



The City of Auburn Hills
City Council Meeting
Minutes

September 10, 2012

CALL TO ORDER: by Mayor McDonald at 7:10 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
Present: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke
Absent: None
Also Present: City Manager Auger, Director Olko, City Assessor Micheal Lohmeier, Community Development Director Cohen, City Clerk Kowal, Treasurer Buschmohle, Deputy Treasurer Keiser, City Attorney Beckerleg, City Engineer Juidici, and Library Director McCoy
12 Guests

4. APPROVAL OF MINUTES

4a. City Council Meeting – August 20, 2012

Moved by McDaniel; Seconded by Kittle.

RESOLVED: To approve the minutes of August 20, 2012 City Council Meeting as amended.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.129

5. APPOINTMENTS & PRESENTATIONS – none.

6. PUBLIC COMMENT – none.

7. CONSENT AGENDA

Item 7a.3. removed from the Consent Agenda at the request of Councilmember Doyle.

7a. Board and Commission Minutes

7a.1. Tax Incentive Review Committee – August 13, 2012

7a.2. Beautification Advisory Commission – August 22, 2012

7b. Motion – Approve Bid to Supply Fire Uniforms

RESOLVED: To approve the agreement between the Fire Department and Off Duty Wear to provide uniforms for one year with the option to extend the agreement up to three years.

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To approve the Consent Agenda Items 7a.1., 7a.2., and 7b.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.130

7a.3. Planning Commission – August 21, 2012

Ms. Doyle inquired of Mr. Cohen if there was any discussion at the Planning Commission regarding Continental Automotive Systems site plan and if it were their first time at Planning. Mr. Cohen replied there was very little discussion, and the one question raised by Ms. Mitchell was incorporated into Mr. Carls' comments. Yes, this was the first time for Continental to appear before the Planning Commission and the site plan and tree removal permit was a pretty cut and dried project.

Moved by Doyle; Seconded by Verbeke.

RESOLVED: To approve Consent Agenda Item 7a.3., the Planning Commission minutes of August 21, 2012.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.131

8. OLD BUSINESS – none.

9. NEW BUSINESS

Mayor McDonald announced that City Council had taken a two hour class immediately preceding the meeting, and the Instructor is here in the audience. He requested to move Item 9j. to the beginning of New Business so the Instructors can make comments and then allow them to leave. Council concurred.

9j. Motion – Adopt Support Emergency Operations Plan

Moved by Kittle; Seconded by McDaniel.

Ms. Doyle stated after reading the plan, she didn't see where City Council Members were to be alerted.

Director Olko stated no, it isn't in writing, but it is understood that it is the roll of the City Manager to alert elected officials.

Ms. Doyle requested since the plan is so specific on all other points, that the plan include the City Manager is to contact City Council Members very early on, of the emergency.

RESOLVED: To adopt the Oakland County Support Emergency Operations Plan 2012 and additionally, to include under the role of the City Manager to inform City Council Members early on, during the emergency.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.132

9a. Public Hearing/Motion - Plastics Plus – IFEC PA 198 New Real Property

Mr. Lohmeier explained an application for an IFEC has been received for real property to be located at 4237 N. Atlantic Blvd., by Plastics Plus, Inc. This parcel was formerly part of the property existing at 4225 N. Atlantic Blvd. and parcel number 02-14-04-200-032.

Plastics Plus, Inc. is relocating from its existing building at 4225 N. Atlantic Blvd., where the building has been currently leased to LXR Biotech. This application involves real property including a new industrial building, with approximately 46,000 square feet to be used for warehouse/distribution for plastic materials. The total project investment is estimated at \$2,100,000. The project is anticipated to result in creating five new jobs in addition to retaining its existing 15 jobs.

Mr. Ziemba provided a lease immediately after the TIRC meeting with the lease executed having a commencement date beginning December 31, 2012, for seven years. Based on reviewing City policy, coupled with the recommendation by TIRC and review of the lease submitted, staff recommends approval of the application for five (5) years as requested.

Mayor McDonald opened the public hearing at 7:19 p.m.

Mr. Ziemba stated he started the company 23 years ago, and the last 20 of those years have been in Auburn Hills. The new building will be on property he has owned since 2004 and will be approximately 46,000 sq. ft. As of now, occupancy should take place before Christmas.

Mayor McDonald closed the public hearing at 7:20 p.m.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To approve the request for a 5-year year IFEC for Plastics Plus, Inc. for a total real property investment of \$2,100,000 by adopting the attached resolution (Attachment A).

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.133

9b. Public Hearing/Motion - TSM Corp. – IFEC PA 198 New Personal Property

Mr. Lohmeier explained an application for an IFEC has been received for personal property to be located at 1175 Opdyke Road, as a tenant. The total project investment is estimated at \$5,000,000, which is anticipated to result in retaining its 20 employees. No new jobs are expected to be created from this project. The lease if for a full eight years, which would allow a six year abatement.

Mayor McDonald opened the public hearing at 7:22 p.m.

Tim Gould, Contoller, explained the company has been an Auburn Hills resident for over 20 years, at different locations, and would like to continue to stay in Auburn Hills. Continuing, Mr. Gould stated the company has received new business from Volkswagen and General Motors. Two new dial machines will be purchased to do the machining and cutting of the aluminum part that attaches to the front of the engine. After a leak test and assembly, it then is sent to GM.

Responding to Mayor McDonald, Mr. Gould explained the company would be retaining the current employees and possibly adding technical support.

Mr. Kittle questioned what TSM stood for.

Mr. Gould stated Thomas Samuel Maentz; he started the company in 1979.

Mayor McDonald closed the public hearing at 7:26 p.m.

Moved by Doyle; Seconded by Kittle.

RESOLVED: To approve the request for a 6-year year IFEC for TSM Corporation for a total personal property investment of \$5,000,000 by adopting the attached resolution (Attachment B).

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.134

9c. Public Hearing/Motion - Continental Automotive Systems, Inc. – IFEC PA 198 New Personal Property (1 Continental)

Mr. Lohmeier explained an application for an IFEC has been received for Personal Property to be located at 1 Continental Drive, by Continental Automotive Systems, Inc. Continental is a tenant whose lease commenced in June 2000 for 20 years and is scheduled to expire on June 30, 2020, leaving 7.5 years. There is 7 years remaining as of December 31, 2012, resulting in an expiration of December 31, 2019; they are requesting a 5-year exemption. The total project investment is estimated at \$1,500,000 and is anticipated to result in 270 jobs, including those at the 2400 Executive Hills location.

Mayor McDonald opened the public hearing at 7:28 p.m.

Grant Williams, Attorney, explained the last time Continental was before Council was regarding the Phoenix Project which exceeded expectations. Continental went to the State seeking an amendment to their MEGA grant which would create another 300 jobs in Michigan, with 270 of those here in Auburn Hills. Those 270 jobs would be at this location as well as the 2400 Executive Hills location, because of an increase and expansion of the engineering that is associated with the power train. The average wages for these jobs will be approximately \$100,000. The addition of these jobs will be over a three-year period; however, most would be within two years.

Continental expects to invest roughly \$4 million at the 2400 Executive Hills location to construct an additional building that is needed to house the additional engineers and support staff. The 1 Continental Drive location will have a build out to rearrange the current space to accommodate the additional workers at this location.

Ms. Doyle asked for clarification of the north and south buildings.

Mr. Williams explained the north building is 1 Continental Drive, which Continental is leasing. He isn't sure of ownership, the lease payment is sent to a bank.

Mr. Lohmeier suggested keeping the two separate for less confusion.

Ms. Doyle was satisfied with knowing 1 Continental Drive, the north building, is leased by Continental and the exemption request is for personal property.

Mayor McDonald closed the public hearing at 7:34 p.m.

Moved by Knight; Seconded by Hammond.

RESOLVED: To approve the request for a 5-year year IFEC for Continental Automotive Systems, Inc. for a total personal property investment of \$1,500,000 by adopting the attached resolution (Attachment C).

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.135

9d. Public Hearing/Motion - Continental Automotive Systems, Inc. – IFEC PA 198 New Real Property (2400 Executive Hills)

Mr. Lohmeier explained this application is for real property which Continental owns and occupies. Proposed, is a new industrial expansion of approximately 23,000 square feet to be used for office/lab space at an estimated cost of \$3,905,000. Continental is requesting an eight year exemption.

The TIRC committee suggested the eight year abatement with the understanding Continental would remain in the City for an additional two years after the abatement expires.

Mayor McDonald opened the public hearing at 7:35 p.m.

Mr. Williams explained the request is for an abatement on the approximately \$4 million expansion. This is in tandem with the 300 jobs in Michigan; 270 in Auburn Hills.

Responding to Mr. Kittle, Mr. Williams stated the hope is to begin construction December 1st and occupy the expansion by next summer.

Ms. Doyle asked if there would be any LEED certification sought, or how Continental might plan to reduce their footprint.

Mr. Rich Bracci, Architect for Integrated Design Solutions, LLC, explained because the expansion of 23,000 square feet will be within the existing 213,296, many of the LEED points aren't available. The construction will be in two phases, the first, which will be presented tonight, is for the shell of the construction. The interior spaces will be the second phase, and the intention is to use the LEED check list and be able to score 40 to 44 points, which is certified, the first level. Many points aren't achievable when expanding an existing building.

Responding to Ms. Doyle, Mr. Bracci stated Integrated Design Solutions last project, University of Michigan's Law building, attained gold certification. Mr. Bracci noted they have done work at Michigan State and received certification as well as in Auburn Hills. When starting with a clean slate, it is much easier and cheaper to attain a higher LEED certification than when dealing with an existing site. Trying to achieve any level of certification with an existing building can easily increase the cost by 10% to 20% or more.

Mr. Knight asked Mr. Beckerleg is the site plan for this applicant shouldn't be approved prior to approving the tax exemption.

Mr. Beckerleg explained knowing whether the exemption is approved or not will determine if the building addition is possible in some cases.

Mayor McDonald closed the public hearing at 7:42 p.m.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To approve the request for an 8-year year IFEC for Continental Automotive Systems US, Inc. for a total real property investment of \$3,905,000 by adopting the attached resolution (Attachment D).

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.136

9e. Motion - Approval of Site Plan and Tree Removal Permit / Continental Automotive Systems, Inc. – South Campus Building Expansion

Mr. Cohen explained this is a 23,000 sq. ft. building addition and a parking lot expansion, 55 additional parking spaces, to accommodate new office and vehicle laboratory testing space for this power train division on a 14.07 acre site zoned T&R.

Mr. Gary Carl, Facilities and Services Director for Continental Automotive Systems, Inc., thanked Mr. Auger, Mr. Cohen, Police, Fire and the City Assessor as well as all the other staff who made the process fantastic. He has done business in many other cities and states and by far this has been the best process. Continuing, Mr. Carl also stated his staff and the CEO's and CFO's of his company recognized the City of Auburn Hills is not about throwing up road blocks, but working together in a partnership with businesses in the City.

Mayor McDonald stated he and the City Council as well as the City staff realize if businesses succeed in Auburn Hills, then the City also succeeds and he appreciates good companies being located in Auburn Hills.

Ms. Hammond also noted how appreciative the City is of Continental for being a good partner in supporting the Helping Hands, and other community activities and outreach programs.

Responding to Ms. Doyle, Mr. Carl stated there are two locations in Dearborn and one in Troy. Ninety-five percent of the new 270 jobs will be engineering jobs; the other 5% will be quality administrative type of support. Currently there are no plans to move any of those locations to Auburn Hills. The Dearborn jobs must stay as the support for Ford Motor. This location is, after this addition at capacity; however, 1 Continental Drive can be expanded if necessary.

Moved by Hammond; Seconded by Kittle.

RESOLVED: To accept the Planning Commission's recommendation and approve the Site Plan and Tree Removal Permit for Continental Automotive Systems, Inc. – South Campus Building Expansion subject to staff and consultant conditions.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.137

9f. Motion – Accepting Auburn Road Corridor - West Side / Rezoning Applications

Mr. Cohen explained this City-initiated rezoning is intended to implement the policy recommendations of the West Auburn Road Neighborhood Master Plan, which is an amendment to the City's Master Land Use Plan. The study addressed property along both sides of Auburn Road, between I-75 and the Clinton River Bridge. The amendment was adopted by the Planning Commission on June 26, 2012.

PART ONE: Motion – Approval of the City-initiated rezoning from I-1, Light Industrial District to R-4, One-Family Residential District.

Moved by Verbeke; Seconded by Hammond.

RESOLVED: To accept the Planning Commission's recommendation and approve the City-initiated rezoning from I-1, Light Industrial District to R-4, One-Family Residential District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-843.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.138

PART TWO: Motion - Approval of the City-initiated rezoning from B-2, General Business District to R-4, One-Family Residential District.

Moved by Knight; Seconded by Doyle.

RESOLVED: To accept the Planning Commission's recommendation and approve the City-initiated rezoning from B-2, General Business District to R-4, One-Family Residential District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-844.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.139

PART THREE - A: Motion - Approval of the City-initiated rezoning from B-2, General Business District to R-4, One-Family Residential District.

Moved by Verbeke; Seconded by Doyle.

RESOLVED: To accept the Planning Commission's recommendation and approve the City-initiated rezoning from B-2, General Business District to R-4, One-Family Residential District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-845.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.140

PART THREE - B: Motion - Approval of the City-initiated rezoning from B-2, General Business District to RM-1, Multiple-Family Residential District

Moved by Verbeke; Seconded by Hammond.

RESOLVED: To accept the Planning Commission's recommendation and approve the City-initiated rezoning from B-2, General Business District to RM-1, Multiple-Family Residential District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-846.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.141

PART THREE - C: Motion - Approval of the City-initiated rezoning from B-2, General Business District to D, Downtown District.

Moved by Doyle; Seconded by Knight.

RESOLVED: To accept the Planning Commission's recommendation and approve the City-initiated rezoning from B-2, General Business District to D, Downtown District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-847.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.142

PART THREE - D: Motion - Approval of the City-initiated rezoning from R-4, One-Family Residential District to D, Downtown District.

Moved by Verbeke; Seconded by Doyle.

RESOLVED: To accept the Planning Commission’s recommendation and approve the City-initiated rezoning from R-4, One-Family Residential District to D, Downtown District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-848.

Mr. Kittle asked if this was the portion of Auburn Road that the residents were concerned with investing in their own property.

Mr. Cohen explained all of these address that issue, of residents not being able to refinance or invest in their property; however, this particle parcel is City owned.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.143

PART FOUR - A: Motion - Approval of the City-initiated rezoning from B-2, General Business District to I-1, Light Industrial District.

Moved by Verbeke; Seconded by Doyle.

RESOLVED: To accept the Planning Commission’s recommendation and approve the City-initiated rezoning from B-2, General Business District to I-1, Light Industrial District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-849.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.144

PART FOUR - B: Motion - Approval of the City-initiated rezoning from B-2, General Business District to O, Office District.

Moved by Doyle; Seconded by Verbeke.

RESOLVED: To accept the Planning Commission’s recommendation and approve the City-initiated rezoning from B-2, General Business District to O, Office District for the parcels listed in the advertised public notice. The rezoning shall be referenced as Ordinance No. 12-850.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

No: None

Motion carried (7-0)

RESOLUTION NO. 12.09.145

Ms. Hammond commended the Planning Commission for their hard work; she sat in on some of the meetings and noted the Planning Commission worked very hard and did an excellent job. She thanked Mr. Cohen and his staff for the hard work.

Council Member Verbeke exited the meeting at 8:00 p.m.

9g. Motion – Approval of Text Amendment to Zoning Ordinance / Section 2003. Permits

Mr. Cohen explained this amendment is being proposed as a result of the experiences working with The River Church near downtown Auburn Hills and their Christmas tree sales lot over the past two years. The cost of the permit negated much of the revenue generated by the Church’s fundraiser. On October 3, 2011, the City Council informally asked staff to craft an Ordinance amendment to allow non-profit organizations, like The River Church, the ability to obtain administrative approval for their seasonal tree farms.

The Planning Commission and staff have looked at the ordinance and are proposing a Holiday Lot Sale provision in the zoning ordinance that will allow for pumpkin sales and Christmas tree sales in addition to the normal road-side sales. This will allow in residential areas, schools, churches, fraternal organizations and other non-profits the ability to hold these types of sales as a fundraiser. It will still be reviewed by staff for safety issues and must meet ordinance requirements.

Responding to Mayor McDonald, Mr. Cohen explained this would be treated like other special event permits; reviewed administratively and not need Council approval. If the request does not meet the requirements or staff recommendations, then Planning Commission and Council approval would be needed.

Moved by Knight; Seconded by Hammond.

RESOLVED: To accept the Planning Commission’s recommendation and approve the text amendment to the Zoning Ordinance to Section 2003. Permits regulating Holiday Sales Lots. The amended ordinance shall be referenced as Ordinance 12-851.

Ms. Hammond noted the suggested fees being between \$35.00 and \$100.00 and stated she prefer to see the non-profit organizations be charged on the lower end of the scale.

Mr. Cohen explained that is the intent, to have the non-profits fees on the lower end of the Special Event fees.

**VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald
No: None**

Absent: Verbeke

Motion carried (6-0)

RESOLUTION NO. 12.09.146

9h. Motion – Approval of Text Amendment to Zoning Ordinance / Section 1811. Signs (Large Format Temporary Wall Murals)

Mr. Cohen explained this is a City initiated text amendment to primarily address the Chrysler building. The current ordinance stipulates the number of wraps allowed during the year and the probability is Chrysler may exceed that number. This would allow year round wraps for new launch products. The current ordinance allows a single sign to be up for two consecutive 120 day periods. The proposed amendment would simply state what is currently being allowed administratively ... *The maximum allowed time per wall mural sign shall be two hundred and forty (240) days.* This ordinance would also create the "Tall Building Exception", which would permit buildings taller than 10 stories located on sites with frontage on I-75 or M-59 to be allowed to erect an unlimited number of large format temporary wall murals, 365 days a year. The maximum allowed time per wall mural sign would remain at 240 days. Chrysler is the only building in the City that this would affect.

Moved by Kittle; Seconded by Hammond.

RESOLVED: To accept the Planning Commission's recommendation and approve the text amendment to the Zoning Ordinance to Section 1811. Signs regulating Large Format Temporary Wall Murals. The amended ordinance shall be referenced as Ordinance 12-852.

**VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald
No: None**

Absent: Verbeke

Motion carried (6-0)

RESOLUTION NO. 12.09.147

9i. Motion – Approve Delinquent Tax Transfers to 2012 Winter Tax Bills

Ms. Buschmohle explained each year a list of water and sewer and assessment amounts that are 90 days delinquent as of August 1st, in accordance with City Ordinance # 634, are transferred to the Winter Tax Roll. In addition to the water and sewer consumption, there is weed cutting and blight clean-up charges billed, Forrester Square Road Paving Special Assessment District, and the delinquent waste hauler accounts billed by Waste Management that are 90 days delinquent as of August 1st. In accordance with City ordinances, these accounts are to be transferred to the Winter Tax Roll.

Responding to Ms. Doyle, Ms. Buschmohle explained there are approximately 400 of the 5,000 Waste Management accounts that are 90 days delinquent. Ms. Buschmohle noted the delinquencies are only for the first and second quarters of this year.

Mr. Knight understands and agrees the delinquent accounts should be transferred to the tax rolls; however, he doesn't agree with charging the \$35.00 fee to the small water & sewer delinquent accounts. If it were up to him, he would waive the transfer fee for amounts under \$100.00. He also felt the same with the trash hauler situation.

Ms. Buschmohle explained the \$35.00 fee is approved by Council in the Fee Schedule.

Ms. Doyle stated she supported Mr. Knight's concerns and asked if there is a way to charge a percentage of what is owed.

Ms. Buschmohle noted the \$35.00 is stated as a transfer fee in the ordinances and resolutions; however, a percentage could be investigated.

Mr. Auger explained the list presented this evening is in accordance with current resolutions and ordinances and can't be changed at this point; however, it can be looked at for future transfers.

Mr. Knight noted he wasn't suggesting the current list be changed, but for future use.

Mr. Kittle asked about the special assessments, not all are for Forrester Square; noting one on the list is for the City.

Ms. Buschmohle explained that is a Forrester Square property that the City now owns, and the past homeowner owed a weed cutting fee.

Mr. McDaniel asked who is maintaining the Forrester Square properties the City now owns.

Mr. Tanghe explained the City is maintaining those lots.

Ms. Doyle asked that this topic be added to the Open Issues List.

Moved by Knight, Seconded by Hammond.

RESOLVED: To accept the City Treasurer’s recommendation on the Delinquent Property Tax Transfers, and authorize the transfer of the delinquent special assessments in the amount of \$536,409.17 for collection on the 2012 City of Auburn Hills Winter Taxes, in accordance with ordinances # 634 and 11-839 and Resolution 11.08.153.

VOTE: Yes: Doyle, Hammond, Knight, McDaniel, McDonald, Verbeke

No: Kittle

Motion carried (5-1)

Absent: Verbeke

RESOLUTION NO. 12.09.148

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Kittle:

- Noted the property in question is 3811 Peirce Avenue, he wasn’t sure about the property and that is why he voted no.
Mr. Tanghe didn’t believe it should be on the list, but will verify.
- Asked Mr. Cohen if a resident has a dead tree and needs help, does the City help out?
Mr. Cohen stated he knows DPS sells small trees, but isn’t sure of the process.
Mr. Kittle explained in Heritage of the Hills sub, there is a tree between the sidewalk and road that is dead and curious if the City replaces those.
Mr. Auger stated he would look into it and get back with Mr. Kittle.
- Asked how Council was proceeding with the survey for workshop ideas.
Mr. Auger stated the questions are complete on Survey Monkey and results need to be sent to Council.

Ms. Hammond:

- Noted the foliage still has not been cut back, making it difficult to see traffic.
- Asked Mr. McDaniel if Council would be receiving invitations for the BAC awards banquet that is being held at the end of the month.
Mr. McDaniel stated the invitations are currently being worked on and should be going out shortly.

Ms. Doyle:

- Noted everything on this evenings agenda was helping businesses to bring jobs to Auburn Hills, helping residents who weren’t able to invest in their homes, helping big business with signs, helping schools, churches and other non-profits to be able to fund raise; it was all about helping all aspects of our community. What a great feeling and all the incredible work that went into all of these issues.
- The Farmers’ Market has moved forward finding a new market manager to keep the market going, which helps to build the momentum downtown. She thanked all shoppers for their support.
- Noticed how the IFEC memos are written and was thankful for how helpful the new format is.

Mr. Knight:

- Noted the clock tower is working and is accurate.
- The trees took a beating this summer and there are many that need replacing. Also, had a family gathering at Riverside Park, he noted it is a beautiful park but lacks grass.
- Thanked the Recreation Department and the City for the event being planned for September 11th, honoring veterans and service personnel. It was mentioned in the Oakland Press as one of three events remembering September 11th, but would have liked to see it on the front page.
- He has been speaking with Pat Elwell and things are progressing well. The restaurant will offer American fare, with specials; prices will range from \$6.00 to \$12.00 for lunch and dinner \$9.00 to \$17.00.
- The American Legion is having a car show, Saturday, September 22, 2012, from noon to 3:00 p.m., along with a pig roast. Those entering a car in the show eat for free, along with their occupants and it is open to the public.

Mayor McDonald:

- This past Saturday the City held its 16th Blue Grass Festival, and comments received noting what a great setting the City has for the event, the nominal admittance fee and the top-notch bands. The announcer noted the great *partnership* there is between the patrons and the bands, and what a great place Auburn Hills is and it’s their favorite.

- Another *partnership*, the 50th year celebration with Orchard, Hiltz, and McCliment, he attended.
- A celebration with Secret Wardle, 100 years in service. They also have a new building in Troy. It's been a great week celebrating with the City's consultants, and being lucky to have them.

Mr. Kittle:

- Commended DPS and OHM for the great work that has been done on the roads, especially Shimmons Road, also Teinken Road looks great and is still having some final work being done. He is looking forward to visiting Forrester Square as well.

11. CITY ATTORNEY'S REPORT – none.

12. CITY MANAGER'S REPORT

- Today the City hosted over 50 people, here in the Council Chamber, on economic development, presented by the Sirolli Institute on Trinity of Management. People from all over the county were present and commented on how well they liked the complex and how they love the effort of City staff to lead in economic development.
- Next week before the Council meeting there will be a budget meeting; he will not be attending, but Mr. Tanghe will be. He was one of seven people invited to Washington D.C. to talk about the cost of local government. There will be collaboration and learning from other communities and them learning from Auburn Hills.

13. EXECUTIVE SESSION – Property Acquisition

Moved by Hammond, Seconded by Doyle.

RESOLVED: Adjourn to Executive Session to Discuss Property Acquisition.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald

No: None

Absent: Verbeke

Motion carried (6-0)

RESOLUTION NO. 12.09.149

Adjourned to Executive Session at 8:31p.m.; Resumed Regular Session at 9:05 p.m.

Moved by Kittle, Seconded by McDaniel.

RESOLVED: To authorize Assistant City Manager Thomas A. Tanghe to execute the purchase agreement with Oakland County for the parcel located at 14-12-201-001, at a total price not to exceed \$2,086.21.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald

No: None

Absent: Verbeke

Motion carried (6-0)

RESOLUTION NO. 12.09.150

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 9:06 p.m.

James D. McDonald, Mayor

Terri Kowal, City Clerk

**CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR PLASTICS PLUS, INC.**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **10th day of September, 2012**.

The following resolution was offered by Councilperson Knight and supported by Councilperson Verbeke:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **21st Day of October, 1985**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Anirjot Investment Company Industrial Development District**; and

WHEREAS, **Plastics Plus, Inc.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real property** to be acquired and installed within the **Anirjot Investment Company Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **10th day of September, 2012** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before **July 2, 2012**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, shall not have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.
2. The application for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **Anirjot Investment Company Industrial Development District**; to wit;

Legal Description

T3N, 10E, SEC 4 OAKLAND COUNTY CONDOMINIUM PLAN NO 2023, EDSON CONDOMINIUM,
UNIT 2, L 44191 P 464, 5-17-12 FR 200-032

The real property parcel is also identified as 02-14-04-201-002, having an address of 4237 N. Atlantic Blvd., Auburn Hills, MI 48326

is hereby approved.

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **five (5) years**, and the starting date for the certificate is **December 31, 2012** and the ending date is **December 30, 2017**.
4. The total project investment approved is **\$2,100,000**.
5. **Plastics Plus, Inc.** agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **two years** after the date of the certificate's expiration.

AYES: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION 12.09.133 ADOPTED (7-0)

STATE OF MICHIGAN)
)SS
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 **10th day of September, 2012.**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 17th day of September, 2012.

Terri Kowal, City Clerk

**CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR TSM CORPORATION**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **10th day of September, 2012**.

The following resolution was offered by Councilperson Doyle and supported by Councilperson Kittle:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **16th Day of September, 1985**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Four Northwestern Corp. and Bert L. Smokler & Co. Industrial Development District**; and

WHEREAS, **TSM Corporation** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed **personal property** to be acquired and installed within the **Four Northwestern Corp. and Bert L. Smokler & Co. Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **10th day of September, 2012** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before **July 6, 2012**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, shall not have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.
2. The application for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **Four Northwestern Corp. and Bert L. Smokler & Co. Industrial Development District**; to wit;

Legal Description

T3N, R10E, SEC 23 AUBURN CENTRE INDUSTRIAL PARK LOTS 1 & 2 9-22-98 FR 001 & 002

The real property parcel is also identified as 02-14-23-152-027, having an address of 1175 N. Opdyke, Auburn Hills, MI 48326

is hereby approved for Personal Property Improvements only.

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **six (6) years**, and the starting date for the certificate is **December 31, 2012** and the ending date is **December 30, 2018**.

4. The total project investment approved is **\$5,000,000**.

5. **TSM Corporation** agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **two years** after the date of the expiration.

AYES: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight,
McDaniel, Verbeke
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION 12.09.134 ADOPTED (7-0)

STATE OF MICHIGAN)
)SS
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 **10th day of September, 2012.**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 17th day of September, 2012.

Terri Kowal, City Clerk

**CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR CONTINENTAL AUTOMOTIVE SYSTEMS, INC**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **10th day of September, 2012**.

The following resolution was offered by Councilperson Knight and supported by Councilperson Hammond

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **21ST Day of October, 1985**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Anirjot Investment Company Anthony Barclae Industrial Development District**; and

WHEREAS, **Continental Automotive Systems Inc.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed **personal property** to be acquired and installed within the **Anirjot Investment Company Anthony Barclae Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **10th day of September, 2012** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before **August 13, 2012**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, shall not have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.
2. The application for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **Anirjot Investment Company Anthony Barclae Industrial Development District**; to wit;

Legal Description

T3N, R10E, SEC 4 PART OF N 1/2 OF SEC BEG AT PT DIST S 87-32-55 W 1450 FT & S 02-24-41 E 203.16 FT & S 15-10-57 E 67.86 FT & S 02-24-41 E 992.72 FT & S 20-04-43 W 214.21 FT & S 42-34-07 W 62.24 FT & S 41-32-11 W 12.62 FT FROM NE SEC COR, TH ALG CURVE TO LEFT, RAD 350 FT, CHORD BEARS S 19-02-44 W 256.06 FT, DIST OF 262.15 FT, TH S 02-24-41 E 186.22 FT, TH ALG CURVE TO LEFT, RAD 335 FT, CHORD BEARS S 43-58-32 E 444.52 FT, DIST OF 486.04 FT, TH S 00-29-35 E 532.16 FT, TH S 13-32-11 W 61.88 FT, TH S 00-29-35 E 100 FT, TH S 89-23-31 W 250.16 FT, TH N 00-29-35 W 70 FT, TH S 89-30-25 W 119.07 FT, TH ALG CURVE TO RIGHT, RAD 359.72 FT, CHORD BEARS N 72-33-05 W 221.54 FT, DIST OF 225.20 FT, TH N 54-36-35 W 255.38 FT, TH ALG CURVE TO RIGHT, RAD 906.35 FT, CHORD BEARS N 35-44-09 W 586.38 FT, DIST OF 597.12 FT, TH N 73-08-16 E 50 FT, TH N 16-51-44 W 250 FT, TH ALG CURVE TO LEFT, RAD 525 FT, CHORD BEARS N 26-16-54 W 171.84 FT, DIST OF 172.62 FT, TH N 06-02-24 W 271.40 FT, TH N 88-41-43 E 200.43 FT, TH S 03-45-25 E 34.43 FT, TH N 87-32-55 E 835.40 FT TO BEG 28.30 A4-27-00 FR 027

**CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR CONTINENTAL AUTOMOTIVE SYSTEMS US, INC**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the **10th day of September, 2012**.

The following resolution was offered by Councilperson Knight and supported by Councilperson Verbeke:

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **1ST Day of December, 1986**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Samelson Development Company Industrial Development District**; and

WHEREAS, **Continental Automotive Systems US, Inc.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed **real property** to be constructed within the **Samelson Development Company Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **10th day of September, 2012** at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before **August 3, 2012**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate **will exceed 5%** of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of Auburn Hills that:

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, shall not have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.
2. The application for an Industrial Facilities Exemption Certificate with respect to a **New Facility** on the following described parcel of real property situated within the **Samelson Development Company Industrial Development District**; to wit;

Legal Description

T3N, R10E, SEC 26 PART OF NW 1/4 BEG AT PT DIST N 88-20-02 E 622.06 FT & S 38-24-46 W 156.83 FT & N 88-20-02 E 1513.30 FT & S 05-38-17 E 255.58 FT & S 14-34-28 E 167.76 FT & S 23-30-38 E 64.38 FT & S 00-40-14 E 672.28 FT FROM NW SEC COR, TH S 69-52-25 E 698.73 FT, TH S 02-44-18 W 350 FT, TH S 34-32-24 W 412.95 FT, TH S 55-56-57 W 259.14 FT, TH N 35-37-38 W 851.81 FT, TH ALG CURVE TO LEFT, RAD 866 FT, CHORD BEARS N 38-36-06 E 489.97 FT, DIST OF 496.75 FT TO BEG 14.07 A8-23-89 FR 002

The real property parcel is also identified as 02-14-26-126-005, having an address of 2400 Executive Hills, Auburn Hills, MI 48326

is hereby approved for Real Property Improvements only.

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **eight (8) years**, and the starting date for the certificate is **December 31, 2012** and the ending date is **December 30, 2020**.
4. The total project investment approved is **\$3,905,000**.

5. **Continental Automotive Systems US, Inc.** agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **two years** after the date of the expiration.

AYES: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Verbeke
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION 12.09.136 ADOPTED (7-0)

STATE OF MICHIGAN)
)SS
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 **10th day of September, 2012.**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 17th day of September, 2012.

Terri Kowal, City Clerk