

A special meeting of the Royal Oak City Commission was held on Monday, January 11, 2016, in room 309 of city hall, 211 Williams, Royal Oak. The meeting was called to order by Mayor Ellison at 6:06 p.m. Present were Mayor Ellison, Mayor Pro Tem Fournier, Commissioner Douglas, Commissioner DuBuc, Commissioner Paruch and Commissioner Poulton. Also present were City Manager Johnson, Interim City Attorney Liss, and Deputy City Clerk Braswell.

Adjourned to Closed Session

Moved by Commissioner Douglas
Seconded by Commissioner Paruch

BE IT RESOLVED that the city commission hereby adjourns to closed session for purposes of attorney/client privilege and pending litigation.

ROLL CALL VOTE

AYES: Commissioners Paruch, Poulton, Douglas, Mayor Pro Tem Fournier, Commissioner DuBuc and Mayor Ellison

NAYS: None

ABSENT: Commissioner Mahrle (6:07 p.m.)

MOTION ADOPTED

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A regular meeting of the Royal Oak City Commission was held on Monday, January 11, 2016, in the city hall, 211 Williams, Royal Oak. The meeting was called to order by Mayor Ellison at 7:39 p.m.

Mayor Pro Tem Fournier gave the Invocation. Everyone present gave the pledge of allegiance.

ROLL CALL	PRESENT	ABSENT
Mayor	Ellison	
Mayor Pro Tem	Fournier	
Commissioners	Douglas	Paruch (7:40 p.m.)
	DuBuc	
	Mahrle	
	Poulton	

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PUBLIC COMMENT

Ms. Debra Hollis, WWII Legacy Memorial, explained that Seward Johnson had created a statue based on the famous photo from WWII known as the Kiss. Four copies exist. One's on permanent display in San Diego, one in Sarasota and the third's on temporary display in Paris soon to go to London. They have the opportunity to bring the fourth statue to Royal Oak either at the memorial site or closer to 13 Mile and Woodward.

While airing photos of the statue, Mr. Russel Levine spoke about the publicity opportunities it offered. They had the opportunity to display it for up to five years. At that time it would go back to Times Square. Pending approval from the city they would start to pursue funding to bring the statue to Royal Oak. This will be brought back at the next meeting for commission consideration.

Mr. Tom Violante, 2115 Vinsetta, and his daughter, Lisa, spoke about her son Max, who died at the age of 20 from hypertrophic cardiomyopathy, also known as athlete's heart. It can't be cured but it can be treated. They created the Live Like Max Foundation to raise money for heart checks for high school

athletes. Holiday Market in Royal Oak was holding a fundraiser at Stagecrafters which includes the show "Avenue Q", beer, wine, hors d'oeuvres and dessert. Tickets are available at Holiday Market and at www.livelikemax.org. All money raised goes to Beaumont for the tests.

Ms. Sandra Sanchez, 118 W. Bloomfield, sought information about a final inspection report from the planning department. The report she received doesn't contain the information needed. She needed a copy of Rick Bremer's report from December 16, 2013.

Ms. Jessica Valovick, 404 Austin, explained she submitted the traffic petitions for "No Student Drop Off" signs on both sides of Austin. The problems began when the school opened as the middle school and drop offs increased. The existing signs weren't enforced and new signs would soon be ignored. Making it a no drop off zone would be the only way to improve the situation.

Mr. Chris Forrest, 412 Austin, also spoke about item 10. The existing signs weren't enforced so they didn't see much hope for new signage working. It wasn't safe for the students or residents.

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APPROVAL OF AGENDA

Moved by Commissioner Douglas
Seconded by Commissioner Paruch

BE IT RESOLVED that the city commission hereby approves the agenda for the January 11, 2016 meeting as published.

ADOPTED UNANIMOUSLY

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CONSENT AGENDA

Moved by Commissioner Poulton
Seconded by Commissioner Mahrle

BE IT RESOLVED that the city commission hereby approves the consent agenda as follows:

- A. Be it resolved that the claims of December 24, 2015, January 5 and 8, 2016 audited by the department of finance are hereby approved.
- B. Be it resolved, the city commission hereby approves executing the Smart Growth America Memorandum of Understanding for the sustainable land use code audit workshop.

ADOPTED UNANIMOUSLY

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PUBLIC HEARING OF NECESSITY STANDARD RESOLUTIONS 3 AND 4 SPECIAL ASSESSMENT PAVING OF N. LAFAYETTE AVE

Mayor Ellison opened the public hearing.

Mr. Mark Dingman, 1415 N. Lafayette, liked the looks of the street but didn't like the chemicals. Trees were removed and not replaced. He would prefer a narrower road to removing more trees.

Ms. Janet Schmitt, 1404 N. Lafayette, thanked them for determining the street needed paving. At first they enjoyed living on a dirt road. That was no longer true. The road has deteriorated over the past five years.

There being no one else who wished to speak the public hearing was closed.

Moved by Commissioner Douglas
Seconded by Commissioner DuBuc

Whereas, the city commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed public improvements hereinafter described; and

Whereas, the city commission deems it advisable and necessary to proceed with said public improvements:

27-foot wide, 6-inch thick concrete pavement including integral curb and gutter of N. Lafayette Avenue from W. Derby Avenue to the north lot line of Lot 189

Now, therefore be it resolved that:

1. The city commission hereby determines to make the public improvements described above and to defray the cost by special assessment upon the property specially benefited in proportion to the benefits to be derived.

2. The city assessor is directed to prepare and finalize the profiles, plans, and specifications for the public improvements.

3. The city commission tentatively determines that of said total estimated cost the sum of \$50,000 be paid by special assessment upon the properties specially benefited, as more particularly hereinafter described, and that the sum \$57,620 shall be the obligation of the city by reason of general benefit to the city.

4. The city commission hereby designates the following lots and parcels of land as the property to comprise the special assessment district upon which the special assessments shall be levied:

25-16-276-019 25-16-276-020 25-16-276-021 25-16-276-022 25-16-276-023 25-16-276-024
25-16-276-025 25-16-276-026 25-16-276-027 25-16-276-028 25-16-276-040

5. When the assessor shall have completed the special assessment roll, he shall report the same to the commission and the same shall be filed with the city clerk, such report shall be signed by the assessor and may be in the form of a certificate as provided for in chapter twelve, section seven of the charter of the City of Royal Oak, Michigan, indicating that he has conformed in all things to the directions contained in this resolution and the charter of the City of Royal Oak Michigan relating to such assessment.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ROLL CALL VOTE

AYES: Commissioners Douglas, DuBuc, Mayor Ellison, Mayor Pro Tem Fournier,
Commissioners Poulton, Mahrle and Paruch

NAYS: None

ADOPTED UNANIMOUSLY

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Moved by Commissioner Douglas
Seconded by Commissioner DuBuc

Whereas, the assessor has prepared a special assessment roll for the purpose of specifically assessing that portion of the costs of the public improvement more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the city commission by the city clerk.

Now, therefore be it resolved:

1. Said Special Assessment Roll No. 2397 is hereby accepted and shall be filed in the office of the city clerk for public examination.
2. The city commission shall meet at the city hall, at 7:30 o'clock, p.m., Eastern Time on February 8, 2016 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same, and at said meeting all interested persons shall be afforded an opportunity to be heard.
3. The city clerk is directed to publish the notice of said hearing once in the Royal Oak Review, Warren, Michigan, a newspaper of general circulation in the City of Royal Oak, said publication to be not less than five (5) full days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of or person in interest in property to be assessed as shown by the last general tax assessment roll of the city, at least ten (10) full days before the time of said hearing, and said notice to be mailed to the addresses shown on said general tax rolls of the city.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

Notice of Hearing to Review
Special Assessment Roll
City of Royal Oak
County of Oakland, Michigan

To the owners of all property within the following described special assessment district:

N. Lafayette Avenue from W. Derby Avenue to the north lot line of Lot 189

Take notice, that a special assessment roll has been prepared for the purpose of defraying the special assessment district's share of the cost of the following described public improvement:

27-foot wide, 6-inch thick concrete pavement including integral curb and gutter of
N. Lafayette Avenue from W. Derby Avenue to the north lot line of Lot 189

The special assessment district is comprised of the following described property:
Tax parcels identified as:

25-16-276-019 25-16-276-020 25-16-276-021 25-16-276-022 25-16-276-023
25-16-276-024 25-16-276-025 25-16-276-026 25-16-276-027 25-16-276-028
25-16-276-040

The said special assessment roll is on file for public examination with the city clerk and any objections to said special assessment roll may be made in writing prior to the close of the hearing to review said special assessment roll.

Take further notice that the city commission and the assessor will meet at the City Hall, 211 Williams Street, at 7:30 o'clock, p.m., Eastern Time on February 8, 2016, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

Melanie Halas, City Clerk

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners Douglas, DuBuc, Mayor Ellison, Mayor Pro Tem Fournier, Commissioners Poulton, Mahrle and Paruch

NAYS: None

ADOPTED UNANIMOUSLY

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**PUBLIC HEARING OF NECESSITY
STANDARD RESOLUTIONS 3 AND 4
SPECIAL ASSESSMENT PAVING OF ORCHARD GROVE AVE**

Mayor Ellison opened the public hearing. There being no one who wished to speak the public hearing was closed.

Moved by Commissioner Poulton
Seconded by Commissioner Paruch

Whereas, the city commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed public improvements hereinafter described; and

Whereas, the city commission deems it advisable and necessary to proceed with said public improvements:

27-foot wide, 6-inch thick concrete pavement including integral curb and gutter of Orchard Grove Drive from Hilldale Drive to the CN Railroad

Now, therefore be it resolved that:

1. The city commission hereby determines to make the public improvements described above and to defray the cost by special assessment upon the property specially benefited in proportion to the benefits to be derived.

2. The city assessor is directed to prepare and finalize the profiles, plans, and specifications for the public improvements.

3. The city commission tentatively determines that of said total estimated cost the sum of \$48,828 be paid by special assessment upon the properties specially benefited, as more particularly hereinafter described, and that the sum \$61,273 shall be the obligation of the city by reason of general benefit to the city.

4. The city commission hereby designates the following lots and parcels of land as the property to comprise the special assessment district upon which the special assessments shall be levied:

25-16-129-016	25-16-129-009	25-16-129-010
25-16-129-011	25-16-129-012	25-16-129-013
25-16-131-001	25-16-131-012	25-16-131-011

5. When the assessor shall have completed the special assessment roll, he shall report the same to the commission and the same shall be filed with the city clerk, such report shall be signed by the assessor and may be in the form of a certificate as provided for in chapter twelve, section seven of the charter of the City of Royal Oak, Michigan, indicating that he has conformed in all things to the directions contained in this resolution and the charter of the City of Royal Oak Michigan relating to such assessment.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ROLL CALL VOTE

AYES: Commissioners Poulton, Mahrle, Paruch, Douglas, DuBuc, Mayor Ellison and Mayor Pro Tem Fournier

NAYS: None

ADOPTED UNANIMOUSLY

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Moved by Commissioner Poulton
Seconded by Commissioner Paruch

Whereas, the assessor has prepared a special assessment roll for the purpose of specifically assessing that portion of the costs of the public improvement more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the city commission by the city clerk.

Now, therefore be It resolved:

1. Said Special Assessment Roll No. 2398 is hereby accepted and shall be filed in the office of the city clerk for public examination.

2. The city commission shall meet at the city hall, at 7:30 o'clock, p.m., Eastern Time on February 8, 2016 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same, and at said meeting all interested persons shall be afforded an opportunity to be heard.

3. The city clerk is directed to publish the notice of said hearing once in the Royal Oak Review, Warren, Michigan, a newspaper of general circulation in the City of Royal Oak, said publication to be not less than five (5) full days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of or person in interest in property to be assessed as shown by the last general tax assessment roll of the city, at least ten (10) full days before the time of said hearing, and said notice to be mailed to the addresses shown on said general tax rolls of the city.

4. The notice of said hearing to be published and mailed shall be in substantially the following form:

Notice of Hearing to Review
Special Assessment Roll
City of Royal Oak
County of Oakland, Michigan

To the owners of all property within the following described special assessment district:

Orchard Grove Drive from Hilldale to the CN Railroad

Take notice, that a special assessment roll has been prepared for the purpose of defraying the special assessment district's share of the cost of the following described public improvement:

27-foot wide, 6-inch thick concrete pavement including integral curb and gutter of Orchard Grove Drive from Hilldale Drive to the CN Railroad

The special assessment district is comprised of the following described property:
Tax parcels identified as:

25-16-129-016	25-16-129-009	25-16-129-010
25-16-129-011	25-16-129-012	25-16-129-013
25-16-131-001	25-16-131-012	25-16-131-011

The said special assessment roll is on file for public examination with the city clerk and any objections to said special assessment roll may be made in writing prior to the close of the hearing to review said special assessment roll.

Take further notice that the city commission and the assessor will meet at the City Hall, 211 Williams Street, at 7:30 o'clock, p.m., Eastern Time on February 8, 2016, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

Melanie Halas, City Clerk

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ROLL CALL VOTE

AYES: Commissioners Poulton, Mahrle, Paruch, Douglas, DuBuc, Mayor Ellison and Mayor Pro Tem Fournier

NAYS: None

ADOPTED UNANIMOUSLY

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GEORGE W. KUHN DRAIN BONDS SERIES 2007

Moved by Commissioner Paruch
Seconded by Commissioner Mahrle

Whereas, pursuant to the provisions of Act No. 34, Public Acts of Michigan, 2001, as amended, the George W. Kuhn Drainage District issued its Drain Refunding Bonds, Series 2007, dated August 1, 2007, in the original principal amount of \$12,460,000 (the "Prior Bonds"), to refund its Drain Bonds, Series 2000B, dated October 1, 2000, maturing in the years 2010 through 2022,

and Drain Bonds, Series 2001E, dated January 1, 2002, maturing in the years 2013 through 2024, in anticipation of the collection of the several installments against the City of Royal Oak (the "city"), the County of Oakland (the "county") and other units of local government on applicable special assessment rolls for the George W. Kuhn Drain; and

Whereas, the city has been advised that conditions in the bond market have now improved from the conditions which prevailed at the time the prior bonds were sold and that the prior bonds could be refunded at a considerable savings to the city; and

Whereas, it is the determination and judgment of this city commission that the prior bonds should be refunded to secure for the city the anticipated savings.

Now, therefore be it resolved, by the City Commission of The City of Royal Oak, Michigan, as follows:

1. The George W. Kuhn Drainage District is requested and authorized to issue its refunding bonds (the "Refunding Bonds") pursuant to the provisions of Act No. 34 in an amount necessary to refund all or part of the prior bonds (as shall be determined by the Drainage Board) and paying the costs of issuing the refunding bonds.
2. The proceeds of the refunding bonds shall be sufficient to pay the costs of issuing the refunding bonds and to establish an escrow fund in an amount which will be sufficient to pay the principal of and redemption premiums and interest on the prior bonds that are refunded without further payment by the city or the county.
3. The city agrees and consents to the imposition of special assessments against the city on a refunding bonds special assessment roll for the payment of the refunding bonds.
4. The mayor, city manager and director of finance are each authorized, if necessary, to file an application for State Treasurer's approval to issue long-term securities with respect to the refunding bonds.
5. The director of finance is authorized to approve the circulation of a preliminary and final official statement for the refunding bonds, and to cause the preparation of those portions of the preliminary and final official statement for compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule"). The director of finance is authorized to execute and deliver such certificates and to do all other things necessary to effectuate the sale and delivery of the refunding bonds.
6. The director of finance is authorized to execute and deliver in the name and on behalf of the city a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking by the city pursuant to paragraph (b)(5) of the rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The city hereby covenants and agrees that it will comply with and carry out all the provisions of the continuing disclosure certificate.

ROLL CALL VOTE

AYES: Commissioners Paruch, Douglas, DuBuc, Mayor Ellison, Mayor Pro Tem Fournier, Commissioners Poulton and Mahrle

NAYS: None

ADOPTED UNANIMOUSLY

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TRAFFIC COMMITTEE RESOLUTIONS

Moved by Commissioner Mahrle
Seconded by Commissioner Poulton

Be it resolved, the commission approves replacing the current on street parking prohibition signs on the north side of Austin Avenue between Washington and Marywood with new signs that state "No Stopping Standing or Parking, 7am-5pm, School days". (Item 5A); and

Be it further resolved, the commission approves installing "No U turn" signs on the south side of Austin, and "Student drop off/pick up prohibited" sign to the north side of Austin; and requests additional police enforcement during school drop-off and pick-up times (Item 5B); and

Be it further resolved, the commission approves installing a stop sign for eastbound traffic exiting the school administration parking lot at 800 DeVillen. (Item 5C); and

Be it further resolved, the commission approves installing no parking signs on the south side of Nakota between the driveway of the Pine Corner condominium development and Crooks Road. (Item 5D); and

Be it finally resolved, the commission denies of request to install a "No turn on red" for east bound Normandy Road at Main Street (Item 5E).

ADOPTED UNANIMOUSLY

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CENTRAL PARK REDEVELOPMENT ANALYSIS

Moved by Commissioner DuBuc
Seconded by Commissioner Douglas

Be it resolved, the city commission hereby approves executing the Plante Moran Cresa proposal and issuance of a purchase order not to exceed \$30,000.

ADOPTED UNANIMOUSLY

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YARD MAINTENANCE AND NOXIOUS WEEDS ORDINANCE AMENDMENTS

Moved by Commissioner DuBuc
Seconded by Commissioner Mahrle

Be it resolved that the city commission directs the Royal Oak environmental advisory board to review yard maintenance and noxious weed ordinances and bring back recommendations at a future date.

ADOPTED UNANIMOUSLY

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Upon motion of Commissioner Mahrle, seconded by Mayor Pro Tem Fournier, and adopted unanimously, the regular meeting was adjourned at 8:45 p.m.

Melanie Halas, City Clerk

The foregoing minutes of the regular meeting held on January 11, 2016, having been officially approved by the city commission on Monday, January 25, 2016, are hereby signed this twenty-fifth day of 2016.

James B. Ellison, Mayor