



CITY OF AUBURN HILLS

Regular City Council Meeting
Minutes

July 1, 2019

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, Moniz and Verbeke
Absent: None
Also Present: Assistant City Manager Grice, City Attorney Beckerleg, City Clerk Pierce, Fire Chief Taylor, Police Chief Baker, Recreation Director Hegdal, DPW Director Melchert, Deputy DPW Director Stahly, City Engineer Juidici, Director of Authorities Skopek, Media Communications Specialist Mathes, Graphic Designer Lawrence, Management Intern Hagge

6 Guests

4. APPROVAL OF MINUTES

4a. City Council Minutes, June 24, 2019

Moved by Verbeke, Seconded by Hammond.

RESOLVED: To approve the City Council Minutes of June 24, 2019.

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

No: None

Resolution No. 19.07.90

Motion Carried (7 - 0)

5. APPOINTMENTS AND PRESENTATIONS

6. PUBLIC COMMENT

7. CONSENT AGENDA

Mr. Kittle removed Item 7a from the Consent Agenda.

7b. Motion – To approve alcohol use at Summer Concert Series in the Park and City sanctioned events.

RESOLVED: To allow the consumption of alcohol in the designated areas at the Friday Nights Downtown Music Series from July 12 to August 23 to be held at the Knight Amphitheater in Riverside Park, for the 2019 season.

RESOLVED: To allow the consumption of alcohol in the designated areas at the Journey to Woodstock event on August 14, 2019, to be held at the Knight Amphitheater in Riverside Park.

RESOLVED: To allow the consumption of alcohol in the designated areas at the Septemberfest event on September 13, 2019, to be held at the Knight Amphitheater in Riverside Park.

Moved by Verbeke, Seconded by Hammond.

RESOLVED: To approve the Consent Agenda Item 7b.

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

No: None

Resolution No. 19.07.91

Motion Carried (7 - 0)

7a. Board and Commission Minutes

7a1. Beautification Advisory Commission, June 19, 2019

Mr. Kittle sought clarification on a typing error which will be corrected at the next meeting. There was discussion regarding the Beautification Awards Program which recognizes residents and businesses for their landscaping and curb appeal, the deadline has been extended.

Moved by Kittle, Seconded by Moniz.

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

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

No: None

Resolution No. 19.07.92

Motion Carried (7 - 0)

8. OLD BUSINESS

9. NEW BUSINESS

9a. Public Hearing/Motion – To approve a new IFEC for Autoliv ASP Inc.

Mr. Griffin presented the IFEC for 1320 Pacific drive. The application is for a 3 story office addition as well as a shipping and receiving addition. Autoliv is asking for a 6 year abatement.

Tim Berry of Autoliv was present.

Mayor McDaniel opened the Public Hearing at 7:05PM. Hearing no comment, he closed the Public Hearing at 7:06PM.

Moved by Knight, Seconded by Verbeke.

RESOLVED: To approve the request for a 6-year IFEC for Autoliv North America Inc., for a total estimated real property investment of \$18,829,561 by adopting the attached resolution. (Attachment A)

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

No: None

Resolution No. 19.07.93

Motion Carried (7 - 0)

9b. Public Hearing/Motion - To approve a new IFEC for Bureau Veritas Consumer Products Services.

Mr. Griffin presented the IFEC for 815 N. Opdyke road. The four year abatement request on this spec building, is for the portion of the building that will be occupied.

Jason Canakree, Automotive Lab manager of Bureau Veritas was present. He stated that the testing that is done will be for automotive purposes and that it will create 50 jobs.

Mayor McDaniel opened the Public Hearing at 7:15PM. Hearing no comment, he closed the Public Hearing at 7:15PM

Moved by Burmeister, Seconded by Verbeke.

RESOLVED: To approve the request for a 4-year IFEC for Bureau Veritas Consumer Products Services. (Attachment B)

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

No: None

Resolution No. 19.07.94

Motion Carried (7 - 0)

9c. Public Hearing/Motion - To approve a new IFEC for Giffin Inc.

Mr. Griffin presented the IFEC for 4444 Giddings road. He stated that this is a 6 year abatement request for a new building.

Gary Zalinski of Giffin Inc. was present.

Mayor McDaniel opened the Public Hearing at 7:17PM. Hearing no comment, he closed the Public Hearing at 7:17PM.

Moved by Verbeke, Seconded by Moniz.

RESOLVED: To approve the request for a 6-year IFEC for Giffin Inc., by adopting the attached resolution. (Attachment C)

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

No: None

Resolution No. 19.07.95

Motion Carried (7 - 0)

9d. Motion – To approve Master Agreement for Municipal Street Lighting and Purchase Agreement Between The Detroit Edison Company and City of Auburn Hills.

Mr. Melchert presented the Master Agreement between the City and the Detroit Edison Company. The lighting was removed on Walton boulevard some time ago and was never replaced but due to public interest it is being replaced. The area covered in the Master Agreement will cover I-75 and N. Squirrel rd, specifically Allerton and Joslyn. The costs involved will be approximately \$22,000 however with revenue, this will cost the City roughly \$18,000.

Moved by Moniz, Seconded by Hammond.

RESOLVED: To approve the Master Agreement for Municipal Street Lighting with Exhibit A Purchase Agreement between The Detroit Edison Company and City of Auburn Hills. Services to be paid from Account No. 101-901-970.000.

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

No: None

Resolution No. 19.07.96

Motion Carried (7 - 0)

9e. Motion – To authorize the Mayor to sign Letter of Support for BUILD Grant Application.

Mr. Grice presented a road improvement grant for reconstruction of Brown road from Jamm rd to Giddings road. The Road Commission of Oakland County is asking the City to commit \$252,300 for our section of the project. Brown road and Silverbell road in Orion Township will also see improvements. The construction will begin during the 2021 or 2022 construction season.

Mr. Kittle asked if other funds are being pursued. Mr. Grice stated that the RCOC is asking for a commitment at this point however, if funds come from another source become available then the city may not have to support this project financially.

Mr. Kittle stated that he cannot support approving this project because it authorizes that finances be sent to another governmental jurisdiction whose roads we do not own. He feels the City need to focus on taking care of its own roads.

Moved by Knight, Seconded by Hammond.

RESOLVED: To authorize Mayor McDaniel to sign the letter to Transportation Secretary Elaine Chao in support of the BUILD grant which includes reconstruction of Brown Road

from Giddings Road to Jamm Road. Furthermore, such support will include the budgeting of approximately \$252,300 in 2021 or 2022 as our grant match, should other funding sources to cover our portion not be available.

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

No: Kittle

Resolution No. 19.07.97

Motion Carried (6 - 1)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond – Questioned Mr. Melchert regarding the quality of well water for College Heights. Mr. Melchert stated that this is a private system and therefore the responsibility of the management company. The City is under obligation to test for lead, copper and bacteria within the community. Discussion was had regarding the importance of knowing that the residents are receiving clean water. Mayor McDaniel asked Mr. Melchert to find out what the management company is required to do with testing the water and to also find out who responsible for monitoring it.

Mr. Knight – Reported that the contaminated soil is being removed from the Mound Steel site so that the developer can proceed. He shared that the Friday night concerts are a success and would like to see a DJ brought in during the month of September to keep people in the downtown area. He shared that there is very limited handicapped parking in the area, especially during the busy times. He suggested if the parking near the restrooms could be converted to handicapped when there is a scheduled event at the amphitheater.

Mr. Kittle – Questioned Mr. Melchert as to what a reasonable amount of time for tearing down a construction project should be because there are several areas around the City that need to be cleaned up. Mr. Melchert stated that as soon as a project is completed, the site should be cleaned unless vegetation is not established, that would allow the silt fencing to stay intact.

Mr. Moniz – Shared that he is pleased with the Friday night music series and the amount of people in attendance. There was discussion regarding Police patrolling the area and the potential of multiple cameras to monitor the area. He questioned the Industrial Park Gardner White sign. There is a policy that is being put forward. Mr. Cohen will be contacted for any updates. He asked for clarification for the residents as to the start date for the Taylor road project and how the residents will be notified. Mr. Juidici explained that the contractors proposed to have partial closures to expedite the project. The road will be moved to one lane with a temporary traffic signal controlling the flow of traffic.

Mr. Burmeister – Stated that it was nice to see the firefighter of the year on the billboard along I-75. He also shared that he was pleased with how quickly Mr. Skinner took care of a grass complaint. He shared that the state crushing site looks like a constant fog and would like to see if it can be controlled better.

Ms. Verbeke – Shared that she would like to see signs posted on Lapeer rd, to give people a enough notice regarding the Taylor road project. OHM will look into it.

Mayor McDaniel – Asked Mr. Skopek to bring some clarification to the 3250 Auburn road issue and the lack of progress that the developer is showing for this project. Mr. Skopek shared that a letter was sent and to the date of this meeting there has been no communication from the contractors regarding the project. The letter that was sent requested that the site be graded and revegetated to the City's satisfaction by July 19, 2019 due to the fact that there has not been a construction schedule presented by the developer. If no action is taken, an ordinance violation can be issued through the Community Development Department. The City Attorney stated that no action should be taken until the July 19, 2019 date. It was discussed that the City is watching the situation closely. Ms. Hammond brought attention to the fact that Brownfield

money was granted to this project. Mr. Skopek acknowledged that was accurate however, it is through the tax increment revenues where the City makes the money back and without a building on the property that cannot happen.

11. CITY ATTORNEY REPORT

12. CITY MANAGER REPORT

Mr. Grice – Reminded everyone that the offices will be closed for July 4th.

13. ADJOURNMENT

Hearing no objections, the Mayor adjourned the meeting at 7:48PM.

Kevin R. McDaniel, Mayor

Laura M. Pierce, City Clerk

ATTACHMENT A

CITY OF AUBURN HILLS RESOLUTION APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR AUTOLIV ASP 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 **1st day of July, 2019**.

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 **26th day of July, 1993**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **Metro North Limited Partnership Industrial Development District**; and

WHEREAS, **Autoliv ASP Inc.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real property** within the **Metro North Limited Partnership Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **1st day of July, 2019** 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 of the facility has not begun earlier than six (6) months before **20th day of May, 2019**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the **real property** 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 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 real property thus exempted.

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

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

The real property parcel the facility is located on is identified as tax parcel **02-14-04-476-006**, having an address **1320 Pacific Drive**, City of Auburn Hills, MI 48326, including:
T3N, R10E, SEC 4 PONTIAC ACRES PART OF LOT 17, ALSO ALL OF LOTS 18 TO 21 INCL, ALSO PART OF LOT 22, ALSO PART OF SE 1/4 ALL DESC AS BEG AT PT DIST N 02-41-40 W 60 FT & S 87-28-16 W 412.96 FT FROM SE SEC COR, TH S 87-28-16 W 481.70 FT, TH N 02-31-29 W 1225.39 FT, TH N 80-29-48 E 124.41

FT, TH ALG CURVE TO RIGHT, RAD 484.50 FT, CHORD BEARS S 80-56-15 E 308.52 FT, DIST OF 313.99 FT, TH ALG CURVE TO LEFT, RAD 2082.86 FT, CHORD BEARS S 63-15-15 E 64.18 FT, DIST OF 64.18 FT, TH S 02-31-29 E 1147.12 FT TO BEG 12-12-95 FR 14-03-351-005 is hereby approved for **real property improvements**.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of **six (6) years**, and the starting date for the certificate is **December 31, 2019** and the ending date is **December 30, 2025**.

4. The total project investment approved is **\$18,829,561**.

5. Autoliv ASP Inc. agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **six (6) years** after the date of the certificate's expiration.

AYES: 7
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION ADOPTED

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 **1st day of July, 2019**.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this **1st day of July, 2019**.

Laura M. Pierce, City Clerk

ATTACHMENT B

CITY OF AUBURN HILLS RESOLUTION APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR BUREAU VERITAS CONSUMER PRODUCTS SERVICES

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 **1st day of July, 2019**.

The following resolution was offered by Councilperson Burmeister 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 **26th day of October, 2015**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **BKG Featherstone, LLC Industrial Development District; and**

WHEREAS, **Bureau Veritas Consumer Products Services** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real property** within the **BKG Featherstone, LLC Industrial Development District; and**

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **1st day of July, 2019** 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, completion of the **real property** 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 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 real property thus exempted.

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

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

The real property parcel the facility is located on is identified as tax parcel **02-14-23-351-013**, having an address **815 North Opdyke Road**, City of Auburn Hills, MI 48326, including:
T3N, R10E, SEC 23 MADDOCK ACRES LOT 1 EXC BEG AT NE LOT COR, TH S 17-09-30 W 173.51 FT, TH N 89-45-28 W 369.29 FT, TH N 00-14-22 E 166 FT, TH S 89-45-28 E 419.78 FT TO BEG 11-3-15 FR 009 & 010

Is hereby approved for **real property improvements**

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of **four (4) years**, and the starting date for the certificate is **December 31, 2019** and the ending date is **December 30, 2023**.

4. The total project investment approved is **\$6,179,233**.

5. Bureau Veritas Consumer Products Services agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **four (4) years** after the date of the certificate's expiration.

AYES: 7
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION ADOPTED

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 **1st day of July, 2019**.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on **this 1st day of July, 2019**.

Laura M. Pierce, City Clerk

ATTACHMENT C

CITY OF AUBURN HILLS RESOLUTION APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR GIFFIN 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 **1st day of July, 2019**.

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

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the **20th day of May, 2019**, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the **White Corners LLC Industrial Development District**; and

WHEREAS, **Giffin Inc.** has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new **real property** within the **White Corners LLC Industrial Development District**; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the **1st day of July, 2019** 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 of the facility has not begun earlier than six (6) months before **29th day of May, 2019**, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the **real property** 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 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 real property thus exempted.

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

1. The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974, and PA 225 of 1978, **shall not** have the effect of substantially impeding the operation of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Auburn Hills.

2. The application from **Giffin LLC** for an Industrial Facilities Exemption Certificate with respect to the **New Construction of Real Property** on the following described parcel of real property situated within the **White Corners LLC Industrial Development District**; to wit;

The real property parcel the facility is located on is identified as tax parcel **02-14-03-201-021**, having an address **4444 Giddings Road**, City of Auburn Hills, MI 48326, including:
T3N, R10E, SEC 3 PART OF NE ¼ BEG AT PT DIST N 89-59-10 E 60 FT & S 60 FT FROM N ¼ COR, TH N 89-59-10 E 359.18 FT, TH S 00-27-50 W 233.98 FT, TH S 89-59-10 W 35 FT, TH S 00-27-50 W 373.74

FT, TH S 181.35 FT, TH S 89-59-10 W 29.27 FT, TH S 00-23-57 E 263.57 FT, TH S 89-59-10 W 291.83 FT, TH N 1052.61 FT TO BEG 7.77 A 4-30-19 FR 002, 013 & 017 is hereby approved for **real property improvements**.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of **six (6) years**, and the starting date for the certificate is **December 31, 2019** and the ending date is **December 30, 2025**.

4. The total project investment approved is **\$10,162,733**.

5. Giffin LLC agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional **six (6) years** after the date of the certificate's expiration.

AYES: 7
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION ADOPTED

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

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Laura M. Pierce, City Clerk