



CITY OF AUBURN HILLS
REGULAR CITY COUNCIL MEETING
MINUTES

NOVEMBER 28, 2022

CALL TO ORDER: Mayor McDaniel at 7:00 PM.

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

Present: Mayor Pro Tem Carrier, Council Members Cionka, Hawkins, Knight, Marzolf

Absent: Mayor McDaniel, Council Member Verbeke

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Beckerleg, City Clerk Pierce, Police Chief Gagnon, Deputy Police Chief McGraw, Fire Chief Massingill, Community Development Director Cohen, Finance Director Schulz, Accountant Winter, Senior Services Director Adcock, DPW Director Baldante, Management Assistant Hagge, Engineers Juidici & Cousino

55 Guests

4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes, November 14, 2022.

Moved by Knight, Seconded by Hawkins.

RESOLVED: To approve the City Council Workshop Minutes, November 14, 2022.

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

No: None

Resolution No. 22.11.175

Motion Carried (5 - 0)

4b. City Council Regular Meeting Minutes, November 14, 2022.

Moved by Hawkins, Seconded by Marzolf.

RESOLVED: To approve the City Council Regular Meeting Minutes, November 14, 2022.

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

No: None

Resolution No. 22.11.176

Motion Carried (5 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Promotion of Officer Joseph Sears to the rank of Sergeant.

Police Chief Gagnon and City Council recognized the promotion of Officer Sears to the rank of Sergeant. Ms. Pierce administered the oath to Sgt Sears.

6. PUBLIC COMMENT

Robert Pawlowski, resident of Southgate, stated that he represents the Regional Transit Authority Citizens Advisory Committee. He stated that the Regional Transit Authority and the group he represents is working on a plan to take to the Michigan legislature to request transit funding for all transit agencies across Michigan.

Mary Hatt, resident on Squirrel Rd, requested the area on Hamlin Rd, near the Clinton River bridge, be cleared of weeds.

7. CONSENT AGENDA

7a. Board and Commission Minutes

7a1. Planning Commission, November 16, 2022

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

7b. Motion – To award a contract for Storm Sewer Repairs in various locations throughout the City.

RESOLVED: To award the contract for storm system repairs to Superior Excavating in the not-to-exceed amount of \$53,275. In addition, a budget amendment to increase appropriations is needed in the amount of \$53,275 to account 202-452-935.000 STORMREHABXX.

7c. Motion – To adopt the Annual Arbor Day Proclamation.

RESOLVED: To adopt the Annual Arbor Day proclamation designating April 28, 2023, as Arbor Day in the City of Auburn Hills. (Attachment A)

7d. Motion – To approve the Seniors Matching Grant application for the kitchen upgrade.

RESOLVED: To approve the Seniors Matching Grant application in the amount of \$250,000 for the Community Center kitchen to be upgraded from a catering kitchen to a cooking/demonstration kitchen. Furthermore, authorize Senior Services Director Adcock to submit the application on behalf of the City with the understanding that \$125,000 will be provided by the Auburn Hills Tax Increment Finance Authority and the other \$125,000 requested from the Oakland County Seniors Matching Grant program.

7e. Motion – To amend the 2022 General Administration Department Budget.

RESOLVED: To amend the 2022 General Administration department budget with an increase in appropriations of \$21,400.

7f. Motion – To amend the 2022 Assessing budget.

RESOLVED: To amend the 2022 Assessing department budget with an increase in appropriations of \$60,875.

7g. Motion – To amend the 2022 General Fund Street Improvement & Local Roads Fund budget.

RESOLVED: To amend the 2022 General Fund Street Improvement department budget with an increase in appropriations of \$400,000 and further amending the Local Roads fund revenue budget to reflect the additional transfer of \$400,000 from the General Fund to the accounts recommended in the report. (Attachment B)

7h. Motion – To amend the 2022 SMART Grant budget.

RESOLVED: To amend the 2022 SMART Grant department budget with an increase in appropriations of \$25,600.

7i. Motion – To amend Wage and Benefit lines within General Fund Departments and other Funds.

RESOLVED: To amend General Fund departments - Human Resources, Police Admin, Police Patrol, Fire Prevention, Fire Suppression and Storm water 2022 Wages and Benefits Budget by increasing or decreasing appropriations as stated in the report. (Attachment C)

RESOLVED: To amend Major and Local Roads 2022 Budget by increasing or decreasing appropriations as stated in the report. (Attachment C)

RESOLVED: To amend Golf 2022 Budget by increasing appropriations as stated in the report. (Attachment C)

Moved by Knight, Seconded by Cionka.

RESOLVED: To approve the Consent Agenda.

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

No: None

Resolution No. 22.11.177

Motion Carried (5 - 0)

8. OLD BUSINESS

None

9. NEW BUSINESS

9a. PART ONE – Motion – To approve the rezoning of 3915 Auburn Road from I-1, Light Industrial to B-2, General Business zoning district

PART TWO – Motion – To approve the Special Land Use Permit, Site Plan, and Tree Removal Permit / Clean View Car Wash

Mr. Cohen explained the request from Clean View Properties for a rezoning, special land use permit, site plan and tree removal permit to allow a car wash to be constructed at 3915 Auburn Rd. The request includes rezoning the parcel from I-1 Light Industrial District to B-2 General Business District. The site is surrounded by non-residential zoned properties, is designated for non-residential land use in the City’s Master Land Use Plan, and is designated as a “business park” classification in the Village Center Neighborhood Master Plan.

Mr. Cohen explained the request further includes constructing a 16,307 square foot car wash on the site, which includes a car wash tunnel and fifteen indoor vacuum stations. He noted that the applicant complied with the City’s requests addressing the nuisance concerns raised by residents. He noted that it was determined that the car wash would have a minimal impact on the surrounding area and will meet or exceed the City’s zoning requirements. Construction is expected to begin in April, 2023 and will take one year to complete.

Mr. Hawkins acknowledged the concerns expressed by residents and noted the Planning Commission report addressed each of the concerns. He questioned the Brownfield concerns with the site and whether four to five months is enough time for the remediation.

Frank Toma, owner of Clean View Car Wash, stated that they have received bids to clean the site and is hopeful to have the facility opened in 12 – 18 months. He confirmed for Mr. Knight that projections were done and there is a business case for this site.

Mr. Marzolf noted that a good discussion was held at the Planning Commission meeting. It is a great opportunity to develop a site that is currently in poor condition.

Moved by Marzolf, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the rezoning of 3915 Auburn Road from I-1, Light Industrial to B-2, General Business District. The rezoning shall be referenced as Ordinance No. 22-933. (Attachment D)

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

No: None

Resolution No. 22.11.178

Motion Carried (5 - 0)

Moved by Knight, Seconded by Cionka.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permit, Site Plan, and Tree Removal Permit for Clean View Car Wash subject to the conditions of the City’s Administrative Review Team.

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

No: None

Resolution No. 22.11.179

Motion Carried (5 - 0)

9b. Motion – To approve the Special Land Use Permit, Site Plan, and Tree Removal Permit / TI Fluid Systems eMIC Expansion

Mr. Cohen explained the request for approval to construct a 49,374 square foot building addition to the existing TI Fluid Systems building located at 2020 Taylor Rd. The addition will consist of a high-tech e-Mobility Innovation Center (eMIC) at the facility. He noted that the development site includes 9.66 acres of the TI site and 2.80 acres of the City’s Fieldstone Golf Club property. In exchange for TI upgrading the appearance of the City’s maintenance building and yard at no cost to the City, the City will allow TI to construct parking and other improvements on the City’s land to facilitate TI’s building expansion.

Sam Ashley, with Cunningham-Limp, pointed out that the proposal to bring the eMIC lab to the corporate headquarters building allows TI to continue its existence in Auburn Hills well into the future by allowing them to collaborate and bring their technical aspects of the organization into their headquarters.

Mr. Hawkins commented that this is an excellent example of coordination between City leadership and Corporations within the City.

Moved by Hawkins, Seconded by Cionka.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Special Land Use Permit, Site Plan, and Tree Removal Permit for the TI Fluid Systems eMIC Expansion project allowing the expansion of the existing TI Fluid Systems R&D facility and renovation of the adjacent Fieldstone Golf Club Maintenance building and yard subject to the conditions of the City’s Administrative Review Team.

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

No: None

Resolution No. 22.11.180

Motion Carried (5 - 0)

9c. Motion – To approve the Revised PUD Step Two – Site Plan / The Webster

Mr. Cohen presented the request to modify the site plan to construct a six-story mixed-use building at 3346 and 3350 Auburn Rd. The appearance, general function, and footprint of the proposed building will remain the same as previously approved by the City Council. Revisions include the addition of three apartments on the first floor, the reduction of the total building height by almost nine feet, the elimination of the basement, the addition of a second elevator, the modification of the parking garage to add a generator and make safety improvements and the elimination of the trash chute and trash compactor from inside the building. He noted

that trash collection will occur outside the building on City property subject to an agreement between Bacall Development and the City.

Jacob Bacall, with Bacall Development, noted that the requested changes add direct value and enhance service for its tenants. In response to a question regarding the height change, Mr. Bacall explained that previously there were two feet between each floor, however changing to cement and steel will reduce the amount of space between each floor thereby reducing the height of the building. He stated that they intend to break ground in the spring of next year.

Council received a letter from Pat Dingus, resident on Parkways, expressing concern with the parking.

Moved by Cionka, Seconded by Knight.

RESOLVED: To accept the Planning Commission’s recommendation and approve the Revised PUD Step Two – Site Plan for The Webster subject to the conditions of the City’s Administrative Review Team, along with the representations and conditions associated with the project’s July 25, 2022 City Council approval.

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

No: None

Resolution No. 22.11.181

Motion Carried (5 - 0)

9d. Motion - To accept the first reading of an ordinance to amend Article VIII, Prohibition of Marihuana Establishments and Medical Marihuana Facilities, of Chapter 18, Buildings and Building Regulations of the Auburn Hills City Code and set for Public Hearing and second reading / adoption at the meeting of December 5, 2022.

Mr. Beckerleg explained that on November 8th voters approved an initiated ballot proposal and initiated ordinance which required the City to have at least four marihuana retail establishments. On October 17th, City Council adopted an ordinance that capped the number of establishments at four, required these establishments to be located generally along Lapeer Rd from Dutton and Harmon, and required these establishments to obtain a City license. The proposed ordinance establishes a licensing process for those retail marihuana establishments that comply with the initiated ballot ordinance and the ordinance adopted on October 17th.

In response to a question regarding the application fee, Mr. Beckerleg explained that the fee will be non-refundable. He noted that at the time of application, the City will advise the applicant whether their proposed location meets the location requirements and the required distance from churches, schools, and parks. In addition, they must meet the requirement that they be prequalified by the State and have an ownership interest in the property as of September 9, 2022. Those requirements must be met in order to be considered.

Moved by Hawkins, Seconded by Marzolf.

RESOLVED: To accept the First Reading of an Ordinance to amend Article VIII, Prohibition of Marihuana Establishments and Medical Marihuana Facilities, of Chapter 18, Buildings and Building Regulations of the Auburn Hills City Code and Set for Public Hearing and Second Reading / Adoption at the meeting of December 5, 2022.

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

No: None

Resolution No. 22.11.182

Motion Carried (5 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Marzolf stated that he is looking forward to the Tree Lighting Ceremony downtown at 6:00 PM on Friday.

Mr. Cionka stated that the City does a great job at the Tree Lighting Ceremony and encouraged everyone to participate.

Mr. Knight stated that the roof at the Sawyer Development on Primary should be on by the end of the week. He noted that the brownfield site at Churchill and Auburn Rd is about 85% compacted with sand, then will be covered with topsoil. He stated that he appreciates the Planning Commission for the fine work that they are doing.

Mr. Hawkins expressed congratulations to Sgt. Sears. He stated he is looking forward to the Tree Lighting Ceremony on Friday.

Mr. Carrier stated that he hopes everyone had a nice Thanksgiving and hopes to see everyone at the Tree Lighting Ceremony. He expressed Happy Birthday wishes to Erica McDaniel on her milestone birthday.

11. CITY ATTORNEY REPORT

None

12. CITY MANAGER REPORT

Mr. Tanghe thanked Stellantis for sponsoring the entire Tree Lighting Ceremony on Friday. There will be some extra special items at the event this year thanks to the contribution from Stellantis.

13. ADJOURNMENT

Hearing no objections, the Mayor Pro Tem adjourned the meeting at 8:02 PM.

Timothy D. Carrier, Mayor Pro Tem

Laura M. Pierce, City Clerk

ATTACHMENT A

**CITY OF AUBURN HILLS
PROCLAMATION IN RECOGNITION OF**

Designation of Friday, April 28, 2023 as Arbor Day in The City of Auburn Hills

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, the Auburn Hills City Council does hereby proclaim April 28, 2023 as Arbor Day in the City of Auburn Hills, and urges all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, the Auburn Hills City Council urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 28th day of November 2022, at the City of Auburn Hills

Mayor Kevin R. McDaniel

Mayor Pro-Tem Timothy Carrier

Council Member Cheryl Verbeke

Council Member Brian Marzolf

Council Member Henry Knight

Council Member Eugene Hawkins

Council Member Eric Cionka

ATTACHMENT B



CITY OF AUBURN HILLS CITY COUNCIL AGENDA

MEETING DATE: NOVEMBER 28, 2022

AGENDA ITEM NO 7G

FINANCE/TREASURER

To: Mayor and City Council

From: Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director/Treasurer

ATTACHMENT C



**CITY OF AUBURN HILLS
CITY COUNCIL AGENDA**

MEETING DATE: NOVEMBER 28, 2022

AGENDA ITEM NO 71

FINANCE

To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director; Connie Bommarito, Accountant
Submitted: November 22, 2022
Subject: Motion – To Amend Appropriate Wage and Benefit lines within General Fund Departments and other Funds

INTRODUCTION AND HISTORY

Each year during the budget process, the budget for full time and part time wages is based on assumptions. The primary reasons for the adjustments below are wage increases, more than expected part time hours and unplanned payouts due to terminations.

STAFF RECOMMENDATION

Staff recommends the following amendments to the departments listed be approved and lines items identified internally be adjusted to reflect the net amendment shown.

<u>Department</u>	<u>Net Amendment</u>	<u>Primary Reason</u>
270-Human Resources	2,600.00	additional Part time wages
305 - Police Admin	15,742.00	payouts to termed employee
301- Police Patrol	(15,742.00)	not full staff 2022
341- Fire Prevention	1,100.00	additional Part Time wages
339- Fire Suppression	(1,100.00)	not full staff 2022
537- Storm Water	136.00	estimate adjustment
Total General Fund	2,736.00	
452- Major Roads	(40,828.00)	split personnel- Pension
453- Local Roads	40,828.00	split personnel- Pension
Total Roads	-	
584 - Golf	55,855.00	part time wages- extended season- junior golf program

MOTION

Move to Amend General Fund departments -Human Resources, Police Admin, Police Patrol, Fire Prevention, Fire Suppression and Storm water 2022 Wages and Benefits Budget by increasing or decreasing appropriations as stated above.

Move to Amend Major and Local Roads 2022 Budget by increasing or decreasing appropriations as stated above.

Move to Amend Golf 2022 Budget by increasing appropriations as stated above.

ATTACHMENT D

**CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 22-933**

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 372

THE CITY OF AUBURN HILLS ORDAINS:

That Ordinance No. 372, being the City of Auburn Hills Zoning Ordinance, be amended as follows:

The City of Auburn Hills Ordinance No. 372, designated “City of Auburn Hills Zoning Ordinance”, adopted December 16, 1985, and effective December 19, 1985, and the zoning district map attached thereto and made part thereof, are hereby amended by rezoning the following described property in the City of Auburn Hills, Oakland County, Michigan, from I-1, Light Industrial District to B-2, General Business District, as requested by the City of Auburn Hills.

3915 Auburn Road
Auburn Hills, Michigan 48326
(Sidwell No. 14-25-478-006)



Location Map

SECTION II

The penalty for violation of this Ordinance shall be same as those penalties set forth in Article XX of the City of Auburn Hills Zoning Ordinance No. 372.

SECTION III

This Ordinance shall be published in a newspaper circulated within the City of Auburn Hills within fifteen (15) days following the adoption thereof. This Ordinance shall become effective immediately upon publication. All Ordinances in conflict herewith are hereby repealed.

AYES:	5 (Carrier, Cionka, Hawkins, Knight, Marzolf)
NAYS:	None
ABSENT:	2 (McDaniel, Verbeke)
ABSTENTIONS:	None

ORDINANCE 22-933
MOTION CARRIED

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 22-933 adopted at a regular meeting of the City Council held on the 28th day of November, 2022.

Kevin R. McDaniel, Mayor

Laura Pierce, City Clerk