



## CITY OF AUBURN HILLS

### Regular City Council Meeting Minutes

July 15, 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, Kittle, Knight, Moniz, and Verbeke

Absent: Council Member Hammond

Also Present: Assistant City Manager Grice, City Attorney Beckerleg, Deputy City Clerk Klassen, Police Chief Baker, Fire Chief Taylor, DPW Director Melchert, Director of Authorities Skopek, City Planner Keenan, Management Intern Hagge, City Engineer Juidici

10 Guests

#### 4. APPROVAL OF MINUTES

4a. City Council Workshop Minutes – July 1, 2019

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To approve the City Council Workshop Minutes of July 1, 2019.**

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

**No: None**

**Resolution No. 19.07.98**

**Motion Carried (6 - 0)**

4b. City Council Minutes – July 1, 2019

**Moved by Kittle, Seconded by Moniz.**

**RESOLVED: To approve the City Council Minutes of July 1, 2019.**

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

**No: None**

**Resolution No. 19.07.99**

**Motion Carried (6 - 0)**

#### 5. APPOINTMENTS AND PRESENTATIONS

*Mayor McDaniel rearranged the order of the Appointments and Presentations*

5b. Presentation by the Oakland County Cooperative Invasive Species Management Area (CISMA)

Commissioner Kuhn introduced Erica Clites of the CISMA team for Oakland County. She presented the concern regarding invasive species, specifically phragmites. She stated the importance of the destruction of the invasive species and how to be an active member of the CISMA. City Planner Keenan stated that there are other means to destroying phragmites other then what is presented by the Oakland County representative. He will be compiling a report on the issue for council.

5c. Motion – To confirm the reappointment of Barry Thornton to the Local Officials Compensation Commission.

**Moved by Knight, Seconded by Verbeke.**

**RESOLVED: To confirm the reappointment of Barry Thornton to the Local Officials Compensation Commission for a term ending July 31, 2024.**

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

**No: None**

**Resolution No. 19.07.100**

**Motion Carried (6 - 0)**

5d. Motion - To confirm the reappointment of Jay Boelter and James Buster to the Zoning Board of Appeals.

**Moved by Verbeke, Seconded by Kittle.**

**RESOLVED: To confirm the reappointment of Jay Boelter and James Buster to the Zoning Board of Appeals for terms ending July 31, 2022.**

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

**No: None**

**Resolution No. 19.07.101**

**Motion Carried (6 - 0)**

5e. Motion - To confirm the reappointment of Carla Withers to the Beautification Advisory Commission.

**Moved by Kittle, Seconded by Moniz.**

**RESOLVED: To confirm the reappointment of Carla Withers to the Beautification Advisory Commission for a term ending July 31, 2022.**

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

**No: None**

**Resolution No. 19.07.102**

**Motion Carried (6 - 0)**

5a. Administration of Oath to the Police Department Chaplains

Chief Baker presented the launch of the new Chaplain program at the Police Department. The City is pleased to have five Chaplains with diverse backgrounds to be available in times of crisis for the residents. The Deputy Clerk administered the Oath of Office to the Chaplains.

## **6. PUBLIC COMMENT**

Mr. Keith Gretkierewicz, owner of 3279 Auburn Road shared his concerns with the changes at Riverside Park and the negative effects it has on the business at this location. Council encouraged him to utilize the Ordinances that are in place.

Mr. Gus Rahbony, business owner of 3279 Auburn Road requested help to find a solution for the negative issues the business is having with the new splash pad. Council encouraged him to utilize the Ordinances that are in place.

Sharon Watson, former resident of Auburn Hills presented her concerns regarding the negative changes to Riverside Park. She shared her concerns for the noise and the lack of respect to those that park in the handicapped area. It was clarified that there are four handicapped parking spots in the adjacent parking lot.

## **7. CONSENT AGENDA**

7a. Board and Commission Minutes

7a1. Brownfield Redevelopment Authority, June 27, 2019

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

7b. Motion – To ratify the naming of the Knight Amphitheater.

**RESOLVED: To ratify the naming of the amphitheater at Riverside Park as the “Knight Amphitheater” in honor of the distinguished service of Henry and Claire Knight to the Auburn Hills community.**

7c. Motion - To amend the 2019 Fee Schedule to include a non-resident fee for the splash pad.

**RESOLVED: To amend the 2019 Fee Schedule to include a non-resident fee for the splash pad at the rate of \$3.00 per-user, per-day, effective July 13, 2019.**

**Moved by Verbeke, Seconded by Kittle.**

**RESOLVED: To approve the Consent Agenda.**

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

**No: None**

**Resolution No. 19.07.103**

**Motion Carried (6 - 0)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

9a. Motion – To accept the first reading of an ordinance to amend Section 50-3, Regulations Governing City Parks and City Recreational Grounds, of Chapter 50, Parks and Recreation, of the Auburn Hills City Code and to set a Public Hearing and second reading of the ordinance at the meeting of August 26, 2019.

Mr. Hagge presented the need to have an ordinance in place to prohibit smoking in public parks. There is clarification needed to the ordinance to state that, if charged, the fine is a misdemeanor or a civil infraction. Attorney Beckerleg explained the difference between a misdemeanor and a civil infraction. There is no preference from Chief Baker but it was suggested to keep in mind the enforceable ramifications if a person were to fail at paying the ticket on a misdemeanor as there would be on a civil infraction. It was suggested to keep the fine as a misdemeanor. Mr. Kittle shared his concerns regarding the language, "unlawful for any person to possess and/or..." He felt it was too strong. The Mayor stated this language helps the police if/when they need to enforce the law. It was discussed that smoking in the park should not be allowed and that proper signage is a necessity. Attorney Beckerleg stated that he feels the language is useful in the ordinance, but the ordinance can still operate without the words "possess and/or". This language is a method to be used to ask people not to smoke in the parks. It gives park monitors the right to ask someone not to smoke in the parks. It was discussed that people that smoke are used to seeing signs that say "No Smoking" and are generally compliant with it. It was discussed that there should be a receptacle for cigarette butts. It was further discussed that smokers are not going to go back to their cars to put away a pack of cigarettes, they will simply put them away. It was noted that recreational marijuana is covered under State law, and is prohibited from being smoked in a public place.

**Moved by Moniz, Seconded by Kittle.**

**RESOLVED: To accept the first reading of an ordinance to amend Section 50-3, Regulations Governing City Parks and City Recreational Grounds, of Chapter 50, Parks and Recreation, of the Auburn Hills City Code and to set a Public Hearing and second reading adoption at the meeting of August 26, 2019 with the elimination of the words "possess and/or".**

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

**No: None**

**Resolution No. 19.07.104**

**Motion Carried (6 - 0)**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight – Provided updates with two ongoing projects in the downtown area. He stated that he would like the owner of the new condos by the park to do something with his buildings, so that they do not look unsightly. Staff will look into it.

Mr. Kittle – Reported that he is pleased to see so much activity in the downtown area. He congratulated the Police on working so diligently during the opening on the splash park and all the new action in the downtown area. He asked about the signage for the parking deck area. Mr. Grice stated that it is in fabrication.

Ms. Verbeke – Shared concerns from neighbors regarding Waste Management not picking up as scheduled. Mr. Keenan stated that if she hears of any complaints to contact him and he will contact Waste Management.

Mr. Moniz – Publically thanked Mr. Hawkins for his continued support within the Community and especially the accreditation for the Police Department. He questioned if there would be cooling shelters available for the seniors in the community that may be having difficulty during the summer heat. Ms. Hegdal stated that it was being looked into. He asked Mr. Juidici when the crosswalks in the downtown area would be completed. It was reported that the restoration process is underway.

Mayor McDaniel – Presented Mr. Knight with a plaque of commemoration for the naming of the Knight Amphitheater. Mr. and Mrs. Knight deeply appreciate the consideration by Council and the City.

Discussion was held regarding turning off the splash pad at 7:00PM so that those at the splash pad can transition for the Downtown Music series at the Parks. Council agreed that the splash pad hours will be changed to noon – 7:00PM.

**11. CITY ATTORNEY REPORT**

**12. CITY MANAGER REPORT**

**13. ADJOURNMENT**

Hearing no objections, the Mayor adjourned the meeting at 8:50PM.

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Kevin R. McDaniel, Mayor

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Kristine Klassen, Deputy Clerk