



# The City of Auburn Hills

## City Council Meeting

### Minutes

May 7, 2012

The Workshop was called to order at 6:00 p.m. by Mayor McDonald.

Discussion took place regarding Zero Tolerance in the Workplace. No conclusion was reached; more discussion will take place at a later date.

**CALL TO ORDER:** by Mayor McDonald at 7:00 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, Assistant City Manager Tanghe, Asst. Director Hardesty, City Assessor Bennett, City Clerk Kowal, Finance Director Barnes, Water Resource Coordinator Keenan, City Attorney Ozga, City Engineer Juidici, Library Director Stephanie McCoy, County Commissioner River.

42 Guests

#### 4. APPROVAL OF MINUTES

4. Regular City Council Meeting – April 16, 2012

**Moved by Doyle; Seconded by Verbeke.**

**RESOLVED: To approve the minutes of April 16, 2012 Regular City Council Meeting as amended.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.066**

#### 5. APPOINTMENTS & PRESENTATIONS

5a. Proclamation – Avondale Boys Soccer Team

Mayor McDonald presented the Proclamation to the Soccer Team; Council Members congratulated each team member.

5b. Proclamation – Keep Michigan Beautiful 50<sup>th</sup> Anniversary

#### 6. PUBLIC COMMENT

Janelle Norton, Manger of Sheffield Estates is concerned with the numerous complaints she has received from her residents regarding the Golf Dome. She met with the Golf Dome owner and understood he is trying to sell the business. He didn't believe it was possible for golf balls to be hit over the net and into Sheffield Estates. Ms. Norton showed Council a bag of golf balls one neighbor collected, a piece of netting found in Sheffield Estates and a bucket of golf balls that she and her maintenance person had collected over the past three weeks, which was too heavy to lift. Residents are angry, their vehicles, homes and windows are being damaged by the balls, as well as some of them being hit by balls. The golf facility is in bad shape with the netting falling apart and discarded items lining the perimeter of the fence. A pole that supports the netting broke and is laying in one of the residents' lot; which they were able to push it against the fence. The dome owner when confronted was not concerned about the pole and didn't feel it was his responsibility to remove it.

Ms. Norton has had contact with the City's Enforcement Officer Darge, and he has asked her to be patient; however, she would like to let her residents know what Council can do for them.

Mayor McDonald stated City Manager Auger would investigate tomorrow and will be getting in touch.

*Item 7b. was requested to be removed from the Consent Agenda.*

#### 7. CONSENT AGENDA

7a. Board and Commission Minutes

7a.1. Beautification Advisory Commission – March 28, 2012

7a.2. Tax Incentive Review Committee – April 9, 2012

7a.3. Planning Commission – April 24, 2012

**Moved by McDaniel; Seconded by Knight.**

**RESOLVED: To approve the Consent Agenda Items 7a.1., 7a.2, and 7a.3.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.067**

***This item was removed from the Consent Agenda by Councilman Kittle.***

7b. Resolution Authorizing the City Manager to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Mr. Kittle questioned if this program extended to residential areas and if the briquettes are put in all storm drains.

Mr. Keenan stated all catch basins within the City are treated.

Ms. Hammond asked if this annual program was starting earlier than usual.

Mr. Keenan explained the briquettes last 90 to 120 days and are usually placed in the drains in June. This ensures the briquettes are still effective in September when typically the West Nile Virus carrying type of mosquito is at its peak.

Mr. Kittle reasoned if the briquettes are in the catch basins, and the catch basins drain into the wetlands, is it necessary to spray the wetlands for mosquitoes.

Mr. Keenan noted there are 84 varieties of mosquitoes in Michigan, so yes, you may want to spray to kill the other types.

**Moved by Kittle, Seconded by Doyle.**

**RESOLVED: To adopt the following resolution (Attachment A) to authorize and direct the City Manager, as agent for the City of Auburn Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.068**

**8. OLD BUSINESS – None.**

**9. NEW BUSINESS**

9a. Public Hearing/Motion – Approve Request for Rehabilitation Industrial Facility Exemption Certificate-Prefix Coatings, LLC

Mr. Bennett noted Prefix had been before City Council in December, when trying to establish a Rehabilitation District for this property, the old Kmart building. Since that district has been established, Prefix is now submitting an application for a tax abatement on the real property, 100% exemption on the amount of investment. They are also seeking a request for personal property, which is a 50% exemption. Each request requires a separate application. The personal property falls under an industrial development district and the real property a rehab district.

The plan is to convert the facility into a low volume custom paint production system to paint the new Viper. The building updates include new truck wells, adding office space, floor polishing, roof repairs, fire protection repair and upgrades, electrical upgrades, HVAC new and existing systems repairs, and new windows and exterior upgrades.

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

Mr. Adsit, President, stated the property closing will take place Thursday. The property will be utilized as a low volume production facility to paint the Viper. The new Viper was just released at the New York Auto Show and was on the covers of Auto Week and Motor Trend magazines. The vehicles will not be on site, only parts will be painted at this facility. This facility will be a brand new, high-tech facility. The building rehabilitation will begin as soon as possession of the building takes place; the project is on time, on budget, and they have already starting hiring new employees.

Responding to Mr. Knight, Mr. Adsit stated the racks the parts arrive and depart in are very unique and yes, all the parts will be painted at this facility and shipped to Detroit for assembly.

Ms. Doyle asked the timeframe that 120 employees would be working.

Mr. Adsit stated the Viper launch time is confidential; however, he believed he would reach the 120 employees by the third or fourth quarter of this year.

In response to Ms. Doyle, Mr. Adsit noted the electrical updates are a little more expensive than first thought and are still being reviewed by the City inspectors. The project has been financed by the Michigan Strategic Fund as a tax free bond that qualifies because of the new job creations. It has been a great situation working with both the State of Michigan and the City of Auburn Hills.

Mr. Adsit stated this facility will be for the sole use of painting the Viper, but the company deals with all of the big three, as well as other suppliers.

With no further comments, Mayor McDonald closed the public hearing at 7:31 p.m.

**Moved by Knight, Seconded by Kittle.**

**RESOLVED: To approve the request for an 8 year Rehabilitation IFEC for Prefix Coatings, LLC for a total investment of \$1,324,946 by adopting the attached resolution (Attachment B), contingent upon the submission of a lease with a term of at least 10 years.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.069**

9b. Public Hearing/Motion – Approve Request for New Industrial Facility Exemption Certificate- Prefix Coatings, LLC

Mr. Bennett explained the request is for personal property, the cost approximately \$2.6M, and they would qualify for an eight-year abatement at 50%.

Mr. Kittle noted at the TIRC meeting there was a lengthy conversation and the Committee was very pleased with the answers they received.

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

Mr. Adsit stated the investment is the state-of-the art equipment.

With no further comments or questions, Mayor McDonald closed the public hearing at 7:35 p.m.

**Moved by Knight; Seconded by Verbeke.**

**RESOLVED: To approve the request for an 8 year IFEC for Prefix Coatings, LLC for a total personal property investment of \$2,637,058 by adopting the attached resolution (Attachment C), contingent upon the submission of a lease with a term of at least 10 years.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.070**

9c. Public Hearing/Motion – Approve Request for New Industrial Facility Exemption Certificate- Allied Metals Corp.

Mr. Bennett explained Allied Metals intends to lease a building on Corporate Drive and will be branching out into a new technology dealing with metals for the aerospace industry. This would qualify for an eight year abatement; however, the company is only committing to a five-year lease on the property. The abatement for personal property is 50% and this investment is approximately \$1.725M. This project would result in the creation of 10 new jobs and the transfer of two jobs.

Mr. Bennett continued stating since there is only a five-year property lease, under the City policy, with the requirement of staying an additional two-years, the company would only qualify for a three-year abatement. The company asked to have that requirement waived, and asked the City to grant the eight-year abatement up front and promised they would commit to extending the lease at this location or another location in Auburn Hills, to include two years beyond the eight-year abatement. Mr. Bennett stated after speaking with City Attorney Beckerleg, the only way the City could extend the abatement is to include something in the written agreement stipulating the company would stay in the City for 10 years.

Mayor McDonald opened the public hearing at 7:39 p.m.

John Deradoorian, President & Greg Hirsch, CFO were present.

Mayor McDonald asked for an explanation regarding the number of years for the lease agreement and the tax abatement.

Mr. Hirsch explained this location fits the needs of the company and Auburn Hills offers a claw-back unlike many other communities. Because they are entering into a research and development initiative, they are only able to commit to five years; however, they intend on being in the City for the next 20 to 30 years. The aerospace opportunity has a 15 to 20 year horizon, but they must get through the research and development cycle first. The company is dependent upon all the opportunities they can acquire, including the tax incentive. To move forward they would like the assurance and certainty of the tax abatement extension when they hope to extend their lease in approximately two and half years, to ten years or beyond. They have had a very good experience with Auburn Hills to this point and would like to extend their stay, but really need the tax incentive to be approved. It was worked out with the Tax Incentive Review Committee, that this would be a mutually beneficial opportunity and would be the company's responsibility to come back with the lease extension; almost like a precertification or preapproval of the tax incentive.

As Council liaison to TIRC, Mayor McDonald asked Mr. Kittle to further expound on the discussion that took place at the TIRC meeting with Allied Metals.

Mr. Kittle stated these are very tough negotiators; the Committee came to a very mutually acceptable alternative, the language is included in the document (*this recommendation also includes a commitment to extending the IFEC up to a maximum of 8 years during the 3<sup>rd</sup> year of the certificate provided that a new lease covers the extended term plus the additional years beyond the extension required by the Tax Incentive Policy*).

The Committee looks forward to this company coming back for the extension and would like to see them remain in Auburn Hills for a very long time. This is ground breaking technology. The company understood the policy and was accepting of the compromise.

The City Attorney concurred that this alternative is acceptable; the language protects the City and puts the burden on the applicant to provide certain materials.

Mr. Knight was in agreement with this moving forward, but suggested the motion should include more information regarding the possible extension. Ms. Doyle inquired of Mr. Auger if we can put into the motion that we will commit to them if they come back? Mr. Auger replied that yes, we can. Ms. Doyle went on to ask if there is a new Council when this applicant comes back, will the agreement still hold up? Ms. Ozga replied that it would.

Responding to Ms. Doyle, Mr. Deradoorian explained this electrolytic process has been created by this company.

With no further comments, Mayor McDonald closed the public hearing at 7:47 p.m.

**Moved by Knight; Seconded by Hammond.**

**RESOLVED: To approve the request for a 3 year IFEC for Allied Metals Corporation, for a total investment of \$1,725,000 by adopting the attached resolution (Attachment D), contingent on the execution of a lease for a minimum of 5 years, and also approve the tax increment agreement that may be used to extend this agreement.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.071**

9d. Motion – Approve Special Land Use Permit to allow church use of the building located at 2240 N. Opdyke / Community Impact Church

Mr. Keenan explained the Community Impact Church is seeking a special land use permit to locate a church in the former POH building.

Responding to Mayor McDonald, Pastor Corey James explained they currently share a facility; this new location would be their own.

Mr. Knight stated he understood State law to not allow an establishment that served or sold liquor to be within 1,000 feet of a church. He doesn't favor putting an existing establishment, Alfocchino's, in a non-conforming situation.

Pastor James explained the church has sent a letter to Alfocchino's stating there would be no contesting of the current liquor license, nor would any successor of this church.

City Attorney Ozga explained this wouldn't have any effect on Alfoccino's, but would prohibit any other establishment within the allotted distance of opening. If Alfoccio's sold and transferred their liquor license to the new owners she believed it would still hold, but a new liquor license may be prohibited.

Ms. Doyle suggested doing some investigation as how this could impact other potential businesses in the area.

Mr. Knight agreed and suggested postponing any decision until there were firm answers.

Lt. Hardesty agreed with the City Attorney regarding Alfoccino's and a liquor license transfer; however, if a new license was being sought, a variance would be required.

Mr. McDaniel is concerned this could jeopardize the use of the cinema property. He suggested finding out what is required to request/grant a variance.

City Attorney Ozga explained if a new business were to open near the church, the Council could grant a special land use to waive the proximity portion and the LCC would consider Council's request.

Mayor McDonald asked what input the LCC would have on such a request.

City Attorney Ozga stated it could depend on what type of liquor license was being sought.

Mr. McDaniel asked if the LCC could override City Council recommendations of approving a liquor license regardless of the class of license, with the proximity of the church.

Ms. Doyle questioned the possibility of including language in the special land use permit clarifying that this land use is only approved provided that it does not create a problem for surrounding properties pertaining to liquor licenses.

Mr. Auger explained the local government makes a recommendation to the State regarding the issuance of a liquor license; however, the State does not have to follow the recommendation of the local government.

City Attorney Ozga stated there are certain conditions that can be placed on a special land use, but she isn't sure how far those conditions can go.

Ms. Doyle asked how long the special land use remains with the property.

Mr. Knight recommended that an expiration date be attached to the special land use.

Mr. Knight suggested contacting the MLCC to determine how this should be handled. Mr. Knight stated he isn't opposed to the church; he doesn't want to hurt the neighbors with the impact of a church.

Ms. Hammond asked Pastor James, if postponing this approval to another meeting would have an impact on his time schedule.

Pastor James stated it would have an impact.

Mayor McDonald agreed that this should be postponed until all questions are answered, curtailing the possibility of future problems.

**Moved by Knight; Seconded by Doyle.**

**RESOLVED: To POSTPONE action on the Special Land Use for the Community Impact Church to the next regular meeting and to have staff investigate the impact of the Church on neighboring businesses especially concerning liquor licenses.**

Ms. Doyle questioned if the motion could include a contingent upon, so Pastor James and the congregation can moved forward.

Mr. McDaniel explained to Pastor James that he supports his church and the determination from the MLCC will not impact his vote; he wants to have answers to the questions asked this evening.

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

**No: Kittle**

**Motion carried (6-1)**

**RESOLUTION NO. 12.05.072**

Pastor James confirmed for Mr. Kittle the church purchased this property on February 14, 2012, but have not started any renovations.

9e. Motion – Accept PM Environmental, Inc Fourth Quarter 2011 Monitoring Network Review Summary and 2011 Annual Monitoring Network Review Summary of the Oakland Heights Development Landfill Report

Mr. Keenan stated the fourth quarter report and the 2011 summary are included in the packet. The summary from PM Environmental indicated the system is working adequately to detect any kind of releases into the environment.

Andy Foerg, PM Environmental, stated he has been monitoring this landfill for many years, and 2011 has been one of the smoothest years. Only two issues, the first was the volume of water collected in the secondary collection system in one of the cells and the other, the ground water concentrations were bumped up quite a bit, but both have been resolved by investigation and corrective action taken by the landfill personnel. He will continue to monitor MW-8 and MW-20R even though the concentrations are getting back to where they need to be, but are not there yet. He also mentioned he received the first 2012 quarter report late last week, but has not had enough time to have them ready for tonight's meeting. He looked at the monitoring of MW-8 and MW-20R and they were continuing to return to where they need to be.

Ms. Doyle asked Mr. Foerg how long he will monitor these wells before he thinks other action is necessary.

Mr. Foerg stated there isn't any answer, there are no guidelines or regulations, it is a judgment call. What he sees is a trend, and the trend has been going in the right direction. He anticipates the concentrations to be back to normal; however, if they increase again, the State may ask that something be done. And the request of something being done may be an explanation or more investigation.

Mr. Bill Dolson, Oakland Height Landfill asked if Council had any questions.

Mr. Knight asked Mr. Dolson if the capping of the one portion was done and noted how much better it looks.

Mr. Dolson explained there is a lot more work to be done.

**Moved by Hammond; Seconded by Doyle.**

**RESOLVED: To accept PM Environmental, Inc Fourth Quarter 2011 Monitoring Network Review Summary and 2011 Annual Monitoring Network Review Summary of the Oakland Heights Development Landfill Report..**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.073**

9f. Motion – Adopt the resolution authorizing City Manager Peter E. Auger to enter the City of Auburn Hills into the Southeast Michigan Council of Governments (SEMCOG) Sustainable Community Recognition Program.

Mr. Auger explained this is a recognition program and Auburn Hills is already doing the majority of items included on the list.

Mr. Keenan stated the City currently has implemented 12 of the 16 programs or activities listed; which would place Auburn Hills at the gold level. There are five communities participating in the program with SEMCOG, that have been recognized thus far.

Ms. Doyle stated she was pleased to see the City is doing many of the items on the list, but asked which programs or activities that the City isn't doing.

Mr. Keenan stated the *improved air quality* is one item, even though the City does put the ozone action days on the website and has pamphlets available, there is more that could be done. He isn't sure if the City is active in *incorporating measures of citizen satisfaction into the budget and service provision decisions*.

Ms. Doyle asked if there are other benefits besides SEMCOG advertising participants of the program through the news and the public recognition.

Mr. Keenan explained the benefit of this is two-fold, yes, SEMCOG gives recognition to the City and it is also validation for the City that there are developed standards which the City has met. The list compiled by SEMCOG was determined by the many things that makes a city sustainable.

**Moved by Doyle; Seconded by Kittle.**

**RESOLVED: To adopt the resolution (Attachment E) authorizing City Manager Peter E. Auger to enter the City of Auburn Hills into the Southeast Michigan Council of Governments (SEMCOG) Sustainable Community Recognition Program.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.074**

9g. Motion – Approve Designation of Fund Commitment – GASB 54

Mr. Barnes explained the GASB 54 is the Governmental Accounting Standards Board which affected the way fund balances are shown in financial statements. In December the designation of funds was determined and one of the funds, Wayne Disposal fund, was assigned incorrectly and should be kept a separate fund. A separate fund must be designated as a committed fund not an unassigned fund. A committed fund is specific, such as the tipping fees, which has customarily been used for the annual spring clean-up. A committed fund cannot be spent on other expenses unless Council has given their approval.

Mr. Knight suggested the tipping fees would likely exceed the spring clean-up fees and asked if additional purposes could be added to the committed fund.

Mr. Barnes stated at any time additional purposes may be added, but it must be done with Council approval.

**Moved by Knight; Seconded by Kittle.**

**RESOLVED: To approve the recommendation that the Wayne Disposal fund balance be designated as a committed relative to compliance with the GASB 54 financial reporting requirements.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.075**

**10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight:

- Asked with the City congratulating the Avondale Soccer team with their accomplishment, will the City be putting up signs honoring the team.  
Mr. Auger believed the signs were already up.
- Is concerned with the Golf Dome and the possibility of the netting being moved to a different location other than where it was recommended and of all the errant balls in Sheffield Estates.
- Was surprised the Church issue just came up since the property was purchased in February. He also noted Church boards change and other boards at a later date might not be so agreeable to liquor licensed businesses in the immediate area, so we, the City, must get it right.
- Asked if the property between the landfill and Lapeer Road is still zoned for development.  
Mr. Auger confirmed it is zoned for development.
- Asked if there are any significant changes in the City's five year financial outlook. He would like to know particularly if things get worse.  
Mr. Auger explained it will depend on the personal property tax that the State is working on.

Ms. Verbeke:

- Asked Mr. Auger if additional signage on Joslyn Road for I-75 has been investigated.  
Mr. Auger stated it has been discussed with staff and there is a possibility of putting directions onto the pavement as done in other states.
- Asked if she could facilitate making K2, synthetic marijuana, illegal in the City. After speaking with Director Olko and Mr. Auger, it was suggested that Council prepare a resolution asking the Lansing legislature to revisit this issue.  
Lt. Hardesty said K2 and other synthetically treated herbs were banned a year and a half ago; however, they have since changed the chemical compound that made them illegal. There are a number of bills pending in the senate, and the Michigan Chiefs Association routinely examines

these bills and makes recommendations for or against or to make changes. A resolution from Council may help encourage the legislature to move more quickly on this issue.

Ms. Doyle state she would support a resolution and became aware of this issue a few years ago when her son was in school. After learning about this from the school headmaster, she went to a local gas station and easily was able to make the purchase.

Ms. Doyle continued saying after the law was passed banning these herbs an adjustment was made to the chemical compound making all the hard legislative work unusable. She feels it will take action of residents to picket or confronting those businesses who sell these types of products.

Ms. Verbeke was hoping the resolution could include language that requests Auburn Hills businesses to not sell these types of products.

Mr. Kittle asked if more generic language could be used to ban these products.

Lt. Hardesty explained the attempt is to write the law to not be too specific, but the Supreme Court could rule that it must specify a certain substance.

Mr. Kittle stated he would support a resolution, anything to help the legislatures move on this. He noted Lake Orion's Police Chief Narsh visits the retail establishments and has a motivational conversation with the owner asking they not sell these products.

Mr. Auger interjected that the Clerk and Police Department will draft a resolution for Council's consideration.

- Thanked everyone for the support of the Girls & Boys Club Steak & Burger dinner.
- Congratulated Gordon Marmion on a great Junior Golf Association outing. She noted everyone seemed to have a good time and overheard many already looking forward to next year.

Ms. Doyle:

- The new signs for the perennial exchange look great; it is May 19<sup>th</sup>.  
Mr. McDaniel stated credit goes to Andrew Opalewski for the design.
- Congratulated the Community Development staff for the notes in the Planning Commission about looking ahead and planning for the 25% of residents being senior citizens over the age of 65 by 2035. It's great that Auburn Hills is taking a lead on making Auburn Hills a city of choice for seniors.
- Would like an update on the trash hauling; how everything is going. Maybe invite Waste Management back to hear from them.

Mr. Auger stated it is going better than expected. The biggest complaint has been from those that had no trash service before and are now forced to have it.

Mr. McDonald asked how new residents are made aware of the trash hauler and who should they call.

Mr. Keenan stated they can always call the City and get a phone number, but the web site has been updated with additional new information as well as how start a new service.

Mr. McDaniel:

- As Ms. Doyle mentioned, the perennial exchange will be taking place Saturday, May 19<sup>th</sup>.
- Noticed Mrs. Sendegas in the audience and asked Mr. Auger if there has been any more discussion regarding senior housing at Adams Road.  
Mr. Auger stated there has been some discussion and work being done.
- Appreciated the discussion during the workshop earlier. Is looking forward to continuing the discussion at a later date.

Mr. Kittle:

- He too appreciated the discussion at the workshop.
- The open issues log, he hopes to see the next entry on the log to be Sheffield Estates and the Golf Dome issue. And also requested an issues log update more frequently than every few months.

- Asked if it would be possible to get a workshop tracking log; there have many discussions on what to discuss at a workshop that have gotten lost along the way.
- Asked what the protocol is on Council getting together prior to a meeting to discuss the meeting issues.

City Attorney Ozga stated it's up to each Council, there is no set rule.

Mr. Kittle would like to get together possibly once a month for an hour prior to a Council meeting for brainstorming or discussion.

Ms. Doyle supports the idea of a workshop and noted when she was a news reporter, a city council she was covering met from 9:00 a.m. until noon on meeting day and discussed at length the items on the agenda; the evening meeting was to formally approve the items.

Mr. Kittle stated with Goals and Objectives time coming up, the workshops might be a good way to pre-empt some of those discussions. Also, he'd like to suggest possibly having an outside facilitator for the Goals and Objectives meetings, or at least look into the possibility.

- Today's news had an interesting article on Oak Park's situation and a comment was made that the money available for their bond issue could be invested in some type of account that could be earning 1% to 1.5% interest. He immediately thought of Mr. Knight's comments about the City only being able to find accounts giving .67% interest rates and asked if we should be looking further into the matter.

Ms. Hammond:

- Friday evening is the spaghetti dinner at the Community Center to help off-set the cost of the senior bus program.

Mayor McDonald:

- A tentative date for the Goals & Objectives session is June 9<sup>th</sup>, at Fieldstone, approximately 9 a.m. until 3 p.m.

Mr. McDaniel stated he won't be able to attend; he'll be out of the country on vacation.

Mr. Knight:

- There was a tree planting at Will Rodgers School in honor of Arbor Day.
- The Memorial Day parade is at 10:30 a.m. and a picnic will follow at the American Legion with the community is invited.

#### **11. CITY ATTORNEY'S REPORT – none.**

#### **12. CITY MANAGER'S REPORT**

- Staff is continuing to work on bringing exciting companies into the City. Even while on vacation in Ireland, Ms. Johnson spoke with a company that has since gotten in touch with her about possibly locating in Auburn Hills.

#### **13. EXECUTIVE SESSION – City Attorney opinion letter on the DDI (Diverging Diamond Interchange) project.**

**Moved by McDaniel, Seconded by Hammond.**

**RESOLVED: To authorize the Mayor, Clerk, and City Manager to execute in full support on behalf of City Council the proposed Memorandum of Understanding Between the City of Auburn Hills and Oakland University Regarding 1-75 /University Drive Diverging Diamond Interchange.**

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

**No: None**

**Motion carried (7-0)**

**RESOLUTION NO. 12.05.076**

#### **14. ADJOURNMENT**

Hearing no objections, the meeting adjourned at 9:20 pm.

Attachment A

**Resolution No. 12.05.068**

**CITY OF AUBURN HILLS  
RESOLUTION  
AUTHORIZING WEST NILE VIRUS  
FUND EXPENSE REIMBURSEMENT REQUEST**

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chamber at 1827 N. Squirrel Road, Auburn Hills MI 48326 at 7:00 p.m., on the 7<sup>th</sup> day of May, 2012

The following resolution was offered by Council Member Kittle and supported by Council Member Doyle:

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities; and

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS, the City of Auburn Hills, Oakland County, Michigan will incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Auburn Hills City Council authorizes and directs the City Manager, as agent for the City of Auburn Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program

AYES: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke  
NAYS: None  
ABSENT: None  
ABSTENTIONS: None

RESOLUTION 12.05.068 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 7<sup>th</sup> day of May 2012.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 8th day of May, 2012.

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Terri Kowal, City Clerk

Attachment B

RESOLUTION No. 12.05.069

**CITY OF AUBURN HILLS  
RESOLUTION  
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR PREFIX COATINGS, 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 on the **7th day of May, 2012**.

The following resolution was offered by Councilperson Knight 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 **11th day of December, 2011** the City of Auburn Hills, established an Plant Rehabilitation District, commonly referred to as the **Prefix Corporation Plant Rehabilitation District**; and

WHEREAS, **Prefix Coatings, LLC**. 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** within the **Prefix Corporation Plant Rehabilitation District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **7th day of May, 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 **March 19, 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 Industrial Facilities Exemption Certificates previously granted and currently in force, under Act No. 198 of the Public Acts of 1974, 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 facility on the following described parcel of real property situated within the **Prefix Corporation Plant Rehabilitation District**; to wit;

**T3N, R10E, SEC 4 PONTIAC ACRES SUB PART OF LOTS 6 & 7, ALSO ALL OF LOTS 8 TO 14 INCL, ALSO PART OF LOT 15, ALSO PART OF SE 1/4 ALL DESC AS BEG AT PT DIST N 02-42-27 W 60 FT & S 87-27-26 W 1070 FT FROM SE SEC COR, TH S 87-27-26 W 715.98 FT, TH N 08-58-12 W 626 FT, TH N 81-01-48 E 256 FT, TH S 08-58-12 E 124.60 FT, TH N 81-01-48 E 436.72 FT, TH S 08-**

**58-12 E 160.75 FT, TH N 81-01-48 E 18.76 FT, TH S 08-58-12 E 420.79 FT TO BEG 10-26-11 FR 016 & 476-011**

**3500 Joslyn Rd.**

**Parcel Identification Number: 02-14-04-426-017**

**is hereby approved for Real Property Improvements only.**

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **8 years**, and the starting date for the certificate is **December 30, 2012 and the ending date is December 30, 2020.**

4. The total project investment approved is **\$1,324,946.**

5. **Prefix Coatings, LLC** 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: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke  
NAYS: None  
ABSENT: None  
ABSTENTIONS: None

RESOLUTION 12.05.069 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 **7th day of May, 2012**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 8th day of May, 2012.

\_\_\_\_\_  
Terri Kowal, City Clerk

**CITY OF AUBURN HILLS  
RESOLUTION  
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR PREFIX COATINGS, 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 on the **7th day of May, 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 **11th day of December, 2011** the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Prefix Corporation Industrial Development District; and**

WHEREAS, **Prefix Coatings, LLC**. 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** within the **Prefix Corporation Industrial Development District; and**

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **7th day of May, 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 **February 22, 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 Industrial Facilities Exemption Certificates previously granted and currently in force, under Act No. 198 of the Public Acts of 1974, 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 facility on the following described parcel of real property situated within the **Prefix Corporation Industrial Development District; to wit;**

**T3N, R10E, SEC 4 PONTIAC ACRES SUB PART OF LOTS 6 & 7, ALSO ALL OF LOTS 8 TO 14 INCL, ALSO PART OF LOT 15, ALSO PART OF SE 1/4 ALL DESC AS BEG AT PT DIST N 02-42-27 W 60 FT & S 87-27-26 W 1070 FT FROM SE SEC COR, TH S 87-27-26 W 715.98 FT, TH N 08-58-12 W 626 FT, TH N 81-01-48 E 256 FT, TH S 08-58-12 E 124.60 FT, TH N 81-01-48 E 436.72 FT, TH S 08-**

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**58-12 E 160.75 FT, TH N 81-01-48 E 18.76 FT, TH S 08-58-12 E 420.79 FT TO BEG 10-26-11 FR 016 & 476-011**

**3500 Joslyn Rd.**

**Parcel Identification Number: 02-14-04-426-017**

**is hereby approved for Personal Property Improvements only.**

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **8 years**, and the starting date for the certificate is **December 30, 2012 and the ending date is December 30, 2020.**

4. The total project investment approved is **\$2,637,058.**

5. **Prefix Coatings, LLC** 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: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

NAYS: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION 12.05.070 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 **7th day of May, 2012**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 8th day of May, 2012.

\_\_\_\_\_  
Terri Kowal, City Clerk

Attachment D

RESOLUTION No. 12.05.071

**CITY OF AUBURN HILLS  
RESOLUTION  
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR ALLIED METALS 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 **7th day of May, 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 **19th day of March, 1984** the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Frankel Properties Industrial Development District; and**

WHEREAS, **Allied Metals 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** within the **Frankel Properties Industrial Development District; and**

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **7th day of May, 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 **March 28, 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 Industrial Facilities Exemption Certificates previously granted and currently in force, under Act No. 198 of the Public Acts of 1974, 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 facility on the following described parcel of real property situated within the **Frankel Properties Industrial Development District; to wit;**

**T3N, R10E, SEC 26 & 35 PART OF SW 1/4 OF SEC 26 & PART OF NW 1/4 OF SEC 35 BEG AT PT DIST S 87-32-56 W 33.07 FT FROM S 1/4 COR OF SEC 26, TH S 01-10-43 W 112.11 FT, TH S 12-18-42 W 150 FT, TH N 77-41-18 W 443.48 FT, TH ALG CURVE CONCAVE TO S, RAD 5789.68 FT, CHORD BEARS N 78-17-01 W 120.34 FT, DIST OF 120.34 FT, TH N 10-49-26 E 200 FT TH ALG CURVE CONCAVE TO W, RAD 730 FT, CHORD BEARS N 05-24-13 W 407.99 FT, DIST OF 413.50**

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**FT, TH ALG CURVE CONCAVE TO E, RAD 75 FT, CHORD BEARS N 00-49-08 W 53.30 FT, DIST OF 54.49 FT, TH N 87-32-56 E 598.72 FT, TH S 01-10-43 W 542 FT TO BEG 9.39 A8/16/88 FR 007 & 008**

**30 Corporate Drive**

**Parcel Identification Number: 02-14-26-376-010**

**is hereby approved for Personal Property Improvements only.**

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of **3 years**, and the starting date for the certificate is **December 30, 2012 and the ending date is December 30, 2015.**

4. The total project investment approved is **\$1,725,000.**

5. **Allied Metals 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: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

NAYS: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION 12.05.071 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 **7th day of May, 2012**

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 8th day of May, 2012.

\_\_\_\_\_  
Terri Kowal, City Clerk

**CITY OF AUBURN HILLS  
RESOLUTION  
AUTHORIZING PARTICIPATION IN THE  
SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (SEMCOG)  
SUSTAINABLE COMMUNITY RECOGNITION PROGRAM**

At a regular meeting of the City Council 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 7<sup>TH</sup> day of May, 2012, the following resolution was offered by Council Member Doyle and supported by Council Member Kittle.

WHEREAS, the City of Auburn Hills seeks to improve the long-term sustainability of our community; and

WHEREAS, the City of Auburn Hills seeks to achieve economic prosperity so that we can protect the environment and provide a high quality of life for residents; and

WHEREAS, the City of Auburn Hills seeks to inform residents about innovative initiatives being implemented in our community; and

WHEREAS, the City of Auburn Hills seeks to maximize SEMCOG membership dues by using services available to member local governments, and

WHEREAS, SEMCOG assists local governments in Southeast Michigan by making them more efficient and effective; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Auburn Hills City commits to participate in the SEMCOG Sustainable Community Recognition Program; and

BE IT FURTHER RESOLVED that the Auburn Hills City Council designates Peter E. Auger, City Manager, as the primary contact from our community for this program.

AYES: Doyle, Hammond, Kittle, Knight, McDaniel, McDonald, Verbeke

NAYS: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION 12.05.074 APPROVED (7-0)

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned and 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 7<sup>TH</sup> day of May 2012.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 8<sup>th</sup> day of May, 2012.

\_\_\_\_\_  
Terri Kowal, City Clerk