



CITY OF AUBURN HILLS

REGULAR CITY COUNCIL MEETING

MAY 15, 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, Cionka, Hawkins, Knight, Marzolf, and Verbeke

Absent: None

Also Present: Assistant City Manager Skopek, City Attorney Beckerleg, Deputy Clerk Klassen, Police Chief Gagnon, Fire Chief Massingill, Community Development Director Cohen, DPW Director Baldante, Finance Director Schulz, Management Assistant Hagge

11 Guests

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, May 1, 2023.

Moved by Knight, Seconded by Verbeke

RESOLVED: To approve the City Council Workshop Minutes of May 1, 2023.

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

No: None

Resolution No. 23.05.054

Motion Carried (7 - 0)

4b. City Council Regular Meeting Minutes, May 1, 2023.

Moved by Hawkins, Seconded by Cionka

RESOLVED: To approve the City Council Regular Meeting Minutes of May 1, 2023.

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

No: None

Resolution No. 23.05.055

Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS

6. PUBLIC COMMENT

There was no public comment.

7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Tax Increment Finance Authority, April 11, 2023

7a2. Planning Commission, May 3, 2023

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

7b. Motion – To approve the Prepayment Resolution of the Oakland-Macomb Interceptor Drain 2023 Issue Assessment.

RESOLVED: To approve the Prepayment to the OMIDD Drainage Board in the full amount of \$762,524, and amend GL 592-535-991-000 for \$12,524 to cover the expense. (Attachment A)

7c. Motion – To amend the General Fund General Administration Department Budget.

RESOLVED: To amend the General Administration Department in the General Funds with an increase in appropriations of \$604,395.

7d. Motion – To reallocate and obligate funds from the American Rescue Plan Act of 2021 to the Parking Deck Project.

RESOLVED: To obligate \$2,5000,000.00 of ARPA funds to the parking deck extension project and \$10,337.00 to audit compliance.

7e. Motion - To adopt the Resolution Honoring the Jewish Community.

RESOLVED: To adopt the Resolution Honoring the Jewish Community. (Attachment B)

Moved by Verbeke, Seconded by Marzolf

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 23.05.056

Motion Carried (7 - 0)

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9a. Motion – To postpone the combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit / GM Electric Vehicle Parts Assembly, Distribution, and Office Facility.

Mayor McDaniel explained that on Friday, May 12, this item was pulled by the Schostak Company for revisions.

Moved by Verbeke, Seconded by Knight

RESOLVED: To postpone the combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit for the GM Electric Vehicle Parts Assembly, Distribution, and Office Facility subject to the conditions of the City’s Administrative Review Team.

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

No: None

Resolution No. 23.05.057

Motion Carried (7 - 0)

9b. Public Hearing / Motion – Revocation of the combined PUD Step One – Qualification / Step Two – Site Plan for Elite Detection K9.

Mr. Cohen presented the revocation to the PUD for Elite Detection K9.

Mayor McDaniel opened the Public Hearing at 7:06 PM.

Hearing no public comment, Mayor McDaniel closed the Public Hearing at 7:06 PM.

Ms. Dani Landolt, Chief Marketing Officer for Leader Dogs for the Blind, was present. She thanked City Council for the concern they shared regarding this program. She spoke to the continued impact the pandemic has had

on this organization with regards to training the dogs as well as building supply costs. Because of these issues, they are seeking the revocation.

Moved by Carrier, Seconded by Hawkins

RESOLVED: To revoke the combined PUD Step One – Qualification / Step Two – Site Plan approval for Elite Detection K9 previously granted by the City Council on June 24, 2019.

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

No: None

Resolution No. 23.05.058

Motion Carried (7 - 0)

9c. Motion – To extend combined PUD Step One – Qualification / Step Two – Site Plan Approval / Primary Place.

Mr. Cohen presented the extension for Primary Place. He explained that due to delays in utility connections they have been unable to complete the first building as instructed by City Council.

Mr. Tom Ryan, Attorney for Mr. Steuer was present. He explained that much progress has been completed, unfortunately due to ice storms and the winter conditions, DTE and Consumers Energy are back logged and therefore new installs have been put at the bottom of their lists.

Mayor McDaniel shared that he appreciates that the site has been kept clean and safe. He hopes they continue to keep the site clean.

Concerns were shared with regards to the east end of the property being unsightly and unkempt. It was clarified that the proposed picnic shelter is still on the plans and that the completion dates are a collaborative effort between the City Staff and Mr. Steuer.

Moved by Knight, Seconded by Cionka

RESOLVED: To extend the Planned Unit Development approval for Primary Place subject to the following conditions:

1. Steuer & Associates, Inc. (applicant) shall complete construction on the first building with a Temporary Certificate of Occupancy Permit (TCO) issued by the Building Official by August 1, 2023. The applicant is advised that a condition of the TCO shall include all necessary site work and paving required to provide access to the building, along with landscaping adjacent to the first building, per the approved site plan.
2. The applicant shall complete all site improvements and landscaping per the approved site plan by November 1, 2023.
3. The applicant shall complete the entire project, and all buildings shall have obtained final Certificate of Occupancy Permits issued by the Building Official by March 1, 2024.

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

No: None

Resolution No. 23.05.059

Motion Carried (7 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Verbeke – She had the opportunity to represent City Council at the 40 year celebration of Havenwyck Hospital. She confirmed the parade route for the Memorial Day Parade. Chief Gagnon shared that it is the same as in the past.

Mr. Marzolf – He is looking forward to the Memorial Day parade and the picnic at the American Legion Hall.

Mr. Knight – He shared that it is nice to see activity starting at the park for the summer.

Mayor McDaniel – He thanked the DPW for repairing the planters in the Downtown Area that had been damaged, it makes the area look inviting. He shared that he will not be in attendance of the Memorial Day parade due to a family event.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 7:21 PM.

Kevin R. McDaniel, Mayor

Kristine M. Klassen, Deputy Clerk

ATTACHMENT A

PREPAYMENT RESOLUTION

CITY OF AUBURN HILLS
COUNTY OF OAKLAND, MICHIGAN
RESOLUTION

Minutes of a regular meeting of the *City Council* of the *City of Auburn Hills*, County of Oakland, State of Michigan, held in said City on the 15th day May 2023, at 7 p.m., Eastern Daylight Savings Time.

PRESENT: Mayor McDaniel, Council Members Carrier, Cionka, Hawkins, Knight, Marzolf, and Verbeke

ABSENT: None

WHEREAS, pursuant to the petitions received by the Charter Township of Waterford, Oakland County, and the City of Sterling Heights, Macomb County (collectively, the “Petitions”) requesting the Maintenance, Extension and Improvement of the Oakland-Macomb Interceptor Drain (the “Drain”) pursuant to Section 535 of Michigan Public Act 40 of the Public Acts of 1956 (“Drain Code” or Act 40), as amended, MCL §280.535 and filed with the Director of the Michigan Department of Agriculture, proceedings have been carried out by the Augmented Drainage Board and Drainage Board for the Oakland-Macomb Interceptor Drain Drainage District (the “Drainage District”) to acquire, finance, construct, improve, and replace certain wastewater facilities (the “Project”) as set forth in Attachment A, and said Project having been determined to be necessary for the public health; and,

WHEREAS, on August 21, 2019, the Drainage Board for the Drainage District confirmed and adopted a Final Order of Apportionment and cost of the Project has been apportioned against the following public corporations in the counties of Oakland and Macomb as follows: (in Oakland County) City of Auburn Hills (4.9705%), Independence Township (includes City of Clarkston) (2.4213%), City of Lake Angelus (0.0185%), City of Rochester (1.9526%), City of Rochester Hills (8.1106%), Oakland Township (1.0393%), Orion Township (3.1494%), Oxford Township (1.2468%), Village of Lake Orion (0.3409%), Village of Oxford (0.5928%), Waterford Township (7.6159%), West Bloomfield Township (1.6414%); (in Macomb County) Chesterfield Township (4.7983%), City of Fraser (2.7237%), City of Sterling Heights (20.8080%), City of Utica (1.1036%), Clinton Township (14.1538%), Harrison Township (4.1556%), Lenox Township (0.6353%), Macomb Township (9.4344%), Shelby Township (6.6490%), Village of New Haven (0.5475%), and Washington Township (1.8907%) (the “Public Corporations”); and,

WHEREAS, on April 19, 2023, the Drainage Board approved and adopted Special Assessment No. 1 Relating to Drain Bonds, Series 2020B (2023 Issue) with respect to the costs of the second segment of the Project not to exceed \$15,600,000, for the improvements to the Northeast Sewage Pumping Station and North Interceptor East-Arm in accordance with the Final Order of Apportionment; and,

WHEREAS, pursuant to the authorization provided in Section 528 of Chapter 21 of the Drain Code (MCL §280.528), the Drainage Board of the Drainage District expects to provide for the issuance of one or more series of bonds to finance the costs of the Project, and the costs of issuance of such bonds, in anticipation of the collection of assessments to be made pursuant to the Drain Code, and to pledge the full faith and credit of the Drainage District for the prompt payment of the principal thereof and the interest thereon; and

WHEREAS, such bonds will be payable from the collection of special assessments against the Public Corporations, said special assessments to be duly confirmed as provided in the Drain Code; and

WHEREAS, prior to the issuance of said bonds for the first segment, the Drainage Board has notified the *City*, to permit, should the *City* determine expedient, to prepay the assessment and avoid interest and finance charges associated with the anticipated Series 2020B (2023 Issue) Bond issue for this Project segment; and,

WHEREAS, the Drainage Board has requested that the *City* adopt a resolution and affirming its intention to prepay its Series 2020B (2023 Issue) drain special assessment for this Project segment, and forward same by May 26, 2023, and make full payment of the assessment by June 27, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the *City* hereby confirms that it will pay in full, its drain assessment in the amount of \$762,524, pursuant to the Special Assessment No. 1 Relating to Drain Bonds, Series 2020B (2023 Issue).

BE IT FURTHER RESOLVED that the City Treasurer is directed to notify the Drainage Board for the Oakland-Macomb Interceptor Drain Drainage District by May 26, 2023 and of its intention to submit payment to the no later than June 27, 2023.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Mayor McDaniel, Council Members Carrier, Cionka, Hawkins, Knight, Marzolf, and Verbeke

NAYS: None

RESOLUTION DECLARED ADOPTED.

State of Michigan)
County of)

I hereby certify that the foregoing constitutes a true and correct copy of the resolution adopted by the City Council of the City of Auburn Hills, County of Oakland, State of Michigan, at a regular meeting held on May 15, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Michigan Public Act 267 of the Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

In witness whereof, I have hereunto fixed my official signature on this 16th day of May, 2023.

Kristine Klassen, Deputy Clerk

ATTACHMENT B

RESOLUTION HONORING THE JEWISH COMMUNITY

At a regular meeting of the City Council for the City of Auburn Hills, Oakland County, Michigan, held on May 15, 2023 at City Hall, 1827 N. Squirrel Road, Auburn Hills, MI 48326, the following preamble, and resolution were offered by Council Member Verbeke, and supported by Council Member Marzolf.

WHEREAS, May is recognized as Jewish American Heritage Month; and,

WHEREAS, the Jewish Community is a valued part of the City of Auburn Hills; and,

WHEREAS, the City recognizes that the Jewish Community has and continues to suffer discrimination on a global scale; and,

WHEREAS, discrimination based on antisemitism negatively affects the safety, health, and well-being of individuals, families, and communities; and,

WHEREAS, respect for the inherent dignity of all individuals is fundamental to the promotion of behavioral health and community well-being.

NOW THEREFORE, IT IS RESOLVED, that the City of Auburn Hills honors the valuable contributions of the Jewish Community to the City of Auburn Hills and acknowledges the importance of tolerance, kindness, and community support in combating discrimination in all its forms.

AYES: Mayor McDaniel, Council Members Carrier, Cionka, Hawkins, Knight, Marzolf, and Verbeke
NAYES: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Kristine Klassen, the duly appointed Deputy Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 15th day of May, 2023.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 16th day of May, 2023.

Kristine Klassen, Deputy Clerk