



CITY OF AUBURN HILLS
REGULAR CITY COUNCIL MEETING
MINUTES

JULY 1, 2024

CALL TO ORDER & Mayor Marzolf at 7:00 PM.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL: Present: Council Members Ferguson, Fletcher, Hawkins, Knight, Marzolf, and Verbeke

Absent: Council Member McDaniel

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Roberts, City Clerk Pierce, Chief of Police Gagnon, Fire Chief Massingill, Community Development Director Cohen, Asst to Dir./Construction Coord. Lang, DPW Director Baldante, Manager of Public Utilities Deman, Economic Development Manager Carroll, Director of Recreation & Senior Services Adcock, Program Coordinator Norris, Assistant to the Manager Hagge, Engineer Juidici

26 Guests

4. APPROVAL OF MINUTES

4a. City Council Regular Meeting Minutes, June 17, 2024.

Moved by Knight, Seconded by Hawkins.

RESOLVED: To approve the City Council Regular Meeting Minutes of June 17, 2024.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.103

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Administration of Oath to Firefighters Anne Slaughter, Jacob Fortenberry, Katherine Lajoie.

Chief Massingill introduced firefighters Anne Slaughter, Jacob Fortenberry and Katherine Lajoie.

5b. Introduction of Morgan Norris, Program Coordinator.

Ms. Adcock Morgan Norris, new Program Coordinator.

5c. Motion - To confirm the appointment of Darlene MacMillan to the Planning Commission.

Mayor Marzolf introduced Ms. MacMillan and shared that she has volunteered in many areas of the city and has been part of the development of the city.

Moved by Verbeke, Seconded by Fletcher.

RESOLVED: To confirm the appointment of Darlene MacMillan to the Planning Commission for a three-year term ending on July 31, 2027.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.104

Motion Carried (6 - 0)

6. PUBLIC COMMENT

7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Public Safety Advisory Committee, May 28, 2024

7a2. Election Commission, June 12, 2024

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

7b. Motion – To designate July as Parks and Recreation Month.

RESOLVED: To approve the resolution designating July as Parks and Recreation Month. (Attachment A)

Moved by Verbeke, Seconded by Ferguson.

RESOLVED: To approve the Consent Agenda.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.105

Motion Carried (6 - 0)

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9a. Motion – To grant Ingress/Egress/Driveway Easement to Silverman Real Estate Holdings LLC Real Estate Holdings LLC

Mr. Cohen presented the request for a driveway easement to allow access from Alberta Street to the property that is within the City-owned Morris Avenue right-of-way. The driveway would be thirty feet wide; twenty feet will be the driveway and the remaining ten will be green space. If access is granted, a home will be built. A similar easement was granted in 2008 to allow the driveway adjacent to 890 Alberta Street. Silverman Real Estate Holdings LLC will be responsible for maintaining this property and the owner of 890 Alberta Street will not be required to share the responsibility or costs associated with maintenance of the driveway. The easement is not exclusive, and the city maintains ownership of the land.

Mr. Peddle of 890 Alberta Street shared his concerns about this project. He would like confirmation that a proper survey would be completed on the Morris Road easement, to know where the easement is located. He also requested that the new driveway access be constructed to the west side of the easement to allow maximum privacy and access to the driveway and garage at 890 Alberta Street. He asked for consideration that due to his age, he and his wife have full access to their driveway during any construction so that they can get in and out of their property.

Mr. Beckerleg shared that in drafting this easement it was done to protect Mr. Peddle and his wife. He commented that this is the same arrangement that was made in the past. The easement was crafted to improve and maintain the driveway, at no cost to Mr. Peddle. During the construction of the easement Mr. Peddle's ingress/egress must not be impaired.

Mr. Cohen shared that the Silverman Real Estate Holdings LLC company or the successor will have to survey where the Morris Avenue right-of-way is located and where the new driveway is. Staff will be involved during the process to ensure things are done properly.

Mr. Jim Eppink, representing Silverman Real Estate Holdings LLC Real Estate Holdings was present.

Ms. Verbeke sought clarification on homes that are landlocked, like this one would be, and the safety regulations for that home as well as the ability the new owner has to cut down any trees on the property.

Mr. Cohen shared that the width of the driveway accommodates the safety regulations. He commented on the Woodlands Ordinance which addresses tree removal and replacement.

Ms. Verbeke also stated that she received a phone call from Mr. Jason Hart, a resident on Amberwood, who shared that he is not in favor of this project.

Mr. Peddle commented that he is concerned with where the equipment will be stored during construction.

Mr. Cohen stated that they will work with engineers to decide what is to be constructed first, the driveway or the construction. Staging would have to be on the Silverman Real Estate Holdings LLC property or come up with an agreement with the Peddles.

Mr. Eppink stated that they are obligated to work with the city regarding staging, permitting, and trees. He commented that the location of the home is an existing legally plotted lot and Morris Road is also a platted road that was never built.

Moved by Knight, Seconded by Hawkins.

RESOLVED: To grant the enclosed Ingress/Egress/Driveway Easement to Silverman Real Estate Holdings LLC Real Estate Holdings LLC to provide vehicular ingress and egress to and from Sidwell No. 14-06-253-012 and Alberta Street, within the Morris Avenue right-of-way, subject to the additional conditions outlined in Mr. Cohen's staff report.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf

No: Verbeke

Resolution No. 24.07.106

Motion Carried (5 - 1)

9b. Motion - To accept the First Reading of an Ordinance to amend Subsection (a) of Section 2-205 – Purchasing Ordinance and Set for Public Hearing and Second Reading / Adoption at the Meeting of July 15, 2024.

Ms. Carroll presented the amendment to the purchasing ordinance, which currently does not allow for electronic submissions which hinders the response for projects. The electronic bid submissions will be secure and will ensure the integrity of the bid process.

Moved by Ferguson, Seconded by Fletcher.

RESOLVED: To accept the First Reading of an Ordinance to amend Subsection (a) of Section 2-205. – Purchasing Ordinance of the Auburn Hills City Code and set for Public Hearing and Second Reading / Adoption at the meeting of July 15, 2024.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.107

Motion Carried (6 - 0)

9c. Motion – To authorize the Resolution for Prepayment of Oakland-Macomb Interceptor Drain Bonds, Series 2024.

Mr. Deman presented the prepayment portion of the Oakland-Macomb Interceptor Drain Bond (OMID). He shared that as part of the OMID district, the city has a choice the take the 20-year bond payment or prepay the apportionment. This project has been planned for a while and the cost will be shared among the communities in the district. Since the water/sewer budget is healthy it would be wise to prepay the city's apportionment.

Moved by Knight, Seconded by Verbeke.

RESOLVED: To authorize the Resolution for Prepayment of the Oakland-Macomb Drain Bonds, Series 2024, in the amount of \$553,714. (Attachment B)

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.108

Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Knight thanked the Fire Department for their dedication to their jobs and the great service they provide to the community.

In regards to item 9A., Ms. Verbeke asked what can be done with the trees on the property and how close the new house will be to the house that is currently on the property. Mr. Cohen explained that the Woodlands Ordinance states the trees cannot be cut down until they have a building permit. They could cut down as many as they want as long as it is related to the home construction. He shared that it is the prerogative of the new homeowner as to how many trees they cut down when they build their home. He also shared that the new home will be relatively close to the Peddle property.

Dr. Fletcher shared that the visitors that come to Auburn Hills are very impressed with the way the downtown is being developed.

Mr. Hawkins welcomed the new staff member and commented that Summerfest was a great event.

Mayor Marzolf thanked the staff for their work on Summerfest and that they did an exceptional job.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

Mr. Tanghe thanked Ms. Carrol for her amendment to the purchasing ordinance.

13. ADJOURNMENT

Moved by Knight, Seconded by Verbeke.

RESOLVED: To adjourn the meeting.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke

No: None

Resolution No. 24.07.109

Motion Carried (6 - 0)

The meeting adjourned at 8:03 PM.

Brain W. Marzolf, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

RESOLUTION DESIGNATING JULY AS PARK AND RECREATION MONTH

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in City Council Chambers at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 p.m., on the 1st day of July, 2024.

The following resolution was offered by Council Member Verbeke and seconded by Council Member Ferguson:

WHEREAS parks and recreation is an integral part of the communities throughout this country, including the City of Auburn Hills; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's, and

WHEREAS parks and recreation encourage physical activities by providing space for popular sports and hiking trails. Swimming pools, and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation is a leading provider of healthy meals, nutrition services, and education; and

WHEREAS park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS park and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designed July as Parks and Recreation Month;
and

WHEREAS the City of Auburn Hills recognizes the benefits of parks and recreation resources.

NOW THEREFORE, BE IT RESOLVED BY the City of Auburn Hills that July is recognized as Parks and Recreation Month in the City of Auburn Hills.

AYES:	6 (Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke)
NAYES:	None
ABSENT:	1 (McDaniel)
ABSTENTIONS:	None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 1st day of July, 2024.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of July, 2024.

Laura M. Pierce, City Clerk

ATTACHMENT B

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 1st day July 2024, at 7 p.m., Eastern Daylight Savings Time.

PRESENT: Council Members Ferguson, Fletcher, Hawkins, Knight, Marzolf, and Verbeke

ABSENT: Council Member McDaniel

Motion by Councilperson Knight, and seconded by Councilperson Verbeke, to approve the following Resolution:

WHEREAS, the Oakland-Macomb Interceptor Drain Drainage District (the “Drainage District”) was established pursuant to petitions filed with the Director of the Michigan Department of Agriculture on June 18, 2009 by the Charter Township of Clinton of Macomb County, through the Macomb County Public Works Commissioner, and on June 22, 2009 by the Charter Township of Independence of Oakland County, through the Oakland County Water Resources Commissioner to acquire, finance, construct, improve, operate, maintain, and replace certain wastewater facilities, under the provisions of Chapter 21 of Act 40, Public Acts of Michigan, 1956, as amended (the “Drain Code”); and

WHEREAS, proceedings have been carried out by the Drainage Board for the Drainage District (the “Drainage Board”) to acquire, finance, construct, improve, operate and maintain certain wastewater facilities (the “Project”) as set forth in **Attachment A** (the “Project”), and said Project having been determined to be necessary for the public health; and

WHEREAS, on February 21, 2024 the Drainage Board approved the Project and on March 20, 2024 approved the Final Order of Apportionment of the cost of the Project to be borne by the several public corporations in the counties of Oakland and Macomb; and

WHEREAS, on June 12, 2024, the Drainage Board approved and adopted Oakland-Macomb Interceptor Drain Drainage District Special Assessment Roll No. 1 and Resolution authorizing the issuance of its Series 2024 Bonds with respect to the costs of the Project not to exceed \$11,400,000 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 2024 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 2024 drain assessment for this Project segment, and forward same no later than **July 12, 2024**, and make full payment of the assessment no later than **August 9, 2024**.

NOW, THEREFORE, BE IT RESOLVED, that the *City* hereby confirms that it will pay in full, its drain assessment in the amount of \$553,714, pursuant to the Oakland-Macomb Interceptor Drain Drainage District 2024 Special Assessment Roll No. 1.

BE IT FURTHER RESOLVED that the *City Treasurer* is directed to notify the Drainage Board for the Oakland-Macomb Interceptor Drain Drainage District no later than **July 12, 2024**, and make full payment of the assessment no later than **August 9, 2024**.

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: 6 (Ferguson, Fletcher, Hawkins, Knight, Marzolf, Verbeke)

NAYS: None

RESOLUTION DECLARED ADOPTED.

Laura M. Pierce, City Clerk

Attachment A

Oakland-Macomb Interceptor Drain Drainage District Bonds, Series 2024 **Project and Project Cost**

OMID Odor-Corrosion Project

The Oakland-Macomb Interceptor Drain (OMID) interceptor system was originally constructed in the 1970s and is approaching 50 years in age. The system has experienced degradation due to sulfuric acid formed from hydrogen sulfide (H₂S). The H₂S emitted from the system has also been the source of odor complaints. While the OMID system has been lined in many sections, the H₂S still poses a threat to unlined components as well as a continual odor issue in certain locations. Accordingly, the H₂S must be addressed to prevent further degradation, extend the interceptor system life, and reduce odor complaints throughout the system.

The OMID Odor and Corrosion Control Project will provide the Owner with new odor and control systems at two sites in Sterling Heights, Macomb County, Michigan to reduce the impact of H₂S in the system. The Work includes the following:

1. Meter ST-S-1 Site (Utica and Dodge Park):
 - a. Demolition of existing odor control unit and associated ductwork at Meter ST-S-1 at Utica Road/Dodge Park Road.
 - b. Demolition of guardrail, concrete sidewalk, and other site features
 - c. Installation of an activated carbon vessel, exhaust fan with variable frequency drive (VFD) and ancillary facilities.
 - d. Installation of 480V 3-phase power and ancillary wiring and panels.
 - e. Modifications to the irrigation system.
 - f. Installation of landscaping
 - g. Installation of emergency pressure relief vent.
 - h. Make other improvements to on-site structures as needed to facilitate the Project.
2. Meter ST-S-3 Site (Sorrento and Dodge Park):
 - a. Demolition of above-grade facilities associated with the Meter ST-S-3 vault at Dodge Park Road/Sorrento Boulevard.
 - b. Demolition of existing site fencing and other site features
 - c. Demolition of partial underground sheeting
 - d. Installation of an activated carbon facility, exhaust fan with variable frequency drive (VFD), and other appurtenance facilities.
 - e. Installation of 480V 3-phase power and ancillary wiring and panels.
 - f. Construct a replica house structure with a basement foundation to contain the new equipment.
 - g. Make other improvements to on-site structures as needed to facilitate the Project.
3. Other sites:
 - a. Installation of emergency pressure relief vents at control structures CS-5, CS-9, PCI—7-107 and PCI-7-109 in the ITC corridor and Sterling Heights.

Total project cost: \$11,400,000.

CERTIFICATION

STATE OF MICHIGAN)

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COUNTY OF

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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 July 1, 2024, 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 ____ day of July, 2024.

Laura M. Pierce, City Clerk