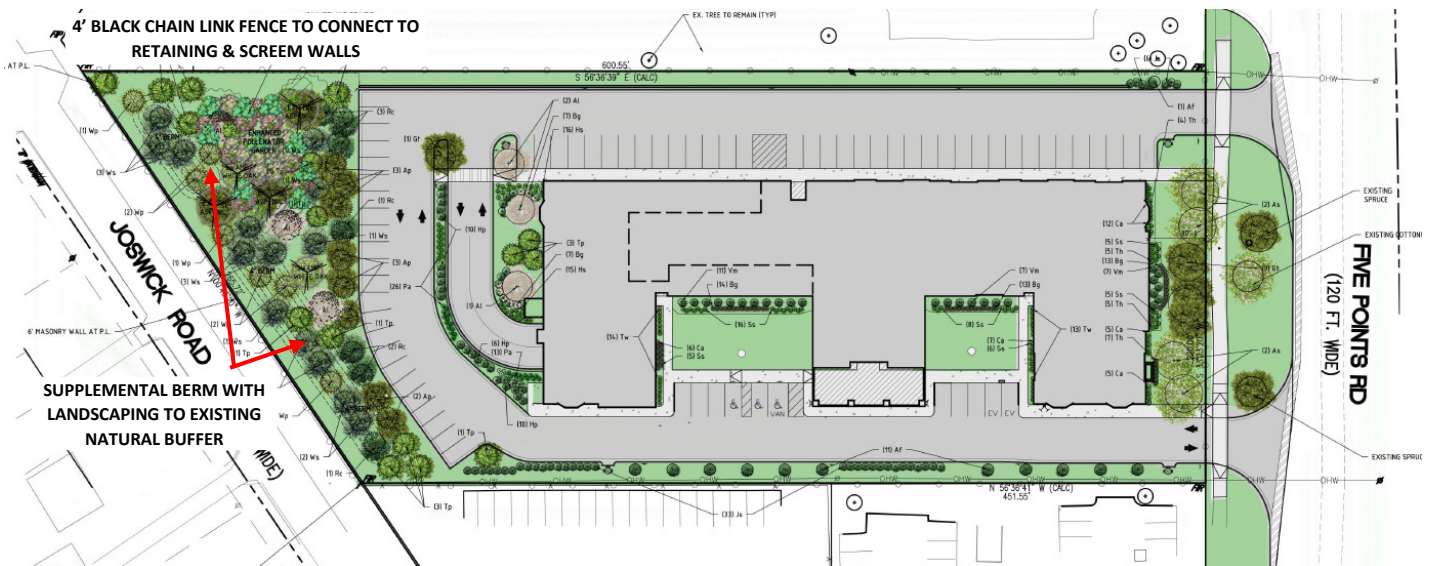
2. **Building Façade.** Minor alterations were made to the building's façade, attributed to the number and type of apartment unit change. The proposed building has fewer windows and balconies than the previously approved building. *Note: The height of the building remains the same as what was previously approved by City Council in 2019. The building has been custom designed to "step down" in height from a typical three-story building near Five Points Drive to a two-story building near Joswick Road to limit any visual impact for those residing in homes on the western side of Joswick Road. No balconies will be facing or visible from Joswick Road to ensure privacy. The average building height of the entire building will be 31.4 feet.*
3. **Net 17 Parking Spaces Were Added to the Outdoor Parking Lot.** To accommodate the seven additional apartment units, a net of 17 parking spaces were added to the site to meet ordinance requirements. The previously approved six parallel parking spaces in this location were converted into 23 total, 90-degree parking spaces.



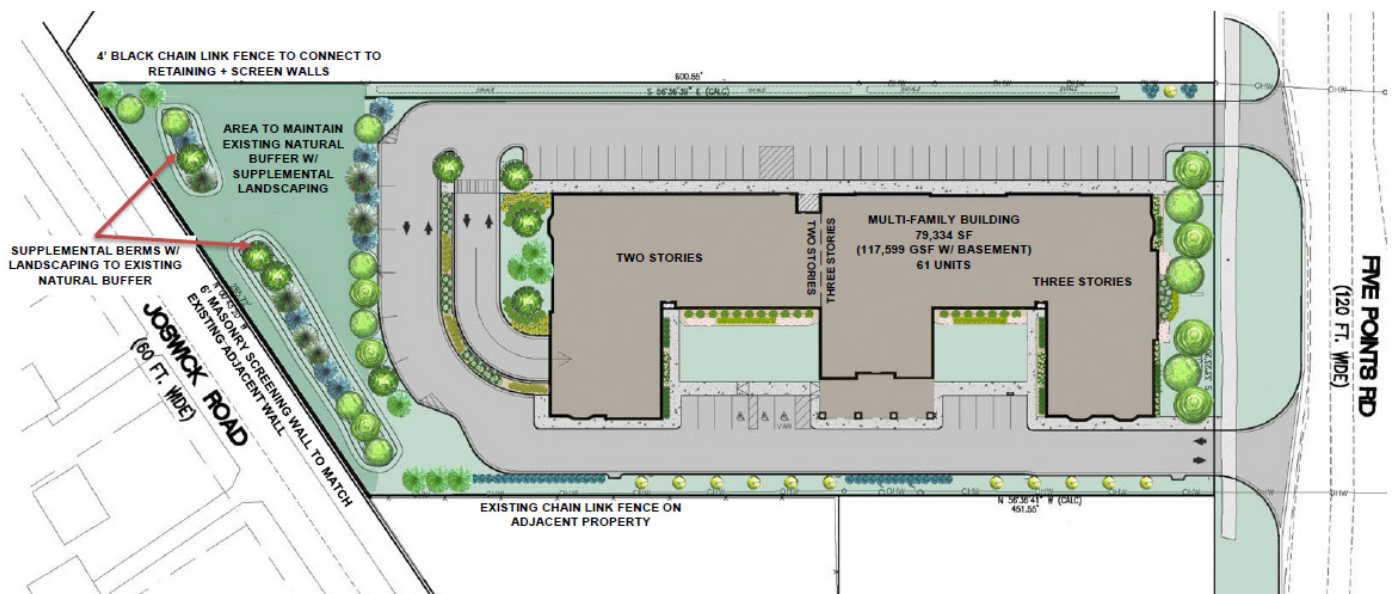
PLAN REVISIONS SINCE CITY COUNCIL APPROVAL (cont.)

5. **Additional Tree Planting in the Landscape Buffer.** The landscape plan calls for planting 86 trees on the site, 21 more trees than the previous plan approved in 2019. The extra trees will be planted between the west parking lot area and the west property line, further enhancing the screening provided for the residents on the west side of Joswick Road.

Note: The project's landscape plan was revised since the March 8, 2023 Planning Commission meeting to improve the buffer to address potential light trespass with input from a concerned neighbor, Mario Di Bartolomeo, who lives across the street on Joswick Road. 11 additional trees have been added to the landscape plan since the Planning Commission's review.



Landscape Plan, amended and improved since the Planning Commission meeting, now proposed (86 trees)



Landscape Plan approved by the City Council on November 18, 2019 (65 trees)

KEY ISSUES

Mitigating Potential Impact on Nearby Single-Family Residential Property

OYK worked closely with City staff to ensure the site and building remained consistent with the previous design that was visually attractive and respectful of their neighbors. The footprint and height of the building remain the same, with the building's height reducing from three stories along Five Points Drive to two stories near Joswick Road.

OYK proposes the following design elements to mitigate any impact from their development, which remain the same as previously approved by the City Council in 2019:

1. No pedestrian or vehicular access will be provided to Joswick Road.
2. A new concrete masonry screen wall was built along Joswick Road that connects to and is consistent with the existing adjacent masonry screen wall along the roadway.
3. The existing stand of trees and underbrush adjacent to Joswick Road will be preserved in its natural state, with the addition of two four-foot tall landscaped berms to create a substantial buffer separation between the development and the roadway.
4. The surface parking lot has been significantly reduced in size by creating a secured underground parking garage with controlled access, which will be a desired amenity for its residents.
5. There will be no exterior trash receptacle. A trash storage area has been incorporated into the north side of the building.
6. Light poles will be shorter than required by City ordinance (17 feet in height) with LED cut-off fixtures specifically designed to direct light downward and not allow light trespass.
7. The proposed building will be located 106 feet away, at its closest point, from the west property line near Joswick Road.



Photo of the new screen wall built in 2021 to match the existing screen wall along Joswick to the south

STAFF RECOMMENDATION

This project has been reviewed by the City's Administrative Review Team and has received a recommendation for approval.

We recommend Conditional Approval of the Revised PUD Step Two - Site Plan and offer the following discretionary findings of fact:

1. The Site Plan contains sufficient basic information required by the Zoning Ordinance for a recommendation.

STAFF RECOMMENDATION (cont.)

2. The requirements of Section 1815, Items 7A-7E of the Zoning Ordinance can be met as follows:
 - All requirements and standards of the Zoning Ordinance, and other City Ordinances, can be met.
 - Safe, convenient vehicular and pedestrian ingress/egress has been depicted; primary access will be to Five Points Drive.
 - Traffic circulation features within the site avoid common traffic problems and can promote safety.
 - A satisfactory and harmonious relationship will exist between the proposed development and the surrounding area.
 - The proposed use will not have an unreasonable, detrimental, or injurious effect upon the natural characteristics of the subject parcel or the adjacent area.
3. Based on the number of residential units and visitors - 170 parking spaces are required, and 170 spaces are provided (100 garage spaces under the building and 70 surface lot spaces). *Note: The revised plan provides a net of 17 more outdoor parking spaces than the previously approved 2019 plan to accommodate the seven additional apartment units.*
4. The parking layout meets the minimum requirements, and barrier-free parking spaces are provided (Six are required, and six are provided). *Note: A minor deviation is requested to allow parking spaces to be 9 feet x 18 feet (conventional parking space size) in lieu of the larger parking garage zoning standard of 10 feet x 20 feet. The staff has determined that a sufficient maneuvering area will be provided in the underground parking garage due to the alignment of the angled parking.*
5. Building and parking setbacks will be met.
6. Greenbelts will be provided.
7. Landscape requirements will be met, and calculations have been submitted. *Note: The landscape plan provides 21 more trees than the previously approved 2019 plan.*
8. A note indicates that all lighting shall be shielded and directed downward and away from adjacent properties. Lighting shall meet the requirements of the Zoning Ordinance. Light poles shall not be taller than 17 feet measured from grade.
9. A note indicates that signs shall meet the requirements of the Zoning Ordinance.
10. A note indicates that parking spaces shall be double-striped.
11. Ground-mounted transformers and roof-mounted mechanical equipment will be screened per the Zoning Ordinance
12. An eight-foot pathway currently exists along Five Points Drive. Complete Streets considerations were made as part of the site design, with two sidewalks proposed from the building to the pathway along Five Points Drive. *Note: Pedestrian access from the site to Joswick Road is discouraged via wall and fencing per the request of the Joswick Road residents.*
13. OYK has agreed to install two vertical charging stations (dual units) that will serve up to four electric vehicles. One dual unit will be located on the south side of the building in the surface lot, and the other dual unit will be located in the parking garage.
14. Administrative Tree Removal Permit. 21 replacement trees are required, and 86 replacement trees are proposed.

Conditions:

1. The City Attorney will draft a First Amendment to the Development Agreement outlining the changes to the project.
2. The developer shall replace any regulated trees identified as being near the grading limits if damaged or removed.

STAFF RECOMMENDATION (cont.)

Conditons (cont.)

3. Thinning of trees in the preserved natural area shall only occur after consultation with the City's Woodlands Consultant and City staff approval.
4. The developer shall meet the requirements of Article XX Administration and Enforcement, Section 2007. Performance Guarantees.
5. Site plan approval shall be based on the representations made by the developer as documented in this report, packet, and public meeting minutes.

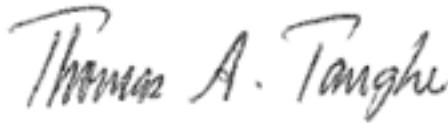
PLANNING COMMISSION RECOMMENDATION

Recommended Approval on March 8, 2023 (5-1 vote)

MOTION

"Move to accept the Planning Commission's recommendation and approve the Revised PUD Step Two – Site Plan and Tree Removal Permit for The Avant at Five Points to construct a multiple-family residential development, subject to the conditions of the City's Administrative Review Team. The revised project, including all site improvements, shall be completed by July 1, 2024."

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER



CITY OF AUBURN HILLS
PLANNING COMMISSION
MINUTES - EXCERPT
NOT YET APPROVED

March 8, 2023

CALL TO ORDER: Chairperson Ouellette called the meeting to order at 7:00 p.m.

ROLL CALL: Present: **Sam Beidoun, Dominick Tringali, Laura Ochs, Cynthia Pavlich, Brian Marzolf, Greg Ouellette**
Absent: Carolyn Shearer, Chauncey Hitchcock, Ray Saelens
Also Present: Director of Community Development Steve Cohen, City Planner Shawn Keenan
Guests: 10

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

5. PETITIONERS

5a. The Avant at Five Points (7:02 p.m.)
Public Hearing/Motion – Recommendation to City Council for approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit to construct a multiple-family residential development.

Mr. Keenan explained that this is a request from OYK Engineering and Construction (OYK) for approval to revise the site plan, previously approved by City Council on November 18, 2019. The revised plans call for a 68-unit, low-rise multi-family residential development on the 2.66-acre parcel located at 3355 Five Points Drive that is zoned B-2, General Business district.

The applicant provided a letter from his attorney explaining the reason for the delay and the changes in the plan. The general appearance and function of the proposed building will remain the same as previously approved by the City Council with the following revisions to the site plan:

1. Seven apartment units were added to the building, increasing the total number from 61 to 68 units. The unit makeup is now closer to a 50/50 mix of one and two-bedroom units.
2. The building façade has fewer windows and balconies than the previously approved building.
3. Seventeen parking spaces were added to the outdoor parking lot, with the parallel parking spaces being converted to 90-degree parking spaces.
4. The drainage swale was extended along the north, west, and south property lines.
5. The number of landscape trees was increased from 65 to 75 trees with the extra trees to be planted in the west buffer.

All seven design elements from the previous plan are carried over to this plan. The applicant also agreed to further enhance the buffer by adding ten more trees to help address residents' concerns about vehicle headlights. Staff would like to note that the site design exceeds City standards for buffer area and screening requirements designed for developments that immediately abut a one-family zoning district.

Construction is anticipated to begin in spring 2023, with completion by spring 2024. The total investment is estimated at \$10 million.

Peter Stuhlreyer, Designhaus Architecture, 3300 Auburn Road, Suite 300, Auburn Hills, MI 48326 and **Fred Hadid, OYK Engineering & Construction, 30700 Telegraph Road, Franklin, MI 48025** and the rest of their team were available to answer any questions of the Commission.

Mr. Beidoun asked what precipitated the re-design to smaller units. Mr. Stuhlreyer explained that market analysis revealed that it would be prudent to modify the design given current conditions. The three-bedroom units were changed to one-bedroom units.

Mr. Marzolf stated he was concerned with the wetland area in 2019, and is still concerned. He asked the applicant how the standing water on the site is being handled. Mr. Stuhlreyer stated that drainage and excavation will be part

of the engineering process. He explained that they will be installing two sump pumps to redirect the surface water.

Jim Tack, OYK Engineering, explained that around the holidays' OHM requested that a bulkhead be installed at the exit point. Prior to that, the water had been removed down to 2'. The applicant discovered that clay tiles had been installed years ago and the water was draining from the AT&T site. This was mostly surface water. The clay tiles have been removed, and repairs will be done to fix the detention area.

Mr. Marzolf asked if it could be spring fed. Mr. Tack stated that there was no underground spring. PEA and OHM have both been to the site. Mr. Stuhlreyer stated that they would not pursue the project if there was a concern with the engineering.

Ms. Ochs asked where the water was redirected to once those clay tiles were removed. Mr. Tack stated that the water was stopped from entering this property by removing those clay tiles draining water from the AT&T property.

Mr. Tringali asked if the elevation and height of the development would be staying the same as originally approved in 2019. Mr. Stuhlreyer confirmed that elevation and height have not changed.

Mr. Ouellette asked if the lighting on the property would stay on all night. Mr. Stuhlreyer explained that the lighting will be shielded in such a way as to shine down and will not leave the site. It is the minimum lighting required for safety. He stated that they would follow the code and provide calculations in the permitting process.

Mr. Cohen stated that the police department will require lighting to be on all night for safety and security purposes. It will be at a minimum level and directed downward.

Mr. Ouellette asked if the wall, berm and screening will be sufficient to protect neighboring properties from headlights. Mr. Stuhlreyer explained that the light will be completely shielded from Joswick. The applicant has measured the height of headlights on a number of larger vehicles. The 6' screening wall and 4' berm with trees on top will be more than sufficient to screen neighboring properties. He further explained that the proposal exceeds the City's standards.

Mr. Marzolf asked about the building permit that the applicant had referenced. Mr. Cohen explained that a building permit had been issued for construction under the original approved project. The applicant has chosen to modify their plan and will need to apply for a new permit if site plan amendments are approved.

Mr. Ouellette opened the public hearing at 7:26 p.m.

Patricia Hassett, 2471 Joswick, stated that she appreciated the work the applicant did to measure the headlights. She expressed concern with the water in the pond, concern with the underground parking and the noise from two constantly running sump pumps. She also stated that by changing the 3-bedroom units to 1-bedroom units there will be a lot more cars on the site, increasing traffic in the area.

Mario DiBartolomeo, 2401 Joswick, stated that he is concerned with the headlights. He feels the headlights will shine onto his property and requested that the applicant plant arbor vitae to help screen the area. He is also concerned with the water. Additionally, he questioned the applicant's hardship.

Mr. Ouellette asked the applicant to describe the noise from the sump pumps. Mr. Stuhlreyer explained that the sump pumps are submersible pumps in the parking structure, below the slab. The parking structure is enclosed and has a door. He confirmed that there will be no noise pollution from the sump pumps. Mr. Ouellette asked if the sump pump drains into the storm sewer. Mr. Stuhlreyer confirmed that it does drain into the storm sewer.

Mr. Beidoun asked if the applicant was open to adding arbor vitae to provide further screening for Mr. DiBartolomeo's property. Mike Pizzola, Designhaus, explained that 6'-8' evergreen trees are being planted. These trees will provide much more screening than arbor vitae. There will also be deciduous trees, and more evergreens adjacent to the parking area. Ornamental trees will be planted, as well as oak trees. There will be more screening designed to block headlights than is required by the City.

Mr. Tringali asked if engineering had reviewed the plan. Mr. Keenan stated that the swale has been extended and engineering has reviewed the storm management plan.

Ms. Ochs asked Ms. Hassett when she observed standing water. Ms. Hassett stated that there has not been a time that water was not on the site. Mr. Stuhldreier explained that the clay tiles were removed in the fall of 2021, following record rainfalls. A sump pump was used to pump out the water and it was reduced to a level of approximately 1'-2'. The current water table is below the proposed basement elevation.

Ms. Ochs stated that she is sensitive to preserving trees and asked whether it would be possible to include some arbor vitae to provide additional screening. Mr. Tack explained that it is possible; however, he cautioned that arbor vitae grow to be approximately 3' wide at maturity. An 8' tall evergreen will provide 5'-6' of screening. He explained that the tiered approach that is being proposed will provide a solid mass of screening.

Mr. Keenan explained that the city's woodland consultant has looked at the plan. The future growth of the trees is taken into consideration. The applicant's proposal exceeds what is required for developments built immediately adjacent to a one-family residential district. The distance from the closest parking spot to the closest house is 191'. He also reminded the Commission that headlights are designed to shine out and down and do not stay on indefinitely.

There being no further public comments, Mr. Ouellette closed the public hearing at 7:37 p.m.

Moved by Beidoun to recommend to City Council approval of the Revised PUD Step Two – Site Plan and Tree Removal Permit for The Avant at Five Points to construct a multiple-family residential development, subject to the conditions of the City's Administrative Review Team. The revised project, including all site improvements, shall be completed by July 1, 2024.

Second by Tringali.

VOTE: Yes: Ochs, Tringali, Beidoun, Pavlich, Ouellette

No: Marzolf

Motion Carried (5-1)

Cohen, Steve

Subject: The Avant at Five Points

From: MARIO DIBARTOLOMEO <mario@comcast.net>

Sent: Tuesday, March 14, 2023 1:31 PM

To: Cohen, Steve <scohen@auburnhills.org>

Cc: Keenan, Shawn <skeen@auburnhills.org>

Subject: RE: The Avant at Five Points

Steve,
Thanks for the quick response.

On 03/14/2023 12:30 PM Cohen, Steve <scohen@auburnhills.org> wrote:

Mario,

In an email received on March 6th, the owner Fred Hadid with OYK Engineering and Construction provided the following answer in **red** to Shawn Keenan's question on the change in the value of the project investment from \$15 million in 2019 to \$10 million today.

Shawn asked ... In 2019 we asked the same questions we asked you "What is the estimated total investment in the development?" and the answer provided was \$15 million. In 2019 we did not ask "what the prospective market value of the development is." We are already getting questions about the lower number and if the lower number reflects a lower quality product now. Please clarify.

Fred's answer ... OYK does not provide lower quality for their project. Nothing changed in reference to the structure or the finishing of the project. To clarify, the stabilized value for the development investment is estimated at \$15m (which includes land value, developer fee, engineering, architectural, municipal fees, interest reserve, overhead, soft costs, etc) and the cost of self-performing to construct the project (construction only, hard cost) is in or around \$10m.



Steven J. Cohen, AICP

Director of Community Development

1827 N. Squirrel Road | Auburn Hills, MI 48326

248-364-6941 Direct

scohen@auburnhills.org

www.auburnhills.org

From: MARIO DIBARTOLOMEO <mario@comcast.net>
Sent: Tuesday, March 14, 2023 11:10 AM
To: Keenan, Shawn <skeen@auburnhills.org>
Cc: Cohen, Steve <scohen@auburnhills.org>
Subject: RE: The Avant at Five Points

Shawn,

Steve managed to sufficiently mitigate the headlight bleed over concern and did provide feedback regarding the elevations. Thank you Steve.

Regarding the elevations, It is my understanding that the developer must build to print or be required once again to go in front of the Planning Commission and City Council for a third approval. I mentioned this because my confidence level in this developer is not high and that a deviation to the elevations and location of the building with regard to the current plans would not be considered acceptable.

Did you get a response regarding the Avant \$5 million dollar reduction in budget? Their original 2019 project had a \$15 million budget and was presented as a more upscale complex catering to professionals working in the area. It was said that the trend is away from home ownership and moving to this type of rental. This was one of the reasons the project was approved by the City Council. The latest proposal calls for more one bedroom units. This revised mix of units will require more kitchens, heating units and electrical distribution panels yet it is now budgeted three years later at \$10 million. Has there been a reduction in the quality of materials used from above standard to minimum standard? This reduction in budget could indicate their request is for not only a mix change but a change in scope from their original plan to a more transitory market.

Regardless of whether you get a response from the developer please include this email in the City Council packet as they should be made aware of these concerns.

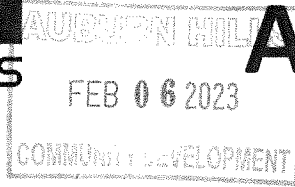
Thank you,

Mario Di Bartolomeo

2401 Joswick road



Development Application



Revised

Project Name: The Avant

General Project Location: 3355 Five Points Dr

East of Joswick, West of Squirrel, and north of University

Parcel Size: 2.22 Acres Zoning: B-2 / PUD

Sidwell Number(s): 14-13-126-008

Project Description: Development of a vacant parcel into a
2 story multi-family building with lower level parking.

Current proposal to modify interior floor plans only with
including minor site changes.

Building Size (sq. ft.): 76,920 GSF

City Use Only

Address: 3355 Five Points

Date Received: 2-6-23

Fees Paid: \$3,950

SP #: _____

SLU #(s): _____

LD/LE/SUB #: _____

RZ #: _____

PUD #: 190005

ZBA #: _____

TR# 230006

Check requested review(s)

- | | |
|---|---|
| ☐ Site Plan | ☐ Subdivision |
| ☒ Tree Removal Permit | ☒ Planned Unit Development - Step 1/Step 2/Combined |
| ☐ Special Land Use Permit(s) _____ | ☐ Rezoning _____ to _____ |
| ☐ Land Division | ☐ ZBA Variance or Interpretation
(see supplemental application) |
| ☐ Land Exchange | ☐ Other _____ |

Applicant

Name: Fred Hadid Signature: Fred Hadid

Business Name and Address: OYK Engineering and Construction 1888 W Tahquamenon Ct

City: Bloomfield Hills State: MI Zip Code: 48302 Phone Number: 248-656-7692

Fax Number: _____ Alt. Phone Number(s): 248-520-5525

Property
Owner(s)

Name: OYK Five Points, Fred Hadid Signature: Fred Hadid

Business Name and Address: OYK Engineering and Construction 1888 W Tahquamenon Ct

City: Bloomfield Hills State: MI Zip Code: 48302 Phone Number: 248-520-5525

(Provide additional sheet if necessary for multiple property owners)

Please contact the City of Auburn Hills Community Development Department,
1827 N. Squirrel Road, Auburn Hills, MI 48326 / Phone: 248-364-6900 Fax: 248-364-6939
www.auburnhills.org

CN@oykconstruction.com

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February 23, 2023

Planning Commission
City of Auburn Hills
1827 N. Squirrel Rd.
Auburn Hills, MI 48326

Re: Amendment to Planned Unit Development
The Avant at Five Points

Dear Planning Commission Members:

In late 2019, the Planning Commission approved a Planned Unit Development for a multi-family project on vacant land ("Avant PUD"). Those plans called for 61 units, including five 3-bedroom units. At that time, it was anticipated that construction would start in earnest in the Spring of 2020.

Obviously, in March 2020, the entire world changed with the onset of COVID and its lingering aftermath. Both residential living and workplace protocols changed dramatically. Both the business office and multi-family industries were affected. After careful consideration, Fred Hadid determined that the unit mix at the Avant PUD had to be reset in order to be both competitive and respond to changed needs.

The revised plans being submitted to you result in the following changes:

	Original PUD	Amended PUD
One Bedroom Units	17	35
Two Bedroom Units	39	33
Three Bedroom Units	5	0
Total Number of Units	61	68
Total Bedrooms	110	101
Total Parking Spaces	153	170

With the above changes, it is important for you to be aware of the following:

- The elevation and footprint of the building have not changed;
- 17 parking spaces were added and parking is compliant with Zoning Ordinance requirements;

ATTORNEYS & COUNSELORS AT LAW

Planning Commission
City of Auburn Hills
February 23, 2023
Page 2

- The landscape buffer to the west, closest to residential neighbors has been enhanced to include additional evergreen screening to accommodate for damaged trees to be removed;
- With an almost 50/50 split between 1 and 2 bedroom units, the Avant will continue to attract a variety of tenants; and
- Infrastructure for the site has been completed, including site work, utilities and privacy wall.

In essence, the Avant PUD is largely remaining the same with only the interior layout changes due to the different unit mix.

Unit Mix Change Due to Changed Conditions

The primary change in the unit mix is the replacement of the five 3-bedroom and six 2-bedroom units. This allocation of 3-bedroom units in the original PUD was ambitious, as there is a limited market for such large units. As COVID progressed, Mr. Hadid learned from associates in the multi-family industry that, in many instances, the three-bedroom units were either not leasing or taking up to two years to lease. Renewals of larger units were also being adversely affected.

In addition, there was a clear trend, which continues today, during the COVID pandemic for workers to not go into offices and work from home. Mr. Hadid has been working with Lease Up, which conducts multi-family housing market analysis, and states the following in the attached letter:

Following the pandemic both small and large businesses pivoted to a work from home environment for many of their employees. As a result, there has been an increase in the demand for housing that promotes the ability for employees to work remotely. Developers have had to adjust the unit mix and floor plans to accommodate the need. This is the reason for the unit mix for the Avant at Five Points to change from 61 to 68 units. The number of three-bedrooms units decreased and one-bedroom units with work from home features increased.

Due to these aforementioned factors, Mr. Hadid changed the unit mix and has added more “work from home” features. These features include office workspace, conference room, a

Planning Commission
City of Auburn Hills
February 23, 2023
Page 3

lounge area next to the office and conference room, larger lobby with fireplace and access to outdoor patio, gym, mailing and packaging room, additional utility room and storage.

Finally, the younger generations entering the workforce and renting apartments desire less space, not more. Hence, the increase in 1-bedroom units. This trend is clearly evident in many new multi-family buildings coming “online” in southeast Michigan.

The impact of COVID, workplace conditions, and economic conditions are not temporary and need to be addressed. The assumptions concerning the Avant project in 2019 have changed. The unit mix needed to keep the Avant PUD economically viable while still meeting PUD standards.

Reasons for Project Delay

Since approval of the Avant PUD in 2019, almost everything imaginable that could happen to a real estate development has occurred:

1. The COVID pandemic wreaked havoc on the construction timeline, construction workforce and plans for the Avant PUD. Significant delays were encountered.
2. During the year following the COVID outbreak in March 2020, it was literally impossible to get any attention from both traditional and non-traditional lenders for real estate projects. All banks were utilizing almost all personnel to work on the PPP loans to keep their borrowers afloat who were negatively impacted by COVID.
3. For a short period of time, construction in Michigan was halted. In addition, the impact of COVID adversely impacted construction companies and trades in their work, but also affected producers of building materials. Everything slowed down from construction timelines to material production and delivery.
4. The supply chain was adversely affected with delays in delivery with the impact of COVID as well as priorities for deliveries of items such as medical equipment and supplies.
5. The impact of adverse economic conditions, including inflation, over the last year caused a marked increase in construction labor and materials costs.

Planning Commission
City of Auburn Hills
February 23, 2023
Page 4

This situation increased construction budgets and disrupted lending, once again, due to changes in owner equity and other loan requirements.

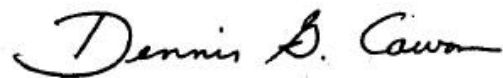
6. As a result of the aforementioned factors, Mr. Hadid and the design team needed to continually reassess the Avant PUD and incorporate changes, which are now being presented to the Planning Commission.

It seems that since 2019, as one challenge started to subside another arose resulting in somewhat of a “cascading” effect of delay during this time period. However, Mr. Hadid has overcome these challenges and is fully prepared to move forward with the amended Avant PUD.

Now that the plan has been “right-sized” and the amenities have been altered to respond to what will be long-term changes in multi-family living (employees spending more time at home than in the office), it is time to move forward. Mr. Hadid and the entire team are very appreciative of the patience of the City during these challenging times. Pursuant to the existing PUD Agreement, we assert that, “the proposed modifications are consistent with the City approved Site Plan and Approval Requests and shall not adversely affect the character or quality of the development.” We respectfully request the approval of the amendments to the PUD so this project can proceed.

We look forward to our dialogue at your March 8th meeting. In the interim, should you have any questions, please feel free to contact us.

Sincerely,



Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw
Attachment

cc: F. Hadid
P. Struhlmeyer
M. Pizzoli
S. Lorenanzo
S. Keenan



August 29, 2022

Fred Hadid
Oyk Engineering & Construction
930 W. Auburn Rd
Rochester Hills, MI 48307

Re: The Avant at Five Points – Auburn Hills, MI

Lease Up completed market surveys and analyses of the Auburn Hills multifamily housing market starting in 2018 with the most recent updates in April and August of 2022.

Following the pandemic, both small and large size businesses pivoted to a work from home environment for many of their employees. As a result, there has been an increase in the demand for housing that promotes the ability for employees to work remotely. Developers have had to adjust the unit mix and floor plans to accommodate the need. This is the reason the unit mix for The Avant at Five Points changed from 61 to 68 units. The number of three-bedroom units decreased and one-bedroom units with work from home features increased.

If you have any questions or need further information, please feel free to contact me.

Sincerely,

Kathy Banker
Managing Partner
Lease Up, LLC

March 3, 2023

Mr. Shawn Keenan, AICP
City Planner
CITY OF AUBURN HILLS
1827 North Squirrel Road
Auburn Hills, Michigan 48326

RE: The Avant at Five Points
Site Plan 2nd Review

Dear Mr. Keenan:

We have completed the site plan review for the above referenced project with respect to grading, paving, storm drainage/detention, and availability of municipal utilities to serve the site. The site plan, received by this office on February 28, 2023 was prepared by Designhaus Architecture. The review comments are noted below.

PERMITS:

Various permits will be required for this site, including but not limited to the following:

- Soil erosion permit from OCWRC
- Water main extension permit from EGLE
- Storm sewer connection permit from OCWRC

GENERAL:

The site is located north of University Drive, east of Joswick Road and West of Squirrel Road at 3355 Five Points Drive. The applicant is proposing to construct a 68-unit multi-family housing building as a PUD. The proposed site along with the adjacent parcels are currently zoned General Business (B-2). The proposed site consists of 118,530 sq. ft. of building space including 38,665 sq. ft of basement parking. A legal description is shown on the plans. The topographic survey shall include all existing recorded easements. The City of Auburn Hills Standard Notes and Fire Department Notes are included on the plans. A landscape plan was included in the plan set, and if feasible, trees shall be located outside any proposed or existing sanitary sewer and water main easements. The City of Auburn Hills Standard Details were not included in the plan set and will need to be in the final engineering review submittal.

A wetland review of this site was most recently completed in 2017. Wetlands are present on-site; however, the wetland area is not State regulated as it is less than five acres and is not within 500 feet of a lake or stream. The wetland is also not subject to regulation under City Ordinance #482 as it is less than two acres, not within 500 feet of a lake or stream, and protection of the area is not essential to the preservation of the natural resources of the state. The wetland area is proposed to be filled in conjunction with this project. The wetland is isolated in an area with adjacent developed properties and contains large amounts of invasive vegetation. The wetland area does not appear to be a vital part of storm water drainage in the immediate area. Runoff from the adjacent parcels is captured by the County drain on Joswick or the City storm system on Five Points. It appears much of the surrounding properties along Five Points and Joswick were low-lying farmland and wetland prior to the 1970's. As such, the existing groundwater elevation in the area is shallow. Filling of the existing wetland on the site is not anticipated to have any adverse effect on the neighboring properties as it relates to groundwater.



MUNICIPAL UTILITIES:

An existing 8-inch water main runs along the west side of Joswick Road and a 12-inch water main runs along the east side of Five Points Drive. The applicant proposes to route 8-inch water main through the site and connect to both existing water mains via a cut in tee through jack and bore. A 4-inch fire suppression lead and a 2-inch domestic water service are proposed, along with 4 hydrants. It is noted on the plans that all water main will be located in a 12-foot wide public easement.

An existing 10-inch sanitary sewer runs along the east side of Joswick Road. The applicant proposes to tap the existing 10-inch sanitary sewer with a 6-inch service lead to the proposed building. The sanitary sewer basis of design calculation shall be updated to account for the total number of units which was increased to 68.

STORM SEWER AND DETENTION:

Storm water runoff for the site will be collected via a series of catch basins and routed to an underground detention system located in the north east portion of the site. Storm water will then be directed from the underground detention system to the existing 30-inch Hobart Drain storm sewer located on the east side of Joswick Road. This storm sewer is under the jurisdiction of Oakland County Water Resources Commission (OCWRC) and a permit for the connection will be required. Storm runoff from the adjacent property to the north currently flows to the existing wetland area on this site. This runoff will be collected via swales and drainage structures along the north property edge and directed into the site's storm sewer system. The site is located within the Hobart Drainage District, which has a restricted discharge rate of 0.09 cfs per acre. Preliminary detention and runoff calculations have been provided on the plan and appear to meet City requirements; however, the detention calculations shall be updated to reflect the increase in impervious area.

Two water quality treatment units are proposed upstream of the underground detention system and an outlet control structure is proposed downstream of the underground detention system before the storm water is discharged into the OCWRC storm sewer. Due to the existing groundwater elevation, it is anticipated that the sump/dewatering system for the underground parking will have a significant flow. Details on this system and expected flows into the storm sewer system will be needed for the engineering review. Additional details on the storm water management system, including storm sewer conveyance calculations, profiles, hydraulic grade lines, pipe material, and details on storm water treatment will be required for engineering review.

The proposed parcel along with the adjacent businesses and neighborhoods on Joswick and Five Points Drive are within the Hobart drainage district. Prior to the 1960's, a majority of the area was farmland and wetlands. As the residential area west of Joswick and the businesses on Five Points developed, much of the low-lying areas were slowly filled in. Per the existing drainage plans for the Hobart Drain, the residential area to the west of Joswick Road flows to an existing end section on the west side of Joswick and eventually to the Hobart Drain. While the proposed development will fill in a portion of an existing unregulated wetland, there appears to be no impact to the overall drainage characteristics of the parcels on the west side of Joswick Road and the surrounding area.

TRAFFIC/PAVING:

Access to the site is proposed via two access drives that will be constructed on Five Points Drive. The proposed site includes 70 surface parking spaces around the perimeter of the building, as well as 100 underground parking spaces in the basement of the proposed building, for a total of 170 parking spaces. Of the 170 proposed parking spaces, 6 handicap parking spaces are proposed. A ramp is proposed for access to the underground parking. Pavement cross sections will need to be provided for the concrete curb and gutter, concrete sidewalk, concrete pavement (includes right-of-way approach), on site asphalt pavement, and the asphalt pathway along Five Points. The proposed site will consist of concrete curb and gutter surrounding the asphalt parking areas. A 5-foot (7-foot adjacent to parking areas) wide concrete sidewalk is proposed along most of the building perimeter and a connection to the existing pathway on Five Points has been provided.



GRADING:

Existing and proposed grades are shown with contours and spot elevations. Top of pavement and curb and gutter grades have been provided. The site is generally sloped towards the site's existing pond and wetland area. The applicant proposes to fill in the existing pond and level the grade for the proposed building. The wetland existing on site is unregulated and will not require a permit. The proposed grading indicates the site runoff will drain away from the building and into the proposed catch basins around the perimeter of the site. Two approximately 3 to 4-foot high landscape berms and a 6-foot masonry screening wall (to match existing adjacent screening wall) are proposed along the Joswick Road frontage. Perimeter site slopes are to meet the requirement of 1:4 maximum and shall match into existing contours. If slopes exceed a 1:4 slope, a retaining wall will be required. A retaining wall is proposed at the northeast of the site to mitigate a small grade differential next to the northeast property border. A swale is proposed between the retaining wall and the abutting property with proposed overflow routes. Signed and sealed design details and calculations for the retaining walls will be required for the engineering review.

The proposed pavement slopes on the site appear to be consistent in most areas with the City of Auburn Hills Standards between 1% and 6% for drive areas and between 1% and 4% for parking areas. Sidewalk grades, including on site sidewalk and sidewalk located within the right-of-way, shall meet ADA standards, including a maximum 2% cross-slope.

RECOMMENDATIONS:

The site plan is in substantial compliance with City of Auburn Hills requirements, and has been stamped "Approved as Noted" by our office. We ask that the site plan approval acknowledge the following:

1. The sanitary sewer basis of design calculation shall be updated to account for the total number of units which was increased to 68.
2. Detention calculations shall be updated to reflect the increase in impervious area.
3. The site improvement plan, designed in accordance with Ordinance No. 806, shall be submitted to the City for review and approval prior to construction. A detailed cost estimate for the improvements shall be submitted with the plans signed and sealed by the design engineer.

If you have any questions or are in need of any further information, please feel free to contact our office.

Sincerely,
OHM Advisors

Hannah Driesenga, P.E.

Transmitted via e-mail to Shawn Keenan: March 3, 2023
cc: File

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#2_APPAN.docx

Site Specific, Inc.

March 2, 2023

Steve Cohen, Director
Shawn Keenan, AICP, City Planner
City of Auburn Hills, Community Development Department
1827 North Squirrel Road
Auburn Hills, MI 48326

Subject: Woodlands Ordinance Review for the proposed development of The Avant at Five Points, Auburn Hills, MI

Dear Mr. Cohen and Mr. Keenan,

The submittals dated regarding the above-mentioned project were reviewed and compared to in-field site conditions. See the tree detail chart below regarding proposed The Avant at Five Points development project.

TREE REPLACEMENT TABLE – The Avant at Five Points

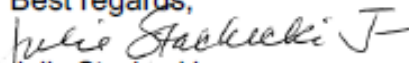
DESCRIPTION	SURVEYED TREES	REPLACEMENT TREES
Removed Regulated Trees	20	20
Removed Landmark Trees (20 on site; 18 removed) @>24" DBH	0 Trees Removed (0" x .25)/2.5" = 0	0
Removed Non-Regulated Trees	56	0
Saved Trees	59	0
TOTAL Replacement Trees		20 Trees

Replacement Trees

Applicant proposes to remove and replace 20 regulated trees from the site; none of which are Landmark trees. The landscape plans call for 75 trees which exceeds the number required for replacement trees (20), plus 5 trees for replacement of damaged trees (80 total). As noted on plan in the Details for Evergreen tree planting, there will 3-4" of mulch over planting area but no mulch at the base of any tree such that trunk/root flare shall be visible after planting and mulching is complete. Further, currently accepted guy materials shall be used, not hoses or plastic.

This project is approved based on the fulfillment, plan details and landscape strategy stated above.

Best regards,


Julie Stachecki
City of Auburn Hills' Woodland Consultant



Site Specific, Inc.

JULIE STACHECKI, ISA Certified Arborist MI-0650, TRAQ, MI Oak Wilt Qualified
Howell, MI 48843 • 810.599.0343 • stachec1@me.com



CITY OF AUBURN HILLS PLANNING COMMISSION MINUTES

October 16, 2019

CALL TO ORDER: Chairperson Ouellette called the meeting to order at 7:00 p.m.

ROLL CALL: Present: Moniz, Hitchcock, Ochs, Beidoun, Mendieta, Pederson, Ouellette
Absent: Shearer, Pierce
Also Present: Director of Community Development Cohen, City Planner Keenan, City Engineer Juidici
Guests: 21

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

5. PETITIONERS

**5b. The Avant at Five Points (f.k.a. Residences of Five Points (7:24 p.m.)
Public Hearing/Motion – Recommendation to City Council for combined PUD Step One –
Qualification/Step Two – Site Plan approval.**

Mr. Cohen introduced the request from OYK Engineering and Construction to build a 61-unit, low-rise multi-family residential development on 2.66 acres of land located north of University Drive, between Joswick Road and Five Points Drive. The parcel is zoned B-2, General Business district. The City's Master Land Use Plan allows the City Council, after Planning Commission recommendation, to approve this type of land use deviation via the PUD process. Mr. Cohen further explained that from a planning and zoning standpoint, multi-family residential land use is traditionally utilized on parcels like this to buffer commercial uses from nearby lower density single-family residential areas.

Mr. Cohen stated that, based on input from both the adjacent property owners and staff, the applicant worked to mitigate potential land-use conflicts in the following ways:

1. Lowering the building height from three stories to two stories on the Joswick Road side;
2. Positioning the building to be over 100' away from the west property line near Joswick Road;
3. Proposing a new concrete masonry screen along Joswick Road that connects to and is consistent with the existing adjacent masonry screen wall located along the roadway.
4. Preserving the existing tree stand and underbrush adjacent to Joswick Road in its natural state, with the addition of a 4-foot tall landscaped berm to create a buffer separation between the development and the roadway.
5. Significantly reducing the size of the surface parking lot by creating a secured underground parking garage with controlled access.
6. There will be no exterior trash receptacle. A trash storage area has been incorporated into the north side of the building.
7. Light poles will be shorter than required by City ordinance with LED cut-off fixtures specifically designed to direct light downward and to not allow light trespass.
8. There will be no pedestrian or vehicular access to Joswick Road.

Mr. Cohen stated that construction is expected to begin in September 2020, with completion by May 2021. The total investment is estimated at \$15 million.

Peter Stuhlreyer, DesignHaus Architecture, 301 Walnut Blvd., Rochester, MI was available to answer any questions of the Commission. Mr. Stuhlreyer stated that they have met with the neighbors on Joswick Road a number of times, and have designed the project so as to minimize the impact to the neighbors. The proposed berm and setback on the Joswick Road side is designed with the adjoining owners in mind. There will be no balconies on that side and the height of the building has been reduced to two stories on the Joswick Road side. He explained that most of the parking will be underground, providing major security for the tenants.

Ms. Pederson asked if the screening on the Joswick Road side could be higher. Mr. Stuhlreyer explained that it is

the perspective of the photograph that makes the vehicles look like they are above the screening.

Ms. Pederson asked if there is a concern that the three-bedroom apartments will be used by students, increasing the number of tenants that can be in each apartment. Mr. Stuhldreier explained that the price point for the apartments would not support student housing. He also confirmed that there will be a manager on-site.

Mr. Moniz asked where the water from the site will flow. Mr. Juidici explained that the stormwater drainage will be contained on-site with an underground detention system that will run to the County drain. He further explained that while the Hobart drain is clear, some of the yards on Joswick Road have obstructions. The drain was constructed in the late 60s/early 70s.

Mr. Moniz asked if there were any assurances to the residents on Joswick Road that they will be protected if issues arise. Mr. Juidici stated that he does not believe there will be adverse impacts, which would cause the pre-existing water issues on Joswick Road to be increased. Mr. Stuhldreier stated that because they will be handling all water on-site, he does not foresee any increased impact. They have discussed the possibility of a west edge catch basin, if necessary. If the water were to ever crest the road on the west side, a catch basin could be installed. Mr. Juidici confirmed that Joswick Road was built with ditches on either side, and the Hobart drain was designed to deal with both sides.

Mr. Moniz asked if the underground garage would have security cameras. Mr. Stuhldreier stated that there would be cameras and full fire suppression. It is anticipated that all residents will utilize the underground parking with any visitor parking utilizing the spaces on the south side.

Mr. Moniz expressed concern that this development will open up the possibility of additional PUD developments on Five Points Drive. Mr. Cohen reminded the Commission that the City has full control over the granting of PUD developments.

Mr. Ouellette asked whether these will be apartments or condominiums. Mr. Stuhldreier stated that they are being developed as apartments. That may change in the future, but not anytime soon.

Mr. Beidoun asked whether there will be electric charging stations. Mr. Stuhldreier confirmed that there will be four spaces.

Mr. Ouellette opened the public hearing at 7:47 p.m.

Mario Di Bartolomeo, 2401 Joswick, Auburn Hills, MI stated that he represents most of the property owners on Joswick Road, who are adamantly opposed to this proposal and have signed a petition to this effect. He noted several issues as follows:

- Joswick Road already experiences water issues. Filling in the wetlands could possibly redirect the excess water to their already saturated properties;
- The additional traffic will cut through Joswick Road to get to Walton, increasing traffic through their neighborhood;
- This is a high-density development that is not in keeping with their half-acre lots;
- This high-density development opens the door for other high traffic generating developments;
- The 24-hour unwanted noise and constant traffic impacting the quiet neighborhood;
- A commercial building with a retention pond on-site would be better suited.

Patrick Hassett, 2471 Joswick, Auburn Hills, MI stated that he has a major concern putting an excess of 120 people on this small parcel of land. He feels that it is too high a density for the area. He further expressed concern with the water issues and thanked the Planning Commission and DesignHaus for attempting to work with the property owners.

Antonia Flores, 2379 Joswick, Auburn Hills, MI expressed concern with the water issues on Joswick Road. She is also concerned that cut-through traffic, which is already a problem, will become an even greater issue. She asked if it would be possible to have speed bumps installed.

Kay Reinke, 2359 Dexter Road, Auburn Hills, MI stated that traffic cuts through Joswick Road in excess of 60 mph. She stated that while the police monitor it, they are not there during peak times.

Robert Kittle, 4027 Hillsdale Drive, Auburn Hills, MI does not feel that this development is a good use of the property. He does not feel that additional apartment buildings are needed in the area. He believes that young people are looking for affordable houses, and another apartment building would encourage a transient population. He stated that apartment buildings do not serve the residents and taxpayers of Auburn Hills.

Hearing no further comments, Mr. Ouellette closed the public hearing at 8:06 p.m.

Mr. Beidoun asked for further explanations regarding the water issue. Mr. Juidici explained that the water issues on Joswick Road are not related to the development of this site. The homes on Joswick Road were built in an area with a high water table. The groundwater flows to the south and east toward Galloway Creek, not backward toward Joswick Road. The water levels in the pond on the proposed site fluctuate seasonally.

Mr. Ouellette asked how this site was chosen for this development. Mr. Stuhlreyer explained that the applicant looked at properties along Five Points Drive. This site has been vacant for a number of years.

Mr. Ouellette asked whether Joswick Road could be posted "No Through Traffic." Mr. Juidici stated that he does not believe it could be designated this way because it is a public road. In order to change the designation, it would have to be changed to a private road. He further explained that traffic on Joswick Road has increased over the last couple of years due to a number of large construction projects that are now nearing completion. This may alleviate some of the cut-through traffic.

Mr. Moniz stated that he is very concerned with the water flow and the cut-through traffic on Joswick Road.

Mr. Stuhlreyer stated that this proposal offers much less density than could be proposed according to the zoning. The applicant began meeting immediately with the neighbors in order to bring the best proposal forward, offering the least impact to the neighbors.

Mr. Hitchcock stated that he is impressed with the efforts of both the residents and the developer. He stated that he felt the developer made every effort to lessen the impact on the neighbors and work with them.

Ms. Pederson asked what would make the project work better for the neighbors. Mr. Di Bartolomeo stated that because the property is zoned B-2, some type of commercial project would be more fitting for the area.

Mr. Moniz asked if there has been any interest in a commercial project for the site. Mr. Cohen stated that over his 20-year career at the City, he has not seen any commercial development interest in the property. He further stated that the question would be best addressed by the property owner, Tom Vestevich. Mr. Cohen explained that there is no guarantee that a future developer with a commercial project would be as willing to mitigate any potential nuisances/land use conflict with the adjacent residential area as this developer has been willing to do via the PUD negotiation process.

Mr. Ouellette stated that while the Commission needs to remain cognizant of the objections of the neighbors, they also have to consider what is best for the City as a whole.

Mr. Mendieta asked whether it would be possible to install speed bumps on Joswick Road. Mr. Juidici explained that traffic calming studies have shown that overall, speed bumps on a straight stretch of road actually cause significant speed increases. People tend to accelerate at a higher rate between the speed bumps. They would also create an issue with road maintenance and emergency vehicles.

Ms. Ochs asked if there was anything that could make this project more acceptable to the Joswick Road residents. Mr. Di Bartolomeo stated that the water issues would need to be addressed in writing that any issues would be corrected for them, and they would like Joswick Road to be designated as a dead-end road.

Ms. Ochs stated that Joswick Road experiences water issues without the site being developed because of the wetlands. The developer will be doing a lot to mitigate the problems and it is possible that issues would resolve to some extent. Mr. Juidici explained that the development would have an on-site water management system. That underground management system is the same whether the property is developed with this proposal or with a commercial proposal. There will be a sophisticated water system to keep water out of the area. The developer will manage the water to protect his investment. Further, traffic in a commercial development would be significantly higher than a residential use.

Ms. Ochs asked whether there was a way for residents to document their current water situation to show any change if the property is developed. Mr. Juidici explained that a baseline study would have to be done over a number of years, taking into account a number of variables.

Chairman Ouellette allowed additional public comment.

Mr. Di Bartolomeo stated that he has a petition signed by 13 property owners along Joswick Road. A copy of the petition was given to Mr. Keenan (attached).

**Moved by Hitchcock to recommend to City Council approval of the combined PUD Step One – Qualification/Step Two-Site Plan for The Avant at Five Points subject to the conditions of the City’s Administrative Review Team.
Second by Beidoun.**

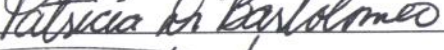
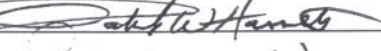
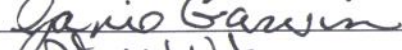
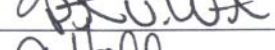
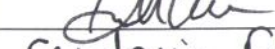
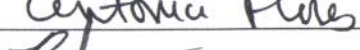
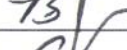
**VOTE: Yes: Pederson, Mendieta, Ochs, Hitchcock, Beidoun, Ouellette
No: Moniz**

Motion Carried (6-1)

Petition in relation in to the new development proposal at 3555 Five points Drive

Petition promoter- M. Di Bartolomeo 2401 Joswick Road - 586-212-6857 Initiated 9/28/2019

We the undersigned do not want changes made to the area's zoning or implementation of a Planned Unit Development

Printed name	Address	Signature	Date
MARIO D. BARTOLOMEO	2401 JOSWICK		9-28-2019
FRANCO DI BARTOLOMEO	2391 JOSWICK		9-28-19
Patricia Di Bartolomeo	2401 Joswick		9/28/2019
PATRICK W. HASSETT	2471 JOSWICK		9/28/2019
KATRICA A HASSETT	2471 Joswick		9/28/2019
JARVIS M. GARVIN	2335 JOSWICK		9/28/2019
PETER WINTER	2359 Joswick		9/28/2019
Amanda Hollen	2429 Joswick		9/28/2019
Dale Coats	undeveloped lot Joswick		9/30/2019
Antonia Flores	2379 JOSWICK Rd		9/30/2019
BRETT JOHNSON	2275 JOSWICK		10/3/2019
Craig Hurst	2321 Joswick		10/3/2019
Glenn Nelson	2459 Joswick		10/4/2019
Nicholas Demattin	2303 Joswick Rd.		10/20/19
THE SIGNATURES ABOVE REPRESENT VIRTUALLY 100% OF THE HOMEOWNERS ON JOSWICK			

Dear Members of the Auburn Hills Planning Commission,

The citizen property owners on Joswick road have reviewed the Five Points proposal documentation you sent. We have reviewed and discussed your proposal prior to this October 16, 2019 Planning Commission meeting. In the paragraphs below we have compiled and brought you the reasons we are unified and against this proposal.

We have been informed the proposed building site will be filled in and the water that currently flows in to that natural basin will be displaced or redirected. Filling in that large body of water that resides there poses the risk that residents might experience additional water on their properties. The city and the engineering firm have clearly stated they cannot and will not accept any liability risk. We feel none of the residents should be asked to accept that risk either.

We know from firsthand experience that there will be additional traffic if sixty-one additional rentals are built across the street. The easiest way to access Walton is to cut through Joswick. An increase in traffic occurred when the apartment buildings went up on the other side of Five Points. Increasing traffic on our residential street will hurt property values, increases the noise level, and presents an increased danger due to reckless speeding. Here too there is no reason to support such a construction project as there is only downside to the residents.

The MSU credit union located next to the proposed property development is moving. If the Five Points project is approved, it could open the door for further multiunit projects which would further drive an increase in traffic. Visitors to commercial buildings generally stay on the main roads and do not learn the quick short cuts. There is no reason the Joswick home owners would want to accept the possibility of even more traffic and road noise.

A sixty-one unit complex across the street will certainly add seven day a week noise to a relatively quiet neighborhood. The density of our neighborhood is one household per ½ acre. Your high density proposal is not what the citizens that purchased homes on Joswick expected, your proposal would definitely change the character of the neighborhood. The home owners knew the types of buildings they would be living next to before buying. Commercial buildings are generally busy during weekdays but in the evenings and weekends it really quiets down.

The original city planners assigned the proposed building site as B2. With the growing University and recent medical school addition there will be a need for supporting businesses requiring commercial buildings. A commercial building with an engineered retention pond would be well suited for that site. There is no reason to deviate from their well laid out plan. The Joswick citizens stand with the original planners zoning assignment (B2) in conformance and without deviation just as the parcels adjacent to it.

Accompanying this letter is a petition signed by virtually all of the Joswick citizens stating we do not want a change in zoning or a PUD implemented. We are missing just two signatures because we are still trying to make contact with them. Should this petition have to be presented at the city council meeting we anticipate it to be at a 100% proposal rejection.

The Joswick road citizens recommend rejecting this proposal prior to the November City Council meeting.

Your point of contact should you have any questions is-

Mario Di Bartolomeo

2401 Joswick, mario@comcast.net, 586-212-6857

October, 16, 2019



CITY OF AUBURN HILLS

Regular City Council Meeting

Minutes - Excerpt

November 18, 2019

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, Hammond, Kittle, Knight, Moniz and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Fire Chief Taylor, Police Lieutenant Gagnon, Community Development Director Cohen, Recreation Director Hegdal, Senior Services Director Adcock, Finance Director/Treasurer Schulz, DPW Director Melchert, Deputy DPW Director Stahly, Director of Authorities Skopek, Deputy Clerk Klassen, Mgr of Business Development Carroll, City Engineer Juidici, Management Intern Hagge

30 Guests

15. NEW BUSINESS

15f. Motion – To approve the Combined PUD Step One – Concept Plan and PUD Step Two – Site Plan / The Avant at Five Points.

Mr. Cohen presented the new development of a 61 unit, low-rise multi-family residential district through the PUD option. He stated that this is the best use of the land for this area and has less of an impact on the surrounding residential areas than the current zoning for a B-2 district.

Mr. Peter Stuhleyer, of Designhaus and Mr. Fred Hadid and Mr. Motaz Kaakarli of OYK Engineering, LLC were present to answer any questions. Mr. Stuhleyer shared that this area is ideal for this project. He shared that the designers have worked hard to meet all the recommendations that have been asked of them by staff. This site will have underground parking and surface parking which makes this property unique. When designing the property all the setbacks have been followed to make this property fall into full compliance with the ordinance. The storm water will be maintained in an underground detention facility, eliminating standing water. Mr. Stuhleyer shared that there will be interior trash and mail rooms, small gym and the building will have high security with key fobs, cameras and onsite management. The site will also have four electronic charging stations. Mr. Kaakarli stated that City Staff expected high standards thought out the process and they have worked diligently to obtain that.

Mr. Knight shared that the Joswick street residents are concerned about the wetlands being taken away. Mr. Juidici clarified that the wetland area on this site is only 1.05 acre. He stated that this is a "pocket" wetland and there is an outlet from this wetland that runs to the existing Hobart drain which is owned by the County and runs close to Joswick road. This wetland area is not regulated under the DEQ since it is less than 5 acres in size and is not near an inland lake or stream. It is also not regulated by the City wetland ordinance because it is under two acres and is not within 500 feet of a lake or stream nor is it critical to the protection of State resources. Mr. Juidici shared that the developer's proposal is to fill the wetland area that is on the site. He stated that the wetlands to the north of this site are not contiguous with this site and that it is isolated as its own pocket which outlets to the drain to the west. He stated that the intent is to drain towards the drain and then have the water carried away so that there is no standing water. Mr. Juidici stated that any issues with standing water for the residents on Joswick is a different matter. Mr. Moniz shared the concern regarding draining the detention pond by the YMCA. Mr. Juidici shared that there is possible wetland area nearby and that there is an existing detention pond that is part of the storm water management system for the YMCA.

Mr. Kittle questioned the need for pumps for the underground storm water storage. Mr. Stuhleyer stated that the underground storage, which collects from property to property, does not require pumps. He did share that the basement parking may require some type of sump pump to lift water to the storage area and then allow it to gravity drain into the storm sewer main. It was stated that the water on the site is standing water and not spring fed.

Mr. Burmeister shared his concerns regarding the traffic flow in the area, that there is no access to Joswick from the back of the development. He is concerned with traffic flow on Squirrel Road during rush hour and having backups on the surrounding streets. Lieutenant Gagnon stated that vehicles cannot be prohibited from utilizing city streets but he will look at prohibited turns onto Five Points Drive.

Mr. Knight and Mr. Kittle shared their thoughts regarding converting these apartments to condominiums. Mr. Knight wondered if this was a trend anymore with construction companies. Mr. Stuhleyer stated that it was an option that was presented to them but they do not intend to construct condominiums at this time. Mr. Kittle stated that he would love to see units that were for sale due to the City needing more home ownership. Mr. Stuhleyer stated that the provision of underground parking, could make these apartments convert to condominiums.

Mayor McDaniel provided time for residents to speak on the topic but clarified that this was not a public hearing.

Ms. Antonia Flores, 2379 Joswick Rd was present to share her opposition with this project. She spoke on the water pressure issues she has with her property. She is concerned that she could have sinkholes that might develop on her property due to this construction.

Mr. Mario DiBartolomeo, 2401 Joswick was present to share his opposition with this project. He stated that he is concerned that the thinking is the two wetlands are not connected. He stated that the wetlands are important and does feel that they are covered under the wetland articles in the City Ordinance.

Mr. Patrick Hassett, 2471 Joswick was present to share his opposition with this project. He stated that his concern is for the high density of people in this area.

Mr. Marzolf questioned the possibility of an open retention pond. Mr. Stuhleyer stated that it was discussed but not opted for because of the trees it would effect. The retention pond would not allow for the berm. If the retention pond were to be placed to the front of the property it would push the building too far back onto the property. It was discussed that the berm would be roughly five feet in height with plantings on top of that. The design was created to avoid headlights from being a nuisance to the residents on Joswick. Mr. Burmeister stated that he is hoping the trees that are on the property will continue to be a shield to the nearby residents.

Mr. Moniz stated that he originally voted no on this project at the Planning Commission meeting because he wanted to take a closer look at the issues and concerns of the residents. He stated that after taking time to review and walk the property that he is hoping this project will be good neighbors to the residents on Joswick.

Mr. Knight stated that he was not in support of this project until he saw that the PUD would bring about the best use of the property.

Mayor McDaniel stated that he wouldn't want the property to stay vacant or have something else built that would not be pleasant to the surrounding residents.

Moved by Knight, Seconded by Kittle.

RESOLVED: To accept the Planning Commission's recommendation and to approve the combined PUD Step One – Qualification / Step Two – Site Plan for The Avant at Five Points subject to the conditions of the City's Administrative Review Team.

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

No: Marzolf

Resolution No. 19.11.189

Motion Carried (5 - 1)

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

2020 FEB -6 PM 1:06

26823
LIBER 53805 PAGE 787
\$26.00 MISC RECORDING
\$4.00 REMONUMENTATION
02/06/2020 01:26:38 P.M. RECEIPT# 21193
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

AVANT AT FIVE POINTS PUD

CITY OF AUBURN HILLS, OAKLAND COUNTY, MICHIGAN

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") dated January 20, 2020 by and between the City of Auburn Hills, a Michigan municipal corporation ("City") and OYK Five Points LLC, a Michigan corporation ("Developer") is entered into to confirm certain rights and obligations relating to the development and use of an approximately 2.66 acre parcel of property located in the City of Auburn Hills, Michigan, and more particularly described on the attached Exhibit A hereto (the "Property" and/or the "Subject Property").

BACKGROUND

A. The Developer is the owner of the approximately 2.66 acre parcel of property located north of University Drive between and on Joswick Road and Five Points Drive in Auburn Hills, Michigan, as legally described and depicted on Exhibit A which is attached hereto and incorporated herein by reference.

B. Pursuant to Section 1830 of the Auburn Hills Zoning Ordinance, the Developer has applied for approval of the Site Plan on file with the Auburn Hills Community Development Department (the "Site Plan") which is part of the PUD process for the apartment development being known as Avant at Five Points ("Avant at Five Points") and on November 18, 2019 the Auburn Hills City Council approved combined PUD Step One – Qualification and PUD Step Two – Site Plan Approval ("Site Plan and PUD Approval"), for the Avant at Five Points, subject to several conditions including, but not limited to, the condition that the Developer and the City enter into a Development Agreement. The City approved Site Plan is on file with the Auburn Hills Community Development Department and is incorporated by reference in this Agreement.

C. It is the purpose of this Agreement to confirm the rights and obligations of the Developer and the City with respect to the development and use of the Subject Property.

NOW, THEREFORE, for good and valuable consideration given, the receipt of which is hereby acknowledged by the parties, it is agreed as follows:

1. The City approved Site Plan and PUD Approval, tree removal permit (administratively approved) and the terms of this Agreement shall govern the development and use of the Subject Property. Among other things, the City approved Site Plan and PUD Approval, tree removal permit and this Agreement shall establish landscaping, tree removal and replacement, drainage, setbacks, building elevations and design, building footprint, building height, building size and density, water course buffer, open space, greenbelt, parking lot, landscape, screening, fences, utilities, dumpster, sidewalks, pathway connections, parking and parking spaces number, size and location including, both the surface parking lot and the underground parking garage, and drive isle requirements and location. The City approved Site Plan and PUD Approval and this Agreement shall also establish the architectural style of the building that may be built at the Avant at Five Points. The Property shall be developed only in accordance with the City approved Site Plan and PUD Approval, including all materials and plans submitted and approved with the City approved Site Plan, City approved grading, utility and engineering plans, City approved tree removal permit, this Agreement, City Ordinances in effect on the date of this Agreement which are not in conflict with the City approved Site Plan, PUD Approval and this Agreement, including, but not limited to, the Auburn Hills Zoning Ordinance and other applicable laws, regulations, requirements and Ordinances (collectively referred to as the "Approval Requirements"). The City approved Site Plan and PUD Approval, the City approved tree removal permit, the City approved grading, utilities, landscaping and engineering plans, this Agreement and the Approval Requirements shall be deemed to satisfy all land use and other requirements for the City, including without limitation, the City's requirements and impositions, if any, under Ordinances relating to size, setbacks, density and heights of buildings, wetlands, woodlands, tree preservation, storm water management, parking, walkway, pathway connections, drive and roadway configurations and geometry, handicapped access, fire protection and fire department design criteria, building elevations and the like. In the event of any conflict with the City approved Site Plan and PUD Approval and this Agreement on the one hand, and City Ordinances on the other, the City approved Site Plan, PUD Approval and this Agreement shall control. To the extent that there are any construction or development issues that are not addressed by the City approved Site Plan and PUD Approval and this Agreement, the City administration shall determine such matters (and issue administrative waivers, if necessary), in order to reasonably achieve the goals and objectives articulated in the City approved Site Plan, PUD Approval and this Agreement.

2. Roads/Driveways and curb cuts, pathway connections, public sanitary sewer service, public water service, storm water drainage, detention and retention facilities, gas and electric utilities, parking facilities and parking spaces, including both the surface parking lot and underground parking garage, open space area, sidewalks, pathways, retaining walls, screening, fences, greenbelts, berms, landscaping and trees should be completely constructed, installed and provided by and at the sole expense of Developer to service the building at the Avant at Five Points in accordance with the Approval Requirements. The Developer or all successors in title as to the Property (as well as any and all portions thereof), including but not limited to, successor developer(s) and the purchasers and owners of any individual lot, parcel, or unit within the property, shall be responsible and obligated for the perpetual maintenance, repair and replacement of the roads/driveways, parking areas and spaces, including, but not limited to, the surface parking area and underground parking garage, sidewalks, pathways, retaining walls, drainage facilities, greenbelts, landscaping, trees and open space areas shown on the City approved Site Plan.

3. The Developer in accordance with the Approval Requirements shall at its own cost develop, install and construct on the Property an apartment building having a height of two stories near Joswick Road and three stories near Five Points Drive (resulting in heights for the building as shown on the City approved Site Plan) as depicted on the City approved Site Plan, containing 61 apartment dwelling units, with one bedroom, two bedroom and three bedroom apartment dwelling units ranging from areas of 520 square feet to 1,300 square feet. The Developer shall not construct any balconies on the building on the Subject Property within the western two story portion of the building, as detailed in the City approved Site Plan. The Developer shall, at its own cost, construct, install, maintain, and locate 53 parking spaces on a surface parking lot on the Subject Property and 100 parking spaces in an underground parking garage located on the Subject Property, with both the surface parking lot and underground parking garage to be constructed, installed and located by Developer, at its own cost, in accordance with the City approved Site Plan. The Developer shall, at its own cost, construct, install, locate and maintain sidewalks from the Avant at Five Points building to the existing eight foot pathway along Five Points Drive. At the time construction commences on the Avant at Five Points development, the Developer shall, at its own cost, construct, install, and locate a concrete masonry screening wall along the Subject Property's boundary with Joswick Road, which wall will also connect to and be consistent with the existing adjacent masonry screening wall along Joswick Road. At the time construction commences on the Avant at Five Points development, the Developer shall, at its own cost, install, locate and maintain a four foot tall landscape berm and other landscaping in accordance with the City approved Site Plan and landscaping plan to create a substantial buffer between the Subject Property and Joswick Road and the existing tree stand and underbrush on the Subject Property adjacent to Joswick Road shall be preserved by Developer in its natural state. The Developer shall, at its own cost, and in accordance with the City approved Site Plan, construct, install, locate and maintain the access drives to Five Points Drive as shown on the City approved Site Plan, with there being no pedestrian or vehicular access from the Avant at Five Points development to Joswick Road. The Developer shall, at its own cost, install, maintain and locate light poles on the Subject Property in accordance with the City approved Site Plan, said light poles not to exceed 17 feet in height and to contain LED cutoff fixtures designed to direct light downward on the Subject Property. The Developer shall, at its own cost, prepare and install at the locations shown on the City approved Site Plan, two vertical electric vehicle charging stations that will serve up to four electric vehicles with one electric charging station to be located on the south side of the building in the surface parking lot and the other electric charging stations to be located in the underground parking garage. The Developer shall, at its own cost, obtain from the City by November 18, 2020, the building permits for the Avant at Five Points. In the event that the Developer has not obtained from the City the building permits for the Avant at Five Points by November 18, 2020, then the parties agree and acknowledge that the PUD Approval for the Avant at Five Points shall be automatically revoked on November 19, 2020 without any additional hearings and/or actions by either party being necessary to effectuate the revocation of the PUD Approval. In the event that by November 18, 2020 the Developer has obtained from the City the building permits for the Avant at Five Points, then the Developer shall have construction on the Avant at Five Points project "substantially underway" by June 30, 2021, with "substantially underway" being defined for purposes of this Development Agreement as the Developer having, at its own cost, installed the underground utilities and completed the construction and installation of the Avant at Five Points building's footings and foundations. In the event that the construction on the Avant at Five Points project is not substantially underway by June 30, 2021, then the parties agree and acknowledge

that the PUD Approval for the Avant at Five Points project shall be automatically revoked on July 1, 2021 without any additional hearings and/or actions by either party being necessary to effectuate the revocation of the PUD Approval, with the Developer being required, at its own cost, to immediately remove any improvements that the Developer and/or its contractors and/or its subcontractors made on the Property and the Developer shall, at its own cost, revegetate and restore the Property so that the Property is safe and is restored to a grassy and/or vegetative state as the Property existed prior to the Developer purchasing the Property.

4. The architecture of the Avant at Five Points building shall be as set forth in the City approved Site Plan, PUD Approval and this Agreement.

5. Developer shall, at its own cost, be obligated to design, completely construct, finance and provide financial assurances in accordance with the Approval Requirements for the completion of all the improvements shown on the City approved Site Plan and PUD Approval for the Avant at Five Points project. Financial assurances required by the City shall be in the form and in the amounts required in the City Ordinances; provided, however, that the City agrees that the Developer may satisfy all financial assurances required for Avant at Five Points by escrowing funds with a title company satisfactory to the City, pursuant to an escrow agreement that is satisfactory to the City. In all instances in which the City utilizes the proceeds and financial assurances given to insure completion of the improvements pursuant to the City Ordinances, and the City approved Site Plan and PUD Approval, the City and its contractors and agents shall be permitted, and are hereby granted authority, to enter upon the property for the purpose of completing said respective improvements.

6. The foundation permits will be available upon the City approval of the grading to serve the building site. Building permits for the apartment building at Avant at Five Points shall be issued when water mains, sewer lines and other utilities are installed to service the building and have been accepted by the City and/or the appropriate utility companies and paved road access is available. The Developer shall, at its own cost, install, construct and locate all curb cuts and paved access streets/driveways, which curb cuts and paved access streets/driveways shall be constructed, installed and located in accordance with the Approval Requirements.

7. The City approved Site Plan and PUD Approval include a final landscaping plan and landscaping details and Developer shall, at its own cost, install, plant and locate all of said landscaping including berms, trees, shrubs and bushes in accordance with the final landscape plan and shall, at Developer's own cost, maintain said landscaping including berms, trees, shrubs and bushes and shall replace any landscaping including trees, shrubs and bushes that die. The Developer shall preserve the existing tree stand and underbrush on the Property adjacent to Joswick Road in its current natural state.

8. The City and Developer agree that all matters related to the use of signage on the Avant at Five Points property shall be governed by and comply with the City's Zoning Ordinance.

9. Based on the development and use of the Subject Property by the Developer and the Developer's construction of the Avant at Five Points on the Subject Property, pursuant to the Auburn Hills Woodlands Preservation Ordinance, the Subject Property requires 20 replacement

trees and the Developer shall, at its own cost, plant 65 replacement trees on the Subject Property at the locations shown on the City approved Site Plan and City approved landscape plan, with said replacement trees to be of the height, diameter, breast height, kind and species shown on the City approved Site Plan and City approved landscape plan, with the Developer planting all of the 65 replacement trees on the Subject Property prior to a Certificate of Occupancy being issued for the apartment building on the Subject Property. The Developer or all successors in title as to the Property (as well as any and all portions thereof), including but not limited to, successor developer(s) and the purchasers and owners of any individual lot, parcel, or unit within the Property, shall, at its own cost, be responsible for the perpetual maintenance and if necessary, replacement, of the 65 replacement trees planted on the Subject Property. The Developer shall, at its own cost, pay all applicable fees necessary and required with respect to obtaining the administratively approved tree removal permit from the City.

10. The Developer's rights to complete Avant at Five Points as described herein are fully vested on the execution of this Agreement by all parties, subject to the terms and conditions of this Agreement. This Agreement shall run with the land constituting the Subject Property and shall be binding upon and inure to the benefit of Developer and the City and their respective heirs, successors, assigns and transferees and immediately upon execution of this Development Agreement by all of the parties, a memorandum of this Agreement, or the Development Agreement itself, shall be recorded with the Oakland County Register of Deeds. The Development Agreement shall be interpreted and construed in accordance with Michigan law, and shall be subject to enforcement only in Michigan courts. The parties understand and agree that this Development Agreement is consistent with the intent and provisions of the Michigan and U.S. Constitutions and all applicable law.

11. The Developer has negotiated the terms of this Development Agreement with the City and such documentation represents the product of the joint efforts and agreements of the Developer and the City. The Developer fully accepts and agrees to the final terms, conditions, requirements and obligations in this Development Agreement. The Developer understands that this Agreement is authorized by applicable local, state and federal laws, ordinances and constitutions, and the Developer shall be estopped from taking a contrary position in the future, and the City shall be entitled to injunctive relief to prohibit any actions by the Developer that are inconsistent with the terms and provisions in this Agreement.

12. The Developer may request modifications to the City approved Site Plan as follows:

- (a) The Community Development Department may approve modifications to the City approved Site Plan that do not:
 - (i) Materially change the parking layout; or
 - (ii) Materially increase the total square footage or density of the proposed buildings.
- (b) Modifications proposed by the Developer pursuant to this paragraph shall be consistent with the City approved Site Plan and Approval Requirements

and shall not adversely affect the character or quality of the development;
and

- (c) Modifications to the City approved Site Plan that the Community Development Department in its sole discretion deems material shall be reviewed for approval by the City Council.

13. This Agreement constitutes the entire Agreement between the parties and may not be modified, amended or terminated except in writing executed by all of the parties hereto and this Agreement may be executed in counterparts.

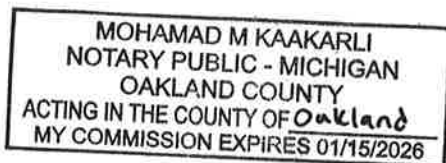
THIS AGREEMENT is executed by the respective parties on the date specified with the notarization with their names.

OYK Five Points LLC,
a Michigan corporation

By: F. Hadid
Name: [Signature]
Its: Member

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 3 day of January, 2020, by Fred Hadid, the member of OYK Five Points LLC, a Michigan corporation, on behalf of said corporation.



Mohamad M Kaakarli
Notary Public
Oakland County, Michigan
My Commission Expires: 01/15/2026
Acting in Oakland County

CITY OF AUBURN HILLS,
a Michigan municipal corporation

By: [Signature]
Kevin McDaniel, Mayor

By: Laura M Pierce
Laura Pierce, City Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 20 day of January, 2020, by Kevin McDaniel, as Mayor, and Laura Pierce, as City Clerk, on behalf of the City of Auburn Hills, a Michigan municipal corporation, on behalf of the corporation.

KRISTINE M. KLASSEN
Notary Public, State of Michigan
County of Oakland
My Commission Expires 11-24-2023
Acting in the County of Oakland


Notary Public
Oakland County, Michigan
My Commission Expires: 11-24-2023
Acting in Oakland County

Drafted by and when recorded return to:

Derk W. Beckerleg
2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025

5798802_1.docx

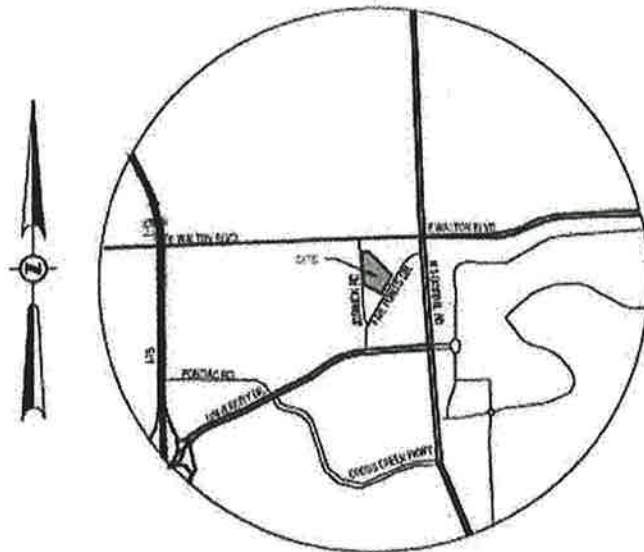
EXHIBIT A

The Avant at Five Points

PID: 14-13-126-008

Five Points Drive

City of Auburn Hills, MI 48326



LOCATION MAP

LEGAL DESCRIPTION

LOT 2, WESSON ESTATES SUB. NO. 1, CITY OF AUBURN HILLS, OAKLAND
COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE 58, OAKLAND COUNTY
RECORDS

The Avant at Five Points

Five Points Drive

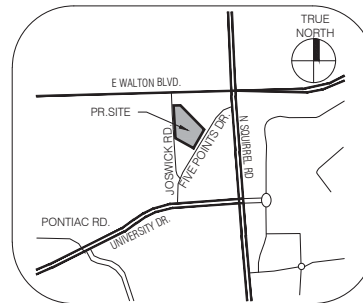
City of Auburn Hills, MI 48326

OYK ENGINEERING & CONSTRUCTION
30700 TELEGRAPH RD.
SUITE 2665
BINGHAM FARMS, MI 48025
T: 248.656.7695
CONTACT: FRED HADID

DESIGN HAUS ARCHITECTURE
3300 AUBURN ROAD
SUITE 300
AUBURN HILLS, MI 48326
T: 248.601.4422
PROJECT MANAGER: SAL LORENZANO
PROJECT ARCHITECT: PETER STUHLREYER, A.I.A.
LANDSCAPE ARCHITECT: MIKE PIZZOLA, L.A.I.A.

SM ENGINEERING
1939 LINCOLNSHIRE DRIVE
ROCHESTER HILLS, MI 48309
T: 810.712.8849
CONTACT: GREG EZZO

LOT 2, WESSON ESTATES SUB NO. 1, CITY OF AUBURN HILLS, OAKLAND
COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE 38, OAKLAND COUNTY
RECORDS



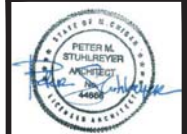
LOCATION MAP

THIS 2.66 ACRE VACANT PARCEL IS LOCATED NORTH OF UNIVERSITY DRIVE, EAST OF JOSWICK ROAD AND WEST OF SQUIRREL ROAD. THE CURRENT ZONING OF THIS PROPERTY IS B-2.

PROPOSED IS A MULTI-FAMILY BUILDING THAT STEPS DOWN IN HEIGHT TOWARDS THE WEST PROPERTY LINE ALONG JOSWICK ROAD. THE 79,334 SQUARE FOOT BUILDING FOOTPRINT (118,530 GROSS SQ. FT. W/BASEMENT) ACCOMMODATES 68 UNITS, AMENITY SPACE, AS WELL AS AN UNDERGROUND PARKING GARAGE. PROPOSED PARKING SPACES FOR THE PROJECT INCLUDE 70 SURFACE SPACES AND 100 UNDERGROUND SPACES FOR A TOTAL OF 170 TOTAL PARKING SPACES.

G000	Title Sheet and Index
Sheet 1 of 1	Topographic Survey
CS2.0	Tree Removal Plan
S100	Dimensional Site Plan
C2.0	Demolition Site Plan
C3.0	Engineering Site Plan
C3.1	Fire Truck Access Plan
C4.0	Grading Plan
C5.0	Water and Sanitary Plan
C6.0	Storm Water Management Plan
L100	Landscape Plan and Details
L200	Headlight Offset Site Section
L300	Lighting Plan
A100	Garage and First Floor Plans
A101	Second and Third Floor Plans
A102	Roof Plan
A200	Elevations
A201	Elevations
A202	Architectural Facade Renderings

PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date



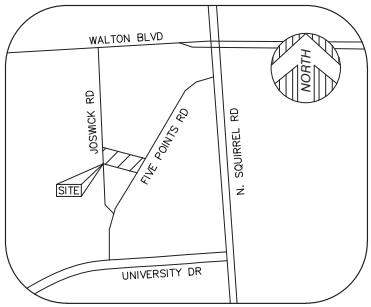
The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Title Sheet and Index

018230

G000

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008



VICINITY MAP
(NOT TO SCALE)

PARCEL AREA

115,734± SQUARE FEET = 2.66± ACRES

BENCHMARK

SITE BENCHMARK #1
STORM MANHOLE RIM,
ELEVATION = 941.58' (NAVD 88)

SITE BENCHMARK #2
ARROW ON HYDRANT,
ELEVATION = 945.08' (NAVD 88)

SURVEYOR'S NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.

2. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

LEGEND

	FOUND MONUMENT (AS NOTED)
	GROUND ELEVATION
	UTILITY POLE
	SANITARY MANHOLE
	SQUARE CATCH BASIN
	STORM DRAIN MANHOLE
	FIRE HYDRANT
	SINGLE POST SIGN
	PARCEL BOUNDARY LINE
	ADJOINTER PARCEL LINE
	ASPHALT CURB
	CONCRETE CURB
	EDGE OF CONCRETE (CONC.)
	EDGE OF ASPHALT (ASPH.)
	EDGE OF GRAVEL
	FENCE (AS NOTED)
	WALL (AS NOTED)
	OVERHEAD UTILITY LINE
	ELECTRIC LINE
	GAS LINE
	SANITARY LINE
	STORM LINE
	WATER LINE
	MINOR CONTOUR LINE
	MAJOR CONTOUR LINE
	BUILDING AREA
	ASPHALT
	CONCRETE



GRAPHIC SCALE

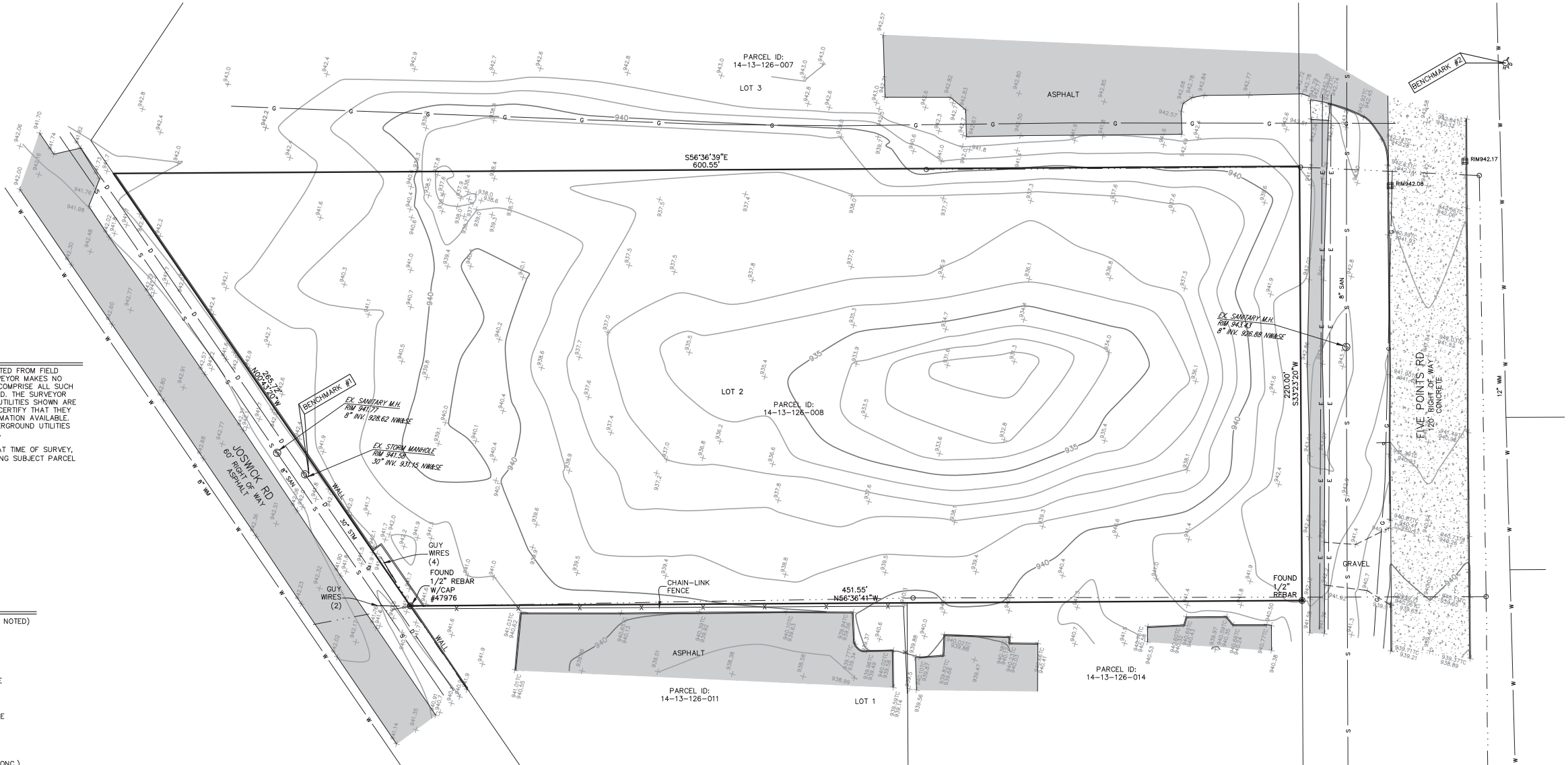


(IN FEET)
1 inch = 30 ft.

PROPERTY DESCRIPTION

THE LAND SITUATED IN THE CITY OF AUBURN HILLS, COUNTY OF OAKLAND, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

LOT 2, WESSON ESTATES SUB. NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 35, PAGE 58, OAKLAND COUNTY RECORDS.



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED. THE ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY AND THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.

DRAFT

ANTHONY T. SYCKO, JR., P.S.
PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 47976
22556 GRATIOT AVE., EASTPOINTE, MI 48021
TSycko@kemttec-survey.com

DATE	BY	REVISION	DATE	BY
12/27/22	MFJ			
12/27/22	ATS			
DECEMBER 27, 2022				
20-02200				

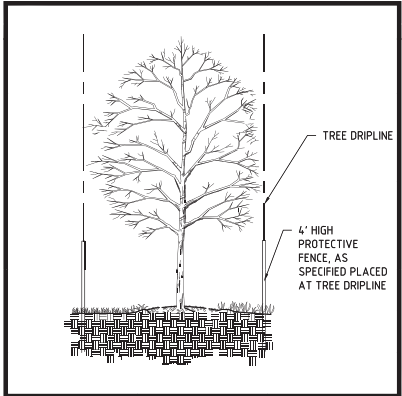
TREE SURVEY TABLE

Tree #	DBH	Botanical Name	Common Name	Condition	Comments	Regulated (R) / Not Regulated (n)	Landmark (L)	Save (S) / Remove (x)
1	6.1	Populus grandidentata	Big-tooth Aspen	Fair		n		x
2	8.7	Populus grandidentata	Big-tooth Aspen	Fair		n		x
3	9.4 / 7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
4	8.5	Populus grandidentata	Big-tooth Aspen	Fair		n		x
5	8.5	Populus grandidentata	Big-tooth Aspen	Fair		n		x
6	6.4	Populus grandidentata	Big-tooth Aspen	Fair		n		x
7	6.5	Populus grandidentata	Big-tooth Aspen	Fair	Multiple Trunks	n		x
8	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
9	10.9	Populus grandidentata	Big-tooth Aspen	Fair		n		x
10	8.0	Populus grandidentata	Big-tooth Aspen	Fair		n		x
11	9.0	Populus grandidentata	Big-tooth Aspen	Fair		n		x
12	6.2	Populus grandidentata	Big-tooth Aspen	Fair		n		x
13	9.3 / 6.4	Populus grandidentata	Big-tooth Aspen	Fair	Multiple Trunks (3)	n		x
14	7.2 / 6.1 / 5.4	Populus grandidentata	Big-tooth Aspen	Fair		n		x
15	8.5 / 8.1	Populus deltoides	Cottonwood	Fair		n		s
16	8.4 / 10.0	Populus deltoides	Cottonwood	Fair	Multiple Trunks (2)	n		s
17	8.2 / 7.7 / 9.0 / 9.6	Prunus serotina	Black Cherry	Fair		R		s
18	6.1	Populus grandidentata	Big-tooth Aspen	Good		n		s
19	6.9 / 7.6	Populus grandidentata	Big-tooth Aspen	Good		n		s
20	7.3	Populus grandidentata	Big-tooth Aspen	Poor		n		s
21	6.5	Populus grandidentata	Big-tooth Aspen	Fair		n		s
22	7.0	Populus grandidentata	Big-tooth Aspen	Fair		n		s
23	6.9	Populus grandidentata	Big-tooth Aspen	Fair		n		s
24	6.6	Populus grandidentata	Big-tooth Aspen	Fair		n		s
25	8.4	Populus grandidentata	Big-tooth Aspen	Fair		n		s
26	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
27	7.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
28	9.2	Populus grandidentata	Big-tooth Aspen	Fair		n		s
29	9.6	Populus deltoides	Cottonwood	Fair		n		s
30	10.5	Acer rubrum	Red Maple	Fair		R		s
31	7.1 / 7.5 / 2.6 / 4.0	Populus deltoides	Cottonwood	Fair	Multiple Trunks (4)	n		s
32	6.7 / 6.1 / 3.7 / 4.2 / 6.9	Salix nigra	Black Willow	Good	Multiple Trunks (5)	n		s
33	6.8	Ulmus americana	American Elm	Poor		n		s
34	10.6	Prunus serotina	Black Cherry	Fair		R		s
35	13.3	Populus deltoides	Cottonwood	Good		n		s
36	7.4 / 2.3 / 4.2	Acer rubrum	Red Maple	Good	Multiple Trunks (3)	R		s
37	7.6 / 4.2 / 3.4 / 2.5	Acer rubrum	Red Maple	Fair	Multiple Trunks (4)	R		s
38	6.3	Prunus serotina	Black Cherry	Fair		R		s
39	6.1 / 2.6 / 4.6 / 4.5	Malus pumila	Apple	Fair		R		s
40	8.6 / 4.1 / 5.8	Ulmus americana	American Elm	Fair		n		s
41	4.7 / 5.5 / 4.8 / 4.0	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	R - wetland		x
42	4.8 / 5.2 / 4.0 / 3.5 / 5.9 / 4.0	Salix nigra	Black Willow	Fair	Multiple Trunks (6)	R - wetland		s
43	5.1 / 5.0 / 4.3 / 4.0	Salix nigra	Black Willow	Good	Multiple Trunks (4)	R - wetland		x
44	7.4 / 5.5 / 3.8 / 8.1	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	n		s
45	6.4 / 5.5 / 7.5	Quercus palustris	Pin Oak	Good		R		x

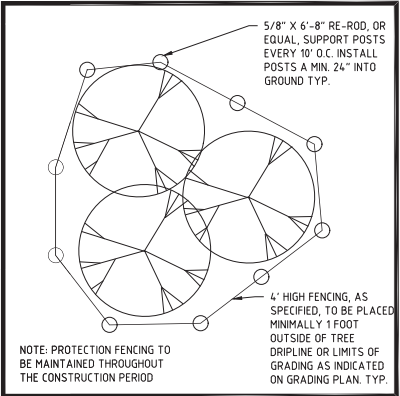
TREE SURVEY TABLE

Tree #	DBH	Botanical Name	Common Name	Condition	Comments	Regulated (R) / Not Regulated (n)	Landmark (L)	Save (S) / Remove (x)
46	6.5	Populus deltoides	Cottonwood	Good		n		s
47	7.0 / 7.0 / 8.1	Populus deltoides	Cottonwood	Fair	Multiple Trunks (3)	n		s
48	6.9 / 6.5 / 6.9 / 7.7 / 7.6	Salix nigra	Black Willow	Fair	Multiple Trunks (5)	R - wetland		x
49	5.7 / 5.3	Salix nigra	Black Willow	Fair	Multiple Trunks (2)	R - wetland		x
50	4.9 / 3.9 / 5.7 / 3.0	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	R - wetland		x
51	5.1 / 3.2 / 4.0	Salix nigra	Black Willow	Poor	Multiple Trunks (3)	R - wetland		x
52	6.8	Populus grandidentata	Big-tooth Aspen	Good		n		x
53	16.7	Pinus sylvestris	Scotch Pine	Good		R		x
54	6.3	Picea pungens	Blue Spruce	Good		R		s
55	6.1	Picea pungens	Blue Spruce	Good		R		s
56	23.6	Populus deltoides	Cottonwood	Fair		n		s
57	22.1	Quercus alba	White Oak	Good		R		x
58	5.6 / 4.0	Salix nigra	Black Willow	Fair	Multiple Trunks (2)	R - wetland		x
59	7.4 / 9.0 / 4.0 / 7.0 / 7.4	Salix nigra	Black Willow	Good	Multiple Trunks (5)	R - wetland		x
60	12.2	Salix nigra	Black Willow	Fair		n		s
61	11.5 / 15.4 / 17.3	Salix nigra	Black Willow	Fair	Multiple Trunks (3)	n		s
62	14.5	Salix nigra	Black Willow	Fair		n		s
63	6.8	Populus tremuloides	Quaking Aspen	Good		n		x
64	16.8	Salix nigra	Black Willow	Fair		R - wetland		x
65	12.8 / 13.2 / 12.0 / 9.2	Salix nigra	Black Willow	Fair	Multiple Trunks (4)	R - wetland		x
		Quercus palustris	Pin Oak	Dead		R		x
		Quercus palustris	Pin Oak	Dead		R		x
		Quercus palustris	Pin Oak	Dead		R		x
		Picea pungens	Blue Spruce			n		s
	8"	Ulmus americana	American Elm		off site	n		s
		Salix nigra	Black Willow			R - wetland		x
		Salix nigra	Black Willow			R - wetland		x
		Salix nigra	Black Willow			n		x
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
		Gleditsia tricanthos	Honey Locust		off site	n		s
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
	6"	Populus	Poplar			n		x
		Quercus rubra	Red Oak		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Pinus nigra	Austrian Pine		off site	R		s
		Prunus serotina	Black Cherry			R		x

TREE PROTECTION DETAIL

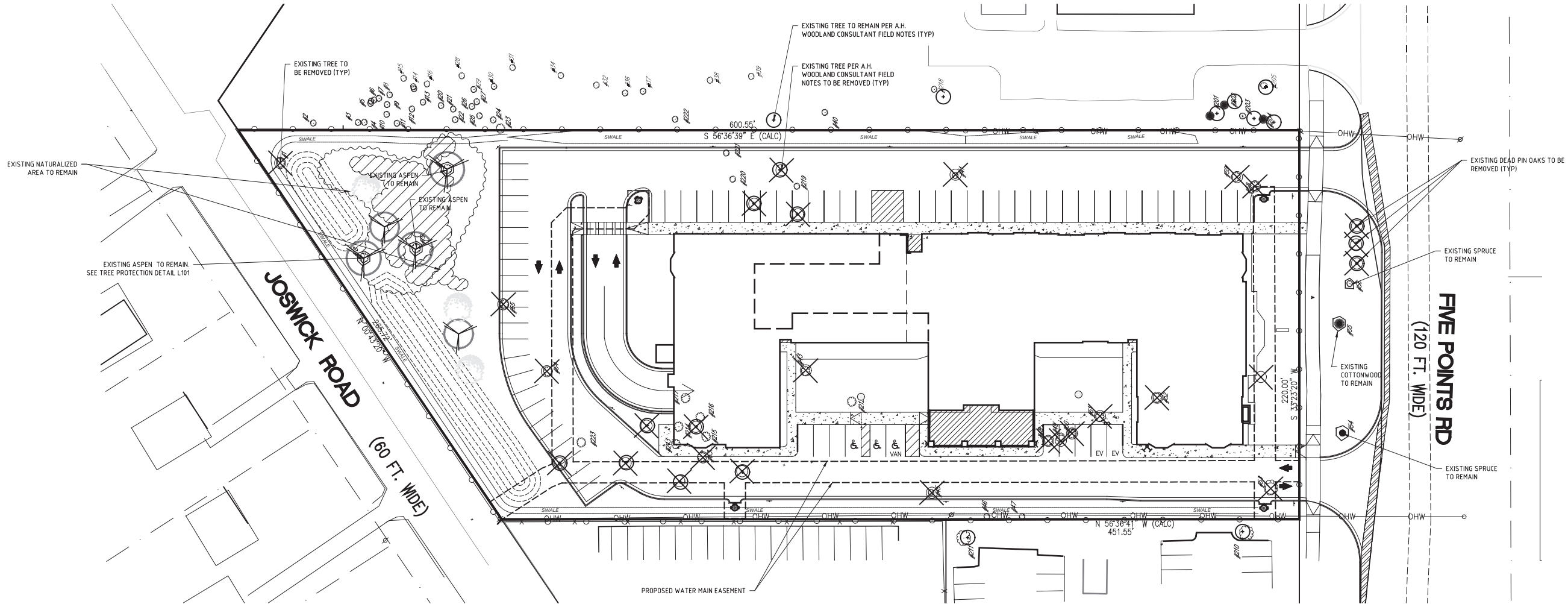


TREE PROTECTION DETAIL



TREE PROTECTION NOTES

- Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape
- Erect barriers of four (4) foot high fencing staked with metal "T-posts" five (5) feet on center or all such trees or groups of trees proposed to remain
- Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved by the City to be removed, or when a Certificate of Occupancy is issued
- Keep clear all debris of fill, equipment, and material from within the required protective barrier
- During construction, the owner, developer, or agent shall not cause or permit any activity within the fence line of any protected tree or groups of trees including, but not limited to, the storage of equipment, dumpsters, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree
- No damaging attachment, wires (other than cable wires for trees), signs, or permits may be fastened to any tree protected by this Ordinance



1 Tree Removal Plan

SCALE: 1" = 30'



NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008



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PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date



The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Tree Removal Plan

018230

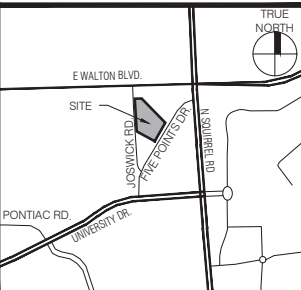
CS2.0

LOCATION MAP

APPLICANT/DEVELOPER:
OYK ENGINEERING & CONSTRUCTION
30700 TELEGRAPH RD.
SUITE 2665
BINGHAM FARMS, MI 48025
T: 248.656.7695
CONTACT: FRED HADID

1. All lighting shall be shielded and directed downward and away from adjacent properties. Lighting shall meet the requirements of Zoning Ordinance No. 372
2. Signs shall meet the requirements of Zoning Ordinance No. 372
3. No outside storage will be allowed, which includes pallet storage, overnight vehicles, or trailer storage.
4. Ground mounted transformers and roof mounted mechanical equipment shall be screened per Zoning Ordinance No. 372
5. Parking spaces shall be double striped per Zoning Ordinance No. 372
6. Environmental Impact Statement is not required
7. Land Division/Combination is not required
8. The underground parking garage is proposed to have dual charging station with the installation of conduit for additional future electric vehicle charging stations. One dual charging station is proposed on the surface parking area.
9. Special land use is not required

Regulation	Required (B-2)	Provided
Setbacks	Front: 25.00' Sides: 25.00'/50.00' total Rear: 20.00'	Front: 30.00 ' Sides: 59.00' & 39.75' Rear: 106.58'
Building Height	2 Stories/30'	31.69' (average height)
Building Coverage	n/a	24.78%
Density	n/a	26.0 units per acre
Pavement (Impervious Surfaces)	n/a	41.21% (47,753 SF)

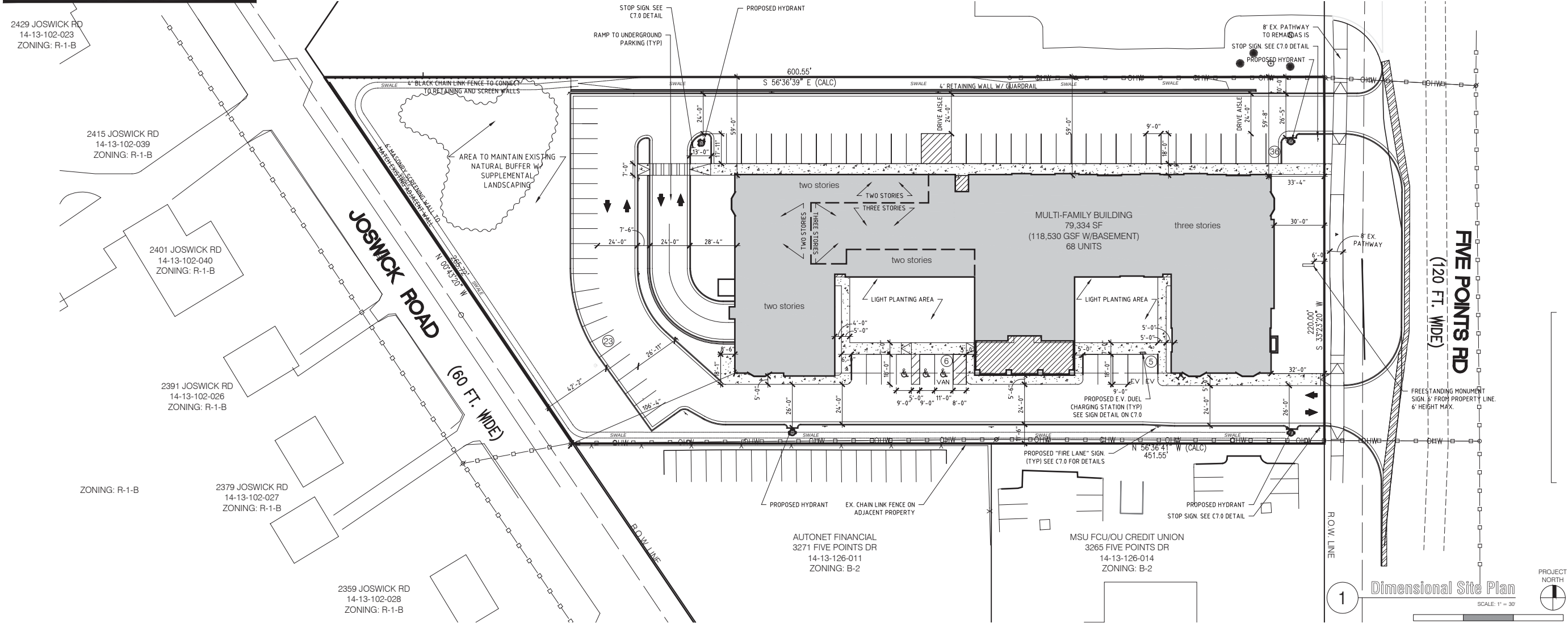


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LEGAL DESCRIPTION

Ex. tree buffer along Joswick to be enhanced with additional plantings
Underground parking garage to have overhead door with secured access

LOT 2, WESSON ESTATES SUB. NO. 1, CITY OF AUBURN HILLS,
OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 35, PAGE
58, OAKLAND COUNTY RECORDS

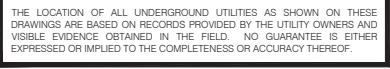


1 **Dimensional Site Plan**

SCALE: 1" = 30'

0' 30' 60' 90'

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008



1 Demolition Plan SCALE: 1" = 30' NORTH

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C2.0

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1. ALL MATERIAL TO BE REMOVED, WHETHER SPECIFICALLY NOTED IN THE PLANS OR NOT, SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR AND DISPOSED OF OFF-SITE IN A LEGAL MANNER. NO ON-SITE BURY OR BURN PITS SHALL BE ALLOWED.
2. ALL DEMOLITION WORK SHALL CONFORM TO ALL LOCAL CODES AND ORDINANCES.
3. STAGING/PHASING OF DEMOLITION AND CONSTRUCTION IS TO BE COORDINATED WITH THE OWNER AND THE CONTRACTOR PRIOR TO CONSTRUCTION.
4. SPECIFIC DEMOLITION ITEMS HAVE BEEN INDICATED ON THE PLANS AS A GUIDE TO THE GENERAL SCOPE OF THE WORK. IT IS THE INTENT THAT THESE ITEMS SHALL BE COMPLETELY REMOVED BY THE CONTRACTOR ABOVE AND BELOW GROUND, UNLESS SPECIFICALLY NOTED OTHERWISE, AND THAT DEMOLITION WILL INCLUDE BUT WILL NOT NECESSARILY BE LIMITED TO THESE ITEMS. CONTRACTOR SHALL VISIT SITE TO VERIFY EXISTING CONDITIONS AND EXTENTS OF THE DEMOLITION THAT WILL BE REQUIRED PRIOR TO SUBMITTING A BID.
5. REMOVE ALL STRUCTURES DESIGNATED FOR REMOVAL ACCORDING TO THE DEMOLITION PLAN. THIS INCLUDES CONCRETE SIDEWALKS, BRICK AND CURBED AREAS, ASPHALT, TRESS, ETC.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEAN UP, NOISE, DUST CONTROL, STREET SWEEPING AND HOURS OF OPERATION IN ACCORDANCE WITH THE LOCAL CODES.
7. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BARRICADES, SIGNAGE, MARKINGS, LIGHTS AND OTHER TRAFFIC CONTROL DEVICES TO PROTECT THE WORK ZONE AND SAFELY MAINTAIN TRAFFIC PER AGENCY REQUIREMENTS AND IN ACCORDANCE WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) LATEST EDITION.
8. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANIES TO CONFIRM THAT UTILITY LEADS HAVE BEEN TAKEN OUT OF SERVICE PRIOR TO DEMOLITION.
9. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND REPLACEMENT OF SIGNS AND SUPPORTS WITHIN THE WORK AREA, AS NECESSARY TO FACILITATE CONSTRUCTION. SIGNS SHALL BE PROTECTED OR STOCKPILED FOR REUSE AS SPECIFIED IN THE PLANS OR AS REQUIRED BY THE AGENCY OF JURISDICTION. THE CONTRACTOR SHALL REPLACE ANY DAMAGED SIGNS AND SUPPORTS AT NO ADDITIONAL COST TO THE OWNER.
10. THE CONTRACTOR SHALL NOTIFY MISS DIG, THE CITY OF AUBURN HILLS ENGINEER AND /OR THE AUTHORITY HAVING JURISDICTION 3 BUSINESS DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION.
11. THE LOCATION OF ANY UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE BASED ON RECORDS PROVIDED BY THE UTILITY OWNERS AND VISIBLE EVIDENCE OBTAINED IN THE FIELD. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED TO THE COMPLETENESS OR ACCURACY THEREOF.

ALL SITE FEATURES WITHIN THE LIMIT OF DISTURBANCE INDICATED ON THIS PLAN ARE TO BE REMOVED/DEMOLISHED UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL NOTIFY DESIGNHAUS ARCHITECTURE IF SIGNIFICANT DISCREPANCIES ARE DISCERNED BETWEEN THIS PLAN & FIELD CONDITIONS.

SIDWELL NO.:
14-13-126-014

Bhavisha Modi

CITY OF AUBURN HILLS STANDARD NOTES

- * CONSTRUCTION SHALL CONFORM TO CITY OF AUBURN HILLS STANDARDS.
- * NO WORK SHALL BE PERFORMED WITHOUT INSPECTION.
- * A PERMIT FROM THE DPW IS REQUIRED FOR ALL CONSTRUCTION WITHIN THE CITY ROW, NO EQUIPMENT OR MATERIAL STORAGE WILL BE PERMITTED IN THE PUBLIC ROW.
- * ALL CITY STREETS MUST BE MAINTAINED DURING CONSTRUCTION. STREETS SHALL BE KEPT FREE OF MUD, DIRT, CONSTRUCTION DEBRIS , AND THE LIKE. IF CLEAN UP IS NOT PERFORMED WITHIN 24 HOURS OF NOTIFICATION, THE CITY RESERVES THE RIGHT TO PERFORM SUCH WORK AND CHARGE THE DEVELOPER ACCORDINGLY.
- * WORKING HOURS (INCLUDING RUNNING OF ANY MACHINERY) SHALL BE RESTRICTED TO MONDAY THRU SATURDAY, 7AM TO 7PM; SUN UP TO SUNDOWN, WHICHEVER IS LESS. CONSTRUCTION OPERATIONS DURING THE PERIODS ABOVE SHALL BE PERMITTED ONLY AFTER WRITTEN APPROVAL OF THE CITY MANAGER OR HIS DESIGNEE.
- * ALL MATERIALS AND MANUFACTURES SHALL CONFORM TO THE STANDARD DETAILS.
- * UTILITY STRUCTURES SHALL NOT BE LOCATED IN DRIVEWAYS, AND WHERE POSSIBLE, SHALL NOT BE LOCATED IN PAVED AREAS.
- * THE CONTRACTORS SHALL NOTIFY ALL UTILITY COMPANIES IN ACCORDANCE WITH ACT 53 OF P.A.OF 1974 AND ALSO CONTACT OAKLAND COUNTY UTILITY PROTECTION SERVICES (MISS DIG 1-800-482-7171) THREE (3) WORKING DAYS BEFORE THE START OF ANY CONSTRUCTION.
- * THE CONTRACTOR SHALL PROVIDE NECESSARY SIGNS, BARRICADES, AND LIGHTS TO PROTECT TRAFFIC AND THE WORK AS DIRECTED BY THE ENGINEER. SUCH DEVICES SHALL BE PLACED PRIOR TO STARTING WORK IN THE AFFECTED AREAS.
- * ALL SOIL EROSION AND SEDIMENT CONTROLS SHALL BE IN ACCORDANCE WITH THE OAKLAND COUNTY STANDARDS AND DETAILS. THE CONTRACTOR SHALL FOLLOW LOCAL RULES FOR SOIL EROSION AND SEDIMENT CONTROL FOR ALL MATERIALS THAT ARE DISPOSED OF OFF OF THE PROJECT SITE.
- * ALL SOIL EROSION AND SEDIMENT CONTROL MEASURES MUST BE PROPERLY PLACED PRIOR TO GRADING OR OTHER CONSTRUCTION ACTIVITIES.
- * FIELD CHANGES TO THE APPROVED PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE INSPECTOR ON SITE WHO WILL DETERMINE IF THE CHANGE IS SIGNIFICANT. SIGNIFICANT FIELD CHANGES SHALL BE SUBMITTED TO THE CITY BY THE DESIGN ENGINEER. THE CITY SHALL NOT BE RESPONSIBLE FOR DELAYS IN THE APPROVED OF CHANGES TO THE APPROVED SITE IMPROVEMENT (ENGINEERING) PLAN.
- * WHERE POSSIBLE, PUBLIC UTILITIES SHALL NOT BE PLACED UNDER PAVEMENT. THE CITY OF AUBURN HILLS SHALL NOT BE RESPONSIBLE FOR PAVEMENT, CURB, OR OTHER RESTORATION OF PERMANENT FACILITIES LOCATED WITHIN THE MUNICIPAL EASEMENT.
- * 3 WORKING DAYS PRIOR TO STARTING CONSTRUCTION, CONTACT THE CONSTRUCTION DEPARTMENT OF OHM @ (734) 466-4539 TO SCHEDULE INSPECTION. OHM SHALL INSPECT ALL * SITE IMPROVEMENTS INCLUDING UNDERGROUND UTILITY INSTALLATION, EARTHWORK OPERATIONS, RETAINING WALLS, PAVEMENT IN THE CITY ROW, ALL SIDEWALKS OF SAFETY PATHS I ANY PUBLIC ROW, AND ANY ADDITIONAL ITEMS NOTED DURING REVIEW OR AT THE PRE-CONSTRUCTION MEETING. FINAL OCCUPANCY MAY BE AFFECTED IF PROCEDURES ARE NOT FOLLOWED FOR PROPER INSPECTION.
- * PERMANENT STRUCTURES OF ANY TYPE, INCLUDING BUT NOT LIMITED TO, TREES, LIGHT POLES, DRAINAGE STRUCTURES, SANITARY STRUCTURES, BENCHES, TRASH RECEPTACLES, ETC. WILL NOT BE ALLOWED WITHIN THE INFLUENCE OF THE PUBLIC WATER MAIN OR SANITARY SEWER EASEMENTS.

S.M.
ENGINEERS

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LAND PLANNER /
LANDSCAPE ARCHITECT
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TROY, MI 48085
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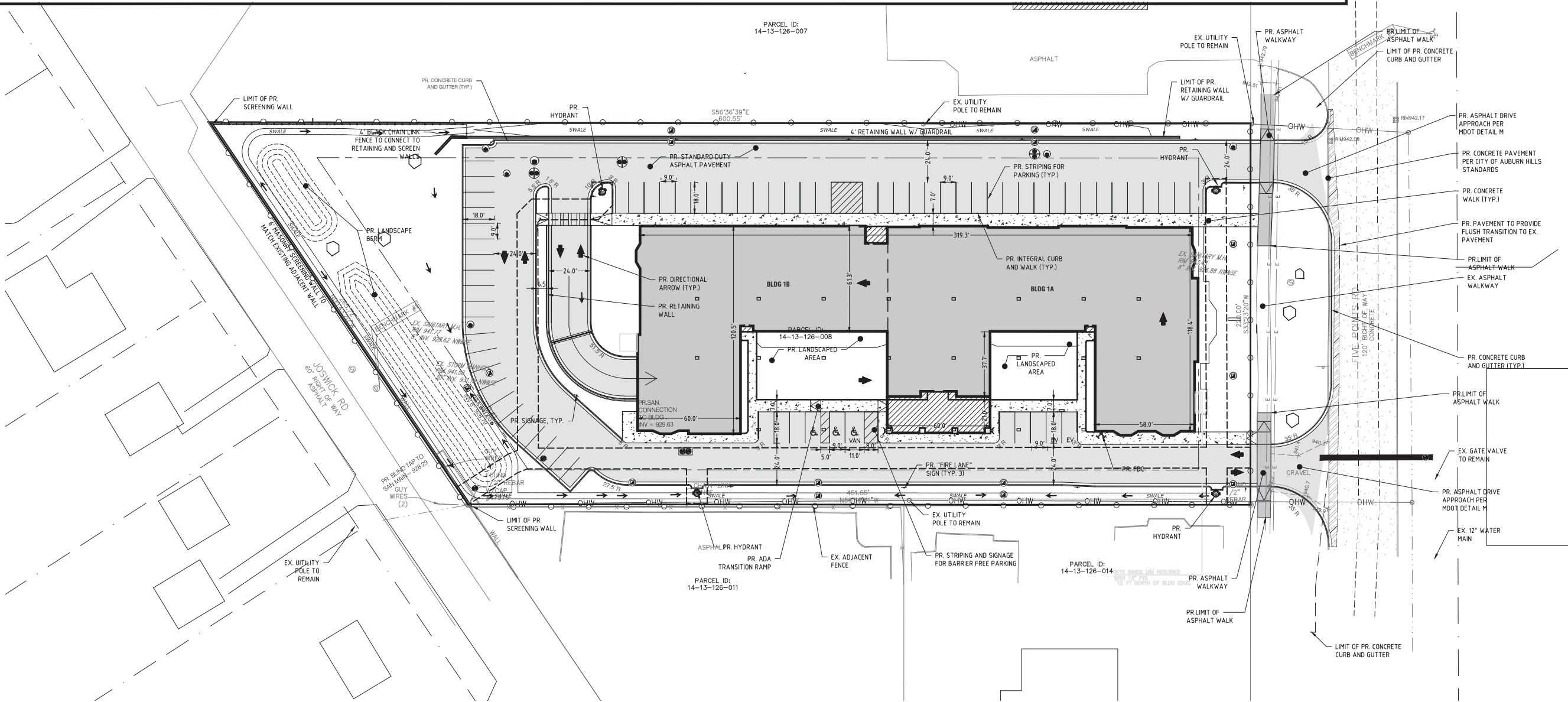
LEGEND

	PROPERTY LINE
	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PARKING LOT PAVEMENT
	PROPOSED 6" CONCRETE CURB AND GUTTER
	PROPOSED BUILDING

C3.0 Engineer Site Plan.dwg

2/15/2023

Bhavisha Modi



NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008

1

Engineering Site Plan

SCALE: 1" = 30'



The Avant at Five Points

PID:14-13-126-008
Five Points Drive
City of Auburn Hills, MI 48326

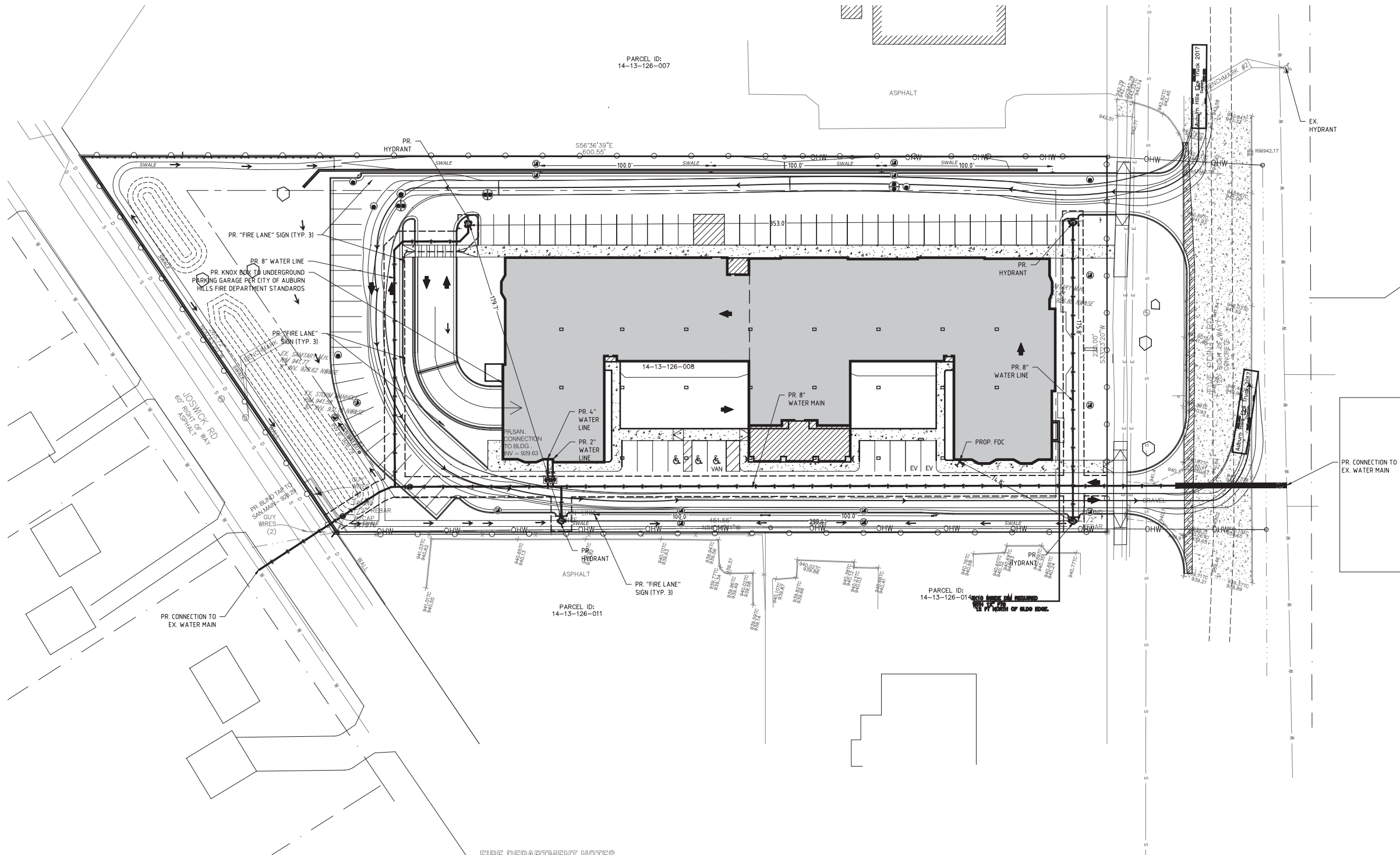
Engineering Site Plan

018230

C3.0

Eng Rev	01.11.23
Eng. Sub # 3	03.12.20
Eng. Sub # 2	02.14.20
Eng. Sub # 1	2.16.19
SPA/PUD Sub. #3	9.09.19
SPA/PUD Sub.# 2	8.13.19
SPA/PUD Submittal	7.31.19
P.C. Discussion	4.08.19
Revision/Issue	Date





FIRE DEPARTMENT NOTES

- * THE FOUR (4) INCH STEAMER CAPS ON ALL HYDRANTS WILL BE PAINTED ACCORDING TO THE FOLLOWING:
WHITE - 4" MAINS
RED - 6" MAINS
ORANGE - 8" MAINS
GREEN ON 12" MAINS
BLUE ON 16" OR LARGER MAINS.
- * NO PARKING SHALL BE PERMITTED AND/OR NO OBSTRUCTIONS SHALL BE PLACED OR CONSTRUCTED WITHIN (15) FEET OF ANY FIRE HYDRANT OR FDC PUBLIC OR PRIVATE.
- * THE FIRE DEPARTMENT CONNECTION MUST BE LOCATED WITHIN (100) FEET OF A FIRE HYDRANT AND WITHIN (50) FEET OF A MINIMUM (20) FOOT WIDE PAVED DRIVEWAY OR STREET.
- * GAS METERS, PROPANE TANKS, OVERHEAD ELECTRICAL SERVICE, AND TRANSFORMERS MUST NOT BE LOCATED ON THE SAME SIDE OF THE BUILDING OR STRUCTURE UNLESS A CLEAR DISTANCE OF (150) CAN BE MAINTAINED BETWEEN THE UTILITIES AND THE FDC.
- * ALL DRIVE AREAS MUST BE POSTED AS FIRE LANES WITH UNIFORM SIGNS IN KEEPING WITH THE STANDARD ESTABLISHED IN THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. SIGNS MUST BE ERECTED ON BOTH SIDES OF THE FIRE LANES WITH SPACING BETWEEN SIGNS NOT TO EXCEED (100) FEET.
- * DESIGNATED EXIT DOORS ONTO DRIVES OR PARKING AREAS MUST BE PROTECTED WITH GUARD POSTS OR PARKING BLOCKS.
- * A WHITE HIGH VISIBILITY STRIP SHALL BE PAINTED ON THE UPPER FLANGE OF ALL FIRE HYDRANTS.

S.M. ENGINEERS

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LANDSCAPE ARCHITECT

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1 Fire Truck Access Plan
SCALE: 1" = 30'

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008

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Eng Rev	11.11.23
Eng. Sub # 2	2.14.20
Eng. Sub # 1	2.16.15
---	---
Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date



The Avant at Five Points
PID: 14-13-126-008
Five Points Drive
City of Auburn Hills, MI 48326

Fire Truck Access Plan

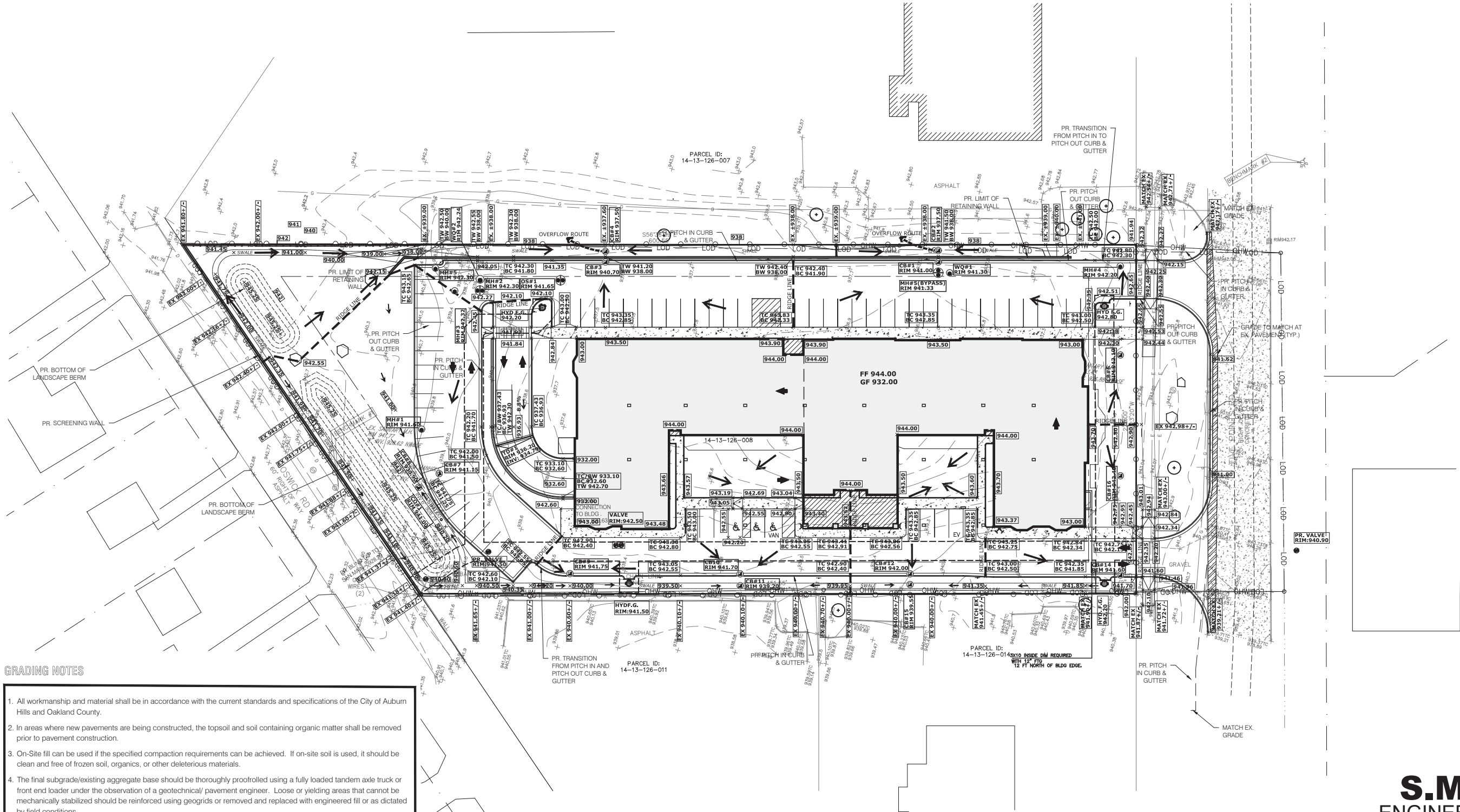
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GRADING NOTES

1. All workmanship and material shall be in accordance with the current standards and specifications of the City of Auburn Hills and Oakland County.
2. In areas where new pavements are being constructed, the topsoil and soil containing organic matter shall be removed prior to pavement construction.
3. On-Site fill can be used if the specified compaction requirements can be achieved. If on-site soil is used, it should be clean and free of frozen soil, organics, or other deleterious materials.
4. The final subgrade/existing aggregate base should be thoroughly proofrolled using a fully loaded tandem axle truck or front end loader under the observation of a geotechnical/ pavement engineer. Loose or yielding areas that cannot be mechanically stabilized should be reinforced using geogrids or removed and replaced with engineered fill or as dictated by field conditions.
5. Subgrade undercutting, including backfilling shall be performed to replace materials susceptible to frost heaving and unstable soil conditions. Any excavations that may be required below the topsoil in fill sections or below subgrade in cut sections, will be classified as subgrade undercutting.
6. Subgrade undercutting, including backfilling shall be performed where necessary and the excavated material shall become the property of the contractor. Any subgrade undercutting shall be backfilled with sand or other similar approved material. Backfill shall be compacted to 95% of the maximum unit weight (per astm D-1557) Unless otherwise specified.
7. Backfill under paved areas shall be as specified on details.
8. Any sub-grade watering required to achieve required density shall be considered incidental to the job.
9. Final pavement elevations should be so designed to provide positive surface drainage. A minimum surface slope of 1.0 percent is recommended.
10. Construction traffic should be minimized on the new pavement. If construction traffic is anticipated on the pavement structure, the initial lift thickness could be increased and placement of the final lift could be delayed until the majority of the construction activities have been completed. This action will allow repair of localized failure, if any does occur, as well as reduce load damage on the pavement system.
11. Pavement slopes shall be between 1% and 4% for parking areas and 1% and 6% for drives. Slopes to adjacent property shall not exceed 1:4.
12. Existing grading is to be matched at the property line unless otherwise shown on the Grading Plan.

LEGEND

	PROPERTY LINE
	EXISTING GRADES
	PROPOSED GRADES
	PROPOSED RIDGELINE
	PROPOSED CATCH BASIN AND MANHOLE



S.M. ENGINEERS

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LAND PLANNER /
LANDSCAPE ARCHITECT

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1 Grading Plan
SCALE: 1" = 30'

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008

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Eng Rev	01.11.23
Eng. Sub # 3	03.12.20
Eng. Sub # 2	02.14.20
Eng. Sub # 1	02.16.19
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Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date

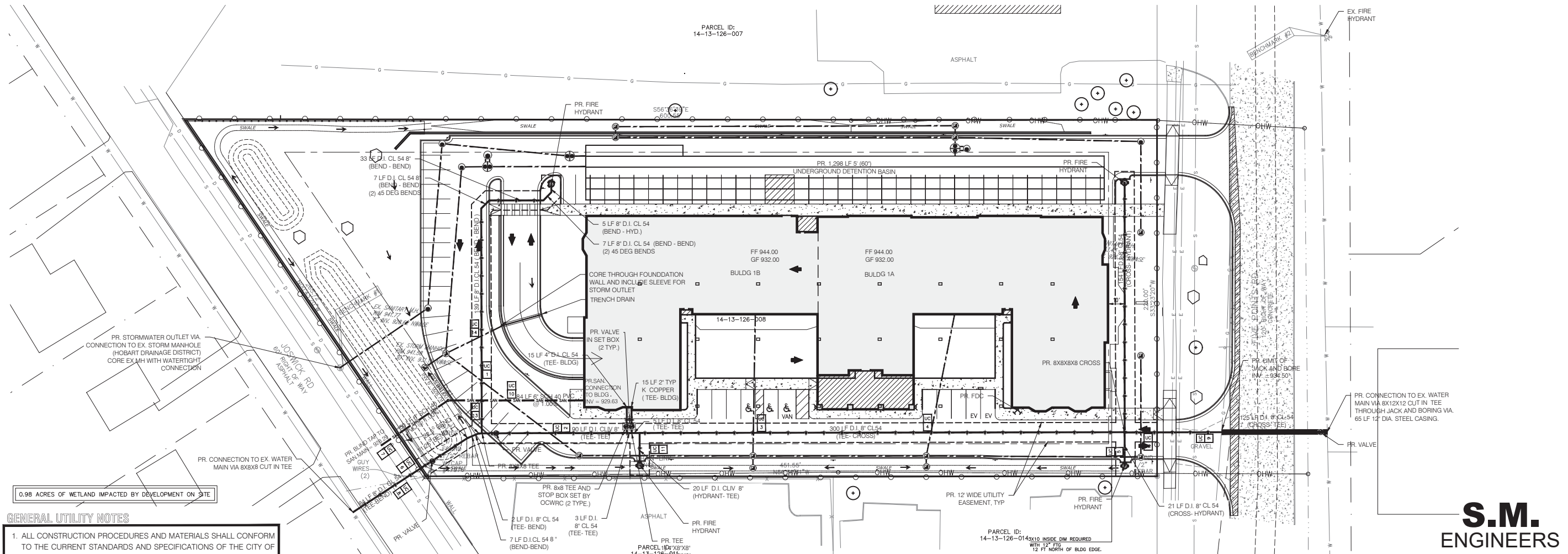


The Avant at Five Points
PID: 14-13-126-008
Five Points Drive
City of Auburn Hills, MI 48326

GradingPlan

018230

C4.0



0.98 ACRES OF WETLAND IMPACTED BY DEVELOPMENT ON SITE

GENERAL UTILITY NOTES

1. ALL CONSTRUCTION PROCEDURES AND MATERIALS SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF AUBURN HILLS.
2. A PRE-CONSTRUCTION MEETING SHALL BE SCHEDULED BY THE CITY OF AUBURN HILLS AND HELD PRIOR TO THE START OF CONSTRUCTION.
3. CONTRACTOR MUST CONTACT MISS DIG (811) AT LEAST THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION FOR UNDERGROUND UTILITY LOCATIONS. ALL UTILITIES SHALL BE STAKED BEFORE CONSTRUCTION BEGINS.
4. ALL WATER MAIN EASEMENTS SHALL BE PROVIDED PRIOR TO CONSTRUCTION AND ACCEPTANCE OF THE WATER DISTRIBUTION SYSTEM.
5. WATER MAINS SHALL BE CONSTRUCTED WITH A MINIMUM COVER OF 6 FEET BELOW FINISHED GRADES, INCLUDING OPEN DRAINAGE COURSES.
6. ALL TRENCHES UNDER OR WITHIN A 1:1 RATIO OF EXISTING OR PROPOSED PAVEMENT OR DRIVEWAYS, SHALL BE BACKFILLED WITH COMPACTED CLASS II SAND TO GRADE (95% MAXIMUM UNIT DENSITY).
7. WHERE TWO UTILITIES CROSS, PROVIDE CLASS II BACKFILL MATERIAL IN SIX (6) INCH COMPACTED LAYERS TO TOP HIGHEST UTILITY.
8. WHERE WATER MAINS DIP UNDER OTHER UTILITIES, THE SECTIONS WHICH ARE DEEPER THAN NORMAL SHALL BE CONSTRUCTED WITH 11-1/4" VERTICAL BENDS, 22 1/2° OR 45° BENDS MUST BE RODDED AND PROPERLY ANCHORED.
9. ALL PRECAST CONCRETE GATE WELL SECTIONS SHALL BE IN ACCORDANCE WITH A.S.T.M. C478, STANDARD SPECIFICATIONS FOR PRECAST REINFORCED CONCRETE MANHOLE SECTIONS. WALL THICKNESS SHALL BE AS SHOWN ON THESE DETAILS. ALL JOINTS FOR PRECAST CONCRETE GATE WELL SECTIONS SHALL BE "MODIFIED GROOVE TONGUE" WITH GASKET MANUFACTURED TO CONFORM WITH A.S.T.M. C443, STANDARD SPECIFICATION FOR JOINTS FOR CIRCULAR CONCRETE SEWER AND CULVERT PIPE USING RUBBER GASKETS.
10. CONTRACTOR SHALL INSTALL VALVES, TAPPING SLEEVES, AND GATE WELL STRUCTURES IN STRICT COMPLIANCE WITH MEASUREMENTS PROVIDED ON SHEET 1 (2'-0" BETWEEN GATE WELL WELL AND CENTERLINE OF OPERATING NUT) TO ALLOW PROPER OPERATION OF VALVE THROUGH GATE WELL OPENING.
11. ALL CROSS-CONNECTION CONTROL DEVICES SHALL BE INSTALLED AS REQUIRED BY THE CITY OF AUBURN HILLS PLUMBING INSPECTOR AND IN ACCORDANCE WITH THE STANDARDS OF THE OAKLAND COUNTY DRAIN COMMISSIONER OPERATION AND MAINTENANCE DIVISION AND THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF DRINKING WATER AND RADIOLOGICAL PROTECTION.

12. ALL WATER SERVICE CONNECTIONS TWO (2) INCHES AND SMALLER SHALL BE MADE BY THE CITY OF AUBURN HILLS, DEPARTMENT OF PUBLIC SERVICES AFTER WATER MAIN ACCEPTANCE AND APPLICABLE PERMITS ARE OBTAINED.
13. ALL FITTINGS AND BENDS SHOULD BE BLOCKED IN ACCORDANCE WITH THRUST BLOCK DETAILS, UNLESS ALTERNATE THRUST RESTRAINT SYSTEM, AS INDICATED PLANS AND SPECIFICATIONS, IS APPROVED BY THE CITY OF AUBURN HILLS DEPARTMENT OF PUBLIC SERVICES.
14. MAINTAIN 10' - FOOT HORIZONTAL SEPARATION BETWEEN ALL UNDERGROUND UTILITIES THROUGHOUT.
15. WATERMAIN, SANITARY, STORM EASEMENTS AND STORM MAINTENANCE AGREEMENT WILL BE PROVIDED WITH ENGINEERING APPROVAL PLANS.
16. EXISTING AND PROPOSED WATER MAIN COVER MUST BE MAINTAINED AT 5.5'.
17. EXISTING AND PROPOSED SANITARY SEWER MUST BE MAINTAINED AT 4'.
18. EXISTING AND PROPOSED STORM SEWER MUST BE MAINTAINED AT 2.5'.
19. PROPOSED MINIMUM SANITARY LEAD IS TO BE A 6" DIAMETER SDR 23.5 @ 1.00% SLOPE.



Know what's below.
Call before you dig.

UTILITY CROSSING SCHEDULE

UC 1	GRADE 941.50± 18" STORM INV 934.43 TOP OF 8" WTR: 932.70 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 5	GRADE 941.70± 12" STORM INVERT 937.47 TOP OF 8" WTR 935.77 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 10	6" SAN INV: 929.16 18" STORM INVERT 934.46 TOP OF 6" SAN 929.66 (CLEARANCE 4.8 FT)
UC 2	GRADE 942.15± 18" STORM INVERT 934.52 TOP OF 8" WTR 932.50 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 6	GRADE 940.95± EX 30" STORM INVERT 930.46± TOP OF 8" WTR 935.45 BOTTOM OF 8" WTR: 934.78 TOP OF EX 30" STORM: 932.96± (CLEARANCE 1.82 FT.)	UC 11	GRADE 942.17± 15" STORM INVERT 934.78 TOP OF 8" WTR 933.08 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)
UC 3	GRADE 942.00± 12" STORM INVERT 937.76 TOP OF 8" WTR 936.06 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 7	6" SAN INV: 928.35 TOP OF 6" SAN 928.85 EX 30" STORM INVERT 930.68 (CLEARANCE 1.83 FT)	UC 12	GRADE 941.95± 12" STORM INVERT 937.65 TOP OF 8" WTR 935.95 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)
UC 4	GRADE 942.30± 12" STORM INVERT 938.05 TOP OF 8" WTR 936.35 (WATERMAIN DIPPED WITH MIN. CLEARANCE 1.5 FT, DIPPING/DEFLECTING OF THE WATERMAIN SHALL FOLLOW APPLICABLE AGENCY STANDARDS)	UC 8	GRADE 941.05± TOP OF 8" WTR : 935.55 BOTTOM OF 8" WTR : 934.88 TOP OF EX 8" SAN : 928.20 EX 8" SAN INV: 927.54 (TOTAL CLEARANCE 6.68 FT)	UC 13	GRADE 941.53± 6" SAN INVERT 929.00 TOP OF 6" SAN 929.50 TOP OF 8" WTR 936.03 BOTTOM OF 8" WTR 935.36 (TOTAL CLEARANCE 5.86 FT)
		UC 9	GRADE 941.80± EX 8" SAN INV: 926.18 TOP OF EX 8" SAN: 926.85 TOP OF 8" WTR : 936.30 BOTTOM OF 8" WTR: 935.98 (TOTAL CLEARANCE 9.13 FT)	UC 14	GRADE 941.42± TOP OF 8" WTR 933.05 12" STIM INVERT 935.93 (TOTAL CLEARANCE 2.88 FT)

SANITARY BASIS OF DESIGN CALCULATION

PROPOSED USAGEAGE	
TOTAL NUMBER OF UNITS	= 61 UNITS
R.E.U FOR HOTELS	= 0.60 PER RESIDENCE
TOTAL NUMBER OF R.E.U'S	= 36.6 R.E.U
ASSUMED R.E.U	= 37.0 R.E.U
POPULATION EQUIVALENT	
POPULATION	= 3.5 Persons per R.E.U.
AVERAGE FLOW RATE	= 130.0 Persons
AVERAGE FLOW RATE	= 100 Gallons per capita per day
AVERAGE FLOW RATE	= 12950 GPD
PEAK FACTOR	= 0.01295 MGD
PEAK FLOW	= 2.0 (Per city of Auburn Hills Standard)
PEAK FLOW	
= (2.0)*(12950 GPD)	
= 25900 = 0.0259 MGD	

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008

THE LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE BASED ON RECORDS PROVIDED BY THE UTILITY OWNERS AND VISIBLE EVIDENCE OBTAINED IN THE FIELD. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED TO THE COMPLETENESS OR ACCURACY THEREOF.

LEGEND

---	PROPOSED EASEMENT
---	PROPERTY LINE
---	PROPOSED SANITARY LATERAL
---	PROPOSED WATER LINE
---	PROPOSED STORMWATER PIPING
---	PROPOSED WATER STRUCTURES
---	PROPOSED MANHOLES AND CATCH BASIN
---	PROPOSED SANITARY CLEANOUT

1

Water and Sanitary Plan

SCALE: 1" = 30'



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Eng Rev	01.11.23
Eng. Sub # 3	03.12.20
Eng. Sub # 2	02.14.20
Eng. Sub # 1	2.16.19
---	---
Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date

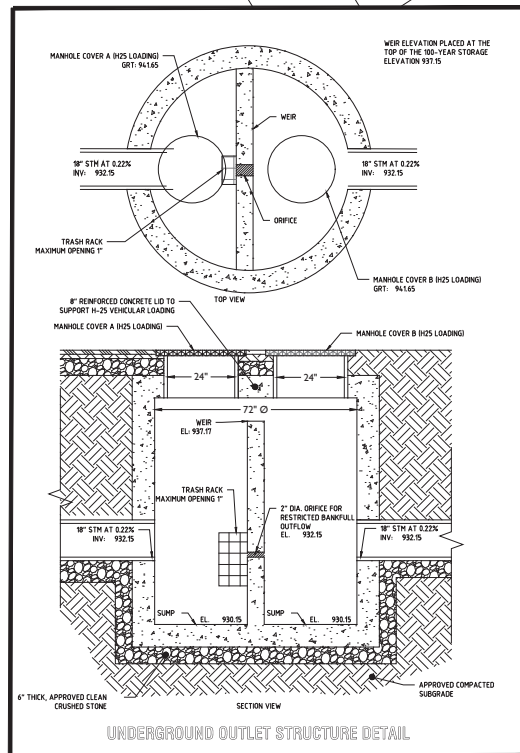


The Avant at Five Points
PID: 14-13-126-008
Five Points Drive
City of Auburn Hills, MI 48326

Water and
Sanitary Plan

018230

C5.0



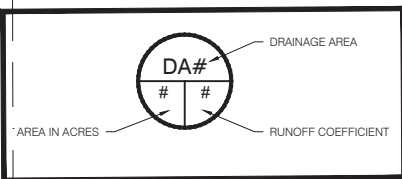
The Avant		01.10.23		STORM SEWER CALCULATIONS																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
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CIVIL ENGINEER/ SURVEY /
LAND PLANNER /
LANDSCAPE ARCHITECT

4071 KEATS DRIVE,
TROY, MI 48085
T: 248.835.3553

DRAINAGE AREA KEY



DRAINAGE QUANTITIES

18" RCP CLIV STORM PIPE	554 LF
15" RCP CLIV STORM PIPE	118 LF
12" RCP CLIV STORM PIPE	797 LF
8" SCH 40 PVC STORM LEAD	175 LF
STORM MANHOLE	4
STORM MANHOLE (BYPASS)	2
CATCH BASIN	14
WATER QUALITY STRUCTURE	2
OUTLET STRUCTURE	1

THE LOCATION OF ALL UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE BASED ON RECORDS PROVIDED BY THE UTILITY OWNERS AND VISIBLE EVIDENCE OBTAINED IN THE FIELD. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED TO THE COMPLETENESS OR ACCURACY THEREOF.

OUTLET CONTROL STRUCTURE CALCULATIONS

Area of Site (A) = 3.49 Acres,
Qa = 3.49 x 0.09 = 0.31 CFS
C_{AVG} = 0.54
Lowest FG at Underground Detention = 941.54
Underground 60" Invert elevation = 932.17
100 Year Elevation = 937.17
Invert at Outlet Control Structure = 932.15
Outlet Orifice Elevation = 932.15
A = Q / (0.62 x (2 x g x Havg) ^ (0.5))
Havg = ELEV100 - ELEV_{orifice} = 5.0 ft
D = 2" at 932.15



Know what's below.
Call before you dig.

DETENTION CALCULATIONS

Area of Site (A) = 3.49 Acres, Qa = 3.49 x 0.09 = 0.31 CFS
C_{PAVED} = 0.90 C_{GRASS} = 0.20
Weighted Value C_{PAVED} = (73,452 SF) * (0.90) = 66,107 SF
Weighted Value C_{GRASS} = (78,388 SF) * (0.20) = 15,678 SF
C_{AVG} = (66,107 SF + 15,678 SF) / (78,388 SF + 73,452 SF) = 0.54
Qo = 0.31 CFS / (3.49 x 0.54) = 0.17
T100 = -25 + Sq.Rt. (10,312.5/Qo) = 223.43 min.
Vs = (16,500 T / (T + 25)) - 40 Qo T = 13,346 CF
Vt = Vs x A x 0.54 = 25,089 CF
Total Detention Storage Required = 25,089 CF
Proposed pipe size = 5' dia. = 60"
Pipe area = 19.63 SF
Provided length of pipe = 1,340 LF
Total Detention Storage Provided = 26,304 CF

1

Stormwater Management Plan

SCALE: 1" = 30'



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Eng Rev	11.11.23
Eng. Sub # 3	3.12.20
Eng. Sub # 2	02.14.20
Eng. Sub # 1	2.16.19
Progress	7.13.20
50% Progress	4.14.20
Owner Review	3.25.20
Revision/Issue	Date



The Avant at Five Points
PID: 14-13-126-008
Five Points Drive
City of Auburn Hills, MI 48326

Stormwater
Management Plan

018230

C6.0

PLANTING DETAILS

DECIDUOUS TREES

EVERGREEN TREES

PERENNIALS

SHRUBS

TREE PROTECTION NOTES

1. Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape.
2. Erect barriers of four (4) foot high fencing staked with metal "T-posts" five (5) feet on center or all such trees or groups of trees proposed to remain
3. Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved by the City to be removed, or when a Certificate of Occupancy is issued
4. Keep clear all debris or fill, equipment, and material from within the required protective barrier
5. During construction, the owner, developer, or agent shall not cause or permit any activity within the fence line of any protected tree or group of trees including, but not limited to, the storage of equipment, dumpster, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree
6. No damaging attachment, wires (other than cable wires for trees), signs or permits may be fastened to any tree protected by this Ordinance

REPLACEMENT TREE INFO

Description	Surveyed Trees	Replacement Trees
Non-Regulated Trees	56 Trees	0 Required/Provided
Removed Landmark Trees (0')	0 Trees	0 Required/Provided
Removed Regulated Trees	20 Trees	28 Provided
Previous Mass-Grading	N/A	N/A
Saved Trees	59	N/A

REGULATIONS

Parcel Area: 2.66 Acres Gross (2.22 Acres Net)		
Requirement	Required	Provided
Net Landscape Area	20% of net area: 19,340 SF	41.07% (39,719 SF)
Site Area Landscaping	50/50 approx. mix of evergreen & deciduous trees per 1,000 SF of required landscape area 19,340 SF Required = 20 trees	70 Trees Total (40 Deciduous + 30 Evergreen)
Frontage Landscaping	1 tree per 30' along road 220' frontage/30 = 7 Trees (Five Points) 265' frontage/30 = 9 trees (Joswick)	7 Trees (Five Points) 20 Trees (Joswick) 27 Frontage Trees
Parking Interior Landscaping	N/A	N/A
Total Replacement Trees	20 Regulated Trees to be replaced	20 Trees Provided
Total Landscape Trees	36 Trees Required	86 Total Trees Provided

LANDSCAPE/TREE REPLACEMENT NOTES

1. All installed trees are to have a straight trunk
2. All installed trees are to be northern grown
3. All installed trees are to be state department of agriculture nursery grade no. 1 or better
4. All replacement trees are considered protected regardless of size
5. All trees shall be guaranteed for a minimum of two years
6. All landscaped areas shall be irrigated with an underground sprinkler system

PLANT SCHEDULE (TREES)

Diversity Requirements:
One genus to contribute no more than 40% of trees (86 trees x 0.40 = 34 trees max per genus)
One species to contribute to no more than 20% of the trees (86 trees x 0.20 = 17 trees max per species)

QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)	SPECIES	GENUS
12	At	ACER x freemanii 'ARMSTRONG/FREEMAN MAPLE	3" CAL	19%	14%
8	Ap	Pinus nigra AUSTRIAN PINE	8" B&B	17%	9%
4	As	ACER rubrum 'RED SUNSET/RED SUNSET MAPLE	3" CAL	19%	5%
6	Al	AMELANCHIER leavis/SERVICEBERRY	8-10' B&B	7%	7%
4	Gt	GLEDITSIA triacanthos f. inermis 'SKYCOLE/ THORNLESS HONEYLOCUST	3" CAL	5%	5%
6	Pg	PICEA glauca 'DENSATA/BLACK HILLS SPRUCE	8" B&B	23%	7%
7	Rc	Juniperus virginiana EASTERN RED CEDAR	8" B&B	8%	8%
16	Tp	THUJA (standish x plicata) 'GREEN GIANT/GREEN GIANT ARBORVITAE	8" B&B	19%	19%
2	Sw	Quercus bicolor SWAMP WHITE OAK	3" CAL	2%	2%
7	Wp	Pinus strobus WHITE PINE	8" B&B	17%	8%
14	Ws	Picea glauca WHITE SPRUCE	8" B&B	23%	16%
TOTAL TREES: 86			100%		

PLANT SCHEDULE (SHRUBS/PERENNIALS/ORNAMENTAL GRASSES)

QTY	KEY	BOTANICAL NAME/COMMON NAME	SIZE/ROOT (min)
54	Bg	BUXUS x 'GREEN VELVET/GREEN VELVET BOXWOOD	3 GAL
35	Ca	CALAMAGROSTIS x acutiflora/KARL FOERSTER GRASS	3 GAL
26	Hp	HYDRANGEA paniculata 'JANE/LITTLE LIME HARDY HYDRANGEA	3 GAL
31	Hs	HEMEROCALLIS/STELLA D'ORO DAYLILY	1 GAL (12" O.C.)
39	Pa	PENNISETUM alopecuroides 'HAMELN/DWARF FOUNTAIN GRASS	1 GAL
43	Js	JUNIPEROUS scopulorum WITCHITA BLUE/WICHITA BLUE JUNIPER	5 GAL
34	Ss	SEDUM spectabile 'AUTUMN JOY/AUTUMN JOY STONECROP	1 GAL
48	Th	TAXUS x media 'HICKSII/HICKSII YEW	15-18" B&B
25	Vm	VIBURNUM plicatum tomentosum 'MARIESII/DOUBLEFILE VIBURNUM	30-32" B&B
TOTAL SHRUBS/PERENNIALS/ORNAMENTAL GRASSES: 325			

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ARCHITECTURE

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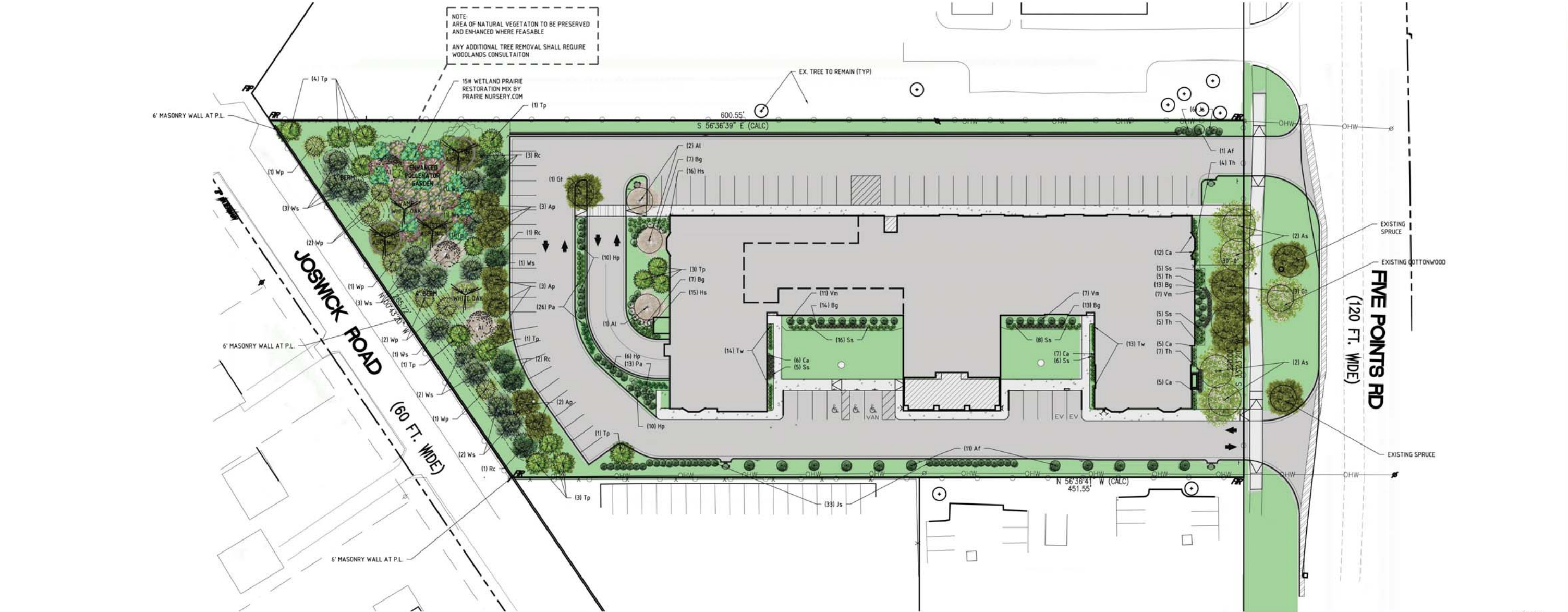
PUD Resubmission	---
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date

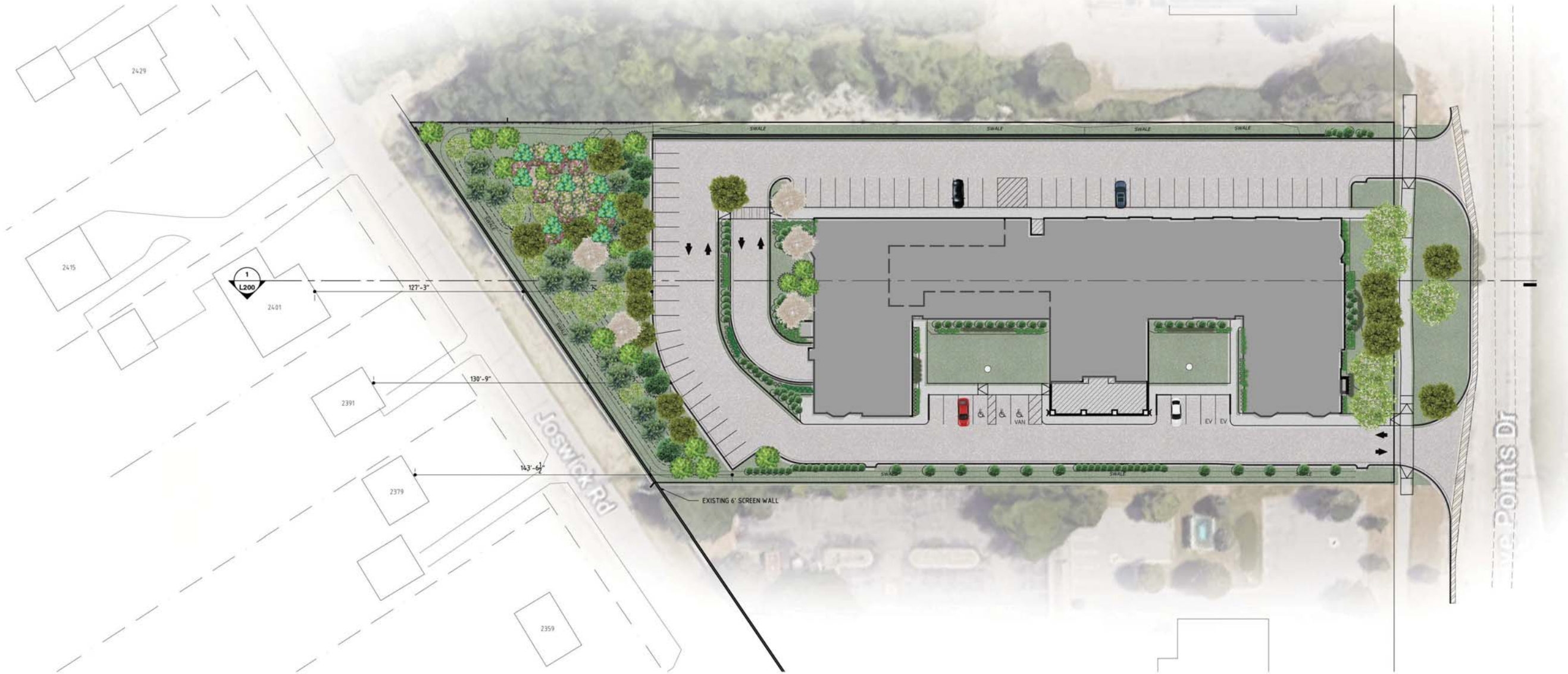


The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

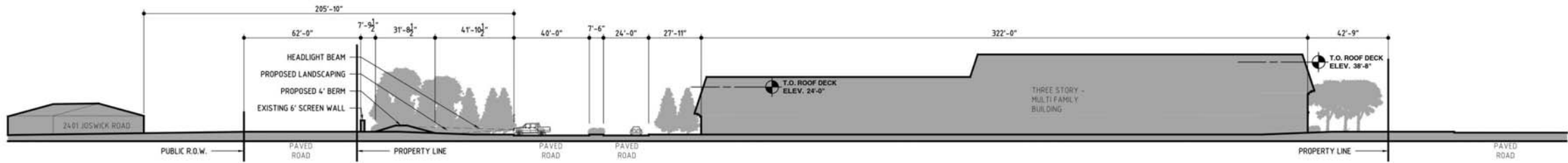
Landscape Plan

018230
L100





2 Headlight Site Section Plan
SCALE: 1/32" = 1'



1 Headlight Site Section
SCALE: 1/8" = 1'

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EST
1998

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PUD Resubmission	---
PUD Resubmission	23.02.20
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date
PUD Resubmission	22.08.05
Revision/Issue	Date

Headlight Offset
Site Section

018230

L200

The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

PROJECT NORTH

General Note
1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.
2. SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTOR.
3. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: GRADE

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-6705

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Grade	+	1.1 fc	9.4 fc	0.0 fc	N/A	N/A	0.1:1
Main Entrance	✕	4.8 fc	8.6 fc	1.5 fc	5.7:1	3.2:1	0.6:1
North Lot	✕	1.6 fc	7.1 fc	0.3 fc	23.7:1	5.3:1	0.2:1
South Lot	✕	2.3 fc	7.4 fc	0.3 fc	24.7:1	7.7:1	0.3:1
West Drive	✕	1.8 fc	5.9 fc	0.4 fc	14.8:1	4.5:1	0.3:1

Schedule										
Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Number Lamps	Filename	Lumens per Lamp	LLF	Wattage
○	A	9	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 3 DISTRIBUTION WITH BACK LIGHT CONTROL	1	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS.ies	4467	0.9	64
○	B	6	Lumenpulse Inc.	NAU8200 XX CPL L50 40K 3	NAUTICA 53W 4000K TYPE III DECORATIVE CHABOUD	1	X7100-0LE3-056L-CW.ies	4423	0.9	60.75
○	C	3	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-55	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 5 SQUARE DISTRIBUTION	1	LIAM-120-277-CSL-M110-40K-CRI 80-55.ies	10133	0.9	92
○	D	2	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 3 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-3 BLS.ies	5940	0.9	92
○	E	6	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-4	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 4 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-4.ies	9366	0.9	92
○	F	2	Lumenpulse	LIAM-120-277-CSL-M110-40K-CRI 80-4 BLS	Lumenpulse Medium CLEARSITE LENS 11000LM 40K CRI 80 TYPE 4 DISTRIBUTION BACK LIGHT SHIELD	1	LIAM-120-277-CSL-M110-40K-CRI 80-4 BLS.ies	4870	0.9	92

Specification Sheet

Allegra Medium
7200

Specification Sheet

lumenicon
Area Medium
0401



Colors and Color Temperatures



Description

The Allegra 8200 is a durable, high-performance LED luminaire for nautical and marine environments, including boardwalks, piers, docks, lakeside promenades and seaside parks. Featuring a nautical design and a small form factor, the luminaire is endlessly adaptable, with a choice of outputs, color temperatures, mounting arms (pole, side or decorative), finishes, and colors.

Features

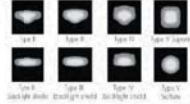
Output (module lumens)	2540lm (30W, 1 LED module), 5090lm (35W, 1 LED module)
Color and Color Temperature	3000K, 4000K, 5000K
Distributions	Type R, Type W, Type VS
Optical Option	Decorative shield
Options	Photoelectric cell button type, Surge protector
Mounting Options	Top mounted
Warranty	5-year limited warranty
Performance	
Color Rendering	70+
Lumen Maintenance	>70,000 hrs (fc 35 °C)

NOTE:

- 1) The light poles with fixtures shall be no taller than 16.53 feet, measured from the grade to the top of the light fixture.
- 2) Full cut-off fixtures shall be used to prevent glare and direct illumination away from adjacent properties and streets.
- 3) The lens shall be flat and flush with the bottom of the shielded light fixture casing.



Distributions



Colors and Color Temperatures



Control

ON/OFF 0-10V

Rating

IP65 (light engine only)

Certifications



Description

The Lumenicon Area Medium creates a consistent aesthetic while illuminating city streets, local roads, residential streets, parking lots and overpasses. An innovative, toolless opening system makes the plug-and-play component easy to access. IP65-rated with phenomenal heat dissipation, the Lumenicon Area Medium is ready to take it to the streets (or parking lots, or building sites, or overpasses, or...).

Features

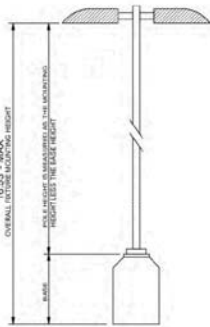
Color and Color Temperature	2200K, 2700K, 3000K, 3500K, 4000K, 5700K
Distributions	Type R, Type W or Type VS (with or without backlight shield), Type S square and Type V Square
3G Vibration Rated	Meets 3G ANSI C136.31 vibration standard for bridge applications
Options	Surge protector, 5 pins receptacle, 5 pins receptacle with shoring cap, 7 pin receptacle, 7 pins receptacle with shoring cap
Warranty	5-year limited warranty
Performance	
Output (nominal lumens)	Minimum 3000lm / Maximum 20000lm
Color Rendering	3 SEDCM at CRI 70+ and 2 SEDCM at CRI 80+
Lumen Maintenance	(lm21) L70 L27,000 hrs (projected, to 77 °F), 36,000 hrs (projected, to 77 °F)
Dark sky	Dark sky compliant (2200K, 2700K, 3000K and 3500K Color temperatures, BUG rating of U0)

lumenpulse

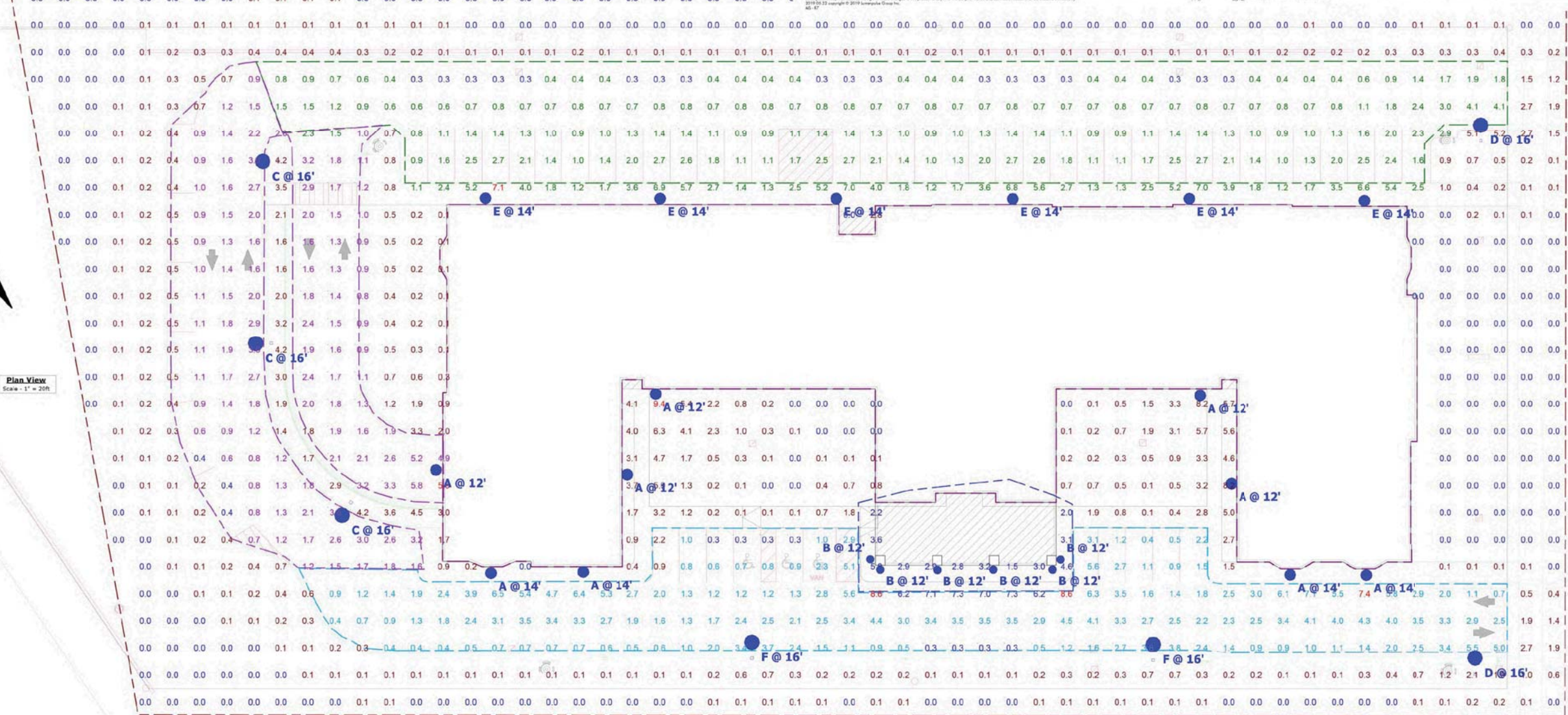
3221 Main Street Blvd., Longwood, NC 28040 USA
www.lumenpulse.com
1-877-877-8777
© 2019 Lumenpulse Group Inc.

lumenpulse

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Plan View
Scale - 1" = 20ft



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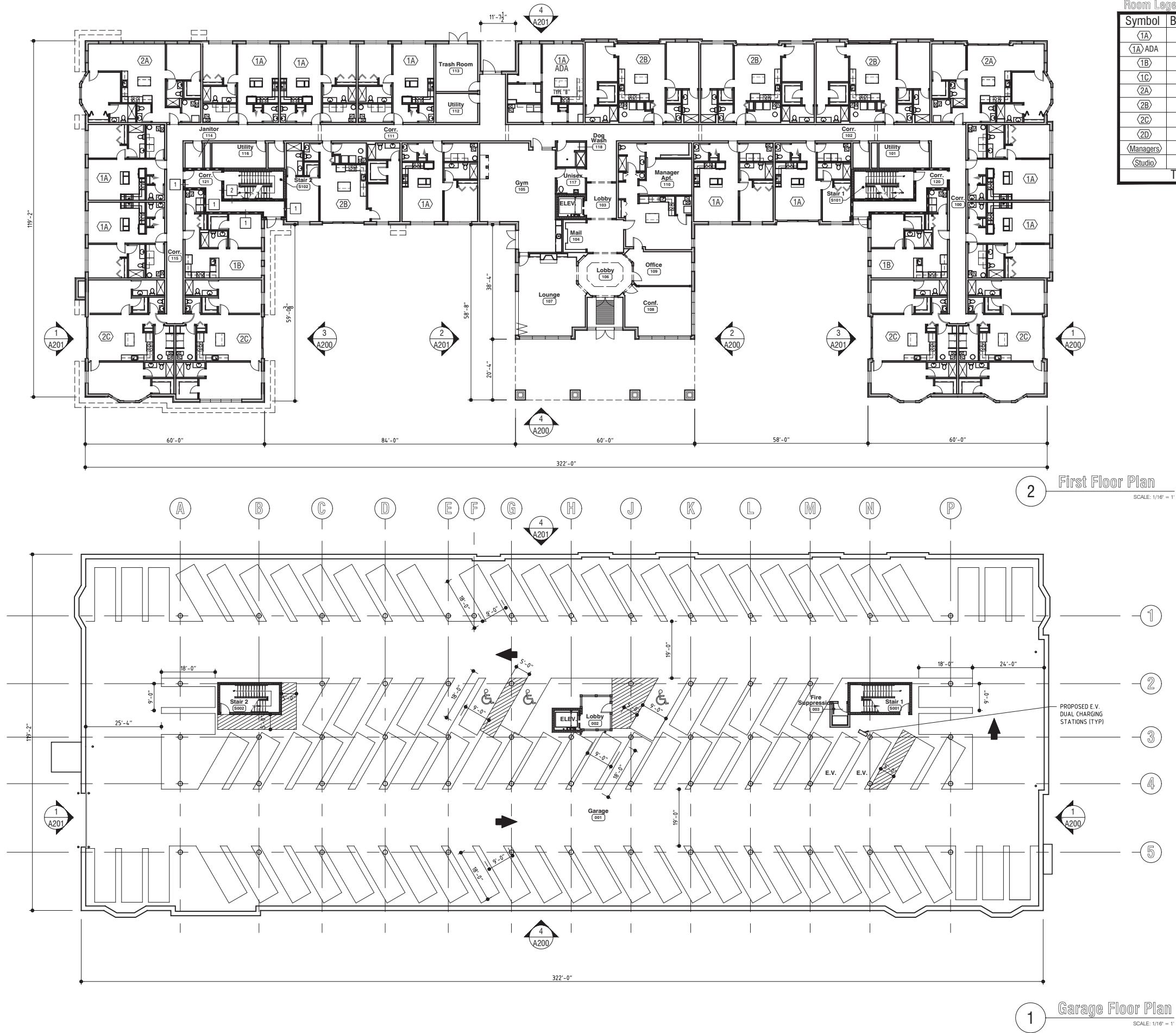
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.05
Revision/Issue	Date

The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Lighting Plan

018230

L300



Room Legend

Symbol	Bedrooms	Area	1st Floor	2nd Floor	3rd Floor	Total
(1A)	1	649 nsf	10	10	2	22
(1A) ADA	1	668 nsf	1	1	1	3
(1B)	1	599 nsf	2	2	1	5
(1C)	1	941 nsf	0	1	1	2
(2A)	2	1,015 nsf	2	2	1	5
(2B)	2	1,013 nsf	4	4	4	12
(2C)	2	1,060 nsf	4	6	4	14
(2D)	2	970 nsf	0	1	1	2
(Managers)	1	845 nsf	1	0	0	1
(Studio)	1	475 nsf	0	1	1	2
Total			24	28	16	68

CODE DATA

CODES OF JURISDICTION

- 2015 BUILDING CODE.
 - 2015 MICHIGAN PLUMBING CODE.
 - 2015 MICHIGAN MECHANICAL CODE.
 - MICHIGAN UNIFORM ENERGY CODE RULES PART 120-2015 WITH ANSI/ASHRAE/IESNA STANDARD 90.0-2009.
 - 2017 MICHIGAN ELECTRICAL CODE INCORPORATING THE 2017 NATIONAL ELECTRICAL CODE (NEC).
 - AMERICANS WITH DISABILITY ACT - ACCESSIBILITY GUIDELINES (ADAAG).
- BUILDING DATA**
- 3 LEVELS ABOVE GRADE - 1 LEVEL BELOW GRADE.
- TOTAL GROSS SQUARE FOOTAGE: 77,180 SQ.FT ABOVE GRADE - 38,634 SQ.FT. BELOW GRADE
- USE GROUP: R-2 RESIDENTIAL ABOVE GRADE.
S-2 PARKING BELOW GRADE.
- CONSTRUCTION TYPE: V-B ABOVE GRADE, I-B BELOW GRADE
- FIRE SUPPRESSION TYPE: FULLY SPRINKLERED PER N.F.P.A. 13
- MIXED OCCUPANCIES: R-2 USE GROUP, S-2 PARKING FIRE RESISTANCE RATING: 3 HOUR SEPARATION BETWEEN GROUPS.

PROJECT NORTH



GROSS AND USABLE FLOOR AREA ANALYSIS

LEVEL	GROSS AREA	USABLE AREA
LOWER LEVEL - PARKING GARAGE	38,665 SF	
FIRST FLOOR	29,022 SF	27,957 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 50 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 442 SF
		CORRIDORS 3,592 SF
		TOTAL: 4,739 SF
SECOND FLOOR	30,172 SF	29,136 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 83 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 442 SF
		CORRIDORS 3,076 SF
		TOTAL: 4,256 SF
THIRD FLOOR	20,671 SF	20,078 SF
		OMIT:
		TRASH ROOM 224 SF
		JANITOR 83 SF
		ELEV./STAIRS 431 SF
		MECH./ELEC./DATA 137 SF
		STORAGE 1,730 SF
		CORRIDORS 2,400 SF
		TOTAL: 5,005 SF
TOTAL	118,530 SF	77,171 SF

PROJECT NORTH



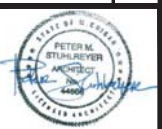
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SIDWELL # 14-13-126-008



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PUD Resubmission	---
PUD Resubmission	23.02.28
PUD Resubmission	23.02.19
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date

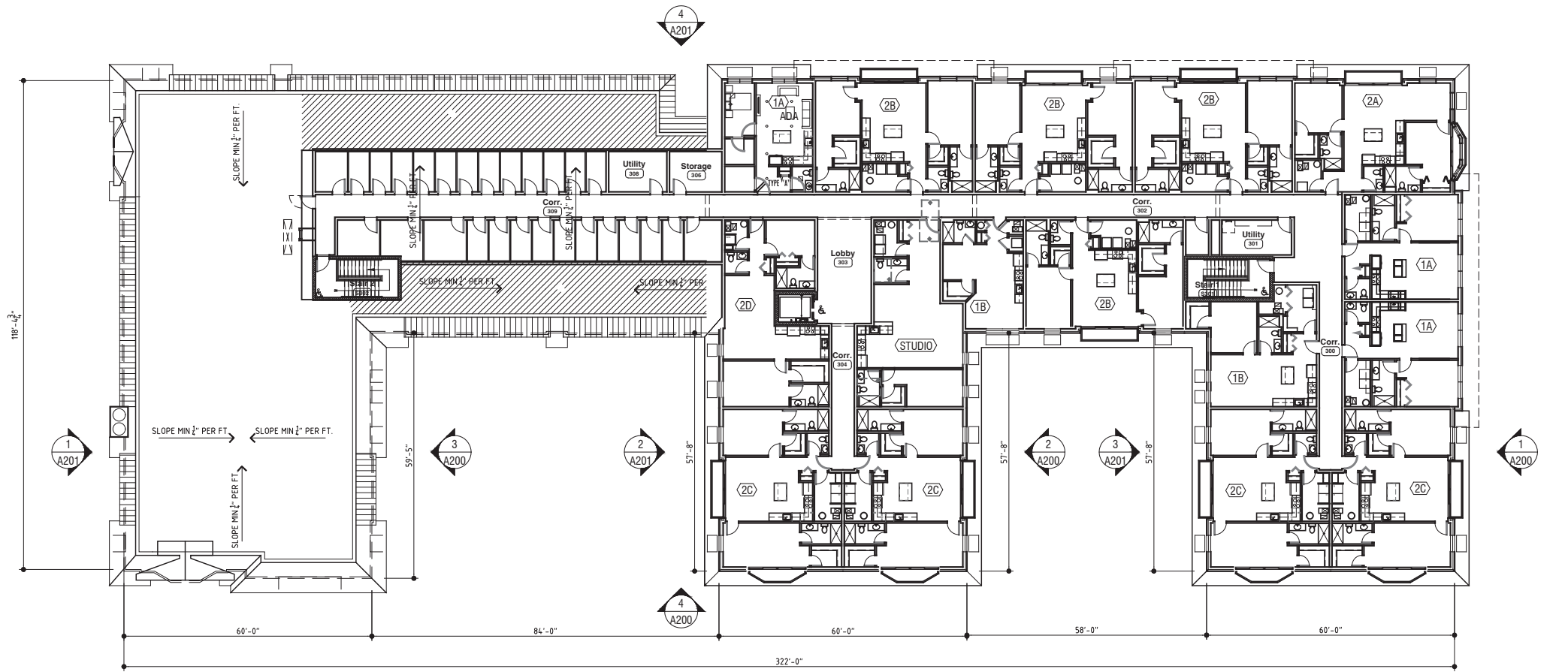


The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Garage & First
Floor Plans

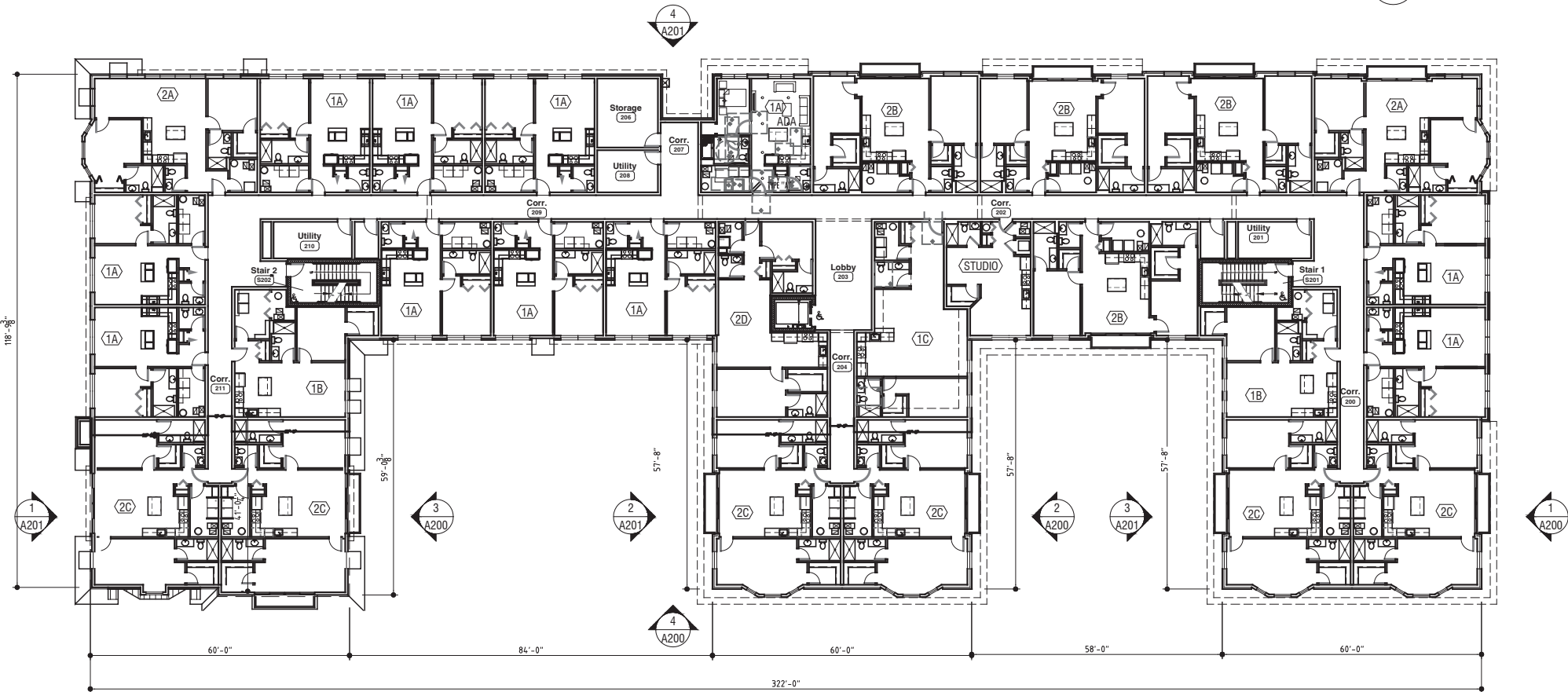
018230

A100



2 Third Floor Plan

SCALE: 1/16" = 1'



1 Second Floor Plan

SCALE: 1/16" = 1'



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		STORAGE 1,730 SF
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		TOTAL: 5,005 SF
TOTAL	118,530 SF	77,171 SF

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PUD Resubmission	---
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09



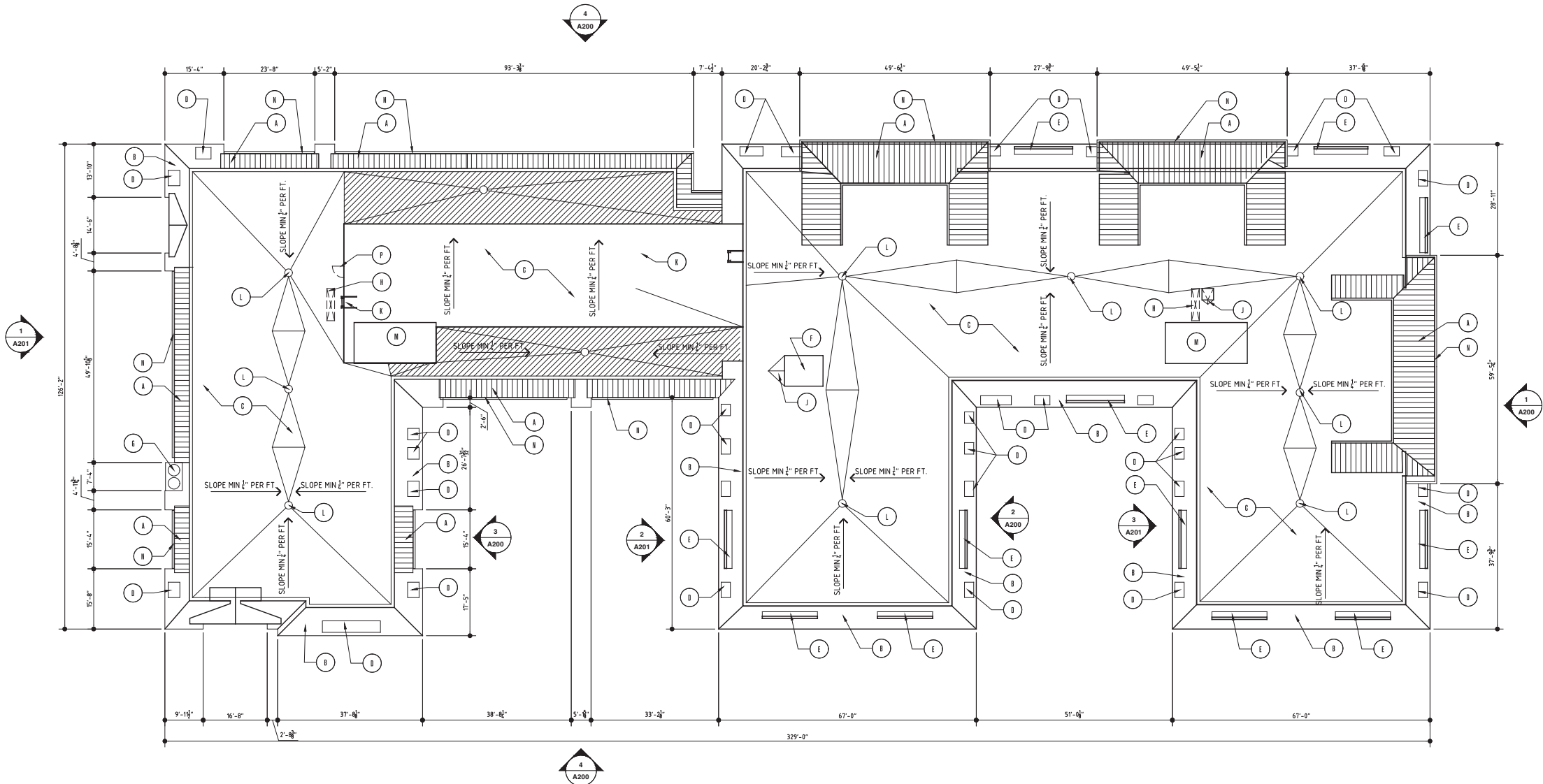
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Five Points Drive
City of Auburn Hills, MI 48326

**Second & Third
Floor Plans**

018230

A101

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008



1 Roof Plan
SCALE: 1/16" = 1'



Roof Legend	
A	METAL ROOF
B	ASPHALT SHINGLES
C	ROOF MEMBRANE
D	WINDOW WELL
E	BALCONY
F	ELEVATOR
G	CHIMNEY
H	MECHANICAL SHAFT BELOW
J	ROOF SADDLE
K	PERMANENT ROOF LADDER WITH RAILS
L	ROOF DRAIN AND OVERFLOW
M	STAIR TOWER
N	GUTTER
P	ROOF ACCESS DOOR (SEE 3RD FLOOR PLAN)

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THE AVANT
AT FIVE POINTS

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PUD Resubmission	---
PUD Resubmission	23.02.28
PUD Resubmission	23.02.15
PUD Resubmission	23.01.11
PUD Resubmission	22.08.09
Revision/Issue	Date

PETER M. STAHLMEYER
ARCHITECT
44000
REGISTERED ARCHITECT

The Avant at Five Points

The Avant at Five Points

Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Roof Plan

018230

A102

A200 Elevations.dwg

3/13/2023

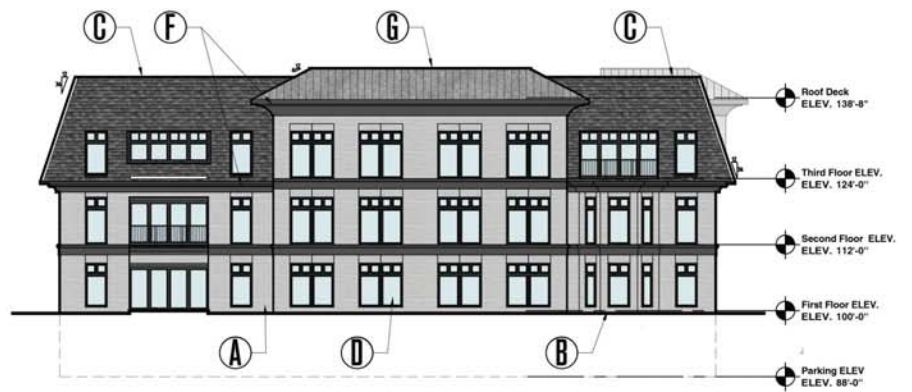
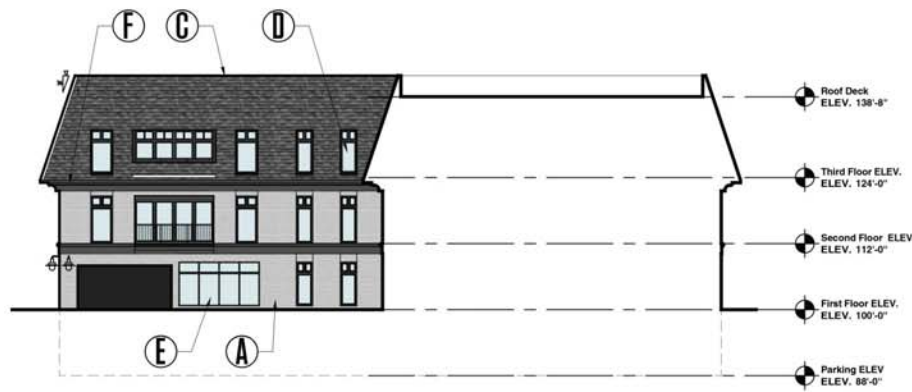
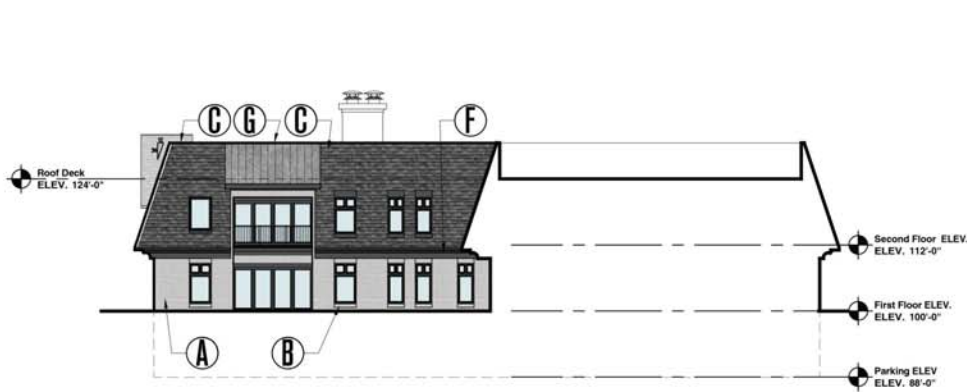
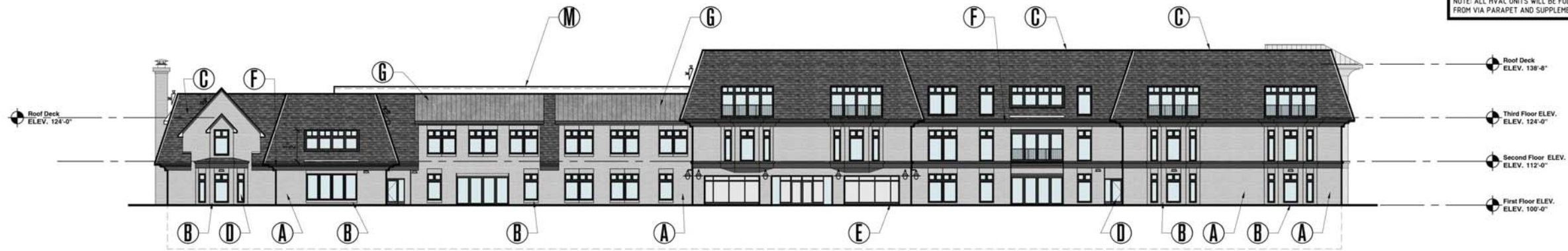
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Material Legend	
A	BRICK
B	LIMESTONE
C	SHINGLE ROOF
D	GLAZING
E	ALUMINUM FRAMED WINDOW
F	FASCIA TRIM
G	STANDING SEAM METAL ROOF
H	EFS TRIM
J	METAL WRAP
K	ALUM. GLASS & DOOR W/ TRANSOM
L	ALUM. GLASS & ACCORDION DOOR
M	FLAT ROOF BEYOND - STORAGE AREA

NOTE: ANY MODIFICATIONS TO THE FACADE PLAN (INCLUDING COLOR) MUST BE RESUBMITTED TO THE CITY OF AUBURN HILLS FOR REVISED APPROVAL. THE USE OF NEON, FLAGS, OR ANY OTHER TYPE OF UNAPPROVED SIGNAGE SHALL BE PROHIBITED PER SITE PLAN REVIEW.

AVERAGE HEIGHT CALCULATION:	
3 STORY - 38'-6"	58% OF TOTAL BUILDING
2 STORY - 22'-4"	42% OF TOTAL BUILDING
AVERAGE HEIGHT	31'-8 1/4"

NOTE: ALL HVAC UNITS WILL BE FULLY SCREENED FROM VIA PARAPET AND SUPPLEMENTAL PANELS.



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Revision/Issue	Date
PUD Resubmission	---
PUD Resubmission	23.02.28
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PUD Resubmission	22.08.09



The Avant at Five Points
Proposed Revised PUD
Five Points Drive
City of Auburn Hills, MI 48326

Elevations

018230

A200

NOT FOR CONSTRUCTION DRAWINGS
SIDWELL # 14-13-126-008

A201 Elevations.dwg

3/13/2023

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Material Legend	
A	BRICK
B	LIMESTONE
C	SHINGLE ROOF
D	GLAZING
E	ALUMINUM FRAMED WINDOW
F	FASCIA TRIM
G	STANDING SEAM METAL ROOF
H	EIPS TRIM
J	METAL WRAP
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L	ALUM. GLASS & ACCORDION DOOR
M	FLAT ROOF BEYOND - STORAGE AREA

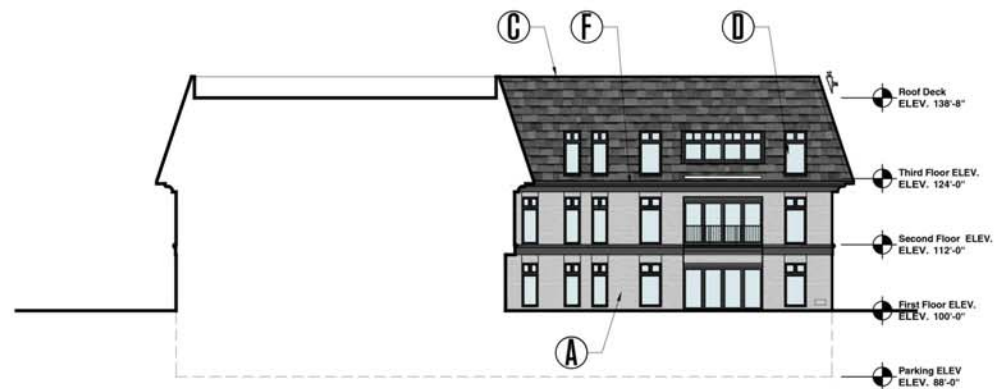
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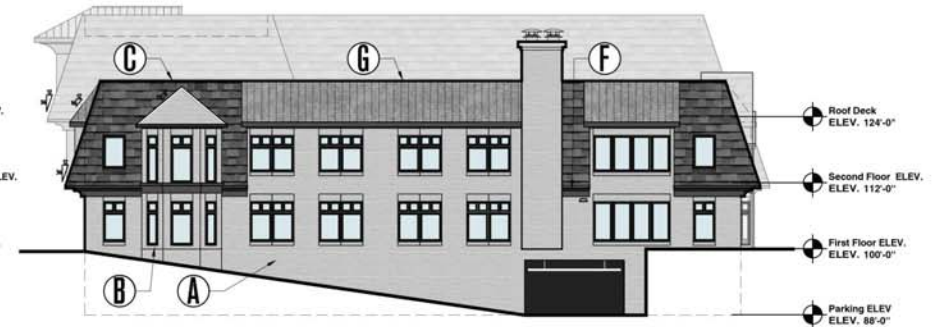
4 North Elevation
SCALE: 1/16" = 1'



3 West Elevation
SCALE: 1/16" = 1'



2 West Elevation
SCALE: 1/16" = 1'



1 West Elevation
SCALE: 1/16" = 1'

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Elevations

018230

A201

NOT FOR CONSTRUCTION DRAWINGS
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4 Rendering 4



3 Rendering 3



2 Rendering 2



1 Rendering 1

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THE AVANT

AT FIVE POINTS

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PETER M. STAHLMEYER

ARCHITECT

4400

REGISTERED ARCHITECT

The Avant at Five Points

Proposed Revised PUD

Five Points Drive

City of Auburn Hills, MI 48326

Architectural

Facade Renderings

018230

A202

CHECK LIST

PROJECT NAME

THE AVANT AT FIVE POINTS - PUD

(Check all that apply)

SITE PLAN

SPECIAL LAND USE

✓ TREE REMOVAL PERMIT

REZONING

✓ PUD

The following items have not been included in your packet of information since they are either common non-controversial items or the recommendations have been noted in the project's cover letter.

Public Notice

Fire Department Approval Letter

Police Department Approval Letter

Citizen's Participation Letter and Report

However, if you wish to see a copy of the above documents, they are on file in the Community Development Department.



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 9B

CITY CLERK'S OFFICE

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Laura M. Pierce, City Clerk
Submitted: March 15, 2023
Subject: Public Hearing & Motion – To consider renewal of the remaining 2023 Liquor Licenses

INTRODUCTION AND HISTORY

On March 6, 2023, City Council considered the renewal of the liquor license for all establishments that serve alcoholic liquor for consumption on-premises within the City. The licenses of those establishments that were in compliance with the City Code were approved. A public hearing was set for three establishments due to outstanding balances from application fees, taxes and/or water/sewer. In addition, a public hearing was set for one establishment for failure to comply with City standards and ordinances for failure to obtain permits during renovations.

The City Clerk's Office mailed letters to each establishment and letters were hand-delivered by the Police Department, advising them of the Public Hearing and the City's potential objection to the renewal of their liquor license based on outstanding financial obligations to the City.

Staff has been in contact with each establishment. An update is provided below as of March 15th:

- Sonesta Select
 - They have paid the balance due.
 - *Staff recommends the Public Hearing be cancelled and the liquor license be renewed.*
- Got Wings
 - They paid the liquor license application fee, but did not pay the late fee. We have notified them of their balance due.
 - Initially, they did not obtain the proper permits for work done on their establishment. A stop work order was issued. Since that time, they have complied with the stop work order. The Building Department spoke to the architect who stated that they plan to submit plans this month with a target date of spring/summer for the remodel. Both the Building and Fire Departments are comfortable recommending that the liquor license be renewed.
 - *Staff recommends the Public Hearing be held. If the financial obligations are paid before the Public Hearing is held, staff would recommend the license be renewed.*
- Rochester Mills Brewery & Tap Room
 - They still have a balance due to the City. Staff has been in contact with Rochester Mills. Because their taxes have been rolled to the County, Rochester Mills contacted Oakland County to try to enter into a "repayment schedule" but were unable to per the County's policy. According to the County, one cannot enter into a repayment schedule until they have been delinquent on their taxes for three years. Rochester Mills has submitted a letter proposing their own plan to pay off the remaining balance.
 - *Staff recommends the Public Hearing be held. Staff is comfortable with their payment plan. If they pay the water and summer tax bill before the Public Hearing is held as stated in their letter, staff*

would recommend the license be renewed. Staff will continue to monitor the situation to ensure the payment installments are made on the winter tax bill.

STAFF RECOMMENDATION

Staff recommends the Public Hearing be cancelled and the liquor license be renewed for Soenesta Select. Staff recommends that the Public Hearing be held for Got Wings and Rochester Mills Brewery.

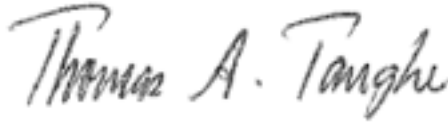
MOTION (separate motions)

Move to cancel the Public Hearing and to recommend approval of the annual liquor license for Soenesta Select.

Move to recommend approval of the annual liquor license for _____.

Move to object to renewal of the liquor licenses for _____ based on outstanding financial obligations to the City per Section 6-10 (2) of the City Code "All personal property taxes and all real property taxes and all other obligations due and payable to the City shall be timely paid and not outstanding."

I CONCUR:



THOMAS A. TANGHE, CITY MANAGER



3/15/23

Auburn Hills City Council,

I wanted to address the late / delinquent 2022 property taxes for Rochester Mills Production Brewery, located at 3275 Lapeer West Rd. I apologize for our delay in getting these taxes paid, but we have been experiencing some extreme supply chain issues for the past 8-12 months... which has led to intermittent disruptions to our regular cash flow. Couple that with some very untimely equipment repair issues, and that is what has caused us to be late on several bills and payments. After speaking with somebody in the City Clerk's Office, it was suggested that I contact the Oakland County Treasurer's Office to ask about a payment plan for the past due Property Taxes. Unfortunately, the County Treasurer's Office said that they do not offer payment plans unless the delinquent taxes are forcing the property into "Property Tax Foreclosure"... which they said doesn't happen until the taxes are 2 or more years late.

I would like to propose the following plan to City Council to allow us to get caught up with any past due bills for Rochester Mills Production Brewery:

- 1) we plan to pay our entire outstanding water bill today (3/15/23).
- 2) we plan to pay our entire 2022 Summer Tax Bill, plus associated late fees, on Friday, March 17th. We will provide proof of payment to the City Clerk's Office.
- 3) we would like to pay the remaining 2022 Winter Tax Bill, and associated late fees, over 3 equal installments, on 3/31/23, 4/14/23, and 4/28/23.

This plan would allow us to get all of our past due payments caught up BEFORE the liquor license renewal deadline with the MLCC.

Rochester Mills Production Brewery is a proud member of the Auburn Hills community, so City Council's continued patience with us and conditional approval of our liquor license (brewing license) would be greatly appreciated. Thank you!

Eric Briggeman
Vice President of Brewery Operations
eric.briggeman@themillsbrewing.com



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 9C

COMMUNITY DEVELOPMENT

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Steven J. Cohen, AICP, Director of Community Development; Stephen Baldante, DPW Director; Shawn Keenan, AICP, City Planner
Submitted: March 14, 2023
Subject: Motion – To Accept the First Reading of an Ordinance to amend Chapter 74 – Utilities of the Auburn Hills Code of Ordinances, as amended, to repeal existing Article I – Stormwater Discharge and adopt a new Article I – Stormwater Management, to comply with EGLE’s Municipal Separate Storm Sewer System permit requirements, and Set for Public Hearing and Second Reading / Adoption at the Meeting of April 17, 2023

INTRODUCTION

The enclosed amendment to Article I, Stormwater Discharge, of Chapter 74, Utilities, was drafted to better comply with EGLE’s Municipal Separate Storm Sewer System (MS4) permit requirements. The revisions include repealing existing Article I – Stormwater Discharge and adopting a new Article I – Stormwater Management, that now contains three divisions.

The heading of each division is as follows: Division 1. – General; Division 2. - Illicit Discharges into the Storm Drain System and Water of the State; and Division 3. – Illicit Discharges into the Sewage Disposal System. The purpose of each division can be found in the proposed ordinance under each division heading.

Division 1 is being added to state the purpose and authority under the ordinance, provide definitions of terms and phrases utilized, specify stormwater management design and performance standards, indicate operations and maintenance requirements for stormwater management systems, and designate enforcement mechanisms.

Division 2 is being added to better regulate the contribution of pollutants to the municipal storm sewer system, prohibit illicit connections and discharges to the municipal storm sewer system, and establish legal authority to carry out all inspection, surveillance, and monitoring procedures.

Division 3 is the current Article 1 – *Stormwater Discharge* being repealed and reestablished under Division 3 under the new heading, *Illicit Discharges into the Sewage Disposal System*.

STAFF RECOMMENDATION

Staff recommends that the City Council accept the First Reading of the proposed ordinance and schedule the public hearing for adoption. This matter has been reviewed by City Attorney Beckerleg.

MOTION

“Move to accept the First Reading of the Ordinance to amend Chapter 74 – Utilities of the Auburn Hills Code of Ordinances, as amended, to repeal existing Article I – Stormwater Discharge and adopt a new Article I – Stormwater Management, to comply with EGLE’s Municipal Separate Storm Sewer System permit requirements and Set for Public Hearing and Second Reading / Adoption at the Meeting of April 17, 2023.”

I CONCUR:

THOMAS A. TANGHE, CITY MANAGER

CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 23-_____

AN ORDINANCE TO AMEND CHAPTER 74-UTILITIES OF THE AUBURN HILLS CODE OF ORDINANCES, AS AMENDED, TO REPEAL EXISTING ARTICLE I – STORMWATER DISCHARGE AND ADOPT A NEW ARTICLE I – STORMWATER MANAGEMENT, TO COMPLY WITH EGLE'S MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT REQUIREMENTS

The City of Auburn Hills Ordains:

Chapter 74 - Utilities of the Auburn Hills City Code of ordinances, as amended, is amended by repealing existing Article I, Stormwater Discharge, and adopting a new Article I, Stormwater Management, Division 1 – General, Division 2 – Illicit Discharges into the Storm Drain System and Waters of the State, and Division 3 - Illicit Discharges into the Sewage Disposal System to read as follows:

CHAPTER 74 – UTILITIES

ARTICLE I. – STORMWATER MANAGEMENT

DIVISION 1. - GENERALLY

Sec. 74-1. - Purposes.

The purposes of this division shall be:

- (a) To protect public health, safety, and welfare by requiring stormwater management whenever new, expanded or modified developments are proposed.
- (b) To assure that stormwater management runoff from development is controlled so that the water quality in watercourses, groundwater recharged by stormwater and habitat situated in areas impacted by stormwater, including, without limitation, watercourses and wetlands, are protected, and that situation and pollution are minimized.
- (c) To provide for cost-effective and functionally-effective stormwater management, and to reduce the need for future remedial projects.
- (d) To prevent soil erosion and sedimentation.
- (e) To recognize private responsibility to incorporate stormwater management systems into the early stages of site planning and design.
- (f) To ensure that all stormwater conveyance and detention facilities will be properly designed and maintained.
- (g) To promote the avoidance of degradation of water resources by reducing and/or avoiding impacts on the hydrology of stormwater runoff.
- (h) To establish regulations to prevent harmful effects of changes in the quantity and quality of surface water discharge into wetlands and water bodies that are in the City of Auburn Hills, in whole or part.

- (i) Recognizing that significant adverse surface and/or groundwater impacts may result from development, it is the intent of this division to require development design and control mechanisms to ensure that stormwater runoff does not result in a short-term and/or long-term threat to the public health, safety and welfare in the City of Auburn Hills, and in downstream areas.
- (j) To achieve compliance with state and federal laws and regulations relating to water quality and stormwater management.

Sec. 74-2. - Applicability.

- (a) Except for those activities expressly exempted by Section 74-3 of this Code, every new development (as defined in this division) or redevelopment in the City of Auburn Hills subject to site plan review requirements shall have a stormwater management plan.
- (b) This division shall also apply to any construction activity that is not subject to Subsection (a) of this section, but may create a condition that would result in runoff that would:
 - (1) Exceed the safe capacity of the receiving public sewer or body of water as determined by the city;
 - (2) Cause undue channel erosion;
 - (3) Increase water pollution by scouring or transport of particulate matter;
 - (4) Endanger property; or
 - (5) Endanger public safety.

Sec. 74-3. – Exempt activities.

- (a) Notwithstanding the requirements of Section 74-2, a stormwater management plan is not required for activities commonly associated with farming, horticulture and silviculture including plowing, irrigation, irrigation ditching, seeding, cultivating, minor drainage, harvesting for the production of food, fiber and forest products, provided, however, such activities must be bona fide commercial enterprises, being undertaken without the expectation of being converted to some other use within the foreseeable future.
- (b) Routine single-family residential landscaping and/or gardening which conforms with the stormwater management plan approved by the city, which does not otherwise materially alter stormwater flow from the property in terms of rate and/or volume.
- (c) Development of one single-family lot, parcel or condominium unit where the city engineer determines that, due to the size of the site, or due to other circumstances, the quantity, quality and/or rate of stormwater leaving the site will not be meaningfully altered.
- (d) Emergency maintenance work performed for the protection of public health and safety. A written description of the scope and extent of any such emergency maintenance work performed shall be submitted to the city within two calendar days following its commencement. If the city finds that the work is not an emergency or if a written description is not timely submitted to the city, then the work shall cease immediately, and the requirements of this division shall be addressed as applicable.

Sec. 74-4. - Definitions.

For the purposes of this division, the following words, terms, and phrases, shall have the meanings ascribed to them in this section:

Applicant means a person or persons acting as owners or operators of a regulated construction activity on a development site who is seeking approval of a Stormwater Management Plan under this division.

Authorized enforcement agency means the city engineer and his/her authorized representatives, which shall specifically include all inspectors and code enforcement, and any other individual designated by the Mayor of the City of Auburn Hills to enforce this ordinance. Where applicable the terms may also mean the director of the Michigan Department of Environment, Great Lakes and Energy, or his/her designated official, and/or the United States EPA Administrator or his/her designated official.

Buffer strip means a zone that is used for filtering direct stormwater and stormwater runoff into a stormwater control measure, or watercourse and for providing maintenance access to a stormwater control measure.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

City means the City of Auburn Hills.

Clean Water Act means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Common Plan of development means a regulated construction activity, that is completed in phases or stages which such phases or stages share:

- (a) One or more common city permit(s) related to the regulation of land use, the discharge of wastewater or a discharge to surface waters or groundwater, or
- (b) Common infrastructure such as, but not limited to, roadway access or utilities.

Construction activity means a human made activity, including but not limited to, clearing, grading excavating, construction, and paving, that results in a change in the existing cover or topography of land, including any external demolition, modification, alteration of a development site or the footprint of a building, but does not include re-surfacing of an asphalt, concrete or similar parking lot that does not expose the subgrade.

Conveyance means any structure or other means of safely conveying stormwater or stormwater runoff within a stormwater management system, including without limitation, a watercourse, closed conduit, culvert or bridge.

County means the County of Oakland.

Development site means any change in land, buildings, structures and/or vegetative cover that tends to alter stormwater impact.

Disturbance means an area of land subjected to development.

Downspout means an exterior drainage pipe for conveying stormwater from an eaves trough or roof drain.

Downspout extension means an exterior drainage pipe attached to a downspout for the purpose of discharging stormwater at a point distant from the exterior face of a building

Drain means any pipe which carries stormwater in a building drainage system.

Drainage area means the entire upstream land area from which stormwater runoff drains to a particular location, including any off-site drainage area.

Eaves trough means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader. An eaves trough may also be known as a roof drain.

Grade means a reference plane representing the average of the finished ground level adjoining a building at all exterior walls. The grade shall be determined as provided in the current building code in effect in the city.

Impervious surface means any surface are that prevents or substantially impedes the entry of water into the soil in the manner that such water entered the soil prior to development, or which causes water to run off the surface in greater quantities at or an increased rate of flow including but not limited to, roofs, parking lots, compacted gravel and dirt, driveways, sidewalks and storage areas.

Infiltration rate means the measure of the speed at which water enters into the soil at the surface.

Operation & Maintenance Plan means a document which outlines the required maintenance activities and measures associated with an approved Stormwater Management Plan.

Regulated area means the portion of the development site used as the basis to determine what performance standards an applicant must meet.

Roof drain means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader.

Specified structures means those structures, occupied or unoccupied, which are so constructed as to permit stormwater to enter the city's sanitary sewage system by means of footing drains, weeping tiles, or a similar mechanism.

Stormwater control measure means a structural and non-structural practice and technique that mitigates the adverse impacts caused by land development on water quality and/or water quantity.

Stormwater Management Design Standards means a document or documents promulgated by the city, which may be amended, detailing criteria, standards and procedures that an applicant must follow to comply with this division.

Stormwater Management Plan means a document that identifies all actions to be taken by an applicant related to a regulated construction activity that details how an applicant will comply with the requirements of the standards set forth in this division and the Stormwater Management Design Standards.

MS4 means a municipal separate storm sewer system.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by United States Environmental Protection Agency (EPA), or by the State of Michigan under authority delegated pursuant to 33 USC § 1342(b) and codified in the Michigan Natural Resources and Environmental Protection Act Protection at MCL 324.101, et seq., that authorizes the discharge of

pollutants to waters of the United States or State of Michigan, whether the permit is applicable on an individual, group, or general area-wide basis.

Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Storm sewer system or *storm drainage system* means a publicly owned facility by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Sec. 74-5. – Enforcement, responsibility for administration.

This ordinance shall be enforceable by the city engineer, city planner, DPW staff, or other authorized enforcement agency.

Sec. 74-6. – Right of entry.

The city engineer, city planner, DPW staff, or other authorized enforcement agency shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing of suspected non-stormwater discharges in accordance with the provisions of this division. Refusal of reasonable access to the city engineer and/or representatives of the authorized enforcement agency to any part of the premises is a violation of this division.

Sec 74-7. – Stormwater management design standards.

The city shall provide Stormwater Management Design Standards which shall detail procedures, criteria, minimum standards, methods and other technical information that shall be utilized to comply with the provisions of this division.

Sec. 74-8. – Performance standards.

- (a) Stormwater control measures shall not be constructed within any floodplain of a watercourse as defined within the Michigan Coastal Flood Hazard Zones, as defined by the Michigan Department of Environment, Great Lakes and Energy (EGLE) or the Federal Emergency Management Agency (FEMA).
- (b) A buffer strip with a minimum width of 25 feet shall be established and preserved along the edge of any surface water and any regulated wetland as defined by the State of Michigan PART 303. Exemptions may be granted for construction activities that are within 25 feet of a surface water and regulated wetland that remain consistent with the intent of development.
- (c) The city is authorized to require any additional stormwater control measures necessary to control the rate and volume of stormwater runoff discharged from the development site in order to prevent drainage, flooding or water quality impacts upon public or private property.
- (d) Performance standards for separate storm sewer areas within the City of Auburn Hills jurisdiction.

(1) Water Quality:

- a. The water quality volume shall be the 1.3-inch rainfall event.

(2) Channel protection:

- a. Extended detention is required for the site's post-development runoff volume from a 1.9-inch rainfall event.

(e) Performance standards for local flood control:

- (1) Stormwater control measures shall be designed to achieve a peak flow rate not to exceed 0.2 cubic feet per second per acre (cfs/acre) for the 100-year, 24-hour from the development site.

Sec. 74-9. – Off-site stormwater management.

- (a) In lieu of on-site stormwater management, the use of off-site stormwater conveyance, infiltration and/or detention areas may be proposed. Off-site stormwater management facilities shall be designed to comply with the requirements specified in the Stormwater Management Design Standards and all other standards provided by this division that are applicable to on-site facilities.
- (b) Off-site stormwater management areas may be shared with other landowners, provided that the terms of the proposal are approved by the city engineer and city attorney. Approval hereunder shall not be granted for off-site stormwater management unless the applicant demonstrates to the city engineer, that the use of off-site stormwater management areas shall protect water quality and natural resources to an equal or greater extent than would be achieved by the use of on-site stormwater management areas.
- (c) Adequate provision and agreements providing for maintenance and inspection of stormwater management facilities shall be made, and the documents recorded instrument, including an access easement, approved by the city.

Sec. 74-10. – Stormwater management plan and operations and maintenance plan required.

- (a) No regulated construction activity may obtain site plan approval until the city has approved a Stormwater Management Plan.
- (b) Prior to the approval of a Stormwater Management Plan, the applicant shall certify to the city that the applicant has met or will meet the requirements of this division and all other city, county, state and federal requirements related to erosion control and sediment prevention, surface water resource prevention, and stormwater management applicable to the regulated construction activity.
- (c) The Stormwater Management Plan shall be developed by a professional engineer or landscape architect properly licensed to practice in the State of Michigan and shall include:
 - (1) The discharge location(s) for all post-construction stormwater runoff which will leave the development site, and the boundaries of the drainage area tributary to each discharge location;
 - (2) The boundaries of the development site, the common plan of development if applicable, and the regulated construction activity, clearly indicating areas of disturbance, the boundaries of any no-build or non-disturbance areas, all points of egress from the development site to a public right-of-way, and all easements and other encumbrances;
 - (3) The required calculations establishing compliance with the post construction stormwater

management performance standards as set forth in Section 74-8 of this Code;

- (4) The design specifications and calculations, construction details, and locations for all proposed stormwater control measures, whether located on the development site or elsewhere.
 - (5) The locations and descriptions of all access drives easements necessary to allow for construction, inspection, operation and maintenance of all proposed stormwater control measures;
 - (6) An Operation and Maintenance Plan containing all required information and schedules as set forth in this Division; and
 - (7) A copy of all applicable state and federal permit applications related to erosion, water resource and stormwater management for the regulated project.
- (d) One copy of the approved Stormwater Management Plan shall be kept on file at the site of the regulated construction activity from the initiation of site preparation until a certificate of occupancy is issued for the development associated with the regulated construction activity.
- (e) The Operation and Maintenance Plan shall be developed by a professional engineer or landscape architect properly licensed to practice in the State of Michigan and shall include maintenance requirements and protocols for each stormwater control measure, including an associated schedule of inspection and maintenance activities, and procedures and checklists for each stormwater control measure consistent with the provisions in the Stormwater Management Design Standards and a signed certification statement accenting responsibility for the operation, maintenance and inspection of the stormwater control measures.
- (f) A Stormwater Management Plan shall include the preparation and property recording of all easements, deed restrictions, reservation of rights-of-way, or other protective covenants as are required to ensure sufficient access for purposes of maintenance, inspection, operation and repair or replacement of stormwater control measures, and to ensure that any future modification of the site is consistent with the provisions of the approved Stormwater Management Plan, unless amendments or modifications to the Stormwater Management Plan are approved by the city.
- (g) The Stormwater Management Plan and applicable Operation and Maintenance Plan shall be referenced on a final plat site plan or as-built drawing, and shall be recorded with the Oakland County Register of Deeds Office upon final plat approval, and shall be provided to the city within 14 days following receipt of the recorded document.

Sec. 74-11. – Performance bond.

- (a) The city reserves the right to require the applicant to provide a performance bond or other financial guarantee in the amount of the estimated cost of construction of the stormwater control measures and all landscaping associated therewith for a duration of two years after the issuance of the certificate of occupancy to ensure that all stormwater control measures have been established and installed correctly and function as designed and permitted.
- (b) The city shall have the authority to require a performance bond or other financial guarantee of a greater or lesser amount, or duration of time, where such an adjustment is warranted to reflect unique site conditions or to ensure the function and performance of the stormwater control measures in the Stormwater Management Plan.
- (c) A final inspection and approval of the stormwater control measures by the city, or other authorized agent shall be issued before the release of the performance bonds or other financial guarantee.

Sec. 74-12. – Maintenance required.

- (a) Any stormwater control measure installed pursuant to this division shall be operated and maintained in accordance with the requirements of the approved Operations and Maintenance Plan and associated provisions in the Stormwater Management Design Standards.
- (b) No area of land specified or designated to comply with the performance standards in this division shall be altered in a manner which reduces or alters its infiltration rate, unless the city approves an amendment to the previously approved Stormwater Management Plan for the site, showing how the reduced or altered infiltration rate will be offset to maintain compliance with the performance standards specified in this division.

Sec. 74-13. – Transfer of property.

- (a) Prior to the conveyance or transfer of any portion of a development site served by a stormwater control measure(s) pursuant to this division, the applicant shall provide the city with evidence of transfer of the associated Operation and Maintenance Plan.
- (b) The Operation and Maintenance Plan shall be binding on the record owner of the property or properties subject to the Stormwater Management Plan and their owners, heirs and assigns.

Sec. 74-14. – Record drawings and certification.

- (a) Upon final stabilization of the site of a regulated construction activity, the applicant, professional engineer, or landscape architect duly licensed to practice in the State of Michigan and acting on the applicant's behalf, shall conduct a post-construction inspection and shall certify in writing that the completed project is in full compliance with the approved Stormwater Management Plan.
- (b) The Applicant or the Applicant's Designee shall submit as-built record drawings for all stormwater control measures to the city, within 15 days of final stabilization of the site.

Sec. 74-15. – Right of entry for compliance inspections.

The city engineer or other authorized agent may enter a property to inspect stormwater control measures during any phase of construction and operation of approved stormwater control measures when the city or its designee has a reasonable basis to believe that a violation of this division is occurring or has occurred, when necessary for abatement of a public nuisance, and to confirm correction of a violation.

Sec. 74-16. – Periodic self-inspections required.

- (a) Periodic inspections shall be conducted according to the Operation and Maintenance Plan by the applicant or the applicant's successors, heirs or assigns of the stormwater control measure(s) as set forth in the applicable Operations and Maintenance Plan.
- (b) An inspection report, certified by a professional engineer or landscape architect properly licensed to practice in the State of Michigan, shall be provided to the city according to the schedule in the operation and maintenance plan, commencing no more than twelve months after the date of issuance of a certificate of occupancy for the regulated construction activity, and occurring once every three years or stipulated period thereafter.

Sec. 74-17. - Notice.

- (a) If any stormwater control measure is found upon inspection to be arranged, damaged, clogged, or in such disrepair as to impede, obstruct, or hinder the flow of surface water in a manner which

conflicts with acceptable engineering practices, or if a planned and permitted stormwater control measure has not been installed per an approved Stormwater Management Plan within 30 days of inspection, the certifying party shall give written notice to the city of the conditions found, the actions necessary to bring conditions into conformance with the approved Operation and Maintenance Plan, and the timeframe for completion.

- (b) If any condition referenced in Subsection (a) of this section, is found by the city upon its own investigation, whether as a result of, or independent of, a period inspection report, the city shall give written notice to the owner of the property of the findings specifying the problem, the actions necessary to bring conditions into conformance and the timeframe for completion, as well as the potential for additional action under civil penalty or other penalty or remedy in Section 74-20 and/or Section 74-21 of this Code.

Sec. 74-18. – Civil penalty.

Whenever the city has reasonable grounds to believe that any person is violating, or has violated, any requirement of this division, the city may commence a civil action to compel compliance in a court of competent jurisdiction to enjoin said person from discharging, or to obtain appropriate relief to remedy the violations. The city may seek additional legal or equitable relief. The commencement of suit neither constitutes an exclusive election of remedies nor prohibits the city from commencing action in federal court for discharges believed to be in violation of this division, state or federal requirements contained in the Clean Water Act, the City's NPDES permit, or other applicable laws or requirements. In addition, the city may recover the reasonable attorney fees, court costs, court reporters' fees, and other usual expenses related to enforcement activities or litigation against the person found to have violated this division, or the orders, rules, regulations and permits issued hereunder.

Sec. 74-19. - Fines.

All fines, costs, and penalties which are imposed by any court of competent jurisdiction shall be payable to the City of Auburn Hills.

Sec. 74-20. – Additional remedies.

- (a) The city engineer or other authorized agent may refuse to issue a certificate of occupancy for any regulated construction activity on a development site and served by stormwater control measures until such time as the applicant or other responsible person has taken remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (b) The city engineer may suspend or revoke any approvals granted for the development site upon discovery of the failure of the property owner, applicant, or developer to comply with the provisions of this division.
- (c) So long as a violation of this division continues and remains uncorrected, the city, or other authorized agent may withhold, and the city, or other authorized agent may disapprove, any request for permit or site plan approval or authorization provided by this ordinance or the zoning, subdivision, or other building regulations, as appropriate for the land on which the violation occurs.
- (d) The city may institute an action in a court of competent jurisdiction for an injunction and order of abatement to correct a violation of this ordinance. Any person violating this ordinance shall be subject to the full range of equitable remedies provided in the statutes or common law.
- (e) If the violation is deemed dangerous or prejudicial to the public health or public safety, the city may cause the violation to be corrected and the costs to be assessed as a lien against the property.

- (f) By issuance of an order of restoration, the city may require a person who engaged in a regulated construction activity and failed to comply with this division to restore the waters and land affected by such failure so as to minimize the detrimental effects of the resulting pollution. The authority is in addition to any other civil penalty or injunctive relief authorized under this ordinance. If failure to comply is deemed dangerous or prejudicial to the public health or public safety, the city, may institute an action to cause the violation to be corrected and the costs to be assessed as a lien against the property.

Sec. 74-21. – Enforcement.

- (a) Any person found to be in violation of any of the provisions of this division shall be responsible for a municipal civil infraction, punishable by a fine of \$500 and subject to all other penalties allowed by law for civil infractions.
- (b) In addition to ordering the person determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgement, writ or order necessary to enforce, or enjoin violation of, this division, and require restoration or other appropriate action under the circumstances.
- (c) Continuing offense. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.
- (d) Remedies not exclusive. In addition to any remedies provided for by city division, any equitable or other remedies available may be sought.
- (e) The judge or magistrate shall also be authorized to impose costs, damages and expenses as provided by law.

DIVISION 2. – ILLICIT DISCHARGES INTO THE STORM DRAIN SYSTEM AND WATERS OF THE STATE

Sec. 74-22. – Purpose.

The purpose of this division is to provide for the health, safety, and general welfare of the citizens of the city through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This division establishes methods for controlling the introduction of pollutants into the municipal storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this division are:

- (a) To regulate the contribution of pollutants to the municipal storm sewer system by stormwater discharges by any user.
- (b) To prohibit illicit connections and discharges to the municipal storm sewer system.
- (c) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this division.

Sec. 74-23. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized enforcement agency means the City of Auburn Hills, through its public works department by its director of public works and his/her authorized representatives, which shall specifically include all

inspectors and code enforcement, and any other individual designated by the city manager of the City of Auburn Hills to enforce this division. Where applicable the terms may also mean the director of the Michigan Department of Environment, Great Lakes and Energy (EGLE) or his/her designated official, and/or the United States EPA Administrator or his/her designated official.

Best management practices (BMPs) means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

City means the City of Auburn Hills.

Clean Water Act means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

County means the County of Oakland.

Construction activity means activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of five (5) acres or more requiring an issued permit and small construction activities impacting one (1) to five (5) acres of land deemed to operate under a national permit. Such activities include, but are not limited to, clearing and grubbing, grading, excavating, and demolition.

Hazardous materials means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal discharge means any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in section 74-27 of this division.

Illicit connections mean either of the following:

- (a) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited, to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (b) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial activity means activities subject to NPDES industrial permits as defined in 40 CFR, section 122.26(b)(14).

MS4 means a municipal separate storm sewer system.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by United States Environmental Protection Agency (EPA), or by the State of Michigan under authority delegated pursuant to 33 USC § 1342(b) and codified in the Michigan Natural Resources and Environmental Protection Act Protection at MCL 324.101 et seq., that authorizes the discharge of

pollutants to waters of the United States or State of Michigan, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater discharge means any discharge to the storm drain system that is not composed entirely of stormwater.

Person means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm sewer system or storm drainage system means a publicly owned facility by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Stormwater pollution prevention plan means a document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Wastewater means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Sec. 74-24. - Applicability.

This division shall apply to all water entering the storm drain system generated on any developed or undeveloped lands unless expressly exempted by an authorized enforcement agency.

Sec. 74-25. - Enforcement, responsibility for administration.

This division shall be enforceable by the city code enforcement officer at the direction of the director of public works or other authorized enforcement agency.

Sec. 74-26. - Minimum standards.

The standards set forth herein and promulgated pursuant to this division are minimum standards; therefore, this division does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Sec. 74-27. - Discharge prohibitions.

- (a) *Prohibition of illegal discharges.* No person shall discharge or cause to be discharged into the storm drain system or watercourses, any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited; however, the following discharges are exempt from prohibition as described:
- (1) The discharges and flows from firefighting activities if they are identified as not being a significant source of pollutants to the waters of the state.
 - (2) Discharges specified in writing by the director of public works as being necessary to protect public health and safety.
 - (3) Dye testing, when there has been verbal notification to the director of public services and state department of environmental quality procedures have been followed.
 - (4) Discharges permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.
 - (5) The following discharges or flows if they are identified as not being a significant contributor to violations of water quality standards: water line flushing and discharges from potable water sources; landscape irrigation runoff, lawn watering runoff, and irrigation waters; diverted stream flows and flows from riparian habitats and wetlands; rising groundwaters and springs; uncontaminated groundwater infiltration and seepage; uncontaminated pumped groundwater, except for groundwater cleanups specifically authorized by NPDES permits; foundation drains, water from crawl space pumps, footing drains and basement sump pumps; air conditioning condensation; waters from noncommercial car washing; street wash water; dechlorinated swimming pool water from single-, two- or three-family residences (if dechlorinated – typically less than one PPM chlorine). Other swimming pools shall not be discharged to stormwater or to surface waters of the state without NPDES permit authorization from the EGLE.
- (b) *Prohibition of illicit connections.*
- (1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
 - (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - (3) A person is considered to be in violation of this division if the person connects a line conveying sewage to a storm drain system or MS4, or allows such a connection to continue.
- (c) *Prohibition of direct dumping or disposal of materials into the MS4.*
- (1) The direct dumping of materials or discharges into the MS4 is prohibited except for those illicit discharges identified as not being a significant contributor to violations of water quality standards.

Sec. 74-28. - Right of entry.

The director of public works, DPW staff, city planner, city code enforcement officers, or other authorized enforcement agency shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing of suspected non-stormwater discharges in accordance with the provisions of this division. Refusal of reasonable access to the director of public works, city's code enforcement officer, and/or representatives of the authorized enforcement agency to any part of the premises is a violation of this division.

Sec. 74-29. - Suspension of storm sewer system access.

- (a) *Suspension due to illicit discharges in emergency situations.* The code enforcement officer at the direction of the director of public works, or other authorized enforcement agency may seek immediate injunctive relief to suspend storm sewer system discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm sewer system or the waters of the United States or this state. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the storm sewer system or waters of the United States or this state, or to minimize danger to persons.
- (b) *Suspension due to the detection of illicit discharge.* Any person discharging to the storm sewer system in violation of this division may have their storm sewer system access terminated by order of the district court, or other court of competent jurisdiction, if such termination would abate or reduce an illicit discharge. The code enforcement officer or director of public works will notify a violator of the proposed termination of its storm sewer system access. The violator may petition the director of public services for reconsideration and hearing.

Sec. 74-30. - Industrial or construction activity discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the city engineer prior to the allowing of discharges to the MS4.

Sec. 74-31. - Monitoring of discharges.

The director of public works has the right to require non-residential dischargers to install monitoring equipment as necessary, in accordance with court order, if a non-stormwater discharge is suspected. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

Sec. 74-32. - Requirements to prevent, control, and reduce stormwater pollutants by the use of best management practices.

The director of public works, director of community development, city planner or other authorized staff will adopt requirements identifying best management practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of

stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

Sec. 74-33. - Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the director of public works, building official, and city planner within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

Sec. 74-34. - Enforcement.

- (a) *Notice of violation.* Whenever the director of public services, building official, city planner, code enforcement officer, or their designee determines that a person has violated a prohibition or failed to meet a requirement of this division, the City of Auburn Hills may issue a notice of violation to the responsible person and the owner of the property where the violation is occurring—requiring compliance within a period set forth within the notice. Such notice may require without limitation:
- (1) The performance of monitoring, analyses, and reporting;
 - (2) The elimination of illicit connections or discharges;
 - (3) That violating discharges, practices, or operations shall cease and desist;
 - (4) The abatement or remediation of stormwater pollution or contamination of hazards and the restoration of any affected property; and
 - (5) Payment of a fine to cover administrative and remediation costs; and
 - (6) The implementation of source control or treatment BMPs.
- (b) *Abatement of a violation.* If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall advise that, should the violator fail to remediate or restore within the established deadline, the city may issue a municipal civil infraction citation and may seek an order of the district court, or file a civil suit with a court of competent jurisdiction requiring the restoration to be completed within an established deadline and authorizing the city or its designee to complete the work at the violator's expense.
- (c) *Penalties for violation.* Any person, or anyone acting on behalf of a person violating any of the provisions of this division shall, upon conviction thereof, be subject to a fine of not more than \$500.00 and the costs of prosecution or by imprisonment in the county jail for a period not to exceed 90 days, or by both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any penalties shall not exempt the offender from compliance with the requirements of this division.

Sec. 74-35. - Cost of the abatement of the violation.

In the event the violator fails to correct the violation as required, and the city undertakes the corrective action in accordance with an order of the district court, or other court of competent jurisdiction, within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The court order may provide that if the amount due is not paid within a timely manner, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Unpaid assessments may be placed on the city's delinquent tax roll and may be collected as unpaid taxes.

Sec. 74-36. - Remedies not exclusive.

The remedies listed in this division are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies, including, but not limited to circuit court actions in law or equity.

DIVISION 3. – ILLICIT DISCHARGES INTO THE SEWAGE DISPOSAL SYSTEM

Sec. 74-37. - Purpose.

It is the purpose of this division to protect public health and safety by evading and preventing pollution through the regulation and control of the disposal of stormwater so as to prevent such water from entering the wastewater collection and treatment system of the city. It is the further purpose of this division to enable the city and the governmental authorities with which it has contracted to provide a public sewage disposal system for properties within the city to comply with the applicable requirements of state and federal laws and the requirements of applicable National Pollutant Discharge Elimination System permits within the Evergreen-Auburn Sewage Disposal System.

Sec. 74-38. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Downspout means an exterior drainage pipe for conveying stormwater from an eaves trough or roof drain.

Downspout extension means an exterior drainage pipe attached to a downspout for the purpose of discharging stormwater at a point distant from the exterior face of a building.

Drain means any pipe which carries stormwater in a building drainage system.

Eaves trough means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader. An eaves trough may also be known as a roof drain.

Grade means a reference plane representing the average of the finished ground level adjoining a building at all exterior walls. The grade shall be determined as provided in the current building code in effect in the city.

Roof drain means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader.

Specified structures means those structures, occupied or unoccupied, which are so constructed as to permit stormwater to enter the city's sanitary sewage system by means of footing drains, weeping tiles, or a similar mechanism.

Sec. 74-39. - Penalty for violation.

Any person, or anyone acting on behalf of a person violating any of the provisions of this division shall, upon conviction thereof, be subject to a fine of not more than \$500.00 and the costs of prosecution or by imprisonment in the county jail for a period not to exceed 90 days, or by both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any penalties shall not exempt the offender from compliance with the requirements of this division.

Sec. 74-40. - Stormwater drainage system required.

A stormwater drainage system shall be provided and maintained for the safe and efficient drainage of roofs on all specified structures within the city. As a minimum, such storm drainage system shall consist of eaves troughs and/or roof drains, downspouts, and downspout extensions having a minimum length of five feet measured at grade from an exterior face of a structure on all faces above a basement or undergrade living area.

Sec. 74-41. - Variances.

The variance committee consisting of the DPW director, assistant city manager and one citizen at large, upon an appeal from a property owner, may grant variances from the strict application of the terms of this division in those cases where it determines that due to unique physical circumstances pertaining to the property, the stormwater drainage system required by this division cannot be constructed or would not serve the purpose and intent of this division.

All Sections in CHAPTER 74 – UTILITIES following Section 74-41 shall be renumbered in sequence.

DIVISION 4. – REPEALER

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

DIVISION 5. – SEVERABILITY

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance, but the remainder of this ordinance shall stand and be in full force and effect.

DIVISION 6. – SAVINGS

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law when they were commenced.

DIVISION 7. – EFFECTIVE DATE

The provisions of this ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

DIVISION 8. – ADOPTION

This ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the ____ day of _____, 2023, and ordered to be given publication in the manner set forth in this ordinance and as prescribed by the Chapter of the City of Auburn Hills.

AYES:
NAYES:
ABSENT:
ABSTENTIONS:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. _____ adopted by the Auburn Hills City Council on the _____ day of _____, 2023, the original of which is in my office.

LAURA PIERCE
City Clerk

CITY OF AUBURN HILLS
CODE OF ORDINANCES

CHAPTER 74 – UTILITIES

ARTICLE I. ~~STORMWATER DISCHARGE~~

Marked-Up Version

Key

Repealed

~~Sec. 74-1. Purpose.~~

~~It is the purpose of this article to protect public health and safety by evading and preventing pollution through the regulation and control of the disposal of stormwater so as to prevent such water from entering the wastewater collection and treatment system of the city. It is the further purpose of this article to enable the city and the governmental authorities with which it has contracted to provide a public sewage disposal system for properties within the city to comply with the applicable requirements of state and federal laws and the requirements of applicable National Pollutant Discharge Elimination System permits within the Evergreen Farmington Sewage Disposal System.~~

~~(Ord. No. 634, § 1, 9-21-98)~~

~~Sec. 74-2. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Downspout* means an exterior drainage pipe for conveying stormwater from an eaves trough or roof drain.~~

~~*Downspout extension* means an exterior drainage pipe attached to a downspout for the purpose of discharging stormwater at a point distant from the exterior face of a building.~~

~~*Drain* means any pipe which carries stormwater in a building drainage system.~~

~~*Eaves trough* means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader. An eaves trough may also be known as a roof drain.~~

~~*Grade* means a reference plane representing the average of the finished ground level adjoining a building at all exterior walls. The grade shall be determined as provided in the current building code in effect in the city.~~

~~*Roof drain* means a drain installed to receive water collecting on the surface of a roof and to discharge it into a downspout or leader.~~

~~*Specified structures* means those structures, occupied or unoccupied, which are so constructed as to permit stormwater to enter the city's sanitary sewage system by means of footing drains, weeping tiles, or a similar mechanism.~~

~~(Ord. No. 634, § 1, 9-21-98)~~

~~**Cross reference** — Definitions generally, § 1-2.~~

~~Sec. 74-3. Penalty for violation.~~

~~Any person, or anyone acting on behalf of a person violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine of not more than \$500.00 and the costs of prosecution or by imprisonment in the county jail for a period not to exceed 90 days, or by both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any penalties shall not exempt the offender from compliance with the requirements of this article.~~

~~(Ord. No. 634, § 1, 9-21-98)~~

~~Sec. 74-4. -- Stormwater drainage system required.~~

~~A stormwater drainage system shall be provided and maintained for the safe and efficient drainage of roofs on all specified structures within the city. As a minimum, such storm drainage system shall consist of eaves troughs and/or roof drains, downspouts, and downspout extensions having a minimum length of five feet measured at grade from an exterior face of a structure on all faces above a basement or undergrade living area.~~

~~(Ord. No. 634, § 1, 9-21-98)~~

~~Sec. 74-5. -- Variances.~~

~~The variance committee consisting of the DPW director, assistant city manager and one citizen at large, upon an appeal from a property owner, may grant variances from the strict application of the terms of this article in those cases where it determines that due to unique physical circumstances pertaining to the property, the stormwater drainage system required by this article cannot be constructed or would not serve the purpose and intent of this article.~~

~~(Ord. No. 634, § 1, 9-21-98)~~

~~Sec. 74-6 -- 74-25. -- Reserved.~~



CITY OF AUBURN HILLS

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2023

AGENDA ITEM NO 9D

DEPARTMENT OF PUBLIC WORKS

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Jason Deman, Manager of Public Utilities
Submitted: March 14, 2023
Subject: Motion – To Approve the Resolution to File Chapter 20 Petition for the Clinton River Water Resource Recovery Facility Optimization Project

INTRODUCTION AND HISTORY

The City of Auburn Hills has benefitted greatly from the Clinton River Water Resource Recovery Facility, which became an intra-county Drain in 2017. This included the initial revitalization of the former Pontiac Wastewater Treatment Plant and partial diversion of flow from the Clinton Oakland Sewage Disposal System (COSDS). The Clinton River Water Resource Recovery Facility (CRWRRF) has operated successfully and has continued to thrive since the biosolids project in 2017. Although these improvements came at a heavy cost, we are seeing them pay dividends to us in several ways. Benefits have included lower treatment costs, lower Industrial Waste Control rates to our commercial customers in the north end of the city, and improved water quality emanating from the discharge of the plant into the Clinton River. The specific area served by the CRWRRF as it pertains to Auburn Hills is available as Attachment 1.

The facility has continued to be under a consent judgement since 2009 to complete items such as improved solids handling and larger clarifiers. This is needed to better comply with The Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Sanitary Sewer Overflow (SSO) policies. Since the CRWRRF is a Chapter 20 Drain, it requires at least two petitions for a bonded project to occur. Since the city is a large contributor and has direct environmental impacts downstream of the facility, it only makes sense for the city to be one of the petitioners. This project has been on the radar for a few years, and like mentioned above, will increase the capacity, and improve the environmental impact of the facility.

The timing of this project is mainly driven by the fact there are State Revolving Loan (SRF) funds available, which includes 10% principal forgiveness. With a large project such as this, the principal forgiveness amount will be immensely helpful. Although inflation is driving costs as we speak, the current estimate for this project is around \$38M. This would be split between The City of Pontiac and the 11 members of the COSDS, of which the city is a part. The city portion of this project amounts to just over 5% of the total cost, or just under \$2 million. At the time of project approval and bid, the City will have the option to bond or pre-pay this amount. The current projections for the project are estimates, with actual numbers to be supplied after the bidding process. Once bid amounts are received for the project, City Council will need to approve the funding method before the construction commences. The full breakdown of the estimated cost apportionment is available as Attachment 2.

Since The City has a vested interest in the continued success of the CRWRRF, we would like to show support and officially petition the Drain for this project. It is in the community's best interest to complete this work for all the users mentioned above and for the overall health of the community. The official petition for this project is available for your viewing as Attachment 3.

STAFF RECOMMENDATION

Staff recommends the authorized users to sign the petition on behalf of the City of Auburn Hills, which will be submitted to the Drain Board in support of the CRWRRF optimization project.

MOTION

Move To Approve the Resolution to File Chapter 20 Petition for the Clinton River Water Resource Recovery Facility Optimization Project

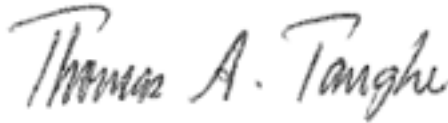
ATTACHMENTS

Attachment 1 – Map of Auburn Hills area tributary to CRWRRF

Attachment 2 – Estimated cost apportionments for project

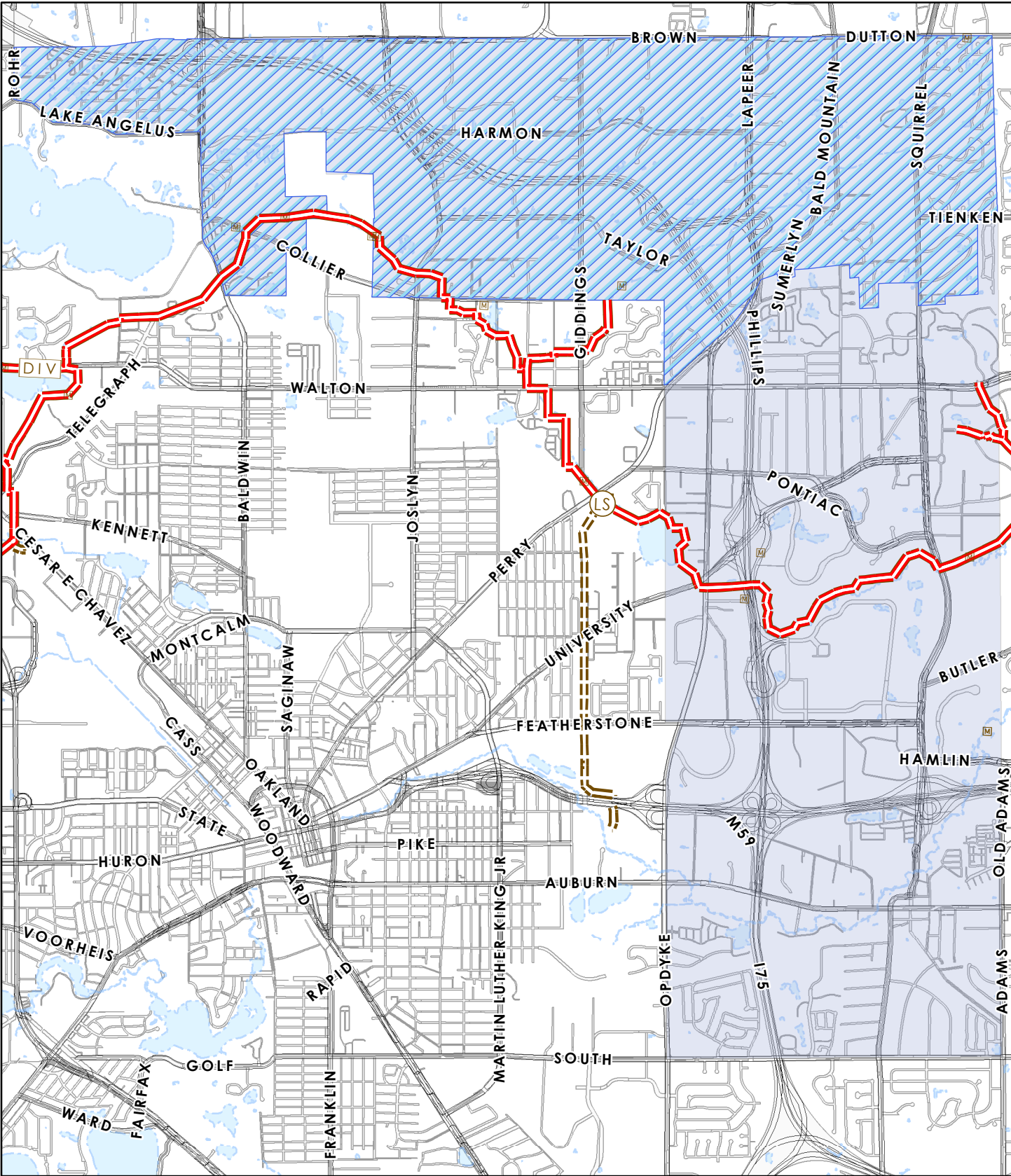
Attachment 3 – Official resolution to petition CRWRRF project

I CONCUR:

A handwritten signature in dark ink, reading "Thomas A. Tanghe". The signature is written in a cursive, flowing style.

THOMAS A. TANGHE, CITY MANAGER

AUBURN HILLS AREA TRIBUTARY TO CLINTON RIVER WATER RESOURCE RECOVERY FACILITY





WRC

WATER RESOURCES COMMISSIONER

Jim Nash

One Public Works Drive
 Building 95 West
 Waterford, Michigan
 48328-1907

Legend



Area Served by CRWRRF



Auburn Hills



COSDS Interceptor

City of Pontiac	54.8%	\$ 20,824,646
COSDS	45.2%	\$ 17,175,354
Total Project		\$ 38,000,000

COSDS		CRWRRF Optimization Project	
MUNICIPALITY	Proposed 2022/23	Estimated Cost	Estimated Annual Debt Service
City of Auburn Hills	11.51%	\$ 1,977,227	\$ 119,495
Independence Township	8.66%	\$ 1,486,527	\$ 89,839
Oakland Township	2.82%	\$ 484,001	\$ 29,251
Village of Lake Orion	1.22%	\$ 209,539	\$ 12,664
Orion Township	9.86%	\$ 1,693,833	\$ 102,368
Village of Oxford	1.29%	\$ 221,047	\$ 13,359
Oxford Township	4.07%	\$ 698,865	\$ 42,236
City of Rochester	5.52%	\$ 947,736	\$ 57,277
City of Rochester Hills	23.49%	\$ 4,033,804	\$ 243,785
Waterford Township	24.78%	\$ 4,255,881	\$ 257,206
West Bloomfield	6.79%	\$ 1,166,894	\$ 70,522
Total	100.000%	\$ 17,175,354	\$ 1,038,002

At a *public* meeting of the *Council* of the *City of Auburn Hills*, Oakland County, Michigan held on *March 20, 2023*.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and seconded by _____:

Whereas: The Clinton River Water Resource Recovery Facility (the “Facility”) contributes to the safety of the public health and environment by providing for surface water quality in the area served by the Facility, including the *City of Auburn Hills*; and

Whereas: Certain equipment at the Facility that is necessary to provide such surface water quality is aging and obsolete; and

Whereas: A Consent Judgment ordered by the Ingham County Circuit Court on July 24, 2009 (the “Judgment”), between the City of Pontiac and the Michigan Department of Environmental Quality (subsequently renamed as the Michigan Department of Environment, Great Lakes, and Energy) with respect to the Facility, requires completion of actions specified in the Judgment, pursuant to Part 31 of Michigan’s Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, to bring the Facility into compliance with the Michigan Department of Environment, Great Lakes, and Energy’s 2002 sanitary sewer overflow policy and clarification statement.

BE IT RESOLVED BY THE *COUNCIL OF THE CITY OF AUBURN HILLS*, OAKLAND COUNTY, MICHIGAN, as follows:

1. That the *City of Auburn Hills* make and cause to be filed a petition in form substantially as follows:

PETITION

TO THE DRAINAGE BOARD FOR THE HEREINAFTER DESCRIBED OAKLAND COUNTY, MICHIGAN CLINTON RIVER WATER RESOURCE RECOVERY FACILITY DRAIN PROJECT

The undersigned public corporation hereby petitions for the location, establishment study, design and construction of an intra-county drain project consisting of improving the Clinton River Water Resource Recovery Facility, an intra-county drain for the treatment of sanitary sewage located in the City of Pontiac, and all improvements necessary to bring the Clinton River Water Resource Recovery Facility into compliance with the Consent Judgment ordered by the Ingham County Circuit Court on July 24, 2009, between the City of Pontiac and the Michigan Department of Environmental Quality (subsequently renamed as the Michigan Department of Environment, Great Lakes, and Energy) with respect to the Clinton River Water Resource Recovery Facility, which improvements shall include, without limitation, one or more of the following:

1. At the Auburn Resource Recovery Facility:
 - a. Additions to and/or refurbishments of the facility's peak flow storage capacity along with additions and modifications to the secondary clarifier processes that satisfactorily meet the requirements of the State of Michigan Department of Environmental, Great Lakes and Energy, as well as all work, rights of way, easements, sitework, equipment and appurtenances necessary or incidental thereto;
 - b. Improvements to pump stations and appurtenances related to the sewage treatment process, and the addition of new secondary clarifiers including all sludge conveyance related channels and pipes;
 - c. Installation of new piping, electrical, controls and modifications to the existing blower system including building modifications;
 - d. Improvements to electrical system, backup generators and cogeneration units to centralize the power supply; and installation of new switchgear, primary and secondary power lines, low & medium voltage, related electrical gear; and the removal and replacement of obsolete generators, electrical wiring, conduit, poles and equipment to optimize the plant power supply from DTE Energy to all buildings and components of the facilities along with related control work;
 - e. Biogas cleaning and scrubbing equipment and related infrastructure additions and improvements to maximize and optimize plant operations and efficiencies relating to the sludge digestion processes including digester modifications and the thermal and microbial hydrolysis treatment trains;
 - f. All work, rights of way, easements, sitework, electrical and mechanical improvements, equipment and appurtenances necessary or incidental thereto.

2. At the East Boulevard Recovery Facility: installation of new switchgear, primary and secondary power lines and gear; and removal and replacement of obsolete generators, electrical wiring, conduit, poles and equipment to optimize the plant power supply from DTE Energy to all buildings and components of the facilities along with related control work;

Said drain project is necessary for the public health, and will serve property located entirely within the limits of the City of Auburn Hills, the Charter Township of Independence, the City of Lake Angelus, the Village of Lake Orion, the Charter Township of Oakland, the Charter Township of Orion, the Charter Township of Oxford, the City of Pontiac, the City of Rochester, the City of Rochester Hills, the Charter Township of Waterford and the Charter Township of West Bloomfield (collectively, the "Communities"). The Clinton River Water Resource Recovery Facility receives, treats and discharges sanitary wastewater originating in the County of Oakland only.

This petition is filed pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

It is understood and agreed that the entire cost of the drain project, including litigation costs and the amount of any judgment, arbitration award or settlement, to the extent such costs are payable by the proposed drainage district, is to be assessed against this petitioner and all other public corporations that benefit from the drain project and contribute to the conditions that make the drain project necessary.

A certified copy of the resolution of the governing body of *the City of Auburn Hills* authorizing execution of this petition is attached hereto.

CITY OF AUBURN HILLS

By: _____
Mayor

By: _____
Clerk

2. That the *Mayor* and *City* Clerk are authorized and directed to execute the petition for and on behalf of the *City of Auburn Hills* and to file the same with the Water Resources Commissioner of the County of Oakland.

3. That the *City Council* hereby consents to the assessment of its share of the entire cost of the drain project against the *City*.

4. That the *City* agrees that it will pay its share of the costs incurred by the Oakland County Water Resources Commissioner or by the drainage district contemplated herein in the event the drain or any portion thereof, for any reason, is not constructed.

5. The *City* acknowledges that the County of Oakland, its Board of Commissioners, and the Oakland County Water Resources Commissioner will not contribute to the cost of the drain project or its operation and maintenance except to the extent that the County of Oakland may be assessed for the cost of the drain project or may agree to contribute to the cost of the drain project in accordance with the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

6. That all prior resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

ADOPTED: Yeas - _____

Nays - _____

STATE OF MICHIGAN)
) SS

COUNTY OF OAKLAND)

I hereby certify that that foregoing is a true and complete copy of a resolution adopted by the *Council* of the *City of Auburn Hills*, Oakland County, Michigan, at a *public* meeting held on *March 20, 2023*, the original of which is on file in my office. I certify further that notice of the meeting was given and such meeting was conducted in accordance with the Open Meetings Act.

City Clerk

City of Auburn Hills



March 7, 2023

FR, MAR 10 '23 PM 2:49

Ms. Laura Pierce, Clerk
City of Auburn Hills
1827 N. Squirrel
Auburn Hills, MI 48326

Dear Ms. Pierce:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following changes to the Xfinity services provided in your community:

- Effective April 3, 2023, the monthly subscription for HBO and HBO Max will increase from \$14.99 to \$15.99 per month as a result of a recent increase in HBO and HBO Max programming costs.
- Effective May 12, 2023, ShopHQ will no longer be available with Xfinity.

Customers are receiving notice of these changes in their bill.

Please feel free to contact me at 248-924-4917 if you have any questions.

Sincerely,

Eric Woody
Manager of External Affairs
Comcast, Heartland Region
41112 Concept Drive
Plymouth, MI 48170

From: [Comcast Heartland](#)
Cc: [Woody, Eric](#)
Subject: Comcast Programming Advisory
Date: Friday, March 3, 2023 10:08:33 AM

Good morning,

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following change:

- Effective March 31, 2023, Band International will cease operations.

Please feel free to contact me at 248-924-4917 if you have any questions.

Sincerely,

Eric Woody
Manager, External Affairs
Comcast, Heartland Region
41112 Concept Dr.
Plymouth, MI 48170



FOR IMMEDIATE RELEASE

March 16, 2023

Contact: press@michigan.gov

Governor Whitmer Announces 150 New Good-Paying Jobs Coming to Kalamazoo, Auburn Hills, Owosso

LANSING, Mich. – Today, Governor Gretchen Whitmer joined the Michigan Economic Development Corporation (MEDC) to announce three business expansion projects expected to create a total of 150 new jobs and generate a total private investment of \$30.4 million have received support from the Michigan Strategic Fund. The projects are in Kalamazoo, Auburn Hills and Owosso.

“Today’s investments will create 150 good-paying jobs and invest over \$30 million into communities across Michigan, building our economic momentum,” said **Governor Whitmer**. “Our economic development efforts have helped us bring manufacturing jobs and supply chains home, and created opportunities for Michiganders in their communities. Let’s keep working together to help businesses grow in Michigan, create paths to good-paying careers for Michiganders, and make our communities more attractive places to live and work.”

“The decisions by these companies to expand in Michigan highlight the strength of our advanced manufacturing and agribusiness ecosystem and further demonstrate Team Michigan’s commitment to delivering long-term economic growth for all Michiganders,” said **Quentin L. Messer, Jr., CEO of MEDC and President and Chair of the MSF Board**. “These projects are wins for the entire state. We are grateful to the Governor, legislators of both parties and local officials for their continued support of our efforts. These projects reflect our commitment to ensuring that Michigan becomes an even better place for each of our 10 million-plus friends and neighbors to live, work, visit, play, and create futures. Work remains ahead, yet we are grateful for the vote of confidence that continues to be shown in Team Michigan’s economic environment.”

FlavorSum expansion doubles Kalamazoo facility, creates 51 jobs



FlavorSum LLC provides flavor solutions for the food and beverage manufacturing industry, helping companies go to market quickly and cost-effectively with innovative solutions for delivering great-tasting products that inspire loyalty among consumers. The company currently employs 60 Michiganders at its facility in the city of Kalamazoo.

FlavorSum has begun construction on an expansion project that will add 35,000 square feet to its Kalamazoo facility. With the increased footprint, FlavorSum will build out more technical resources and capacity to meet the needs of small, mid-sized and emerging food and beverage companies. The new facility will house production, warehousing operations, lab space and specialized cooler space. Pilot plant and lab space within the new facility will support initiatives such as new equipment, improved shipping and receiving processes, and increased product storage.

The project is expected to generate a total capital investment of \$10 million and create 51 jobs with the support of a \$500,000 Michigan Business Development Program performance-based grant. Michigan was chosen for the project over competing sites in the U.S. and Canada.

“Response to our solutions model and the growth of SME food and beverage brands led us to expand our capabilities in Kalamazoo,” said **Brian Briggs, President and CEO of FlavorSum**. “FlavorSum’s mission is to deliver the flexibility of a small supplier with the resources of a major flavor company. The additional space allows us to continue fulfilling our promise.”

The revamped facility and deepening technical expertise reflect FlavorSum’s resolve to maintain industry leading growth rates. The project will further boost Michigan’s agribusiness industry and bring immediate good jobs to the area, with the possibility of leading to future investment and growth in Michigan.

“At FlavorSum, creating custom flavors that align with brand goals and consumer trends is only one aspect of our approach,” said **Dave Franz, CRO**. “We partner with our customers to offer a full suite of services designed to facilitate in-market success, from regulatory expertise and market insights to applications and scale-up support. A larger facility in Kalamazoo ensures we’re positioned to support our customers as they grow.”

The expansion plan aims to have the facility operating at full capacity in August 2023. Oshtemo Township has offered a 50-percent property tax abatement in support of the project. For information on careers with FlavorSum, visit <https://flavorsum.com/careers/>.

In recognition of March being Food and Agriculture Month in Michigan, FlavorSum’s commitment further builds on the state’s ongoing support of its robust agribusiness industry, including support for the establishment of SnackCraft’s [U.S. headquarters in Kentwood](#). The project is expected to generate a total capital investment of \$41.75 million and create 185 jobs, supported by a \$1 million Michigan

Business Development Program performance-based grant. In October 2022, the Michigan Strategic Fund awarded Muskegon County a \$60 million Strategic Site Readiness Program performance-based grant for the [Southeast Regional Force Main project](#) impacting communities in Ottawa and Muskegon Counties. The infrastructure improvement project will boost Michigan's agriculture industry and create up to 145 jobs, strengthening the state's agriculture industry.

"MDARD, MEDC and Governor Whitmer are working hard alongside our local economic development partners to ensure that Michigan is known as the place to be for food and agriculture businesses," said **Acting Director Kathy Angerer**. "FlavorSum LLC is a great example of a business which has embraced innovation, investing in their community, and continues to grow."

"I am pleased to see the collaboration between the Governor's economic team and FlavorSum to double the size of its Kalamazoo facility" said **State Senator Sean McCann** (D-Kalamazoo). "With this expansion FlavorSum will have the scale and the technology to be the go-to partner for emerging, small, and mid-sized food and beverage companies. It's exciting to see a company like FlavorSum- that has been with the community from the beginning- benefit from a first mover advantage in their existing space as opposed to starting from scratch in another facility".

"I am thrilled to learn of the MEDC's investment in FlavorSum, LLC to expand resources for small and emerging food companies," said **State Rep. Christine Morse** (D-Texas Township). "I am honored to represent a district that has a long history of providing excellent food products and values innovation in the food industry. It is businesses like these that support our diverse and growing economy."

ABB Robotics expanding in Auburn Hills, creating 72 new jobs

ABB Robotics, a division of [ABB Inc.](#), is a leading robotic and advanced digital services company with 347 employees at its United States headquarters and manufacturing facility in Auburn Hills.

The company is currently executing a major expansion and renovation to its Auburn Hills campus, to be completed later this year. The enhanced robot manufacturing operation will feature an array of advanced manufacturing technologies that will be instrumental in onshoring more ABB robot manufacturing to the United States. This will allow ABB to better serve its customers throughout the Americas, with more than 90 percent of the robots delivered to these regions coming from the Michigan operation.

The project is expected to generate an initial capital investment in excess of \$20 million and create 72 jobs, supported by a \$450,000 Michigan Business Development Program performance-based grant. ABB chose Michigan for the project over a competing site in Georgia due to Michigan's automotive leadership.

"Our investment is a significant step in accelerating ABB Robotics' global leadership in developing and manufacturing cutting-edge robotic solutions in the US, for the Americas," said **Sami Atiya, President of ABB Robotics and Discrete Automation**. "As the global mega trends of labor shortages, uncertainty, the near and reshoring of production, and a desire to operate more sustainably accelerate, more businesses are turning to automation to build resilience while improving efficiency and flexibility. Our expanded facility will help us to better serve customers in the US and across the Americas, giving them access to innovative automated solutions."

ABB supports the personal growth of its employees by offering cross training and offers opportunities for advancement from within. The company also utilizes Michigan Works! to reach local talent and partners with local universities, including Oakland University. The project will bring 72 advanced manufacturing jobs with a longstanding, growing supplier and builds on the state's work to position itself as the global leader in the future of electrification and Industry 4.0 technologies.

Auburn Hills plans to offer expedited permits and electronic billboard advertising in support of the project. For information on careers with ABB, visit <https://careers.abb/global/en/home>.

“ABB’s initial investment at their current Auburn Hills location continues to build on Auburn Hills’ reputation as a great place to invest and do business. ABB has been in our community for over 35 years, and we are proud that they have chosen Auburn Hills over a competing site in Georgia to make their next strategic investment,” said **Auburn Hills Mayor Kevin R. McDaniel**. “This project will create 72 advanced manufacturing jobs, which will provide additional customer service support with expanded production of advanced robotics as well as EV charging equipment. We are incredibly grateful to ABB and their leadership team for choosing Auburn Hills and helping us to become the largest robotics footprint in the United States.”

“ABB has a successful 30-year history in Oakland County and it’s always gratifying to see a company reinforce its commitment by expanding its footprint even more in Auburn Hills,” said **Oakland County Executive Dave Coulter**. “The investment that ABB is making to grow its robotic assembly operations will help ensure a bright future for the 72 new people the company will hire and cement Oakland County’s reputation as a prime location for advanced manufacturing.”

“I am excited for the Auburn Hills community to receive this investment that will create 72 jobs,” said **State Rep. Brenda Carter (D-Pontiac)**. “Our community will greatly benefit from these good-paying jobs and from the investment ABB Inc. is providing.”

"I'm thrilled for the expansion of ABB Robotics in Auburn Hills creating 72 new jobs in our region. This investment will have a positive benefit in our community for years to come." - **Sen. Jeremy Moss (D-Southfield)**

Sonoco Protective Solutions expanding in Owosso, creating 27 jobs

Sonoco Protective Solutions is a subsidiary of Sonoco, a leading provider of consumer protective packaging components and material handling solutions. Sonoco was founded in 1899 and has more than 300 locations worldwide. Sonoco Protective Solutions manufactures protective solutions that prevent damage while also ensuring product integrity, serving customers in the pharmaceuticals, health and beauty care, powdered beverages, electrical, appliance, and automotive industries. The Sonoco Protective Solutions plant is located in the city of Owosso and has 102 full-time employees.

To support new business in Owosso, Sonoco plans to purchase new steam chest molding machines, lease new fork trucks, add air compressors, transition to a newer production data system, and update the boilers in its Owosso plant. The expansion will help meet the demand of current customers and provide the opportunity to secure new customers. The project is expected to generate a total capital investment of \$450,000 and create 27 jobs with the support of a \$162,000 Michigan Business Development Program performance-based grant. Michigan was chosen for the project over competing sites in Indiana, Mississippi, Ohio, Tennessee, and Wisconsin.

“Our Sonoco team is excited to bring new business, equipment, and jobs to our Owosso plant,” said **Sonoco Protective Solutions Plant Manager Tom Mims**. “The city of Owosso, the county of Shiawassee, and the state of Michigan have all provided outstanding support over the years and continue to foster teamwork and cooperation. Thank you for supporting this grant and helping us bring more jobs to the great state of Michigan.”

Sonoco supports the personal growth and advancements of its employees by offering on-the-job training and cross training that leads to pay increases. The company utilizes Michigan Works! to reach local talent in disadvantaged areas and underrepresented employees and is diligent about offering these individuals training and future advancement opportunities. The project will bring immediate advanced

manufacturing jobs with a large and growing manufacturer and could lead to future investment in Michigan.

“Sonoco is a highly successful global company, and we are excited and grateful for their continued commitment to create jobs and investment right here in Owosso and Shiawassee County,” said **Shiawassee Economic Development Partnership President/CEO Justin Horvath**.

"I am excited to see MEDC's investment in expanding advanced manufacturing jobs in Shiawassee County," said **State Senator Sam Singh** (D-East Lansing). "I look forward to seeing the impact that Sonoco Protective Solution's expansion will have on the city of Owosso and surrounding communities."

Individuals interested in careers with the company should visit [indeed.com](https://www.indeed.com) and search for Sonoco.

###

Auburn Hills-based Easterseals MORC launches 'See the Good' campaign



Easterseals MORC location in Wixom (Photo courtesy of Easterseals MORC)

By **KATHY BLAKE** | kblake@medianewsgroup.com | The Oakland Press
PUBLISHED: March 14, 2023 at 3:37 p.m. | UPDATED: March 14, 2023 at 4:18 p.m.

March is National Disability Awareness Month, and Easterseals MORC kicked off its "See the Good" campaign to recognize the talents and successes of individuals with disabilities and senior citizens, according to a press release.

Easterseals MORC is hosting a free webinar at noon, March 21, which is open to the public and will feature panelists to offer insight on how to be more inclusive and engage with more individuals who have a disability or are a part of an older generation.

Panelists include Dr. Doru Bali, Easterseals MORC Medical Director and Kelly Helmreich, RN, Easterseals MORC Intake Support Coordinator. To register, visit bit.ly/3ZB2lEd.

Easterseals MORC is based in Auburn Hills with locations across the state. The nonprofit works with hundreds of providers across the state, serving more than 5,000 individuals with long-term care needs such as physical, intellectual, or developmental disabilities.

Easterseals MORC offers the following reminders:

- Treat everyone as an individual first, regardless of their ability
- Not all disabilities are visible
- Consider accessibility when planning social events with friends who have a disability
- When talking with someone in a wheelchair, match their eye level
- It's ok to ask people about their disabilities once you've gotten to know them, and it's also ok for them not to talk about it
- Don't park in accessible parking spots unless you need to
- Don't play with service dogs – they can't be distracted from the job they're doing
- If an interpreter is helping you speak with a deaf person, talk to the deaf person and not the interpreter

For more information, visit www.easterseals.com/MORC.

Oakland County senior centers to split \$5m in ARPA funds



Deborah Findley, director of Pontiac's two senior centers next to Mayor Time Griemel, as County Executive Dave Coulter looks on, talking about Pontiac's share of the county's \$5 million in grants to 29 senior center. (Peg McNichol/MediaNews Group)

By **PEG MCNICHOL** | pmcnichol@medianewsgroup.com |
March 3, 2023 at 5:33 a.m.

County officials announced Thursday that \$5 million in American Rescue Plan Act money will go to 29 senior centers as part of a matching-grant plan. The made the announcement at the Madison Heights City Hall, where a new senior center is under construction. Grants range from \$25,000 to \$250,000.

Gary McGillivray, a county commissioner from Madison Heights, has been advocating for seniors since he got into politics in his 30s. Now 71, he said the \$5 million allocation is gratifying.

U.S. Census figures show that people 65 and older comprise nearly 18 percent of the county's population, with nearly 500,000 people 50 and older. Conversely, children 5 and younger make up less than 6% of the county's population. A key census prediction is that the number of people 60 and older will double by 2030. Investments in senior care will help older residents remain as independent as possible for as long as possible.

Dave Coulter, county executive said the COVID-19 pandemic not only disproportionately affected older adults, it highlighted many of their challenges that should be addressed. County commissioners created an ad hoc committee on healthy aging to look for ways to support aging residents. The committee accepted the Area Agency on Agency 1B's blueprint for successful aging in 2021, for strategic planning purposes.

The county's announcement included two Madison Heights officials, Mayor Roslyn Grafstein and City Manager Melissa Marsh. The \$250,000 county grant for Madison Heights' senior center solved an important problem, Grafstein said. Plans started in 2019, but costs surged because of inflation and supply chain issues. Important aspects of the project were put on hold, until they got the county's grant, she said.

With that money, they can buy computers and tablets, improve outdoor seating, make such ADA improvements as install toilets that flush automatically and motion-activated faucets and buy new exercise equipment, among other amenities.

"Right now, it might not look like much, she said, adding that construction would be done by August.

Like Madison Heights, Pontiac Mayor Tim Griemel said his city has also been investing in improvements at the Robert Bowens and Ruth Peterson Senior Centers. He and the centers' director, Deborah Findley, said the county grants will make a big difference in the lives of seniors. Not only are the senior centers resources for older residents, Bowens was also used as a warming center last weekend during the power outage.

Pontiac officials hosted town halls last year to get ideas from residents, with some renovations started last summer. The Peterson parking lot was resurfaced last summer. Interior renovations at Bowens started in the fall, not without bumps. At Tuesday's city council meeting, resident Renee Beckley told the board she was frustrated with the the unfinished work on Bowens' restrooms, started last fall. The main bathrooms are closed until work is done. People must use the handicapped bathrooms, which each have a single toilet.

"For a senior citizen to wait to use this bathroom is like not having one at all," she told The Oakland Press Thursday. Three members of the Golden Opportunity Club who attended the county's grant announcement said they have adapted to Bowen's single toilet for women and that the wait times are not longer than five or 10 minutes. If the women's restroom is busy, they said, they will use the men's restroom.

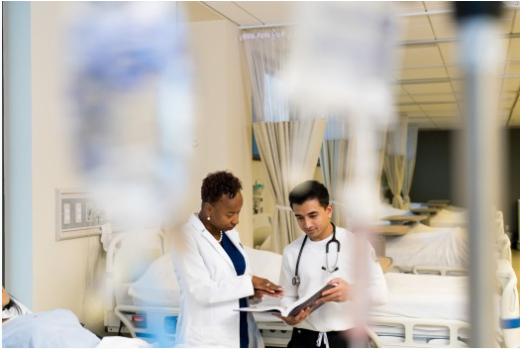
Greimel said he anticipates Bowens' renovated restrooms to be done before the end of this month.

McGillivray said he hopes to see more innovative work by the county. He's eager to see results of research underway by Jim Ellison, the county's new older adult services chief, who is looking for gaps in senior services. McGillivray also said he'd like to see a way for the county's senior center directors to meet at least every quarter, so they can share ideas.

Other senior centers receiving grants have planned these improvements:

- Addison Senior Center: new park space, walking paths, and pickleball.
- Auburn Hills Community Center: senior nutrition program and upgrading the kitchen.
- Brandon Township Edna Burton Senior Center: roof and gutter replacement and new equipment to support senior activities.
- Commerce Township Richardson Senior Center: parking lot upgrades for new pickleball courts and expansion of programming
- Farmington Hills Senior Center: Better access to the pools, theater, meals program, exercise opportunities, clubs, support groups, dance classes, and social gatherings at Costick Activities and Hawk Community centers.
- Ferndale Gerry Kulick Community Center: outdoor senior recreational opportunities such as pickleball courts and trail markers along the walking path to encourage senior physical health and well-being.
- Golden Age Club in Waterford: outdoor recreational activities for seniors and replacing commercial kitchen ranges.
- Hazel Park Senior Center: Flooring upgrades, ADA compliant doors, HVAC system, and a generator.
- Independence Twp. Senior Center, Clarkston: Roof and gutter replacement, interior painting, and a new phone system.
- Jewish Community Center in West Bloomfield: New customer relationship management system for better participant outreach and data analysis to make strategic decisions on how to best address the needs of seniors.
- Lake Orion Senior Center: deck construction for outdoor senior programming and an ADA sidewalk.
- NEXT Area Senior Council in Birmingham: Feasibility study for a new location to expand senior services.
- Novi Older Adults Services: Pickleball courts at Meadowbrook Commons
- Oak Park Senior Center: New commercial kitchen equipment to give seniors access to locally grown Michigan produce and develop partnerships for meals for seniors.
- Older Persons' Commission in Rochester Hills: Roof replacement allowing at-risk services and fitness and aquatic activities to continue.
- Pleasant Ridge Community Center Pleasant Ridge: A building generator and new tables and chairs for day-to-day senior programming and outdoor activities
- City of Royal Oak Senior Community Center: Equipment and tech improvements, bathroom remodels for ADA compliance, automatic doors, large display monitors, and Chromebook purchases.
- Royal Oak Township Pearl Wright Senior Center: Large screen television, laptops, and re-charge stations for the computers, for seniors and hiring technology instructors for seniors.
- South Lyon Center for Active Adults for an outdoor pavilion area and expanding their programming space.
- Southfield Pavilion: Wall replacement, electrical repairs, new flooring, and furnishing.
- Troy Parks and Recreation: Senior dining room renovations at the Troy Community Center and senior outdoor recreation activities.
- Waterford Senior Center: Expanding senior programming such as yoga, meditation, balance classes, and reading, and roof repairs and ADA compliant sidewalk replacement.
- West Bloomfield Connect: Expanding recreation activities center facility, staff professional development, technology improvements, and equipment updates.
- Wixom Senior Citizen Center: Carpet, tiles, doors, and presentation equipment upgrades, installation of UV lighting, air handling disinfection system, and new HVAC.

Oakland University hosting nursing symposium



People interested are asked to register by Friday, March 10, to guarantee a spot. (photo / Oakland University)

By **MATTHEW FAHR** | mfahr@medianewsgroup.com | The Oakland Press

PUBLISHED: March 9, 2023 at 6:35 p.m. | UPDATED: March 9, 2023 at 6:36 p.m.

Oakland University will host its inaugural Nursing Policy Symposium from 8:30 a.m. on Monday, March 20, in the Oakland Center ballrooms.

The symposium features former health care reporter and health care speaker Lila Lazarus as the moderator.

Legislators, nurses, OU nursing alumni and OU nursing students will take part in a panel discussion about the future of healthcare and creating policies that support healthy environments for nurses and their patients.

There is no charge to attend, and the public is welcome, but pre-registration is required and includes a continental breakfast. People interested are asked to register by Friday, March 10, to guarantee a spot.

Event information and online registration may be found at oakland.edu/nursing.

OCC invites high school seniors to National Signing Day event



File photo. (Stephen Frye / MediaNews Group)

By **MATTHEW FAHR** | mfahr@medianewsgroup.com | The Oakland Press

March 12, 2023 at 6:00 a.m.

Oakland Community College will hold a National Signing Day event from 10 a.m. until noon on Thursday, April 20, on OCC's Auburn Hills campus.

OCC is inviting area high school seniors to participate and sign a letter of intent to pursue a degree or certificate in one of the college's technical or public service programs beginning the fall 2023 semester.

At the event, students will:

- Sign their letter of intent to commit to an OCC academic program for the 2023 school year
- Meet OCC faculty and tour college facilities
- Learn about scholarship opportunities
- Receive OCC branded merchandise.

To register for this National Signing Day event, students can visit <https://www.oaklandcc.edu/skilledtrades/national-signing-day>.

Registration deadline is April 11. Contact Gia Huff at gjhuff@oaklandcc.edu