



The City of Auburn Hills

City Council Meeting

Minutes

February 13, 2017

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, Hammond, Kittle, Knight, and Verbeke

Absent: Mitchell

Also Present: City Manager Tanghe, Assistant City Manager Grice, Police Chief Olko, City Clerk Kowal, City Assessor Griffin, Director of Public Works Melchert, Finance Director/Treasurer Schulz, Director of Authorities Mariuz, Recreation Director Marzolf, Senior Director Adcock, Senior Admin. Asst. Leonard, City Attorney Beckerleg, City Engineer Judici.

19 Guests

Mayor McDaniel noted that Ms. Mitchell will not be in attendance at this meeting as she is traveling for business.

4. APPROVAL OF MINUTES

4a. Regular City Council – January 13, 2017

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: To approve the January 13, 2017 City Council meeting minutes.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.017

Motion Carried (6 - 0)

4b. Executive Session Minutes - November 14, 2016; December 12, 2016; January 23, 2017

Moved by Knight; Seconded by Verbeke.

RESOLVED: To approve the November 14, 2016; December 12, 2016; January 23, 2017 City Council executive session meeting minutes.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.018

Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS

5a. Motion – Reappointment of Molnar and Price to the Tax Increment Finance Authority Board of Directors.

Mayor McDaniel stated that these are reappointments and the committee members are not required to attend the Council meeting.

David Molnar explained that he is the current vice-chair. During his tenure on the Board, the board has accomplished many significant items such as the University Bridge with the divergent diamond interchange, among many other excellent projects. If reappointed, he intends to work closer with the different departments of the City so that the Board is involved earlier in the development stages and improve the communication in order to quickly approve or recommend changes in order to obtain the financing for the projects.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To confirm the reappointment of David Molnar and Dawn Price to the Tax Increment Finance Authority Board of Directors for terms ending February 28, 2021.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.019

Motion Carried (6 - 0)

Mayor McDaniel thanked Mr. Molnar and the TIFA Board for their leadership and dedication to the residents of the City

5b. Presentation by AndCo Consulting - Review of the City's Current Managed Cash Position

George Vitta, the City's investment consultant, summarized the 2016 Fourth Quarter Investment Report. He explained that the negative return of 0.36 for the quarter is not a realized loss, but a change in the market value for all of the investments for the quarter. When interest rates increase, the values of the securities decrease. The majority of the investments had some unrealized losses in the portfolio, while other portfolios had a slightly positive return. Mr. Vitta noted that for the full calendar year, the City's investment portfolio earned .91%. These are not large returns, but the returns have been improving over the last couple years and interest rates have started to move up. He pointed out that there are specific guidelines spelled out in the City's Investment Policy regarding the quality of the securities held in the portfolio and the length of maturity of the securities.

Mr. Knight commented on the Investment Performance Evaluation. Mr. Vitta confirmed that if you take the interest on all the securities, the average is 1.37%.

6. PUBLIC COMMENT

7. CONSENT AGENDA

All items listed are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

7a. Board and Commission Minutes

7a1. Minutes of Planning Commission – December 14, 2016

7a2. Minutes of Beautification Advisory Commission – January 18, 2017

7a3. Minutes of Public Safety Advisory Committee – January 24, 2017

7b. Motion - Receive and file the AndCo Consulting 4th Quarter 2016 Cash Management Summary and Executive reports.

RESOLVED: To receive and file the AndCo Consulting 4th Quarter 2016 Cash Management Summary and Executive reports.

7c. Motion – Approve Revised IFEC Resolution / Norma Michigan, Inc.

RESOLVED: To approve the attached revised resolution for Norma Michigan Inc. relating to IFEC 2009-049. The resolution is revised to reflect that Norma Michigan Inc. agrees to operate their facility for an additional four (4) years after the date of their certificate's expiration. (Attachment A)

7d. Motion – Approve Revised IFEC Resolution / PyeongHwa Automotive USA, LLC

RESOLVED: To approve the attached revised resolution for PyeongHwa Automotive USA LLC (PHA) relating to IFEC 2011-466. The resolution is revised to reflect that PHA agrees to operate their facility for an additional four (4) years after the date of their certificate's expiration. (Attachment B)

Moved by Kittle; Seconded by Verbeke.

RESOLVED: To approve the Consent Agenda items 7a., 7b., 7c., and 7d.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.020

Motion Carried (6 - 0)

8. OLD BUSINESS

8a. Public Hearing/Motion – Declare Necessity, Proceed with the Project, and Defray a Portion of the Costs of the Project by Special Assessments for Pacific Drive.

Mr. Melchert explained the Public Hearing is being held to hear comments or objections to the proposed Special Assessment District (SAD) road projects. After the Public Hearing, City Council will consider resolution #3 to declare necessity and proceed with the SAD improvements. If the resolution is approved, the City Assessor will prepare a special assessment roll and file it with the Clerk and the City Manager will obtain bids for construction of the road improvements.

Mayor McDaniel opened the Public Hearing at 7:20 PM.

The following objected to the SAD:

- Doug Furah, representing Hayden Auburn, vacant parcel
- Bradley Defoe, representing Haden Auburn LLC, vacant land
- Louca Mold & Randal Bellestri, RDB Industries, 1399 Pacific Dr.

In response to a comment by Mr. Furah regarding the distribution of the assessment, Mr. Beckerleg explained that the Michigan Tax Tribunal recognizes two methods of establishing the assessment – one method is to use the front foot basis and the other method is one unit per each lot. The most widely utilized is the one unit per lot.

Mr. Furah suggested using a distribution method based on assessed valuation or by acreage. Mr. Beckerleg reiterated the two recognized methods by the Michigan Tax Tribunal (MTT). He noted that when you start varying from those approaches you run the risk of that method not being recognized by the MTT. The MTT will look at the district as a whole, decide whether the benefit is proportionate to the cost and does the property value increase more than the amount of the special assessment against the property and if the answer is yes, they will affirm it.

Mayor McDaniel closed the Public Hearing at 7:31 PM.

Moved by Kittle; Seconded by Burmeister.

RESOLVED: To approve Resolution No. 3, a Resolution Declaring Necessity and to proceed with Project and Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties for the proposed Special Assessment District No. 4, regarding the repair of and improvements to Pacific Drive. (Attachment C)

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.021

Motion Carried (6 - 0)

8b. Public Hearing/Motion – Declare Necessity, Proceed with the Project, and Defray a Portion of the Costs of the Project by Special Assessments for North Atlantic Boulevard and Continental Drive.

Mayor McDaniel opened the Public Hearing at 7:32 PM.

The following objected to the SAD:

- Joe Nosanchuk, property owner at 50 Continental
- Dale Bale, Plant Manager for Dana Incorporated, 4440 N. Atlantic Blvd.
- John Gaber, 380 North Old Woodward, Suite 300, Birmingham, representing Bailey Properties, LLC and their tenant at 4141 N. Atlantic Blvd.

- Steve Teppel, CFO with Commercial Contracting, 4260 N. Atlantic
- Bobby Peplinski, representing CL North Atlantic Associates, LLC, 4280 N. Atlantic Blvd
- Michael Mlecsko, Valeo, Inc, 4100 N. Atlantic
- Glen Carlson, III & Thomas McKay, Acme Manufacturing, 4240 N. Atlantic
- Don Bailey, Bailey Birmingham Properties, 4141 N. Atlantic
- Stefan Roepke, Samsung SDI, 4121 N. Atlantic
- Frank Walker, JP Oil Holdings, Colorado
- Randal Bellestri, RDB Brown Rd, LLC, Florida
- John Ketzler, representing Edson Properties, 4225 N. Atlantic
- John Ketzler, representing John Galt, LLC, 4200 N. Atlantic
- John Ketzler, representing Pajama Partners, LLC, 4237 N. Atlantic

Mayor McDaniel questioned the timeline of the project. Mr. Melchert explained that the plan is to have bids secured by the end of March and construction to be started late April, early May. Mr. Beckerleg explained for Ms. Verbeke that once the bids come back, the City will have a better idea of the actual cost of the project, as it is currently just an estimate. Mayor McDaniel pointed out that typically when municipalities use this as a tool, they charge 100% special assessment. We as a community decided to contribute 50%.

In response to a question from Mr. Bale, Mr. Beckerleg explained that effective upon approval of the roll, there will be a lien against each property and its respective share of the special assessment.

Mr. Juidici confirmed for Mr. Bale that the road is being designed as a full reconstruct. The existing pavement surface and existing aggregate gravel base will be removed and replaced. There will be drainage improvements. The structure of the road is being built for twenty to twenty-five year design life and with maintenance should last much longer. Mr. Melchert confirmed for Mr. Tepper that the road will be built to City standards.

Ms. Hammond questioned if the interest rate is charged to those who pay their bill immediately. Mr. Beckerleg explained that there will be a date in the resolution #5 by which if paid in full, there is no interest charged.

Ms. Hammond commented that there are many municipalities that charge the full amount. No one wants to pay more, but many of the businesses that have been here have benefitted or are currently benefitting from tax abatements that the City has offered. The City has to do this so we can maintain our standards as a City so it is fair for everyone.

Mr. Kittle stated that we are trying to keep Auburn Hills an attractive place to do business and live. He explained that the City's revenue stream has gone down. In trying to keep a low operating millage and trying to maintain an infrastructure that is just now reaching a thirty-five year age, it is important to maintain the level of service as well as infrastructure. The City has gone as far as outsourcing various services in the City to save money and still deliver quality services. It is a balancing act to make sure that we keep your frontage structurally sound and attractive.

Mayor McDaniel closed the Public Hearing at 7:58 PM.

Moved by Knight; Seconded by Burmeister.

RESOLVED: To approve Resolution No. 3, a Resolution Declaring Necessity and to proceed with Project and Defray a Portion of the Costs of the Project by Special Assessments upon Specially Benefited Properties for the proposed Special Assessment District No. 5 regarding the repair of and improvements to North Atlantic Boulevard and Continental Drive. (Attachment D)

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.022

Motion Carried (6 - 0)

9. NEW BUSINESS

9a. Motion - Accept the First Reading of Ordinances 17-888 and 17-889 Granting City Council the Right to Permit the Sale and Use of Alcohol at Certain City Sanctioned Events on City Properties.

Mr. Grice explained that the proposed ordinance amendments would allow City Council to permit the sale and/or consumption of alcoholic beverages at certain City sanctioned events in City parks and facilities. Under the amendment, City staff would bring forward an alcohol permit for a specific event or series of events. This request would include information such as name of event, location, hours, event boundaries, if alcohol would be for sale or if individuals would be allowed to bring their own, and any additional pertinent information.

Mr. Grice requested clarification as to whether the City wants to prohibit the bringing of glass containers into the parks and amphitheater. Currently the City does not prohibit the use of glass containers in the parks and staff believes that it may be somewhat restrictive and difficult to enforce.

Ms. Verbeke stated that glass containers should not be allowed. If it gets broken, it could be dangerous to the kids running around in the parks and people sitting in the grass. Mr. Knight agreed that it is not unreasonable to require paper or plastic.

Mayor McDaniel stated that typically parks prohibit glass containers because there are children playing, playground areas, glass that might break and get into the river. He stated that he understands that enforcement could be an issue, but the majority of the people will follow the rules.

Mr. Knight commented that he has long been opposed to alcohol in the parks just on the principle that alcohol is the number one drug in the United States. He understands the purpose of this and by giving the City Council the complete responsibility to determine when and where, it is reasonable as there are events where it could be reasonably done.

Ms. Hammond questioned how this would affect the Community Center and its rentals and whether each rental would have to be approved by Council as a sanctioned event. Mr. Grice stated that the current policy does not allow alcohol in the Community Center. The proposed ordinance would open the door for it, but it would still have to come before Council to vote on whether it was allowed. Mr. Knight stated his preference is on a controlled basis that Council could review. He stated that he does not think they will permit too many activities in the Community Center.

Mr. Grice commented that if the Council were to approve a policy change for the Community Center, essentially, it would not have to come forward to Council for each and every rental. Mayor McDaniel stated that he is comfortable that staff would manage that item day to day.

Moved by Knight; Seconded by Kittle.

RESOLVED: To accept the First Reading of Ordinance 17-888 to Amend Chapter 50, Parks and Recreation of the Auburn Hills City Code and Set for Public Hearing and Second Reading/Adoption at the Meeting of February 27, 2017.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.023

Motion Carried (6 - 0)

Moved by Knight; Seconded by Hammond.

RESOLVED: To accept the First Reading of Ordinance 17-889 to Amend Chapter 10, Amusements and Entertainments of the Auburn Hills City Code and Set for Public Hearing and Second Reading/Adoption at the Meeting of February 27, 2017.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.024

Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond

- Thanked Community Development for following up on the mess behind Dollar General. It is cleaned up and looks wonderful. Our staff is phenomenal in getting things done quickly.

Mr. Kittle

- It was a tough conversation and debate on the special assessments. He applauds the City Council for bringing it forward. It is unpopular and is one of those things that nobody wishes they had to do, but under the circumstances there is no option. There will be no windfall of money in the years to come. We are going to make sure that we are one of the communities that can stand proud and be fiscally responsible.

Mr. Knight

- Expressed frustration with the angled parking downtown and the difficulty backing out. The City had a disastrous result when it rushed forward with backing in parking. It is much safer and he would love to see the City study the effect of it. He stated that he does not want to park downtown because he cannot see backing out.

Mr. Burmeister

- He was approached by a resident who said they could not subscribe to WOW TV and blamed the City. Mayor McDaniel confirmed the City does not have anything to do with the cable. The company make the decision about whether to invest in a community based on the potential subscribers. WOW has not selected Auburn Hills as part of their business plan. Mr. Tanghe added that the City does not have the subscription density, so WOW will not invest in the infrastructure.
- Noted that residents can sign up for the No Soliciting list.
- Recognized representatives from the Teen Council and the new Recreation Coordinator in attendance tonight.

Mayor McDaniel

- Echoed Mr. Kittle's comments regarding the SAD and it not being a popular decision. One thing he loves about this Council is that it conducts the business that needs to be done on behalf of the residents, whether it be the popular decision or not. We do absolutely what is in the best interest of the entire community. It has been great to work through this process. To the point that the City is contributing 50%, that shows how Auburn Hills is leading the way when it comes to making tough decisions for the great interest of the entire community.

11. CITY ATTORNEY'S REPORT

12. CITY MANAGER'S REPORT

Mr. Tanghe

- Thursday evening he spoke in front of a large crowd celebrating the acquisition of an Auburn Hills company, Continental Structural Plastics, by another Auburn Hills company, Teijin. The CEO's from both companies spoke at the event as well as representatives from County Executive Brooks Patterson's office and the Office of the Counsel General to Japan.
- The new firefighters were sworn in on Friday. He congratulated them and welcomed them to the City. These firefighters are a result of the millage election held last August.

13. EXECUTIVE SESSION: Acquisition of Land

Moved by Hammond, supported by Verbeke.

RESOLVED: To meet in executive session to discuss the acquisition of land.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.025

Motion Carried (6 – 0)

Recessed to executive session at 8:20 PM.

Reconvened the regular meeting at 8:32 PM.

Moved by Verbeke, supported by Knight.

RESOLVED: To approve the purchase of the property located at 3462 Auburn Road, parcel identification number 14-36-127-004, in the amount of \$10,000. Furthermore, authorize the City Manager to execute all documents to facilitate the purchase, up to an including those required at closing.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Verbeke

No: None

Resolution No. 17.02.026

Motion Carried (6 – 0)

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 8:33 PM.

Kevin R. McDaniel, Mayor

Terri Kowal, City Clerk

ATTACHMENT A

AMENDED RESOLUTION APPROVING ADDITIONAL YEARS FOR THE FACILITY UNDER INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE 2009-049 for NORMA MICHIGAN 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 at 7:00 p.m. on the 10th day of October, 2016, and amended on February 13, 2017;

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

WHEREAS, the City of Auburn Hills and the State Tax Commission approved an Industrial Facility Exemption Certificate in the year 2009 for Norma Michigan Inc. for a facility located at 2430 E Walton Blvd, and

WHEREAS, the certificate, known as Industrial Facility Exemption Certificate 2009-049 , was approved for 7 years for real property and personal property, and

WHEREAS, Norma Michigan Inc. completed construction of the real estate on April 1, 2009 and completed installation of personal property on April 1, 2010, and

WHEREAS, Norma Michigan Inc. has requested that another certificate be granted for additional years for the facility under Industrial Facility Exemption Certificate 2009-049 as provided by Public Act 198, of 1974, Sec 16a, and

WHEREAS, the Clerk has notified in writing the Assessor of the City of Auburn Hills and the legislative body of each taxing unit which levies ad valorem property tax within the City of Auburn Hills and given notice to the general public so that they shall be afforded an opportunity to be heard at this public hearing to determine whether the extension of the Industrial Facilities Exemption Certificate shall be approved or disapproved; 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 exempted.

WHEREAS, it is hereby found and determined by the City of Auburn Hills Council that the granting of another certificate for the facility previously approved under Industrial Facility Exemption Certificate 2009-049 is reasonable and proper, and

NOW, THEREFORE, BE IT RESOLVED that the request for another certificate to extend the years approved under Industrial Facilities Exemption Certificate 2009-049 for real property and personal property for the facility located at 2430 E Walton Blvd is hereby approved, and

The City Council of Auburn Hills finds and determines that 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 255 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.

That another certificate be granted to extend the years approved under Industrial Facility Exemption Certificate 2009-049 for an additional two (2) years for real property and personal property, and

Norma Michigan Inc. agrees to operate the facility for which the Industrial Facility Exemption Certificate is granted for the term of the certificate, plus an additional four (4) years after the date of the certificate's expiration.

The City Clerk shall send an original copy of this resolution to the State Tax Commission.

AYES: 6
NAYS: None
ABSENT: 1 (Mitchell)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed Clerk of 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 City Council held on the 10th day of October, 2016 and amended on February 13, 2017; the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this _____ day of February, 2017.

Terri Kowal
City Clerk

ATTACHMENT B

AMENDED RESOLUTION APPROVING ADDITIONAL YEARS FOR THE FACILITY UNDER INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE 2011-466 for PYEONGHWA AUTOMOTIVE USA, LLC.

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 at 7:00 p.m. on the 24th day of October, 2016, and amended on February 13, 2017;

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

WHEREAS, the City of Auburn Hills and the State Tax Commission approved an Industrial Facility Exemption Certificate in the year 2011 for Pyeonghwa Automotive USA, LLC. for a facility located at 765 Standard Pkwy. and,

WHEREAS, the certificate, known as Industrial Facility Exemption Certificate 2011-466 , was approved for 5 years for real property and personal property, and

WHEREAS, Pyeonghwa Automotive USA LLC. completed construction of the real estate on July 6, 2011 and completed installation of personal property on October 1, 2011, and

WHEREAS, Pyeonghwa Automotive USA LLC has requested that another certificate for real property only be granted for additional 5 years for the facility under Industrial Facility Exemption Certificate 2011-466 as provided by Public Act 198, of 1974, Sec 16a, and

WHEREAS, the Clerk has notified in writing the Assessor of the City of Auburn Hills and the legislative body of each taxing unit which levies ad valorem property tax within the City of Auburn Hills and given notice to the general public so that they shall be afforded an opportunity to be heard at this public hearing to determine whether the extension of the Industrial Facilities Exemption Certificate shall be approved or disapproved; 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 exempted.

WHEREAS, it is hereby found and determined by the City of Auburn Hills Council that the granting of another certificate for real property for the facility previously approved under Industrial Facility Exemption Certificate 2011-466 is reasonable and proper, and

NOW, THEREFORE, BE IT RESOLVED that the request for another certificate to extend the years approved under Industrial Facilities Exemption Certificate 2011-466 for real property for the facility located at 765 Standard Pkwy. is hereby approved, and

The City Council of Auburn Hills finds and determines that 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 255 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.

That another certificate be granted to extend the years approved under Industrial Facility Exemption Certificate 2011-466 for an additional Five (5) years for real property, and

Pyeonghwa Automotive USA LLC agrees to operate the facility for which the Industrial Facility Exemption Certificate is granted for the term of the certificate, plus an additional four (4) years after the date of the certificate's expiration.

The City Clerk shall send an original copy of this resolution to the State Tax Commission.

AYES: 6
NAYS: None
ABSENT: 1 (Mitchell)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed Clerk of 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 City Council held on the 24th day of October, 2016 and amended on February 13, 2017; the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of February, 2017.

Terri Kowal
City Clerk

ATTACHMENT C

RESOLUTION DECLARING NECESSITY AND TO PROCEED WITH PROJECT AND TO DEFRAID A PORTION OF THE COSTS OF THE PROJECT BY SPECIAL ASSESSMENTS UPON SPECIALLY BENEFITED PROPERTIES (RESOLUTION NO. 3)

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, Michigan 48326, at 7:00 p.m. on the 13th day of February 2017, the following resolution was offered by Councilperson Kittle and supported by Councilperson Burmeister

WHEREAS, the City has considered construction of the proposed improvement described below (the Project) and has further requested the establishment of a special assessment district to finance and defray a portion of the costs of the project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to Pacific Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district (the District) attached to this Resolution; and

WHEREAS, after an initial consideration, the City Council on January 23, 2017, adopted its Resolution No. 2 declaring its tentative intent to proceed with the Project and with the establishment of the District; and

WHEREAS, plans for the Project, and an estimate of the costs of the project in the amount of \$1,529,000, of which amount it is estimated that approximately \$764,500 will be defrayed by special assessments against the properties in the special assessment district, have been prepared and notice of public hearing has been duly given, according to law, to the owners of property in the District to inform them of their opportunity to present comments and objections to the Project and to the District; and

WHEREAS, the hearing was duly conducted and held on February 13, 2017, consistent with the notice, following which the City Council determined to proceed with the project and the establishment of the district.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council determines that the Project is necessary.
2. The City shall proceed with the Project.
3. The plans and specifications prepared for the Project and the cost estimate for the Project in the amount of \$1,529,000 presented at the hearing are approved.
4. The District shall consist of the properties identified in the special assessment district attached to this Resolution and against which 50% of the cost of the project shall be assessed.
5. The District shall be designated and known as the Pacific Drive Road Improvement Special Assessment District, Special Assessment District No. 4.
6. The duration of the District's existence shall be ten (10) years, and unless paid in cash earlier with respect to a particular property, the special assessment shall be paid in ten (10) annual installments at the rate of five percent (5%) interest to be charged on said

installments, with the date of the first assessment installment to be determined and set forth in the City Council’s Resolution confirming the special assessment roll.

7. The City Assessor shall prepare a special assessment roll that includes all lots and parcels of land within the District with the names of the respective record owners of each property, if known, and shall also include the total amount to be assessed against each property. The amount to be assessed against each property shall be based upon the proportionate amount of special benefit to be received by each property from the Project. The amount spread in each case shall be based upon the detailed estimate of costs as approved by the City Council.
8. When the Assessor completes the assessment roll, the Assessor shall file it with the City Clerk for presentation to the City Council, along with the Assessor’s certification that the roll has been prepared by the Assessor pursuant to the February 13, 2017, Resolution of the City Council and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor’s best judgment, conformed in all respects with the directions contained in the February 13, 2017, Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.
9. The City Manager is directed to obtain firm bids from companies and/or other entities who are interested in performing the work necessary to complete the project.

AYES: 6
NAYS: None
ABSENT: 1 (Mitchell)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Terri Kowal, 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 a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 13th day of February, 2017, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this ____day of February, 2017.

Terri Kowal
City Clerk

SAD No. 4 - Pacific Drive List of Properties

Owner	Parcel ID No.	Address	DBA
RDB Industries, Inc.	02-14-03-351-006	1399 Pacific Drive	LOUCA MOLD & AEROSPACE
294 Holding LLC/Pacific Drive LLC	02-14-03-351-008	1426 Pacific Drive	BAE INDUSTRIES, INC. (MARISA INDUSTRIES)
Haden Auburn LLC	02-14-03-351-009	Pacific Drive	VACANT LAND
H & T Holdings LLC	02-14-04-452-014	3700 Joslyn Road	BP GAS STATION - SPHINX PETROLEUM, INC.
Autoliv ASP, Inc.	02-14-04-476-006	1320 Pacific Drive	AUTOLIV NORTH AMERICA, INC.
Inalfa-Hollanda, Inc.	02-14-04-476-007	1370 Pacific Drive	INALFA ROOF SYSTEMS, INC.
Pacific Land Holdings II LLC	02-14-04-476-014	Pacific Drive	VACANT LAND
Pacific Land Holdings II LLC	02-14-04-476-015	1270 Pacific Drive	INALFA ROOF SYSTEMS, INC.

ATTACHMENT D

RESOLUTION DECLARING NECESSITY AND TO PROCEED WITH PROJECT AND TO DEFRAY A PORTION OF THE COST OF THE PROJECT BY SPECIAL ASSESSMENTS UPON SPECIALLY BENEFITED PROPERTIES (RESOLUTION NO. 3)

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, Michigan 48326, at 7:00 p.m. on the 13th day of February 2017, the following resolution was offered by Councilperson Knight and supported by Councilperson Burmeister:

WHEREAS, the City has considered construction of the proposed improvement described below (the Project) and has further requested the establishment of a special assessment district to finance and defray a portion of the costs of the project; and

WHEREAS, the proposed improvement (the Project) is the repair of and improvements to North Atlantic Boulevard and certain portions of Continental Drive; and

WHEREAS, the Project is designed and intended to specially benefit the properties identified in the special assessment district (the District) attached to this Resolution; and

WHEREAS, after an initial consideration, the City Council on January 23, 2017, adopted its Resolution No. 2 declaring its tentative intent to proceed with the Project and with the establishment of the District; and

WHEREAS, plans for the Project, and an estimate of the costs of the project in the amount of \$3,407,000, of which amount it is estimated that approximately \$1,703,500 will be defrayed by special assessments against the properties in the special assessment district, have been prepared and notice of public hearing has been duly given, according to law, to the owners of property in the District to inform them of their opportunity to present comments and objections to the Project and to the District; and

WHEREAS, the hearing was duly conducted and held on February 13, 2017, consistent with the notice, following which the City Council determined to proceed with the project and the establishment of the district.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council determines that the Project is necessary.
2. The City shall proceed with the Project.
3. The plans and specifications prepared for the Project and the cost estimate for the Project in the amount of \$3,407,000 presented at the hearing are approved.
4. The District shall consist of the properties identified in the special assessment district attached to this Resolution and against which 50% of the cost of the project shall be assessed.
5. The District shall be designated and known as the North Atlantic Boulevard/Continental Drive Road Improvement Special Assessment District, Special Assessment District No. 5.
6. The duration of the District's existence shall be ten (10) years, and unless paid in cash earlier with respect to a particular property, the special assessment shall be paid in ten (10) annual installments at the rate of five percent (5%) interest to be charged on said installments, with the date of the first assessment installment to be determined and set forth in the City Council's Resolution confirming the special assessment roll.

7. The City Assessor shall prepare a special assessment roll that includes all lots and parcels of land within the District with the names of the respective record owners of each property, if known, and shall also include the total amount to be assessed against each property. The amount to be assessed against each property shall be based upon the proportionate amount of special benefit to be received by each property from the Project. The amount spread in each case shall be based upon the detailed estimate of costs as approved by the City Council.
8. When the Assessor completes the assessment roll, the Assessor shall file it with the City Clerk for presentation to the City Council, along with the Assessor's certification that the roll has been prepared by the Assessor pursuant to the February 13, 2017, Resolution of the City Council and that in making the assessments contained in the assessment roll, the Assessor has, as near as may be, according to the Assessor's best judgment, conformed in all respects with the directions contained in the February 13, 2017, Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 58 of the Auburn Hills City Code.
9. The City Manager is directed to obtain firm bids from companies and/or other entities who are interested in performing the work necessary to complete the project.

AYES: 6
NAYS: None
ABSENT: 1 (Mitchell)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, TERRI KOWAL, 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 a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 13th day of February, 2017, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this ____ day of _____, 2017.

Terri Kowal
City Clerk

SAD No. 5 - N. Atlantic Blvd/Continental Drive List of Properties

Owner	Parcel ID No.	Address	DBA
Bailey Properties LLC	02-14-03-100-030	4141 North Atlantic Boulevard	SUBURBAN TOOL
Valeo, Inc.	02-14-03-100-031	4100 North Atlantic Boulevard	VALEO THERMAL SYSTEMS
Samsung SDI America, Inc	02-14-03-100-033	4121 North Atlantic Boulevard	SAMSUNG SDIA
JPO Colorado LLC	02-14-04-200-012	4220 North Atlantic Boulevard	FEDERAL EXPRESS CORP.
John Galt LLC	02-14-04-200-013	4200 North Atlantic Boulevard	CONCORDE MANUFACTURING
AMC Auburn Hills LLC	02-14-04-200-018	4240 North Atlantic Boulevard	ACME MANUFACTURING
Auburn Hills Corporate Center LLC	02-14-04-200-019	Brown Road	VACANT LAND
GW North Atlantic Land Company LLC	02-14-04-200-020	4445 North Atlantic Boulevard	GARDNER WHITE FURNITURE
Commercial Contracting	02-14-04-200-026	4260 North Atlantic Boulevard	COMMERCIAL CONTRACTING
Continental Property LLC	02-14-04-200-028	Continental Drive	VACANT LAND
North Harmon LLC	02-14-04-200-030	1 Continental Drive	CONTINENTAL AUTOMOTIVE SYSTEMS
C-L North Atlantic Associates LLC	02-14-04-200-031	4280 North Atlantic Boulevard	SHIELD MATERIAL HANDLING
RDB Brown Road LLC	02-14-04-200-034	1250 Brown Road	ABB, INC.
Brown Eight LLC	02-14-04-200-035	4440 North Atlantic Boulevard	DANA CORPORATION
Edson Properties LLC	02-14-04-201-001	4225 North Atlantic Boulevard	LXR BIOTECH LLC
Pajama Partners LLC	02-14-04-201-002	4237 North Atlantic Boulevard	PLASTICS PLUS INC