



**CITY OF AUBURN HILLS**  
**REGULAR CITY COUNCIL MEETING**  
**MINUTES**

MAY 20, 2024

**CALL TO ORDER &** Mayor Marzolf at 7:00 PM.

**PLEDGE OF ALLEGIANCE:**

**LOCATION:** Council Chamber, 1827 N. Squirrel Road, Auburn Hills MI

**ROLL CALL:** Present: Council Members Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel and Verbeke

Absent: None

Also Present: City Manager Tanghe, Assistant City Manager Skopek, City Attorney Roberts, City Clerk Pierce, Deputy Chief of Police McGraw, Fire Chief Massingill, DPW Director Baldante, Manager of Fleet & Roads Hefner, Community Development Director Cohen, Asst to Dir./Construction Coord Lang, Deputy Assessor Collias, Economic Development Manager Carroll, Assistant to the Manager Hagge, Engineer Juidici & Driesenga

19 Guests

**4. APPROVAL OF MINUTES**

4a. City Council Regular Meeting Minutes, May 6, 2024.

**Moved by Knight, Seconded by Hawkins.**

**RESOLVED:** To approve the City Council Regular Meeting Minutes of May 6, 2024.

**VOTE:** Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke

No: None

**Resolution No. 24.05.73**

**Motion Carried (7 - 0)**

4b. City Council Goals and Objectives Workshop Minutes, May 13, 2024.

**Moved by Verbeke, Seconded by Ferguson.**

**RESOLVED:** To approve the City Council Goals and Objectives Workshop Minutes of May 13, 2024.

**VOTE:** Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke

No: None

**Resolution No. 24.05.74**

**Motion Carried (7 - 0)**

**5. APPOINTMENTS AND PRESENTATIONS**

5a. Motion – To confirm the appointment of Anthony Barash to the Tax Increment Finance Authority.

**Moved by Ferguson, Seconded by Verbeke.**

**RESOLVED:** To confirm the appointment of Anthony Barash to the Tax Increment Finance Authority for a term ending February 28, 2025.

**VOTE:** Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke

No: None

**Resolution No. 24.05.75**

**Motion Carried (7 - 0)**

**6. PUBLIC COMMENT**

There was no public comment.

**7. CONSENT AGENDA**

**7a. Board and Commission Minutes**

**7a1. Planning Commission, May 8, 2024**

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

**7b. Motion – To approve the 2024 Used Car Dealer Licenses.**

**RESOLVED: To approve the Used Car Lot Licenses for the 2024 licensing period for Blue Compass RV, Newcomb's Auto Service, Oakland Truck and Equipment Sales, Inc., and Summit Place Kia.**

**7c. Motion – To approve the purchase of new voting booths.**

**RESOLVED: To approve the purchase of 81 ReadyVote voting booths from ElectionSource in the amount of \$35,512.20 and to approve an increase of \$20,512.20 to the General Fund Clerks Department.**

**7d. Motion – To designate the week of May 19<sup>th</sup> - 25<sup>th</sup> as National Public Works Week.**

**RESOLVED: To approve the proposed Proclamation designating the Week of May 19th through May 25th National Public Works Week. (Attachment A)**

**7e. Motion – To award a contract for utility relocation costs associated with the new parking deck extension.**

**RESOLVED: To award a contract to Superior Excavating Inc. for the installation of water main and storm pipe to support the new parking deck expansion in the amount of \$228,065 coming from capital projects department in the General Fund.**

**7f. Motion – To authorize the reimbursement request of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.**

**RESOLVED: To adopt the resolution, AUTHORIZING WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT REQUEST, and 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. (Attachment B)**

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

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

**VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke**

**No: None**

**Resolution No. 24.05.76**

**Motion Carried (7 - 0)**

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

**9a. Motion – To approve the Special Land Use Permit, Revised Site Plan, and Revised Tree Removal Permit / Penske Vehicle Services.**

Mr. Cohen presented the request from Penske Vehicle Services to complete construction of the speculative building located at 2150 Executive Hills Court. Penske Vehicle Services intends to operate a state-of-the-art vehicle painting facility at the site. He noted that there are three special land use permits associated with this proposal which include the light industrial use of the building as the predominant use of the building will be production painting and assembly plant repairs, the overnight storage of vehicles, and landbank parking as the majority of the parking lot will be used for vehicle storage.

In response to a question about the painting process, John DiSalvo, President of Penske Vehicle Services, explained the paint film process. He confirmed that there are no fumes with the paint film process as it is not a liquid paint. He noted that they may use liquid paint in the future at this facility as their customer base is not moving completely to the film concept.

**Moved by Fletcher, Seconded by Ferguson.**

**RESOLVED: To accept the Planning Commission's recommendation and approve the Special Land Use Permit, Revised Site Plan, and Revised Tree Removal Permit approval for Penske Vehicle Services subject to the conditions of the City's Administrative Review Team.**

**VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke**

**No: None**

**Resolution No. 24.05.77**

**Motion Carried (7 - 0)**

9b. Motion – To approve the combined PUD Step One – Qualification / Step Two – Site Plan and Tree Removal Permit / Joslyn Road Fuel Station – Mobil.

Mr. Cohen presented the request from Bill Saad Properties, LLC, for a Planned Unit Development (PUD) Option approval to construct a Mobil-branded fuel station and convenience store on the site located west of Joslyn Rd, south of Great Lakes Crossing Drive. He explained that the PUD Option allows this project to have commercial fueling of semi-trucks. In addition, there will be outside storage of merchandise in an enclosed area and a small patio.

Mr. Cohen noted that there has been considerable discussion about traffic, traffic safety and how vehicles will enter the site. Mr. Juidici explained that there will be two new driveways to the site. The driveway to the north will be for passenger vehicles. There will be a deceleration lane and it will have a right turn in and right turn out only drive access. The driveway to the south is located at the signalized intersection of Pacific Dr and Joslyn Rd, which will be the primary access for truck access to and from the site. He explained that as part of the development, the vegetation will be cleared which will provide almost double the required sight distance to see down Joslyn Rd to the signal at Pacific Dr.

Ms. Verbeke expressed concern with the safety of the road and suggested it be a divided road. She noted that the curve in the road creates distance and visual issues. She stated that she is not in favor of this project and pointed out that there are seven other gas stations within less than a mile. Bill Saad, of Bill Saad Properties, LLC, confirmed for Ms. Verbeke that the trucks will not be able to park there overnight.

Dr. Fletcher expressed concern with the road and the traffic that is already congested. She asked if any recent traffic studies have been done. Mr. Juidici explained that the Road Commission does not require a traffic impact study for gas station developments. He pointed out that the Road Commission reviewed the 2018 study, was comfortable with the recommendations and did not require the study to be updated. Dr. Fletcher stated that the entire section of the road needs to be reconstructed to handle what we are asking it to handle.

Mr. Knight stated that since it is a county road going through our City, the City should be making a more proactive and long-term plan for the road. He noted that the Brownfield Redevelopment Authority was happy to find a good use for the property, even though traffic is a problem.

Mr. Ferguson stated that he is not against the project, but has concerns about traffic safety.

In response to a question from Mayor Marzolf regarding the alignment of the northern driveway with the crossover, Mr. Juidici explained that there needs to be enough room for traffic flow into the site without conflicting with the pumps and vehicles on the site.

Mayor Marzolf suggested the City schedule a meeting with the County to discuss its concerns with this road and a long-term solution. Mr. Tanghe explained that historically the City has had regular interactions about Joslyn Rd. Ms. Verbeke stated that she would like to be on a committee to discuss this.

**Moved by Knight, Seconded by Hawkins.**

**RESOLVED: To accept the Planning Commission's recommendation and approve the combined PUD Step One – Concept Plan and PUD Step Two – Site Plan and Tree Removal Permit for the Joslyn Road Fuel Station - Mobil subject to the conditions of the City's Administrative Review Team.**

**VOTE: Yes: Ferguson, Hawkins, Knight, Marzolf, McDaniel**

**No: Fletcher, Verbeke**

**Resolution No. 24.05.78**

**Motion Carried (5 - 2)**

9c. Public Hearing/Motion – To adopt Resolution No. 5 Confirming the Special Assessment Roll – Superior Court.

Mr. Hefner explained the purpose of the Public Hearing is to hear objections to the special assessment roll regarding SAD No. 9 Superior Court. He noted that the updated cost estimate for the project, based on construction bids and design costs is \$850,975.00. The City's estimated share in the cost will be \$425,487.50 and the remaining balance will be divided equally among the benefitting properties and estimated at \$60,783.93 each.

Mayor Marzolf opened the Public Hearing at 7:48 PM.

Hearing no public comment, the Mayor closed the Public Hearing at 7:49 PM.

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

**RESOLVED: To approve Resolution No. 5, Confirming the Special Assessment Roll for the proposed Special Assessment District No. 9, regarding the repair of and improvements to Superior Court. (Attachment C)**

**VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke**

**No: None**

**Resolution No. 24.05.79**

**Motion Carried (7 - 0)**

9d. Motion – To approve the Dexter Road and Shimmons Curve Reconstruction.

Mr. Hefner explained that the reconstruction of Shimmons Rd from Grove Ln to Dexter Rd and Dexter Rd from Shimmons Rd to Walton Blvd is included in the Auburn Hills Capital Improvement Plan. The Shimmons Rd portion of the project addresses the long-standing concern of the tight radius curve that is in the center of this section of roadway through a land swap with the Oakland Christian School. This portion of the project is contingent upon right-of-way acquisition which staff anticipates being presented at the next meeting. The new projected road footprint will improve sight lines and allow for a center turn lane, added pathway, and storm improvements (including the addition of curb and gutter). Reconstruction of Dexter Rd will include replacement of the current water main, new curb and gutter, storm upgrades (including underdrain), sidewalk connections and upgrades. New base and asphalt roadway will be included for the whole project. He confirmed that construction is anticipated to go through mid-October.

**Moved by Fletcher, Seconded by Ferguson.**

**RESOLVED:** To award the construction contract to F.H. Paschen, S.N. Nielsen & Associates, LLC, Construction Engineering/ Observation and Contract Administration Services to OHM Advisors, and Material Testing Services to G2 Consulting for the Dexter Road and Simmons Curve Reconstruction in the amount of \$4,401,777. Also, to amend the City 2024 budget as indicated in the staff recommendation section of the memo.

**VOTE:** Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke  
No: None

**Resolution No. 24.05.80**

**Motion Carried (7 - 0)**

9e. Motion - To extend the Revised PUD Step Two - Site Plan and Tree Removal Permit Approval / The Avant at Five Points.

Mr. Cohen presented the request from OYK Engineering & Construction for an extension of The Avant's PUD approval due to construction delays associated with addressing the incorrect installation of the project's underground stormwater detention system. He explained the background of the project and noted that a condition of the City Council's approval of the revised project required that the development, including all site improvements, be completed by July 1, 2024. He noted that the detention system has now been resolved and is functioning, but the project will not be completed by July 1<sup>st</sup>. He stated that Mr. Hadid, with OYK Engineering & Construction, believes that the project will be complete in 18 months, once construction begins on the building foundations.

Fred Hadid, owner and developer of the project, explained that the delays were caused by difficulties with the underground detention system. It is now complete and ready for the foundation. Mr. Juidici confirmed that they have not noted any residual or additional water issues related to the development.

Mayor Marzolf expressed concerns that it is too much building for the site, the water issues, and the substantial amount of permit fees that have not been paid. In addition, he stated his concern that the wetland that was filled in.

Mr. Hadid confirmed for Council that he is able to meet the deadlines in the motion.

**Moved by Knight, Seconded by McDaniel.**

**RESOLVED:** To extend the Revised PUD Step Two – Site Plan and Tree Removal Permit approval for The Avant at Five Points from July 1, 2024 to December 30, 2025, subject to the following conditions:

1. The First Amendment to the Development Agreement previously drafted by the City Attorney after the revised project's March 20, 2023 approval has yet to be signed by all parties and recorded with the Oakland County Register of Deeds. The City Attorney shall update the First Amendment to the Development Agreement by adding the conditions of this extension approval. If OYK Engineering and Construction (the applicant) fails to sign and return the updated agreement to the City by June 7, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.
2. If the applicant meets the completion deadline for Item #1 but fails to begin pouring the foundations of the building by June 25, 2024, in accordance with the City-

approved Building Permit, then the applicant will voluntarily terminate the Planned Unit Development approval. The applicant shall obtain Building Permit approval from the Building Official and pay the Building Permit and Building Plan review fees totaling \$149,672 to the City before the commencement of this work.

3. If the applicant meets the completion deadline for Item #2 but fails to begin the vertical construction of the first floor in accordance with the City-approved Building Permit by September 9, 2024, then the applicant will voluntarily terminate the Planned Unit Development approval.
4. If the applicant meets the completion deadline for Item #3 but fails to completely erect and enclose the entire building (including roof, windows, and doors) in accordance with the City-approved Building Permit by March 1, 2025, then the applicant will voluntarily terminate the Planned Unit Development approval.
5. The applicant shall complete all site improvements and landscaping per the approved Site Plan by October 15, 2025.
6. The applicant shall complete the development and obtain a final Certificate of Occupancy Permit from the City by December 30, 2025.
7. If the Planned Unit Development approval is terminated, then the applicant shall, at its own cost, remove all incomplete structures and foundations from the site and restore the site as directed by staff in accordance with City Ordinances. If the applicant fails to restore the site as directed, then the City Manager and/or his designee shall be authorized to take any reasonable action to enforce the City Council's order, including but not limited to legal action, invoicing the applicant for work performed by the City that the applicant fails to complete and to place a lien against the property if the applicant does not pay such costs incurred by the City.

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, McDaniel, Verbeke  
No: Marzolf

**Resolution No. 24.05.81**

**Motion Carried (6 - 1)**

9f. Public Hearing/Motion - To establish a Speculative Building Designation for Dembs Development Inc.

Ms. Collias presented the request from Dembs Development Inc to establish a speculative building designation at 2150 Executive Hills Court.

Mayor Marzolf opened the Public Hearing at 8:10 PM.

Hearing no public comment, the Mayor closed the Public Hearing at 8:11 PM.

**Moved by Verbeke, Seconded by Fletcher.**

**RESOLVED:** To approve the request to establish a Speculative Building Designation for Dembs Development Inc. by adopting the attached resolution. (Attachment D)

VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke  
No: None

**Resolution No. 24.05.82**

**Motion Carried (7 - 0)**

## **10. COMMENTS AND MOTIONS FROM COUNCIL**

Mr. Knight announced that the Veteran's Memorial at the cemetery will be dedicated on Memorial Day. The Memorial Day parade will begin at 10:50 AM.

Mr. McDaniel thanked the Police Department for their extra presence downtown and enforcement of the truck traffic and speeders downtown.

Ms. Verbeke expressed her disappointment with the gas station approval and wants the City to be proactive in making the street safe.

Dr. Fletcher expressed concern with an incident that happened today at a business on Doris Rd off of Opdyke. She noted that the employees are not feeling safe. Mayor Marzolf commented that a workgroup is going to be formed to focus on that area of the City and the hotels to help that type of situation.

Mr. Ferguson commented on the beautiful crowd of motorcycles in the downtown bringing awareness to pancreatic cancer prevention. Mayor Marzolf noted that the group was the Distinguished Gentleman's Ride that happens around the world in support of men's health.

Mayor Marzolf thanked the Police Department for their hard work in keeping Auburn Hills safe. He pointed out that Oakland County is teaming up with SMART Transportation to offer free transportation for veterans and their dependents from June 1<sup>st</sup> – August 31<sup>st</sup>.

**11. CITY ATTORNEY REPORT**

**12. CITY MANAGER REPORT**

Mr. Tanghe pointed out that this week is National Public Works Week. He acknowledged the hard-working men and women of the Department of Public Works. He wished Dr. Fletcher a happy birthday.

**13. CLOSED SESSION**

13a. Motion – To meet in closed session to discuss labor negotiations pursuant to MCL 15.268(1)(c) of the Open Meetings Act.

**Moved by Hawkins, Seconded by Ferguson.**

**RESOLVED: To meet in closed session to discuss labor negotiations pursuant to MCL 15.268(1)(c) of the Open Meetings Act.**

**VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke**  
**No: None**

**Resolution No. 24.05.83**

**Motion Carried (7 - 0)**

The Mayor recessed the meeting to Closed Session at 8:22 PM.

The Mayor reconvened the meeting in Open Session at 9:07 PM.

**Moved by Ferguson, Seconded by Fletcher.**

**RESOLVED: To ratify the collective bargaining agreement by and between the City of Auburn Hills and the Auburn Hills Professional Firefighters for the period of January 1, 2023 through December 31, 2026, including Exhibits A, B, and C, attached thereto. Furthermore, to authorize the Mayor, City Clerk, and City Manager to execute the Agreement on behalf of the City.**

**VOTE: Yes: Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke**  
**No: None**

**Resolution No. 24.05.84**

**Motion Carried (7 - 0)**

**14. ADJOURNMENT**

The meeting adjourned at 9:08 PM.

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Brain W. Marzolf, Mayor

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Laura M. Pierce, City Clerk





## ATTACHMENT A

# PROCLAMATION

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### **NATIONAL PUBLIC WORKS WEEK MAY 19, 2024 - MAY 25, 2024**

**WHEREAS**, public works professionals support the infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people within the communities they serve; and

**WHEREAS**, in Auburn Hills, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, technicians, and employees at all levels of government and the private sector, who are responsible for building, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

**WHEREAS**, it is in the public interest for our citizens, adults and children alike, and civic leaders in the City of Auburn Hills to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and its many responsibilities; and

**WHEREAS**, 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association.

**NOW, THEREFORE BE IT RESOLVED**, that I, Brian Marzolf, Mayor of the City of Auburn Hills, do hereby designate the week of May 19 – 25, 2024 as National Public Works Week.

**BE IT FURTHER RESOLVED** that as Mayor, I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to honor our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Auburn Hills to be affixed on this, the 20<sup>th</sup> day of May 2024.

Brian W. Marzolf  
Mayor

## **ATTACHMENT B**

### **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 City Council Chambers at 1827 N. Squirrel Road, Auburn Hills, MI 48326 at 7:00 p.m., on the 20<sup>th</sup> day of May, 2024.

The following resolution was offered by Council Member Verbeke and seconded by Council Member Knight:

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, and mosquito larvicide applications; 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: 7 (Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke)

NAYES: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION ADOPTED

STATE OF MICHIGAN)

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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 20<sup>th</sup> day of May 2024.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this \_\_\_\_ day of May, 2024.

Laura Pierce, City Clerk

## **ATTACHMENT C**

### **CITY OF AUBURN HILLS**

#### **RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT ROLL (RESOLUTION NO. 5)**

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 20<sup>th</sup> day of May, 2024, the following resolution was offered by Councilperson Knight and seconded by Councilperson Verbeke:

WHEREAS, the City has considered construction of the proposed improvement described below and has 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 and improvements to Superior Court; and

WHEREAS, the Project is intended to specially benefit properties identified in the special assessment district attached to this Resolution, which will be designated as Special Assessment District No. 9 (the district); and

WHEREAS, the City Council, after a public hearing, approved the final total cost of the Project in the amount of \$850,975 and approved the district as a special assessment district against which fifty percent (50%) of the final total cost of the Project, being the amount of \$425,487.50 will be defrayed by special assessments against the properties in the special assessment district; and

WHEREAS, in accordance with the direction of the City Council, the City Assessor has prepared a special assessment roll allocating fifty percent (50%) of the final total cost of the Project to the properties within the district according to law and the directions of the City Council, and the Assessor has filed such roll with the City Clerk; and

WHEREAS, a public hearing on the special assessment roll was set and duly noticed according to law for the purpose of hearing objections with respect to the special assessment roll; and

WHEREAS, on May 20, 2024, the public hearing was conducted by the City Council in accordance with the notice.

NOW, THEREFORE, it is hereby resolved as follows:

1. The City Council has determined that it is satisfied with the special assessment roll, that the proposed assessments are in proportion to the benefits received or to be received as a result of the Project and that it would be appropriate to approve and confirm the special assessment roll and proceed with the Project.
2. The special assessment roll for Special Assessment District No. 9 in the amount of \$425,487.50 shall be and is hereby adopted and confirmed.
3. The City Clerk is directed to endorse and certify on the special assessment roll the date of this confirmation, which shall be final and conclusive for the purpose of the Project unless the special assessment is contested in the Michigan Tax Tribunal within the time and manner provided for by ordinance and state law.

4. The special assessment against any property as made on the roll, or any part of such special assessment, may be paid in full on or before November 1, 2024 (the cash payment date).
5. All amounts of a special assessment not paid on or before the cash payment date shall be assessed against each property in the district in ten (10) approximately equal annual installments of principal and interest, the first of which will be due and payable on December 1, 2024, the second of which will be due and payable on December 1, 2025, and all subsequent installments shall be due and payable successively in intervals of twelve (12) months from the due date of the second installment.
6. Any portion of an assessment that has not been paid on or before the cash payment date (November 1, 2024) shall bear interest until paid as of December 1, 2024, at a rate equal to five percent (5%) per annum. Interest shall be due on the due date of the assessment installment payments, as noted above, commencing on the date the first assessment payment is due, as stated above. If any installment is not paid when due, the installment shall be deemed to be delinquent and a penalty shall be charged and collected as provided for in Section 58-19 of the Auburn Hills Code of Ordinances.
7. The City Clerk is directed to attach her warrant as required by law to the roll and to direct the roll, with her warrant attached, to the City Treasurer. The City Treasurer shall collect the special assessments in accordance with the terms of this Resolution, the City's ordinances, the warrant and the applicable statutes of the State of Michigan. The City Treasurer shall mail statements of the special assessments to the respective owners or parties-in-interest as indicated on the last local tax assessment records for those properties included in the special assessment district, stating the amount of the assessment and the manner in which the special assessment may be paid. The notice of special assessment mailed by the Treasurer shall contain a statement that the owner or any person having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within thirty (30) days from the date of confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the special assessment roll.
8. All or any part of the unpaid special assessment may be paid at any time with interest accrued to the month in which the payment is made.
9. All special assessments contained in the special assessment roll, including accrued interest and any penalties, shall from the date of confirmation of such roll constitute a lien upon the respective lots or parcels of land specially assessed in the special assessment district until such time as the special assessment, accrued interest and penalties, if any, are paid. In the event that any of the properties in the special assessment district are sold, the special assessment, accrued interest and penalties, if any, must be paid in their entirety to the City as the time of the sale.

AYES:

NAYES:

ABSENT:

ABSTENTIONS:

STATE OF MICHIGAN )

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COUNTY OF OAKLAND )

I, Laura M. Pierce, 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 20th day of May, 2024, the original of which is on file in my office.

In witness whereof, I have hereunto affixed my official signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Laura M. Pierce  
City Clerk

Property Address	Parcel Number	Owner/Name/	Mailing Address	City	State	Zip	Legal Description	Benefit	Assessment
2611 Superior Ct	02-14-02-201-001	Auburn Bus Park Unit 1 Investment	32 Journey	Aliso Viejo	CA	92656-5329	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 1 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2631 Superior Ct	02-14-02-201-002	Auburn Bus Park Unit 2 Investment	27750 Stansbury, Ste 222	Farmington Hills	MI	48334-3803	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 2 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2661 Superior Ct	02-14-02-201-003	Auburn Bus Park Unit 3 Investment	27750 Stansbury, Ste 222	Farmington Hills	MI	48334-3803	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 3 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2660 Superior Ct	02-14-02-201-004	Auburn Bus Park Unit 4 Investment	27750 Stansbury, Ste 222	Farmington Hills	MI	48334-3803	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 4 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2660 Superior Ct	02-14-02-201-005	Auburn Bus Park Unit 5 Investment	27750 Stansbury, Ste 222	Farmington Hills	MI	48334-3803	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 5 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2630 Superior Ct	02-14-02-201-006	Auburn Bus Park Unit 6 Investment	2630 Superior Ct	Auburn Hills	MI	48326	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 6 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
2600 Superior Ct	02-14-02-201-007	Auburn Bus Park Unit 7 Investment	7680 Innovation Way	Mason	OH	45040-9695	T3M, R10E, SEC 2 OAKLAND COUNTY CONDOMINIUM PLAN NO 1319 AUBURN BUSINESS PARK CONDO UNIT 7 L 22166 P 244 1-4-01 FR 200-018	1	\$ 60,783.93
Total Parcel(s) Assessed 7									\$ 425,487.50

**Certification of Assessor**

I, William Griffin, City Assessor, do hereby certify that the roll has been prepared by the Assessor pursuant to the \_\_\_\_\_  
Resolution of 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 \_\_\_\_\_, 2024  
Resolution of the City Council and the Auburn Hills City Charter and the provisions of Chapter 55 of the Auburn Hills City Code.

Signed \_\_\_\_\_  
Date \_\_\_\_\_

## ATTACHMENT D

### RESOLUTION APPROVING SPECULATIVE BUILDING DESIGNATION FOR DEMBS DEVELOPMENT 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 20<sup>th</sup> day of May 2024. The following resolution was offered by Councilperson Verbeke and seconded by Councilperson Fletcher.

Whereas, Dembs Development Inc has requested a Speculative Building designation located at 2150 Executive Hills Ct under the provisions of Public Act 198 of 1974, as amended; and

Whereas the building is being constructed as a manufacturing facility before the identification of a specific user of the building; and

Whereas the building has not been occupied; and

Whereas the designation of the building as a Speculative Building would allow future tenants to apply for Industrial Facility Exemption Certificate for real property to be located at 2150 Executive Hills Ct; and

Whereas the availability of tax abatement may serve as an inducement for attracting tenants to occupy the building and increase the tax revenues to the city of Auburn Hills,

NOW, THEREFORE, BE IT RESOLVED that the request for Speculative Building Designation for 2150 Executive Hills Ct is hereby approved with the following conditions,

That the Speculative Building Designation does not constitute approval of an Industrial Facility Exemption Certificate but serves to give notice that the City Council will consider future applications.

AYES: 7 (Ferguson, Fletcher, Hawkins, Knight, Marzolf, McDaniel, Verbeke)

NAYES: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION ADOPTED

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 20<sup>th</sup> day of May 2024, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this \_\_\_\_ day of May 2024

Laura M. Pierce, City Clerk