MAY 2017
(4/28/17)

08  City Council Workshop, 5:30 p.m., DPW Building ●
08  City Council, 7:00 p.m., Council Chamber ◆
09  Tax Increment Finance Authority, 4:00 p.m., Admin Conference Room ◆
10  Planning Commission, 7:00 p.m., Council Chamber-◆
11  Zoning Board of Appeals, 7:00 p.m., Council Chamber.  Cancelled
15  Downtown Development Authority, 5:30 p.m., Admin Conference Room ◆
16  Brownfield Redevelopment Authority, 6:00 p.m., Admin Conference Room ◆
17  Beautification Advisory Commission, 6:00 p.m., Council Conference Room ◆
17  Zoning Board of Appeals, Board Training Session, 6:00 p.m., Admin Conference Room ◆
18  Library Board, 7:00 p.m., Auburn Hills Public Library ◆
22  City Council, 7:00 p.m., Council Chamber ◆
23  Public Safety Advisory Committee, 6:00 p.m., Public Safety Building ◆

◆ City Council Chamber (Conf. Rm.) – 1827 N. Squirrel Road
◆ Administrative Conference Room – 1827 N. Squirrel Road
◆ Public Safety Building – 1899 N. Squirrel Road
◆ Community Center – 1827 N. Squirrel Road
● Department of Public Services (DPS) – 1500 Brown Road
◆ Fieldstone Golf Course - 1984 Taylor Road
◆ Library - 3400 Seyburn Drive
◆ Downtown City Offices – 3395 Auburn Road, Suite A
◆ University Center, 3350 Auburn Road, Main Floor, Classroom AHUC-02
### JUNE 2017

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Time</th>
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<tbody>
<tr>
<td>08</td>
<td>Zoning Board of Appeals</td>
<td>7:00 p.m.</td>
<td>Council Chamber</td>
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<td>12</td>
<td>City Council Workshop</td>
<td>5:30 p.m.</td>
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<td>City Council</td>
<td>7:00 p.m.</td>
<td>Council Chamber</td>
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<td>13</td>
<td>Tax Increment Finance Authority</td>
<td>4:00 p.m.</td>
<td>Admin Conference Room</td>
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<td>14</td>
<td>Pension Board</td>
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<td>14</td>
<td>Retiree Health Care</td>
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<td>14</td>
<td>Planning Commission</td>
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<td>19</td>
<td>Downtown Development Authority</td>
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<td>20</td>
<td>Brownfield Redevelopment Authority</td>
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<td>21</td>
<td>Beautification Advisory Commission</td>
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<td>Council Conference Room</td>
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<td>22</td>
<td>Library Board</td>
<td>7:00 p.m.</td>
<td>Auburn Hills Public Library</td>
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<td>City Council</td>
<td>7:00 p.m.</td>
<td>Council Chamber</td>
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학교 Downtown City Offices – 3395 Auburn Road, Suite A
berapa University Center, 3350 Auburn Road, Main Floor, Classroom AHUC-02
The City of Auburn Hills
Regular City Council Meeting
Monday, May 8, 2017 ♦ 7:00 p.m.

WORKSHOP 5:30 pm at DPW Facility**

Council Chamber ♦ 1827 N. Squirrel Road ♦ Auburn Hills MI
248-370-9402 ♦ www.auburnhills.org

** 5:30 pm Workshop: Property Assessment Seminar & Revenue Expectations

1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF COUNCIL
4. APPROVAL OF MINUTES
   4a. Regular City Council Minutes – April 24, 2017
5. APPOINTMENTS AND PRESENTATIONS
6. PUBLIC COMMENT
7. CONSENT AGENDA
   All items listed are considered to be routine by the City council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.
   7a. Board and Commission Minutes
      7a1. Tax Increment Finance Authority – April 11, 2017
      7a2. Downtown Development Authority – April 17, 2017
      7a3. Beautification Advisory Commission – April 19, 2017
   7b. Motion – Approve DTE Master Agreement for Option 1 Streetlight Conversion
8. OLD BUSINESS
9. NEW BUSINESS
   9a. Public Hearing/Motion - Approve an Amendment to the Auburn Hills Code of Ordinances, Chapter 74 - Utilities
   9b. Motion - Declare Official Intent to Reimburse Expenditures with Bond Proceeds
   9c. Motion – Appeal of Cigar License Denial for the Loft Cigar Room
10. COMMENTS AND MOTIONS FROM COUNCIL
11. CITY ATTORNEY’S REPORT
12. CITY MANAGER’S REPORT
13. EXECUTIVE SESSION
   13a. City Attorney Legal Opinion
14. ADJOURNMENT

City Council meeting minutes are on file in the City Clerk’s Office. NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248.370.9402 or the City Manager's Office at 248.370.9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.
4. APPROVAL OF MINUTES
4a. Regular City Council Minutes – April 10, 2017
Moved by Kittle, Seconded by Mitchell.
RESOLVED: To approve the April 10, 2017 City Council meeting minutes.
VOTE: Yes:  Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.064  Motion Carried (6 - 0)

4b. City Council Workshop Minutes – April 10, 2017
Moved by Knight, Seconded by Burmeister.
RESOLVED: To approve the April 10, 2017 City Council workshop minutes.
VOTE: Yes:  Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.065  Motion Carried (6 - 0)

5. APPOINTMENTS AND PRESENTATIONS
5a. Presentation to Edmond Guay, Oakland County Outstanding Teacher of the Year
Mayor McDaniel presented a proclamation to Edmond Guay, Avondale High School Teacher, recipient of the Oakland County Outstanding Teacher of the Year award.

6. PUBLIC COMMENT
7. CONSENT AGENDA

7a. Board and Commission Minutes
7a1. Planning Commission Meeting of April 12, 2017
7b. Motion - Receive the 1st Quarter 2017 Cash Management Summary and Executive reports

RESOLVED: To receive and file the AndCo Consulting 1st Quarter 2017 Cash Management Summary and Executive reports.

7c. Motion - Purchase of Election Equipment

RESOLVED: To authorize the City Clerk to enter into the Software License Agreement, purchase two tabulators at a cost of $10,000.00 from account number 101-215-980-000, and accumulation software and hardware from HART Civic, through Oakland County, at a cost of $3650.00, from account 101-215-799-000, to subsidize the new election equipment purchased for the City by the State of Michigan.

Moved by Mitchell, Seconded by Hammond.

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

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None

Resolution No. 17.04.066 Motion Carried (6 - 0)

8. OLD BUSINESS
8a. Motion – Introduction and Set Public Hearing for Ordinance 17-890 Unauthorized Water Usage

Mr. Melchert explained that the proposed ordinance amendment was introduced to City Council in March. It was sent back to staff for revisions. The revisions were completed by the City Attorney and include Subsection E, regarding unauthorized water consumption and Subsection F, regarding improper backflow prevention. He pointed out that both subsections are considered separately and violators could be cited separately for each occurrence. The fine for each occurrence is $500.00.

Moved by Kittle, Seconded by Knight.

RESOLVED: To introduce and schedule a Public Hearing for May 8, 2017 for the second reading and adoption of an amendment to utilities ordinance, subsections (e) and (f) to the Auburn Hills Code of Ordinances, Chapter 74 Sec. 74-145 Utilities.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None

Resolution No. 17.04.067 Motion Carried (6 - 0)

9. NEW BUSINESS
9a. Public Hearing on Resolution Confirming Special Assessment Roll (Resolution No. 5) for Pacific Drive Road Improvement SAD, SAD No. 4

Mr. Melchert explained that the next two items refer to Special Assessment Districts for road improvements. He explained construction is expected to begin next month.

Mayor McDaniel opened the Public Hearing at 7:10 PM.

The following objected to the SAD:
- RDB Industries, Inc, 1399 Pacific Dr, represented by John Gaber at WWRP Law Firm
- Haden Auburn, LLC, represented by Bradley S. DeFoe at Varnum.

The Mayor closed the Public Hearing at 7:14 PM.
Moved by Mitchell, Seconded by Burmeister.
RESOLVED: To approve Resolution No. 5, confirming the Special Assessment Roll for the proposed Special Assessment District No. 4, regarding the repair of and improvements to Pacific Drive. (Attachment A)
VOTE: Yes:  Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.068       Motion Carried (6 - 0)

9b. Public Hearing on Resolution Confirming Special Assessment Roll (Resolution No. 5) for the North Atlantic Boulevard/Continental Drive Road Improvement SAD, SAD No. 5
Mr. Melchert noted the typo in the memo under staff recommendations which refers to Pacific Drive instead of North Atlantic Blvd/Continental Drive. He stated that the motion is correct.

Mayor McDaniel opened the Public Hearing at 7:15 PM.

The following objected to the SAD:
- RDB Brown Road, LLC, 1250 Brown Rd, represented by John Gaber at WWRP Law Firm
- Bailey Properties, LLC, 4141 N. Atlantic Blvd, represented by John Gaber at WWRP Law Firm
- Green Optics, LLC, tenant on the property 4141 N. Atlantic Blvd, represented by John Gaber at WWRP Law Firm

The Mayor closed the Public Hearing at 7:19 PM.

Mayor McDaniel explained that this is a decision that Council did not take lightly. He stated that most communities will pass on 100% of the burden to the property owners when it comes to road improvements and repair costs. Auburn Hills is providing 50% of the funding for the SAD and only passed a 50% cost on to the property owners.

Mr. Knight stated that this type of approach is accepted by the Tax Tribunal. He commented that overall from the City standpoint, this is the fairest approach.

In response to a question from Ms. Hammond regarding the maintenance of the roads, Mr. Melchert explained that the City has an excellent asset management and maintenance program. He explained the condition of the existing concrete and noted that it does not matter what maintenance is done, the road is going to degrade and fall apart. Ms. Hammond recalled seeing these roads spot repaired several times over the years.

Mr. Kittle explained that the City has almost 150 centerline miles of roads that it maintains. He stated that we are very scientific in how the roads are rated. He pointed out that the City is trying to absorb as much as it can on this at 50% in order to not allow the roads to degrade to the point where it become detrimental to the health safety and welfare.

Moved by Kittle, Seconded by Knight.
RESOLVED: To approve Resolution No. 5, confirming the Special Assessment Roll for the proposed Special Assessment District No. 5, regarding the repair of and improvements to North Atlantic Boulevard and Continental Drive. (Attachment B)
VOTE: Yes:  Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.069       Motion Carried (6 - 0)
9c. Motion – Approval of Site Plan / FEV North America, Inc.
Mr. Cohen explained the request to construct a 25,600 square foot research and laboratory facility located east of Joslyn between I-75 and Harmon. The site is zoned TNR, Technology and Research. This is the first phase of a larger development. FEV North America plans to construct a $27.4 million North American Headquarters and Technical Center with a four story office building on this site. The office building will require a separate review at a later date. He noted that the total investment in the first phase is estimated at $4.2 million. Construction is expected to begin in May and be complete by February 2018. The Planning Commission and staff recommend approval.

Marek Tatur, Director of Operations at FEV America, stated that the company is looking forward to this addition. With two buildings already in Auburn Hills, they have well over 100,000 square feet. This is an important addition for the company expanding into new areas.

In response to a question from Mr. Knight, Mr. Tatur explained that the office building expansion is still under discussion so there is no clear timeline for development of the entire site.

Mayor McDaniel congratulated the company on its growth and stated that the City is looking forward to continuing the partnership.

Moved by Burmeister, Seconded by Mitchell.
RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan for FEV North America, Inc. subject to the conditions of the administrative review team.
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.070 Motion Carried (6 - 0)

9d. Motion – Approval of Site Plan and Tree Removal Permit / Hutchinson
Mr. Cohen explained the request is to construct a 60,500 square foot corporate office building located in the Oakland Technology Park on the west side of Cross Creek Parkway, just south of the Delphi building. The site is zoned TNR, Technology and Research. He pointed out that 308 replacement trees are required for this site. Staff has worked with General Development to design the site with only 168 trees. 140 trees will be planted off-site on various City properties. He explained that if all 308 trees were planted on site, they would be planted on top of each other. The tree consultant recommended that we work to space the trees out in a better condition. He explained that the total investment is estimated at $8 million. Construction is expected to begin next month and completed in June, 2018. The Planning Commission and staff recommend approval.

Teresa Bruce, representing General Development, stated that the company is excited to stay in Auburn Hills. The Hutchinson representatives are currently out of the country and apologize for not being in attendance. Mayor McDaniel requested she pass along to them on behalf of City Council that the City is very appreciative that they have called Auburn Hills home and that we are appreciative that they have chosen to further develop within the community.

Moved by Burmeister, Seconded by Hammond.
RESOLVED: To accept the Planning Commission’s recommendation and approve the Site Plan and Tree Removal Permit for Hutchinson North American Headquarters subject to the conditions of the administrative review team.
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.071 Motion Carried (6 - 0)
9e. Public Hearing/Motion – Establish an Industrial Development District for Kensington Community Church.
Mr. Griffin explained the request to establish an Industrial Development District on the southeast corner of Bald Mountain and Dutton Rd. It is a vacant parcel consisting of 19.5 acres. The parcel was rezoned from R1A to TNR in 2016. Staff recommends approval of the request.

Randy DeRuiter, representing Cunningham Limp, stated that this is an important designation when moving forward with evaluation of the property.

Ms. Hammond noted that the rezoning has been discussed several times. She questioned if they currently have interest from any tenants. Mr. DeRuiter stated that they have a couple parties interested in the property, however there is not a specific tenant at this time. He noted that he is confident that they will be able to move forward with a successful project.

Mayor McDaniel opened the Public Hearing at 7:36 PM. Seeing no public comment, Mayor McDaniel closed the Public Hearing at 7:36 PM.

Moved by Knight, Seconded by Mitchell.
RESOLVED: To approve the request to establish an Industrial Development District for Kensington Community Church by adopting the attached resolution. (Attachment C)
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None
Resolution No. 17.04.072 Motion Carried (6 - 0)

9f. Motion – Approval of the Purchase of a Replacement Street Sweeper
Mr. Brisson explained that the street sweeping program began through the DPW about ten years ago. He explained the benefit of the improved quality sweeping on City streets. He pointed out that the existing machine has reached the age and hours that for the life cycle of the equipment. He stated that the recommendation is to keep the in-house sweeping program and purchasing a replacement sweeper.

Ms. Hammond questioned the status of the current sweeper. Mr. Brisson explained that one sweeper is adequate for the community. The City will try to sell the equipment or take the trade-in.

Ms. Mitchell questioned the life expectancy and frequency of use of the equipment. Mr. Brisson explained that the life cycle of a street sweeper is seven to ten years. The City’s street sweeper is ten years old and is used an average of 400 hours each year mostly in the spring and fall. It is used as needed in the summer and on an emergency basis in the winter.

In response to a question from Mayor McDaniel, Mr. Brisson explained that major roads are swept four times a year and high traveled areas are swept more often. The residential streets and less traveled local streets are swept twice a year; anything with curb and gutter are two sweepings a year minimum.

Mr. Knight commented on the amount of dust from a business on Auburn Road. Mayor McDaniel questioned if there is any requirement to spraying it down to reduce the dust in the area. He commented that the entry is all gravel in that area. He questioned if there is anything the City can do to require them to have a paved surface a certain distance from the curb or require watering. He suggested this is something staff can think about and return to Council, in order to keep as much of the dust as possible within the property limits.

Moved by Knight, Seconded by Mitchell.
RESOLVED: To approve the Purchase of a Replacement Elgin Whirlwind Street Sweeper from Bell Equipment Company, 78 Northpointe Drive, Lake Orion, MI 48359 at a total cost of $269,179.00. Funding is provided in the Fleet Operating Budget, account 661-442-981.000.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None

Resolution No. 17.04.073       Motion Carried (6 - 0)

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Hammond
- Commented that the planter outside the vacant restaurant downtown is missing two corner pieces. Mr. Melchert explained that staff is getting the pieces needed to make the replacement.
- Commented that there are several places downtown where the curbs look like they have been run in to and have large chips out of them. She requested staff check on them before they deteriorate completely. Mr. Melchert stated that as soon as we get warmer weather, staff will be making repairs as needed.
- Apologized for missing the last meeting. Her grand-daughter was born six weeks early and she was busy at the hospital. Mayor McDaniel congratulated her on becoming a grandmother.

Mr. Knight
- On behalf of the Boys and Girls Club, thanked the City, City Council, and City Manager for their support and for providing a facility on which to have their event.

Mr. McDaniel
- Thanked Mr. Knight for presenting the award on behalf of the City at the Boys and Girls Club event.

Mr. Kittle
- Thanked Steve Cohen, his team, and the Planning Commission for the work and diligence on all the developments coming forward. It makes Council’s job more straight-forward.
- Requested an update on the condo development on the east side of Squirrel Rd. Mr. Cohen commented that they have submitted engineering drawings. It is expected that they will get started in the next few months. He explained that they ran into some engineering problems that were not observed during the site plan review and are trying to remedy those. Mr. Kittle stated that a street sweeper will be needed up there.
- Noted that the Beautification Advisory Commission is discussing repurposing the Commission for the future.
- Commented that the Perennial Day Exchange will be held on May 20th at River Woods Park.

Mr. Burmeister
- Requested an update on the smell of the methane coming from the landfill. He stated that he noticed it Monday and Thursday. Mr. Tanghe explained that the new methane gas wells were installed. They did expect the odor to get stronger for a short period before it got better because they were puncturing the liner of the landfill for each well that was installed.

Ms. Mitchell
- Expressed appreciation to Mr. Cohen, Mr. Skinner, and the Community Development Department for addressing an issue in one of the plazas.
- Shared that she was stopped by a neighbor who expressed appreciation for the senior bus service as she was using it regularly to get to and from medical appointments. She stated that a lot of times we are occupied with the core services provided by the City, but it is also nice to know that some of the other services we provide have significant impact on the resident’s lives.
Mayor McDaniel

- Commented that there is some tree cutting just to the west of the bridge at Riverside Park. He questioned the plan to clean that area. Mr. Melchert stated that he will send the plan to Council tomorrow.

Mr. Burmeister

- Stated that the City of Rochester is putting up markers along the Clinton River for identification of spots if anyone should run into an emergency. He questioned if the City is part of the committee that is doing the identification. Mr. Melchert confirmed that the City is a part of the committee. There are mile markers so if there is an incident, it would be able to identify where the person would be. Mr. Burmeister questioned if the project has been completed. Mr. Grice stated that he will have Mr. Marzoff contact Council on the status of the program.

Mr. Knight

- Commented that the Easter parade at the Community Center was well attended.

11. CITY ATTORNEY’S REPORT

12. CITY MANAGER’S REPORT

Mr. Tanghe

- On April 12th, he welcomed representatives from Waterford Twp to the Community Center. They are considering the development of a new Community Center and visited ours for a tour and to learn what is offered and what it cost to operate.
- On April 13th, he attended the grand opening of Lucerne International with Ms. Mitchell and Ms. Carroll. He wished them success as they continue to grow their company in Auburn Hills.
- Staff is continuing to work with the Fire union on the negotiation of a transition from a 12-hour shift to a 24-hour shift operating model.

Noted that Auburn Hills has a scholarship offered at Oakland University. He recognized the recipients:

- Isabella Garces, Jacqueline Monroy, and Tyler Durand.

13. EXECUTIVE SESSION

13a. City Attorney Legal Opinion Regarding Zoning and Sale of Land

Moved by Hammond, Seconded by Mitchell

RESOLVED: To meet in Executive Session to discuss a City Attorney legal opinion regarding zoning and sale of land.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell
No: None

Resolution No. 17.04.074 Motion Carried (6 - 0)

The meeting recessed into Executive Session at 8:04 PM.
City Council reconvened in open session at 9:31 PM.

14. ADJOURNMENT

Hearing no objections, the meeting adjourned at 9:32 PM

________________________________    ______________________________
Kevin R. McDaniel, Mayor     Terri Kowal, City Clerk
CITY OF AUBURN HILLS
RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT ROLL (RESOLUTION NO. 5)
PACIFIC DRIVE

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 24th day of April, 2017, the following resolution was offered by Councilperson Mitchell and supported by Councilperson Burmeister:

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 Pacific Drive; 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. 4 (the district); and

WHEREAS, the City Council, after a public hearing, approved the final total cost of the Project in the amount of $1,315,173 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 $657,587 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 April 24, 2017, 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. 4 in the amount of $657,587 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 October 1, 2017 (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, the first of which will be due and payable on December 1, 2017, the second of which will be due and payable on December 1, 2018, 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 shall bear interest until paid from December 1, 2017, at a rate equal to five percent (5%) per annum. Interest shall be due on the due date of the principal 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: 6
NAYS: None
ABSENT: 1 (Verbeke)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, TERRI KOWAL, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 24th day of April, 2017, the original of which is on file in my office.

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

______________________________
TERRI KOWAL
City Clerk
ATTACHMENT B

CITY OF AUBURN HILLS
RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT ROLL (RESOLUTION NO. 5)
NORTH ATLANTIC BOULEVARD AND PORTIONS OF CONTINENTAL DRIVE

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 24th day of April, 2017, the following resolution was offered by Councilperson Kittle and supported by Councilperson Knight:

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 North Atlantic Boulevard and certain portions of Continental Drive; 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. 5 (the district); and

WHEREAS, the City Council, after a public hearing, approved the final total cost of the Project in the amount of $3,008,418 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 $1,504,209 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 April 24, 2017, 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. 5 in the amount of $1,504,209 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 October 1, 2017 (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, the first of which will be due and payable on December 1, 2017, the second of which will be due and payable on December 1, 2018, 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 shall bear interest until paid from December 1, 2017, at a rate equal to five percent (5%) per annum. Interest shall be due on the due date of the principal 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: 6
NAYS: None
ABSENT: 1 (Verbeke)
ABSTENTIONS: None

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, TERRI KOWAL, the duly qualified and appointed City Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Auburn Hills City Council held on the 24th day of April, 2017, the original of which is on file in my office.

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

_______________________
TERRI KOWAL
City Clerk
ATTACHMENT C

CITY OF AUBURN HILLS
RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT
FOR KENSINGTON COMMUNITY CHURCH

At a meeting of the City Council held on the 24th day of April, 2017 at the City Council Chambers at 1827 N. Squirrel Rd., Auburn Hills MI 48326. The following resolution was moved by Councilperson Knight and supported by Councilperson Mitchell:

WHEREAS, Act 198 of the Public Acts of 1974, as amended, authorizes the City Council of Auburn Hills to establish an Industrial Development District; and

WHEREAS, Kensington Community Church has petitioned this City Council to establish an Industrial Development District on the property herein described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility within the district has not commenced as of this date of the filing of the request to establish the district; and

WHEREAS, the City Council of the City of Auburn Hills, has given written notice by certified mail to the owner of real property with the proposed Industrial Development District and of the public hearing on the establishment of the proposed district; and

WHEREAS, a public hearing was held on 24th day of April, 2017 at which the owners of real property within the proposed Industrial Development District and all residents and taxpayers of Auburn Hills were afforded an opportunity to be heard; and

WHEREAS, the City Council deems it to be in the best interest of the City of Auburn Hills to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Auburn Hills that the following described parcels of land situated in the City of Auburn Hills, County of Oakland, State of Michigan:

Parcel identification: 02-14-01-100-028
Legal Description: T3N, R10E, SEC 1 PART OF NW 1/4 BEG AT PT DIST S 01-16-35 E 993.27 FT FROM NW SEC COR, TH N 89-16-03 E 60 FT, TH N 01-16-35 W 933.79 FT, TH N 88-46-37 E 728.68 FT, TH S 01-16-35 E 1156 FT, TH S 89-55-32 W 788.85 FT, TH N 01-16-35 W 206.92 FT TO BEG 19.50 A 3-9-12 FR 002 & 022

be and here is established as an Industrial Development District pursuant to the provisions of Act 198 of the Public Acts of 1974 to be known as the Kensington Community Church, Industrial Development District.

AYES:  6
NAYS:  None
ABSENT:  1 (Verbeke)
ABSTENTIONS: None
STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, 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 City Council held on the 24th day of April, 2017, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 24 day of April, 2017.

____________________________
TERRI KOWAL
City Clerk
CALL TO ORDER: Chairman Hassett called the meeting to order at 4:03 PM.

ROLL CALL: Present: Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
Absent: none
Also Present: Executive Director, Samantha Mariuz; Deputy Director of Public Works, Jeff Herczeg; IT Network Engineer, Caleb Purdy; Technical Services Coordinator, Chuck Marsh
Guests: Bob Cesario

LOCATION: Auburn Hills City Hall Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills, Michigan 48326

PERSONS WISHING TO BE HEARD None.

CORRESPONDENCE AND PRESENTATIONS None.

APPROVAL OF MINUTES
A. Meeting Minutes – March 14, 2017
No additional discussion by the Board.

Moved by Mr. Molnar to approve the Regular TIFA Minutes from March 14, 2017, as amended.
Supported by Ms. Price.

Yes: Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
No: none

Motion carried

FINANCIAL REPORT
A. Period ending March 31, 2017
Ms. Mariuz presented a memo dated April 5, 2017 for the financial report for period ending March 31, 2017. She reviewed the overall statement of net position as well as statement of revenue and expenditures for each TIF District.

Ms. Mariuz noted that changes have begun to appear in the capital assets of the districts as the preliminary audit adjustments have begun. She reviewed that in districts B and D, majority of cash remains invested with Cutwater. Additionally, there was increases Ad valorem for districts A and B due to the close of winter tax collection.

TIF district A has received 70% of its budgeted property tax revenue of 2017 receiving over $320,000 in ad valorem for the month of March. There have been minimal expenditures with 6% of the budget being utilized to date and only a 1% increase over the previous month.

TIF district B has received 68% of its budgeted property tax revenue coupled with relatively low spending, utilizing only 2.6% of budgeted expenditures to date. Majority of the expenses have been administrative charges and utilities for street lights.
Ms. Mariuz reminded the Board that there will be no property tax revenue captured from TIF District D until we have a better understanding of the negative capture situation moving through FY 2017. She reiterated that the Brownfield plan for Oakland Technology Park was lifted as of December 31, 2017, but the impact remains unseen. It is because of the negative capture situation that TIF-D has switched into maintenance mode, therefore the only expenditures for this district have been utility expenditures and late invoicing from 2016 that was pushed into 2017.

| TIFA 85-A  | $ 28,110,175 | Available Cash (TIF-A) | $ 2,955,244 |
| TIFA 85-B  | $ 18,362,295 | Available Cash (TIF-B) | $ 9,476,465 |
| TIFA 86-D  | $ 27,775,187 | Available Cash (TIF-D) | $ 1,933,895  |
|           | $ 74,247,656 |                         | $ 14,365,604 |

Moved by Mr. Molar to approve the Financial Report of March 31, 2016 as submitted.
Supported by Mr. Goodhall.

Yes:   Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
No:    none

Motion carried

OLD BUSINESS

A. Motion – Approval of CDW-G Quotes: Downtown Security-Proxy Card Reader System

Ms. Mariuz presented a memo dated April 5, 2017 for the approval of two quotes related to the Downtown Proxy Card Reader System. She reviewed that this project was originally discussed a little less than a year ago, and was placed on hold due to the increase in cost due to higher than anticipated network configurations. It was then budgeted for during the budget process for 2017.

She gave a quick history and overview of the project. She mentioned that the first memo is for the network connections associated with the project. This is a microwave system that will connect the proxy card system to the secure internet connections at Fire Station 1. This saves approximately $7,000 annually because it eliminates the cost of 4 additional internet contracts as well as 4 additional firewall licensing agreements.

Ms. Mariuz informed the board that staff has been working directly with Mr. Caleb Purdy, IT Network Engineer, and Chuck Marsh, Technical Services Coordinator on this project and they were available at the TIFA meeting to answer any questions.

Ms. Mariuz mentioned that there are two motions for the project, the first motion is for the equipment and licensing agreements, and the second motion is for the installation of the project. They are being handled by two separate entities but are part of the same project and have overlap in oversight of the installation. She added that the proxy card readers themselves are also included in a separate quote.

Moved by Ms. Thornton to approve the attached quotes from CDW-G for security licensing and connectivity cells in the amount of $24,674.12 and $4,496.40 for a total of $29,170.52 to be split equally between TIF-A Building Maintenance Accounts #251-735-931.000EDUCATIONCTR and #251-735-931.000LOGCABINTIFA in the amount of $14,585.26.
Supported by Mr. Goodhall

Yes:   Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
No:    none

Motion carried

Moved by Ms. Price to approve the attached statement of work quote from WZC Networking, LLC for the labor, installation and configuration of the downtown corridor network for the amount of $8,570.00 to be split equally between TIF-A Building Maintenance Accounts #251-735-931.000EDUCATIONCTR and #251-735-931.000LOGCABINTIFA in the amount of $4,285.00.
Supported by Ms. Thornton.

Yes:   Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
No:    none

Motion carried

B. Motion – Approval of Camtronics Quote: Downtown Security-Proxy Card Reader System
Ms. Mariuz presented a memo dated April 10, 2017. This agenda item was added after the packet was sent to the TIFA Board and directly corresponded to agenda item 6a. This quote is for the Proxy Card Reader system to be provided by Camtronics.

Mr. Marsh informed the Board that both of the vendors in Agenda item 6a and 6b are the state, and the city’s preferred vendor. Camtronics supports the City’s current proxy card system and The DEN and the University Center will be covered under the current maintenance agreement.

Moved by Ms. Thornton to approve the quote from Camtronics, for purchase of Proxy Card Reader System and Labor in the amount of $12,863.63 to be split equally between TIF-A Building Maintenance Accounts #251-735-931.000EDUCATIONCTR and #251-735-931.000LOGCABINTIFA in the amount of $6,431.82; and authorize the Executive Director accept sales and server agreement with a 25% down payment to initiate project, and issue a remaining payment upon receipt of proper invoice.

Supported by Mr. Goodhall

Yes: Dolly, Goodhall, Hassett, Kneffel, Molnar, Price, Roberts, Thornton, Waltenspiel
No: none

Motion carried

NEW BUSINESS

A. Discussion about Charge Point electric vehicle stations; TIF-A and TIF-D

Ms.Mariuz reviewed that there are currently 7 electric vehicle charging stations in Auburn Hills. Three stations are in TIF-D and four stations are in TIF-A. These stations were originally installed in 2013 as part of a pilot program with Chrysler. Since then, they have outlived their lifespan and there is no maintenance plan in place for the stations, in fact over the years, our master electrician has been utilizing spare parts from a former station at DPW to fix any issues with stations available for public use.

Staff had two meetings with vendors of electric vehicle stations at the end of 2016 to discuss specifics about these new stations as well as maintenance agreements to ensure the proper address of problems and customer service. Using a vendor will insulate the city from risk and ensure timely assistance to EV users. On average, all new stations have a 10 year lifespan. At our meeting in April, we will have a discussion with DPW about a solution and cover any question or concerns the Board may have prior to a bid going out.

Mr. Herczeg showed the Board some potential models staff has considered as part of the bid specifications. He added that each station costs approximately $11,000 each and there is about a $1,000 difference between a single port model and dual port model. Mr. Herczeg discussed the flexibility of these products, and that the Board could consider charging for energy to cover some of the cost. The Board would like to understand a little bit more about what other communities are using and what our usage stats are before it makes a decision about charging for energy.

Ms. Mariuz reminded the board that there is revenue from the Parking Structure lease to help offset the cost of this program downtown. Mr. Herzeg added that there was approximately $100,000 budgeted for tree planter upgrades in downtown. He anticipated that project moving into 2018, but would like the board to consider purchasing $45,000 in LED upgrades for the planter boxed to be installed as part of the tree planter upgrades. The remainder of funds budgeted for the upgrades could be used for the electric vehicle parking stations.

BOARD MEMBER COMMENTS

None.

DIRECTOR UPDATES

A. Town Square

Ms. Mariuz reminded the board that at the last meeting, it was the desire of the Board to bring the Town Square project back before City Council. With the approval of the Town Square, TIFA agreed it would consider an artificial tree, so long as a real tree was planted in the Town Square. This tree would grow throughout the lifespan of the artificial tree (approximately 10 years) and then replace the artificial tree and serve as Auburn Hills’ Christmas tree.

She informed the Board that on Monday, April 24, City Council will be hosting a workshop, led by Sam Mariuz, Director of Authorities and Don Grice, Assistant City Manager to discuss this project further. Due to the interest by the TIFA Board, I encourage you to attend to show your support for the project. Dinner will be served from 5:30 - 6:00 PM and the workshop will begin promptly at 6:00 PM.

B. Lunch Loop
The Lunch Loop has received extremely positive feedback from both the Downtown Merchants as well as Comerica and Volkswagen employees. Human Resources at both Comerica and VW passed along personal emails from employees stating how much they enjoyed the lunch loop and the reasonableness of wait-times for both the shuttle service and food at the restaurants.

Additionally, the companies reached out asking if this could become an ongoing program, especially with warmer weather approaching. The continuation of the program warrants internal discussions with the Senior Center, who is so graciously letting us borrow the use of both their bus as well as their bus driver on Wednesday’s from 11:00 – 2:00, as well as with the TIFA Board.

Ms. Mariuz reported the following statistics from the previous four weeks:
- Week 1 – 16 participants
- Week 2 – 26 participants
- Week 3 – 32 participants
- Week 4 – 43 participants

It was the consensus of the TIFA board to continue the Lunch Loop while it is available from the Senior Services Department. The Board suggested finding other creative means of transportation for this initiative including asking the Royal Transportation Company currently used to shuttle VW employees, or perhaps Detroit Bus Company.

*Internal discussions with the Senior Services department lead to an agreement to continue the Lunch Loop through May 3, 2017, an additional month and reevaluate thereon.

C. Downtown Executive Committee
Ms. Mariuz reminded the TIFA Board about the Downtown Executive Committee. It consists of two members of DDA and two members of TIFA and serves to bridge the gap between events occurring between the two entities both for the betterment of downtown. She mentioned that the meetings surround the major event season, May, August, November and February. These quarterly meetings are strategic to help prep, plan, and evaluate the success of new events downtown. At the first meeting in February, 2017, the members reviewed the anticipated event schedule and discussed target marketing audiences and some measurable outcomes of success. The members of each authority will report back to their corresponding Board’s the findings and other pertinent information.

ANNOUNCEMENT OF NEXT MEETING
The next regularly scheduled TIFA Board of Directors meeting is Tuesday, May 9, 2017 at 4:00 PM at Auburn Hills City Hall in the Administrative Conference Room, 1827 N. Squirrel Road, Auburn Hills MI, 48326.

ADJOURNMENT
There being no objections, the TIFA Board of Directors meeting adjourned at 4:55PM.

Respectfully submitted,

Steve Goodhall
Secretary of the Board

Samantha Mariuz
Executive Director
CALL TO ORDER: Chairman Spurlin called the meeting to order at 5:30 PM.

ROLL CALL
Present: Gliniecki, McDaniel, Spurlin, Travnikar, Volk, Wise and Young
Absent: Genautis, Jernigan (excused)
Also Present: Director of Authorities Samantha Mariuz; Main Street Oakland County Program Director, John Bry
Guests: None

PERSONS WISHING TO BE HEARD
None.

APPROVAL OF MINUTES
There was no additional discussion of the Minutes from February 20, 2017.

Moved by Mr. Young to approve the February 20, 2016 minutes as submitted.
Support by Mr. Volk.

Yes: Gliniecki, McDaniel, Spurlin, Travnikar, Volk, Wise and Young
No: None

FINANCIAL REPORT
Ms. Mariuz presented a memo dated April 10, 2017 for the financial report for period ending March 31, 2017. She reviewed with the Board that winter tax collection has added $12,459 in tax increment revenue for the DDA. This accounts for 63.5% of the budgeted revenue projections. She reminded the Board that the budget projects were extremely conservative, because we cannot predict development time-frames, the budget has only been increased by the Consumer Price Index (CPI). Ms. Mariuz also added that the cash position of the DDA is continually increasing as the Board saves its money for future larger projects. The only money that has been spent to date is $125 for a membership renewal to the Michigan Downtown Association and administrative and interfund charges.

There was no additional Board discussion about the budget.

Moved by Mr. Volk to receive and file the Financial Report for period ending January 31, 2016.
Supported by Mr. Young.

Yes: Genautis, Gliniecki, Travnikar, Volk, Young
No: None

CORRESPONDENCE & PRESENTATIONS
Ms. Mariuz introduced Mr. Bry with Main Street Oakland County. Mr. Bry is the Program Director and spoke to the Board about its different roles and responsibilities as a member of the DDA. A copy of his presentation notes in attached.
BOARD MEMBER COMMENTS
The Board asked Mr. Bry which Main Street communities he thought were most similar to Auburn Hills. Mr. Bry responded that he believed that Wixom, Rochester, Ferndale and Berkley would be good communities to talk to about Main Street Oakland County. Wixom has the most similar downtown characteristics to Auburn Hills as it is more of a New Town Center area that has been build up in more recent years. He mentioned that he would pass along their contact information to the Board.

DIRECTOR UPDATES
None.

ANNOUNCEMENT OF NEXT MEETING – The next Downtown Development Authority Board of Directors will be Monday, May 15, 2017 at 5:30 PM at City Hall in the Administrative Conference Room.

ADJOURNMENT
There being no objections, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Samantha R. Mariuz
Executive Director
The **Guiding Principles of Main Street**

1. **Comprehensive** A single project cannot revitalize a neighborhood business district. An ongoing series of initiatives is vital to build community support and create lasting progress.

2. **Incremental** Small projects make a big difference. They demonstrate that "things are happening" on Main Street and hone the skills and confidence the program's stakeholders will need to tackle more complex projects.

3. **Self-Help** The District can provide valuable direction and technical assistance, but only local leadership can breed long-term success by fostering and demonstrating community involvement and commitment to the revitalization effort.

4. **Public/Private Partnership** Every local Main Street program needs the support and expertise of both the public and private sectors. For an effective partnership, each must recognize the strengths and weaknesses of the other.

5. **Identifying and Capitalizing on Existing Assets** Unique offerings and local assets provide the solid foundation for a successful Main Street initiative.

6. **Quality** From storefront design to promotional campaigns to special events, quality must be instilled in the organization.

7. **Change** Changing community attitudes and habits are essential to bring about a commercial district renaissance. A carefully planned Main Street program will help shift public perceptions and practices to support and sustain the revitalization process.

8. **Action Oriented** Frequent visible changes in the look and activities of the commercial district will reinforce the perception of positive change. Small, but dramatic improvements early in the process will remind the community that the revitalization effort is underway.
Board Member Orientation Checklist

Describe the Organization to the Board Member:
☐ Who do we serve
☐ What we do
☐ How we're financed
☐ Other:

Explain and Discuss with Board Member:
☐ Meeting attendance—both full board and committee
☐ Committee assignment
☐ Board role and relation to administration/staff

Conduct Tours:
☐ Downtown program office and board room
☐ Downtown area

Deliver Important Information to Board Member:
☐ Letter of welcome from the program Director
☐ Mission and Vision statement
☐ Bylaws & Articles of Incorporation
☐ Board policies
☐ Copies of the minutes of board meetings from the last year
☐ Current budget & other financial reports including year-end statement from preceding year
☐ Current work plan including goals and objectives
☐ Long-range plan
☐ Latest newsletter
☐ The "Main Street Approach®" information sheet
☐ Participation Agreement with Oregon Main Street
☐ List of all board members including addresses and telephone numbers. Indicate officers.
☐ List of committee members including committee chairpersons
☐ Calendar of meetings and events for the year
☐ Other:
Introduce Board Member to:

☐ Program Director
☐ Chairperson of committee to which board member has volunteered
☐ Other board members
☐ Others:

Collect Data:

☐ Mailing address, email address, and telephone numbers (home and office)
☐ Best time to contact
☐ Best time for meetings
☐ Other:
Board of Directors' Job Description

Official Title: Member, Board of Directors

Requirements:
Board members should be prepared to make a financial commitment, and contribute 4 - 10 hours a month to the program. Downtown revitalization program boards typically meet monthly for 60 - 90 minutes. In addition, Board members are usually expected to serve on one of the standing committees of the downtown program.

Board Responsibilities:
The board has the final responsibility for the success or failure of the downtown revitalization program. It is responsible for all of the finances of the organization and establishes program policy. The board is responsible for maximizing volunteer involvement in the downtown revitalization effort. Collectively, the board makes decisions about the program's direction and monitors progress on a regular basis. It sets priorities, and makes decisions about the program's political stance. It oversees the work of the Executive Director; has the primary responsibility for raising money for the program, and supports the work of the committees by volunteering time and expertise in support of their efforts. The board of directors is also responsible for fulfilling the legal and financial requirements in the conduct of its business affairs as a nonprofit organization.

Individual Responsibilities:
• To learn about and promote the purpose and activities of the local downtown revitalization organization, and the Main Street Approach® whenever appropriate and possible.
• To attend regular monthly meetings of the board or to notify staff when absence is necessary.
• To actively participate on at least one committee.
• To actively participate in specific activities or projects promoted by the board which may include:
  A. fundraising
  B. membership recruitment
  C. representation on behalf of the program at meetings and/or events
  D. attend trainings and workshops
• To make an annual membership contribution
• To stay informed about the purpose and activities of the downtown program in order to effectively participate in board decisions and fulfilling responsibilities.
BOARD DIRECTOR ROLES

- Board has the ultimate responsibility and accountability.
- Board must represent the larger view.
- Board must attempt to maximize volunteer involvement.
- Board members should never wear more than two hats.
- **Responsibilities:** Policy administration, Finance, Public relations, Evaluation, Personnel
- **Needs:** Job descriptions, training
Board of Director Categories

The Board should be a decisive, action-oriented group, small enough to easily establish a quorum and large enough to include broad community representation. Ideally, the board should have between 7 and 9 members for smaller communities (population under 5,000) or between 9 and 11 for larger communities chosen from the following groups (note that every group does not need to have representation on the board—this list is meant to help you think through potential candidates):

- Downtown Retailers
- Professionals
- Downtown Property Owners
- Service Sector
- Financial Institutions
- Chamber Board (not staff)
- Heads of Neighborhood Organizations
- Identified Community Leaders
- Local Civic Organizations
- Preservation or Historical Society
- School District
- Interested Community Members
- City and/or County Government (works best in ex-officio capacity)

An ideal board of directors should not have a majority from any single category.
LOCAL MAIN STREET PROGRAMS

- Organized typically as a non-profit in most states.
- Can also be housed within:
  - downtown development authority (DDA),
  - a business improvement district (BID or PSD), or
  - in a community development corporation (CDC).
- Program manager/executive director/staffing levels vary.
- Volunteer committees organized around Main Street Four-Points.
- Action work plan in place
- Budget levels vary.
BERKLEY DOWNTOWN DEVELOPMENT AUTHORITY
DDA STATUTORY RESPONSIBILITIES

STATUTORY CONSIDERATIONS

• Study and analyze downtown economic changes.
• Develop and implement long-range revitalization plans
• Construct, rehabilitate and preserve public facilities or other existing buildings.
• Acquire and operate public facilities and existing buildings
• Make and enter into contracts
• Accept grants and other donations such as property.
• Issue bonds and collect TIF revenues
• May hire staff including an executive director
BERKLEY DOWNTOWN DEVELOPMENT AUTHORITY
DDA BOARD ROLES DISCUSSION

EXISTING DDA

- Municipality as client
- Limited pool of community stakeholders/weak engagement of the private sector
- Staff or non-staff driven organization model
- Public improvements emphasis

MAIN STREET DDA

- Community as client
- Expanded pool of stakeholders/strong engagement of the private sector.
- Board/volunteer/community driven model
- Comprehensive downtown management through Main Street Approach
BERKLEY DOWNTOWN DEVELOPMENT AUTHORITY
DDA BOARD ROLES DISCUSSION

EXISTING DDA continued

- Non-working board of directors (weak)
- Tax levy/TIF budget/limited, one-source funding
- DDA TIF plan may govern operations
- Vision/mission statements not adopted

MAIN STREET DDA continued

- Working board of directors (strong)
- Diversified budget with multiple sources of revenue
- DDA TIF plan and committee work plans concurrent
- Vision and mission statement adopted
Typical Main Street Organizational Chart

Board of Directors
  - Financial
  - Advocacy
  - Policy
  - Planning
  - Personnel

Executive Director

Executive (Officers)

Organization
  - Volunteer Development
  - Communications/Public Relations
  - Fundraising

Promotion
  - Marketing Strategy
  - Image Development
  - Retail Promotions
  - Special Events

Design
  - Public Spaces
  - Building Improvements
  - Design Education
  - Enforcement

Economic Restructuring
  - Market Research
  - Business Assistance
  - Financial Assistance
  - Property Development
CALL TO ORDER
Chairman Foster called the meeting to order at 6:05pm

ROLL CALL
Present: Bob Kittle, Patricia Ormsbee, Carla Withers, Rich Foster and Karen Lewis
Also Present: Elizabeth Brennan, Community Development Exec. Assistant
Absent: Ilene Ingram
Guests: None

LOCATION
Council Conference Room, 2nd Floor, City Administration Building
1827 N. Squirrel Rd., Auburn Hills, MI 48326

PERSONS WISHING TO BE HEARD -
Mr. Rodney Reamer – Resident

Rodney Reamer has lived in Auburn Hills since 2012 and he reported that his immediate area has deteriorated over the years due to trash and debris in buffer-zone areas. There is a wetland that is clogged with litter and it appears that nobody is responsible for its upkeep. Mr. Reamer identified a few of the problem areas on an aerial map. One of those areas is a wetland which is holding papers and trash – an area that will be difficult to clean without proper equipment. Ms. Brennan said that she would discuss the problem with city staff.

He is looking for ways to clean up those areas, keep the City beautiful and make sure it doesn’t go downhill. He suggested gathering volunteers for clean-up events and contacting property owners directly through the City’s code enforcement staff. Even lawn cutting services can be contracted to clean up the properties for an additional fee. He has participated in road clean-up events through St. Johns Fisher and is interested in doing anything we can do to keep the City beautiful.

Ms. Brennan said that she would follow up with him in the coming days to discuss a plan to clean up and improve those areas.
CORRESPONDENCE –

The BAC received an annual membership renewal request for the Beautification Council of SE Michigan (BCSEM) for a $20 fee.

Ms. Ormsbee moved to approve the expenditure to renew membership in the Beautification Council of Southeastern Michigan.

Supported by Ms. Lewis.

Vote: Yes: Ormsbee, Foster, Withers, Kittle, Lewis
No: None

Motion Carried (5-0)

APPROVAL OF MINUTES –

Ms. Withers moved to approve the minutes of March 15, 2017 as presented.

Supported by Ms. Ormsbee.

Vote: Yes: Ormsbee, Foster, Withers, Kittle, Lewis
No: None

Motion Carried (5-0)

NEW BUSINESS –

2017 Elections

Election of Chair
Ms. Ormsbee nominated Mr. Foster
Mr. Lewis supported the nomination

Mr. Foster accepted the nomination

Voted: Yes: All
No: None

Motion Carried (5-0)

Election of Vice-Chair
Ms. Withers nominated Ms. Ormsbee
Ms. Lewis supported the nomination

Ms. Ormsbee accepted the nomination

Voted: Yes: All
No: None

Motion Carried (5-0)
Election of Secretary
Ms. Lewis nominated Ms. Withers
Ms. Ormsbee supported the nomination
Ms. Withers accepted the nomination

Voted: Yes: All
No: None

Motion Carried (5-0)

Budget Report
Ms. Brennan reported that the budget remains at $9,000. No expenditures to date.

Ms. Lewis learned that last month, the commission voted to change the Beautification Awards program and replace the banquet dinner with a different kind of recognition; a less-expensive alternative that is still to be decided.

Ms. Lewis suggested instead, a more informal gathering, like a picnic. Ms. Ormsbee explained that the decision was made because the program touches just a small number of people – many of whom win year after year. It is a large expense for a relatively small number of people.

Ms. Lewis suggested hosting a picnic at the Perennial Exchange event. Mr. Kittle thought that a picnic, paid for by the BAC, would take business away from downtown restaurants. That was the idea behind moving the event to a Downtown location, so that attendees could become familiar with the Downtown businesses and restaurants.

Keep It Clean
The Keep it Clean program is transferring from DPW to the Community Center. The transition will take place within the next week or two. Ms. Brennan was informed that the program is in need of supplies. Two years ago, the BAC purchased supplies including new trash grabbers, trash bags, safety vests, signs and carrying cases.

Mr. Foster moved to approve the allocation of $500 to the Keep It Clean program to purchase needed supplies.
Supported by Ms. Lewis.

Vote: Yes: Ormsbee, Foster, Withers, Kittle, Lewis
No: None

Motion Carried (5-0)

New Program Ideas
Ms. Ormsbee suggested that in addition to a garden area next to the Community Center, the BAC should purchase a bench to be placed somewhere in the Downtown area – maybe near The DEN. The bench should have a plaque indicating it was donated by the BAC.

Mr. Kittle informed the group that the City just closed out an “Adopt-a-Bench” program that will fund 10 benches along Squirrel Road. At a cost of $450 each, private funds were donated to the project. General
Fund money used to fund the BAC typically should not be used to purchase items that normally would not be purchased with taxpayer money. The bench idea was dropped.

Mr. Kittle referred back to earlier conversations this year about reinventing the BAC and focusing on programs that have a return on the investment. The idea of moving the Perennial Exchange to the Downtown was that so attendees could see the area and the businesses. As voted on in March, the Exchange will remain in River Woods Park this year but could move Downtown next year. A plan was put in place for purchasing event supplies.

NEW BUSINESS –

Perennial Exchange
Ms. Brennan found white plastic Downtown Auburn Hills bags to use for the Perennial Exchange welcome packet – which will include materials highlighting city housing options, entertainment/attractions and businesses. To date, Great Lakes Crossing Outlets, the Auburn Hills Chamber of Commerce, Moceri (Parkways Development) and the new Mosaic Apartments development on Baldwin/Collier all submitted materials. Ace Hardware has committed to providing materials including coupons for inclusion. Ms. Ormsbee volunteered to contact Downtown merchants to see if they would like to participate.

A post card mailing / Perennial Exchange invitation will be sent out by the weekend of April 28th as an event reminder.

Keep It Clean
The Commission will hold a May 13th clean up event and work to secure volunteers to make it as successful as possible. Different locations, including land surrounding Will Rogers School are being considered. Commission members will visit the locations to identify areas most in need of attention.

Beautification Awards
Mr. Foster tabled the topic until the May 17th meeting.

CONFIRM NEXT MEETING – May 17, 2017

Meeting adjourned at 7:00pm

Respectfully Submitted,
Elizabeth Brennan
BAC - City Staff Liaison
City of Auburn Hills
Community Development
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Jeffrey Herczeg, Deputy Director of Public Works
Submitted: May 1, 2017
Subject: Motion – Approve DTE Master Agreement for Option 1 Streetlight Conversion

INTRODUCTION AND HISTORY

In 2014 staff began a program with the Energy Reduction Coalition (ERC) to convert all municipal owned and maintained street lighting within the City. As part of the ERC’s program, and per request from Detroit Edison (DTE), staff facilitated a joint audit to determine location and ownership of all street lighting assets in Auburn Hills. In February of 2017, the ERC presented their final plan for all lighting conversion programs, which included a complete catalogue of assets. This catalogue was reviewed and approved by City staff, DTE, and ERC.

It was determined 95 of the 1100 total streetlight fixtures in Auburn Hills are Option 1 fixtures. Option 1 fixtures are defined as Detroit Edison Company owned and maintained, which means Auburn Hills pays a monthly per pole cost for energy and maintenance provided from DTE. Since the City does not own the Option 1 assets, they were not included in the ERC conversion program. However, the City has the option to enter into a DTE conversion program to convert these remaining 95 lights to more efficient LED fixtures. This program uses proprietary DTE equipment and labor to convert assets on DTE owned poles, therefore is not competitively bid. Changing the DTE Option 1 lights to LED is the final step to full LED conversion for street lighting within the City.

The packet includes two documents from DTE, a proposal letter that outlines the program, and the Master Agreement, which must be executed with an advanced payment to initiate the conversion program. The following is the program cost breakdown:

<table>
<thead>
<tr>
<th>Estimate Breakdown</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Cost</td>
<td>32,903.84</td>
</tr>
<tr>
<td>Less DTE Labor Contribution</td>
<td>4,154.00</td>
</tr>
<tr>
<td><strong>Total Upfront Cost</strong></td>
<td><strong>28,749.84</strong></td>
</tr>
<tr>
<td>EO Rebate Paid After Construction</td>
<td>3,594.00</td>
</tr>
<tr>
<td>Current Annual Invoice</td>
<td>23,861.75</td>
</tr>
<tr>
<td>Future Annual Invoice</td>
<td>16,359.60</td>
</tr>
<tr>
<td><strong>Annual Savings</strong></td>
<td><strong>7,502.15</strong></td>
</tr>
<tr>
<td>Payback</td>
<td>3.35 years</td>
</tr>
</tbody>
</table>

The 95 lights to be converted are positioned (mostly residential) in various locations throughout the City and 25 reside in TIFA Districts. Since the assets are owned by DTE, the costs for the conversion are considered an energy expense, and as such will be funded from the appropriate street lighting accounts in TIFA and the General Fund. The cost to convert each fixture depends on existing lamp size, resulting in a cost of $7,137.00 in the TIFA Districts for 25 lights. The General Fund will cover the remaining $21,612.84 for the other 70 conversions, for a project total of $28,749.84. The City will also receive an incentive rebate of $3,594.00 from DTE as soon as the program is complete, resulting in a net cost of $25,155.84.

STAFF RECOMMENDATION

Since the ERC conversion program and DTE audit were not complete until 2017, this program was not anticipated in the current budget. However, with minimal overall impact to the anticipated costs of energy in 2017, DPW and Finance
recommend moving forward with the conversion program this year. Finance Director Schulz recommends a budget adjustment in the motion to reflect the unanticipated costs of $21,613.00 to the General Fund, and Director of Authorities Samantha Mariuz, approved the TIFA share of the expense. City Attorney Beckerleg reviewed and approved the Master Agreement from DTE and finds it acceptable for the City from a legal position.

MOTION
Move to Approve the DTE Master Agreement for Option 1 Streetlight Conversions with an amendment to General Fund Street Lighting account, 101-261-922.000, increasing the current budget by an additional $21,613.00 for conversion costs of the 2017 DTE program.

I CONCUR: ____________________________
THOMAS A. TANGHE, CITY MANAGER
February 23, 2017

City of Auburn Hills
Attn: Jeff Herczeg
1500 Brown Road
Auburn Hills, MI 48326

Re: Proposed 2017 Street Light Conversion to LED

Based on your request, I have attached the cost estimate for the proposed 2017 conversion project. The total light count is 95 lights.

**Overhead (OH)**
- 51 - 175 watt Mercury Vapor to 65 watt LED
- 14 - 175 watt Mercury Vapor to 80 watt LED - (Suspension Lights)
- 2 - 400 watt Mercury Vapor to 135 watt LED
- 5 - 100 watt High Pressure Sodium to 65 watt LED
- 6 - 250 watt High Pressure Sodium to 135 watt LED
- 1 - 400 watt High Pressure Sodium to 280 watt LED
- 3 – 1000 watt High Pressure Sodium to 280 watt LED

**Underground (UG)**
- 11 - 100 watt High Pressure Sodium to 65 watt LED
- 2 – 100 watt High Pressure Sodium to 60 watt LED – (Granville Acorn Post Top Retrofits)

Below please find the estimate breakdown for this project. The costs are based on the Option 1 Municipal Street Light Rate - DTE Energy owned and maintained. The rate requires the customer pay a portion of the construction cost. The following information outlines the street lighting installation.

**Estimate Breakdown**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Cost:</td>
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</tr>
<tr>
<td>Payback</td>
<td>3.35 years</td>
</tr>
</tbody>
</table>

The price quoted herein shall be in effect for a period of six months from the date of this letter. After installation, the total cost for additional modification, relocation, or removal will be the responsibility of the requesting party. An authorized signature on the Municipal Street Lighting Purchase Agreement and the payment contribution will be our notification to begin final design and construction scheduling.

Please feel free to call me at (734) 397-4188 if you have any questions.

Sincerely,

*Lance Alley*

Lance Alley  
Account Manager  
DTE Energy - Community Lighting
MASTER AGREEMENT FOR MUNICIPAL STREET LIGHTING

This Master Agreement for Municipal Street Lighting ("Master Agreement") is made between The Detroit Edison Company ("Company") and City of Auburn Hills ("Customer") as of April 25, 2017.

RECITALS

A. Customer may, from time to time, request the Company to furnish, install, operate and/or maintain street lighting equipment for Customer.

B. Company may provide such services, subject to the terms of this Master Agreement.

Therefore, in consideration of the foregoing, Company and Customer hereby agree as follows:

AGREEMENT

1. Master Agreement. This Master Agreement sets forth the basic terms and conditions under which Company may furnish, install, operate and/or maintain street lighting equipment for Customer. Upon the Parties agreement as to the terms of a specific street lighting transaction, the parties shall execute and deliver a Purchase Agreement in the form of the attached Exhibit A (a "Purchase Agreement"). In the event of an inconsistency between this Agreement and any Purchase Agreement, the terms of the Purchase Agreement shall control.

2. Rules Governing Installation of Equipment and Electric Service. Installation of street light facilities and the extension of electric service to serve those facilities are subject to the provisions of the Company's Rate Book for Electric Service (the "Tariff"), Rule C 6.1, Extension of Service (or any other successor provision), as approved by the The Michigan Public Service Commission ("MPSC") from time to time.

3. Contribution in Aid of Construction. In connection with each Purchase Agreement and in accordance with the applicable Orders of the MPSC, Customer shall pay to Company a contribution in aid of construction ("CIAC") for the cost of installing Equipment ("as defined in the applicable Purchase Agreement") and recovery of costs associated with the removal of existing equipment, if any. The amount of the CIAC (the "CIAC Amount") shall be an amount equal to the total construction cost (including all labor, materials and overhead charges), less an amount equal to three years of revenue expected from such new equipment. A Three year revenue credit shall only apply to new street lights and is not applicable for conversions, relocations, or removals. The CIAC Amount will be as set forth on the applicable Purchase Agreement. The CIAC Amount does not include charges for any additional cost or expense for unforeseen underground objects, or unusual conditions encountered in the construction and installation of Equipment. If Company encounters any such unforeseen or unusual conditions, which would increase the CIAC Amount, it will suspend the construction and installation of Equipment and give notice of such conditions to the Customer. The Customer will either pay additional costs or modify the work to be performed. If the work is modified, the CIAC Amount will be adjusted to

Rev. 09/12
account for such modification. Upon any such suspension and/or subsequent modification of
the work, the schedule for completion of the work shall also be appropriately modified.

4. **Payment of CIAC Amount.** Customer shall pay the CIAC Amount to Company as
set forth in the applicable Purchase Agreement. Failure to pay the CIAC Amount when due shall
relieve Company of its obligations to perform the work required herein until the CIAC Amount is
paid.

5. **Modifications.** Subject to written permission of the respective municipality, after
installation of the Equipment, any cost for additional modifications, relocations or removals will
be the responsibility of the requesting party.

6. **Maintenance, Replacement and Removal of Equipment.** In accordance with the
applicable Orders of the MPSC, under the Municipal Street Lighting Rate (as defined below),
Company shall provide the necessary maintenance of the Equipment, including such
replacement material and equipment as may be necessary. Customer may not remove any
Equipment without the prior written consent of Company.

7. **Street Lighting Service Rate.**

   a. Upon the installation of the Equipment, the Company will provide street
      lighting service to Customer under Option 1 of the Municipal Street Lighting Rate set forth in the
      Tariff, as approved by the MPSC from time to time, the terms of which are incorporated herein
      by reference.

   b. The provision of street lighting service is also governed by rules for
electric service established in MPSC Case Number U-6400. The Street Lighting Rate is subject
to change from time to time by orders issued by the MPSC.

8. **Contract Term.** This Agreement shall commence upon execution and terminate
on the later of (a) five (5) years from the date hereof or (b) the date on which the final Purchase
Agreement entered into under this Master Agreement is terminated. Upon expiration of the
initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual
written consent of the parties or by either party with thirty (30) days prior written notice to the
other party.

9. **Design Responsibility for Street Light Installation.** The Company installs
municipal street lighting installations following Illuminating Engineering Society of North America
(“IESNA”) recommended practices. If the Customer submits its own street lighting design for
the street light installation or if the street lighting installation requested by Customer does not
meet the IESNA recommended practices, Customer acknowledges the Company is not
responsible for lighting design standards.

10. **Force Majeure.** The obligation of Company to perform this Agreement shall be
suspended or excused to the extent such performance is prevented or delayed because of acts
beyond Company’s reasonable control, including without limitation acts of God, fires, adverse
weather conditions (including severe storms and blizzards), malicious mischief, strikes and other labor disturbances, compliance with any directives of any government authority, including but not limited to obtaining permits, and force majeure events affecting suppliers or subcontractors.

11. **Subcontractors.** Company may sub-contract in whole or in part its obligations under this Agreement to install the Equipment and any replacement Equipment.

12. **Waiver; Limitation of Liability.** To the maximum extent allowed by law, Customer hereby waives, releases and fully discharges Company from and against any and all claims, causes of action, rights, liabilities or damages whatsoever, including attorney’s fees, arising out of the installation of the Equipment and/or any replacement Equipment, including claims for bodily injury or death and property damage, unless such matter is caused by or arises as a result of the sole negligence of Company and/or its subcontractors. Company shall not be liable under this Agreement for any special, incidental or consequential damages, including loss of business or profits, whether based upon breach of warranty, breach of contract, negligence, strict liability, tort or any other legal theory, and whether or not Company has been advised of the possibility of such damages. No event will Company’s liability to Customer for any and all claims related to or arising out of this Agreement exceed the CIAC Amount set forth in the Purchase Order to which the claim relates.

13. **Notices.** All notices required by the Agreement shall be in writing. Such notices shall be sent to Company at The Detroit Edison Company, Community Lighting Group, 8001 Haggerty Rd, Belleville, MI 48111 and to Customer at the address set forth on the applicable Purchase Agreement. Notice shall be deemed given hereunder upon personal delivery to the addresses set forth above or, if properly addressed, on the date sent by certified mail, return receipt requested, or the date such notice is placed in the custody of a nationally recognized overnight delivery service. A party may change its address for notices by giving notice of such change of address in the manner set forth herein.

14. **Representations and Warranties.** Company and Customer each represent and warrant that: (a) it has full corporate or public, as applicable, power and authority to execute and deliver this Agreement and to carry out the actions required of it by this Agreement; (b) the execution and delivery of this Agreement and the transactions contemplated hereby have been duly and validly authorized by all necessary corporate or public, as applicable, action required on the part of such party; and (c) this Agreement constitutes a legal, valid, and binding agreement of such party.

15. **Miscellaneous.**

a. This Agreement is the entire agreement of the parties concerning the subject matter hereof and supersedes all prior agreements and understandings. Any amendment or modification to this Agreement must be in writing and signed by both parties.
b. Customer may not assign its rights or obligations under this Agreement without the prior written consent of Company. This Agreement shall be binding upon and shall inure to the benefit of the parties’ respective successors and permitted assigns. This Agreement is made solely for the benefit of Company, Customer and their respective successors and permitted assigns and no other party shall have any rights to enforce or rely upon this Agreement.

c. A waiver of any provision of this Agreement must be made in writing and signed by the party against whom the waiver is enforced. Failure of any party to strictly enforce the terms of this Agreement shall not be deemed a waiver of such party’s rights hereunder.

d. The section headings contained in this Agreement are for convenience only and shall not affect the meaning or interpretation thereof.

e. This Agreement shall be construed in accordance with the laws of the State of Michigan, without regard to any conflicts of law principles. The parties agree that any action with respect to this Agreement shall be brought in the courts of the State of Michigan and each party hereby submits itself to the exclusive jurisdiction of such courts.

f. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument.

g. The invalidity of any provision of this Agreement shall not invalidate the remaining provisions of the Agreement.

***************

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company: The Detroit Edison Company
Customer: City of Auburn Hills

By: ________________________________  By: ________________________________
Name: ______________________________ Name: ______________________________
Title: ______________________________  Title: ______________________________

Master Agreement – Page 4
Exhibit A to Master Agreement

Purchase Agreement

This Purchase Agreement (this “Agreement”) is dated as of April 25, 2017 between The Detroit Edison Company (“Company”) and City of Auburn Hills (“Customer”).

This Agreement is a “Purchase Agreement” as referenced in the Master Agreement for Municipal Street Lighting dated April 25, 2017 (the “Master Agreement”) between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

<table>
<thead>
<tr>
<th>1. DTE Work Order Number:</th>
<th>46261561</th>
</tr>
</thead>
<tbody>
<tr>
<td>If this is a conversion or replacement, indicate the Work Order Number for current installed equipment: N/A</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Location where Equipment will be installed:</th>
<th>2017 LED Conversion project, as more fully described on the map attached hereto as Attachment 1.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>3. Total number of lights to be installed:</th>
<th>95</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4. Description of Equipment to be installed (the “Equipment”):</th>
<th>Overhead (OH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>51 - 175 watt Mercury Vapor to 65 watt LED</td>
<td></td>
</tr>
<tr>
<td>14 - 175 watt Mercury Vapor to 80 watt LED-(Suspension Lights)</td>
<td></td>
</tr>
<tr>
<td>2 - 400 watt Mercury Vapor to 135 watt LED</td>
<td></td>
</tr>
<tr>
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<td></td>
</tr>
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<td></td>
</tr>
<tr>
<td>1 - 400 watt High Pressure Sodium to 280 watt LED</td>
<td></td>
</tr>
<tr>
<td>3 – 1000 watt High Pressure Sodium to 280 watt LED</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Underground (UG)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 - 100 watt High Pressure Sodium to 65 watt LED</td>
<td></td>
</tr>
<tr>
<td>2 – 100 watt High Pressure Sodium to 60 watt LED–(Granville Acorn Post Top Retrofits)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. Estimated Total Annual Lamp Charges</th>
<th>$16,359.60</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>6. Computation of Contribution in aid of Construction (“CIAC Amount”)</th>
<th>Total estimated construction cost, including labor, materials, and overhead: $28,749.84</th>
</tr>
</thead>
<tbody>
<tr>
<td>Credit for 3 years of lamp charges: N/A</td>
<td><strong>CIAC Amount (cost minus revenue)</strong> $28,749.84</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7. Payment of CIAC Amount:</th>
<th>Due promptly upon execution of this Agreement</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>8. Term of Agreement</th>
<th>5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Does the requested Customer lighting design meet IESNA recommended practices?</td>
<td>(Check One)</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>If “No”, Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices</td>
</tr>
<tr>
<td></td>
<td>Signature: __________________________</td>
</tr>
<tr>
<td>10. Customer Address for Notices:</td>
<td>City of Auburn Hills</td>
</tr>
<tr>
<td></td>
<td>1500 Brown Rd</td>
</tr>
<tr>
<td></td>
<td>Auburn Hills, MI 48326</td>
</tr>
<tr>
<td></td>
<td>Attn: Jeff Herczeg</td>
</tr>
</tbody>
</table>
11. **Special Order Material Terms:**

All or a portion of the Equipment consists of special order material:  (check one) ☐YES ☒NO

If “Yes” is checked, Customer and Company agree to the following additional terms.

A. Customer acknowledges that all or a portion of the Equipment is special order materials (“SOM”) and not Company’s standard stock. Customer will purchase and stock replacement SOM and spare parts. When replacement equipment or spare parts are installed from Customer’s inventory, the Company will credit Customer in the amount of the then current material cost of Company standard street lighting equipment.

B. Customer will maintain an initial inventory of at least N/A posts and N/A luminaires and any other materials agreed to by Company and Customer, and will replenish the stock as the same are drawn from inventory. Costs of initial inventory are included in this Agreement. The Customer agrees to work with the Company to adjust inventory levels from time to time to correspond to actual replacement material needs. If Customer fails to maintain the required inventory, Company, after 30 days’ notice to Customer, may (but is not required to) order replacement SOM and Customer will reimburse Company for such costs. Customer acknowledges that failure to maintain required inventory could result in extended outages due to SOM lead times.

C. The inventory will be stored at ________________________________. Access to the Customers inventory site must be provided between the hours of 9:00 am to 4:00 pm, Monday through Friday with the exceptions of federal Holidays. Customer shall name an authorized representative to contact regarding inventory: levels, access, usage, transactions, and provide the following contact information to the Company:

   Name: ________________________________  Title: ________________________________
   Phone Number: ______________________  Email: ________________________________

   The Customer will notify the Company of any changes in the Authorized Customer Representative. The Customer must comply with SOM manufacturer’s recommended inventory storage guidelines and practices. Damaged SOM will not be installed by the Company.

D. In the event that SOM is damaged by a third party, the Company may (but is not required to) pursue a damage claim against such third party for collection of all labor and stock replacement value associated with the damage claim. Company will promptly notify Customer as to whether Company will pursue such claim.

E. In the event that SOM becomes obsolete or no longer manufactured, the Customer will be allowed to select new alternate SOM that is compatible with the Company’s existing infrastructure.

F. Should the Customer experience excessive LED equipment failures, not supported by LED manufacturer warranties, the Company will replace the LED equipment with other Company supported Solid State or High Intensity Discharge luminaires at the Company’s discretion. The full cost to complete these replacements to standard street lighting equipment will be the responsibility of the Customer.
12. Experimental Emerging Lighting Technology (“EELT”) Terms:

All or a portion of the Equipment consists of EELT: (check one) ☑YES ☐NO

If “Yes” is checked, Customer and Company agree to the following additional terms.

A. The annual billing lamp charges for the EELT equipment has been calculated by the Company are based upon the estimated energy and maintenance cost expected with the Customer’s specific pilot project EELT equipment.

B. Upon the approval of any future MPSC Option I tariff for EELT street lighting equipment, the approved rate schedules will automatically apply for service continuation to the Customer under Option 1 Municipal Street Lighting Rate, as approved by the MPSC. The terms of this paragraph B replace in its entirety Section 7 of the Master Agreement with respect to any EELT equipment purchased under this Agreement.

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company: The Detroit Edison Company
Customer: City of Auburn Hills

By: ________________________________  By: ________________________________
Name: ______________________________  Name: ______________________________
Title: _______________________________  Title: _______________________________
Attachment 1 to Purchase Agreement

Map of Location

[To be attached]
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Ronald J. Melchert, Director of Public Works; Mark Michling, Manager of Public Utilities
Submitted: May 4, 2017
Subject: Motion – Approve an Amendment to the Auburn Hills Code of Ordinances, Chapter 74 - Utilities

INTRODUCTION AND HISTORY
On April 24, 2017, the City Council reviewed and set for public hearing an amendment to Chapter 74 – Utilities, of the Auburn Hills Code of Ordinances. The proposed amendment would add subsections (e) and (f) to Sec. 74-145. Subsection (e) refers to unauthorized water consumption with no intent to pay for the water used. Subsection (f) refers to unauthorized water consumption without the use of backflow or back siphoning protection to the community water distribution system.

This amendment will provide the City the ability to cite property owners, developers, contractors, subcontractors and/or persons other than the property owners, a $500 fine for each occurrence of unauthorized use of water. The ordinance amendment also allows the city to recoup costs to remediate water loss and/or contamination to the system. Additional language has been included in the amendment to support the language change and includes sections referencing Repealer, Severability, Savings, Effective Date, and Adoption.

Provided in the City Council Packet is a copy of Chapter 74 - Utilities, Article IV. - Water Distribution System, Sec. 74-145 of the Auburn Hills Code of Ordinances (Auburn Hills, MI City Code) pertaining to water service from the public water system within the City of Auburn Hills. City Attorney, Derk Beckerleg, has drafted an amendment to the existing Utilities Ordinance to add subsections (e) and (f) to Sec. 74-145.

STAFF RECOMMENDATION
Staff recommends adoption of the proposed amendment as drafted by City Attorney, Derk Beckerleg and provided for in the packet.

MOTION
Move to adopt Ordinance No. 17-890, an ordinance to amend to the utilities ordinance, by adding new subsections (e) and (f) with respect to unauthorized water use to the Auburn Hills Code of Ordinances, Chapter 74, Utilities, Sec. 74-145.

I CONCUR: ____________________________
THOMAS A. TANGHE, CITY MANAGER
CITY OF AUBURN HILLS

ORDINANCE NO. ______

AN ORDINANCE TO AMEND SECTION 74-145, WATER SERVICE – TURNING ON/OFF, OF ARTICLE IV, WATER DISTRIBUTION SYSTEM, OF CHAPTER 74, UTILITIES, OF THE AUBURN HILLS CITY CODE, AS AMENDED, BY ADDING NEW SUBSECTIONS (E) AND (F), TO PROVIDE THAT NO PERSON AND/OR ENTITY SHALL CONSUME, USE AND/OR UTILIZE WATER AND/OR WATER SERVICE FROM THE CITY WATER DISTRIBUTION SYSTEM, UNLESS SAID CONSUMPTION, USE AND/OR UTILIZATION IS PRE-APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND SAID PERSON AND/OR ENTITY PAYS THE CITY FOR THE WATER AND/OR WATER SERVICE, AND TO ALSO PROVIDE THAT NO PERSON AND/OR ENTITY SHALL CONSUME, USE AND/OR UTILIZE WATER AND/OR WATER SERVICE FROM THE CITY WATER DISTRIBUTION SYSTEM UNLESS THAT PERSON AND/OR ENTITY UTILIZES THE PROPER DEVICE TO PREVENT BACK FLOW AND/OR BACK SIPHONING INTO THE CITY WATER DISTRIBUTION SYSTEM, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF SAID SUBSECTIONS.

THE CITY OF AUBURN HILLS ORDAINS:

Section 1.

Section 74-145, Water Service – Turning On/Off, of Article IV, Water Distribution System, of Chapter 74, Utilities, of the Auburn Hills City Code, as amended, is hereby amended by adding new subsections (e) and (f) to now read as follows:

(e) No person and/or entity, other than an authorized employee of the City, shall consume, use and/or utilize water and/or water service from the City water distribution system, unless said consumption, use and/or utilization of water and/or water service from the City water distribution system is pre-approved by the Director of Public Works and said person and/or entity pays the City for the water and/or water service from the City water distribution system that said person and/or entity consumes, uses and/or utilizes. In the event that a property is being developed and/or construction activities are taking place on the property and a contractor, subcontractor, and/or a person other than the owner of the property consumes, uses and/or utilizes water and/or water service from the City water distribution system without authorization from the Director of Public Works, then the property owner of said property, as well as the contractor, subcontractor and/or person other than the property owner, shall all be responsible for paying the City for the cost of the water and/or water service used, utilized and/or consumed and all shall be subject to the penalties provided for in this subsection (e).
Every person and/or entity violating the terms and provisions of this subsection (e) shall be responsible for and shall pay the City for any and all water and/or water service consumed, used and/or utilized and every person and/or entity convicted of a violation of this subsection (e) shall be guilty of a misdemeanor and shall be punished by a fine of Five Hundred Dollars ($500.00) and the cost of prosecution and each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

(f) No person and/or entity, other than an authorized employee of the City, shall consume, use and/or utilize water and/or water service from the City water distribution system unless they utilize a device to prevent back flow and/or back siphoning into the City’s water distribution system. In the event that a property is being developed and/or construction activities are taking place on the property, and a contractor, subcontractor and/or person other than the owner of the property consumes, uses and/or utilizes water and/or water service from the City water distribution system without utilizing a device to prevent back flow and/or back siphoning into the City’s water distribution system, then the property owner of said property as well as the contractor, subcontractor and/or person other than the property owner shall all be subject to the penalties provided for in this subsection (f).

Every person and/or entity violating the terms and provisions of this subsection (f) shall be responsible for and shall pay the City for any and all costs incurred by the City due to the back flow, back siphoning and/or contamination of and/or into the City’s water distribution system caused by said person and/or entity consuming, using and/or utilizing water and/or water service from the City water distribution system without using a proper device to prevent back flow and back siphoning and said persons and/or entity shall be responsible for and shall pay to the City any and all costs incurred by the City in correcting any contamination and/or other damage to the City water distribution system that is caused by back flow and/or back siphoning resulting from said persons and/or entity’s failure to use a proper device to prevent back flow and back siphoning including, but not limited to, any costs incurred by the City in testing the City’s water distribution system and every person and/or entity convicted of a violation of this subsection (f) shall be guilty of a misdemeanor and shall be punished by a fine of $500 and the cost of prosecution and each act of violation and every day upon which such violation shall occur shall constitute a separate offense.

Section 2. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.
Section 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

Section 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the _____ day of ___________, 2017, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

AYES:
NAYES:
ABSTENTIONS:

STATE OF MICHIGAN )
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. _______ adopted by the Auburn Hills City Council on the _____ day of ____________, 2017, the original of which is in my office.

_________________________________
TERRI KOWAL, City Clerk
Sec. 74-145. - Water service—Turning on/off.

(a) No person, other than an authorized employee of the city, shall turn on or off any water service; provided, however, a licensed plumber may turn on water service for testing purposes only, in which case it must be immediately thereafter shut off.

(b) Upon written authorization from the director of public works or his designee, a licensed plumber may turn on and shut off water service for construction purposes prior to the grant of a certificate of occupancy or for other good cause shown. Such written authorization shall not be issued without receipt of all applicable charges and fees which shall include, without limitation, the connection fee, meter installation fee and deposit.

(c) The department may turn on or off any water service at the request of a customer provided that the customer pays to the city a turn on/turn off fee, the amount of said fee to be established by resolution of the council.

(d) Should it become necessary to shut off the water from any section of the system because of accidents or for the purpose of making repairs or in case of construction, the department will endeavor to give timely notice to the consumers affected thereby, and will, so far as practical, use its best efforts to prevent inconvenience and damage arising from any such causes, but failure to give such notice will not render the city responsible or liable for damages that may result therefrom or from any other cause.

(Ord. No. 634, § 1, 9-21-98)
To: Mayor and City Council
From: Thomas A. Tanghe, City Manager; Michelle Schulz, Finance Director/Treasurer
Submitted: May 1, 2017
Subject: Resolution Declaring Official Intent to Reimburse Expenditures With Bond Proceeds

INTRODUCTION AND HISTORY
The City is considering utilizing 2017 bond proceeds to fund the costs of several road and building improvements to be constructed in 2017 or 2018. Such improvements include but are not necessarily limited to or required to be the following:

- Pacific Drive
- North Atlantic Boulevard and certain portions of Continental Drive
- Deepwood Drive
- Pontiac Road in the section of University to Commonwealth
- Auburn Road-Cherryland to Churchill and North Squirrel-Auburn Road to Squirrel Court
- Parkways Boulevard
- City of Auburn Hills Department of Public Works Parking lot
- City of Auburn Hills Public Library roof
- City of Auburn Hills Department of Public Works Garage roof
- Other road or building improvement projects that may become known prior to a debt issuance.

A resolution is necessary in order to preserve the ability to reimburse the City from bond proceeds for expenditures paid within 60 days prior to and any time after the date of the passage of this resolution in compliance with the requirements for federally tax exempt bonds. Federal tax law will also allow the City to reimburse itself from bond proceeds for reasonable and customary engineering and design costs related to the considered improvements listed above incurred any time prior to and after this resolution.

This resolution does not require the City to issue debt for any of the projects listed. Should the City move forward with a bond issuance, a bond resolution will be brought forward at a later date setting parameters for the issuance of any bonds, identifying the improvements to be funded, and establishing other details relating to the issuance of any bonds.

STAFF RECOMMENDATION
Staff recommends approval of the Resolution Declaring Official Intent to Reimburse Expenditures with Bond Proceeds to preserve the ability to reimburse the City from bond proceeds and remain compliant with the requirements for federally tax exempt bonds.

MOTION
Move to adopt the Resolution Declaring Official Intent to Reimburse Expenditures with Bond Proceeds.

I CONCUR: THOMAS A. TANGHE, CITY MANAGER
RESOLUTION DECLARING OFFICIAL INTENT TO
REIMBURSE EXPENDITURES WITH BOND PROCEEDS

At a regular meeting of the City Council of the City of Auburn Hills (the "City"), held on
the 8th day of May, 2017.

PRESENT: _________________________________________________________________
_________________________________________________________________

ABSENT: _________________________________________________________________

The following resolution was offered by _________________________ and seconded by
____________________:

WHEREAS, the City proposes to issue its tax-exempt bonds (the "Bonds") to finance
City capital improvements as hereinafter described (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the
Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds
upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the
"Reimbursement Regulations") specifies conditions under which a reimbursement allocation
may be treated as an expenditure of bond proceeds, and the City intends by this resolution to
qualify amounts advanced by the City to the Project for reimbursement from proceeds of the
Bonds in accordance with the requirements of the Reimbursement Regulations;
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City as follows:

1. The Project shall consist of capital improvements including: (a) road improvements to major and local roads within the City and any and all related appurtenances and (b) improvements to City buildings and other facilities, including without limitation the replacement of one or more roofs, parking lots or portions thereof, and other City facilities, structures, and related appurtenances.

2. The maximum principal amount of the Bonds expected to be issued for the Project is $11,000,000.

3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project and hereby declares that it reasonably expects to reimburse advances of the City to the Project as anticipated by this resolution. The City is not obligated to make any such advances.

4. The Bonds shall be authorized in one or more series by proper proceedings subsequent to this resolution.

5. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

YEAS: 

NAYS: 

ABSTENTIONS: 

-2-
STATE OF MICHIGAN  )
              )ss
COUNTY OF OAKLAND  )

I do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Auburn Hills, County of Oakland, Michigan, at a regular meeting held on the 8th day of May, 2017, and that notice of said meeting was given in accordance with the Open Meetings Act.

________________________________________
Clerk, City of Auburn Hills
INTRODUCTION AND HISTORY
The City Ordinance allows for three smoking licenses to be issued in the City. All three were used, but in March of this year Grizzly informed us that they were permanently out of business. In the meantime, Ciccirilli’s restaurant and bar, at 3880 Lapeer Rd., was purchased, and the new owner wants to put a cigar bar upstairs. The new owner, Viktor Paljusaj, wants to open the smoking lounge under the name Loft Cigar Room. They brought in an application back in February.

Because the timing was such that the first application was filed while Grizzly was still holding a valid license, Mr. Paljusaj transferred a license in from another community. Our ordinance does not allow a transfer from another community, so Mr. Beckerleg and my staff informed Mr. Paljusaj’s attorney that we were denying the license based on the transfer. We also informed him of the appeal process, which is what is before us now.

It is solely the Council’s decision on whether to issue this license. Please note that no one has applied for Grizzly’s license, so with the approval of this license there will still be only three issued in the City.

STAFF RECOMMENDATION
Staff would recommend approval of this license since there are only currently two; and this applicant is making an investment not only to accommodate upstairs smoking, but also to the entire property inside and out.

MOTION
Move to (approve / disapprove) the license for Viktor Paljusaj to establish a smoking room known as The Loft Cigar Room, at 3880 Lapeer Road, Auburn Hills, MI 48326, subject to Ordinance 14-861 as amended in Ordinance 15-870.

I CONCUR:
THOMAS A. TANGHE, CITY MANAGER
Dear Ms. Kowal:

Per our phone conversation of this morning, attached please find claim of appeal of The Loft Cigar Room. Per our discussion, this matter will be placed on the City Council’s docket for May 8, 2017.

Thank you,

Very Truly Yours,

Phillip B. Maxwell

PHILLIP B. MAXWELL & ASSOCIATES, PLLC
Attorneys & Counselors
57 North Washington Street
Oxford, MI 48371
248-969-1490
fax 248-969-1492

CONFIDENTIALITY NOTICE

WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and State law.

The documents accompanying this telexcopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telexcopied information is strictly prohibited. If you have received this telexcopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.
April 18, 2017

Terri Kowal
City Clerk
City of Auburn Hills
1827 N. Squirrel Road
Auburn Hills, MI 48326

Re: Denial of Application of The Loft Cigar Room (Clubhouse 81-1, LLC) for a cigar bar at 3880 Lapeer Road, Auburn Hills

Dear Ms. Kowal:

Per our telephone conversation of this morning, this letter constitutes the appeal of Clubhouse 81-1, LLC, d/b/a The Loft Cigar Room from the denial of its application for a smoking lounge license. The denial was conveyed to my client in a 3-31-17 letter from Laura Pierce, Deputy Clerk and a copy of same is appended hereto.

This appeal is taken per Section 10-129 of the Auburn Hills Smoking Lounges Ordinance.

Thank you.

Very Truly Yours,

[Signature]
Phillip B. Maxwell
For the Firm

pmbmeh
Encl.
March 31, 2017

The Loft Cigar Room
Attn: Viktor Paljusaj
3880 Lapeer Road
Auburn Hills, MI 48326

Dear Mr. Paljusaj,

The City is in receipt of your application for a Smoking Lounge License for a proposed Cigar Bar at 3880 Lapeer Road, Auburn Hills, Michigan. To date, you still have not provided the State Exemption Certificate for a Cigar Bar, for your use, at the proposed location at 3880 Lapeer.

Please be advised that Section 10-113 (b) of the Auburn Hills Smoking Lounges Ordinance provides in pertinent part: “Approval of the State issued exemption certificate by the State of Michigan shall not abrogate the requirement to apply for and obtain a smoking lounge license as required by this Article. There shall be no transfer into the City of Auburn Hills of a State of Michigan Exemption Permit under the Ron L. Davis Act of 2009.”

Your proposed transfer of a State Exemption Certificate from an establishment in Grand Ledge into the City of Auburn Hills is specifically prohibited by Section 10-113(b) of the Smoking Lounges Ordinance and as a result, the City of Auburn Hills is hereby denying your Application for a Smoking Lounge License for the proposed Cigar Bar at 3880 Lapeer.

You may appeal this denial, in writing, to the Auburn Hills City Council pursuant to Section 10-129 of the Auburn Hills Smoking Lounges Ordinance. Upon receipt of the written request for appeal, the date of the hearing will be scheduled and you will be provided with notice “not less than twenty (20) days prior to the hearing date”.

Sincerely,

Laura M. Pierce
Deputy Clerk

Enclosure: Smoking Lounge Ordinance #13-857
CITY OF AUBURN HILLS
APPLICATION FOR SMOKING LOUNGE

New ✔ Renewal: Transfer: Date: 1/3/17

Clubhouse 81-1, LLC
Applicants/Business Name The Lost Cigar Room Phone # 248 370 8909

Address 3880 Lapeer Road, Auburn Hills MI 48326 Website

Location of Lounge (if different then above): Auburn Hills MI, 48326 Location's Phone Number: 248 370 8909

Legal Description ✔ attached Zoning Classification ✔

Designated Local Agent: Paljusaj Viktor

Last Name
First Name
Middle Name

Address 121 Fern Drive 248 721 1572

Street Addtson Twp.

City Zip Code 48351

State Zip Code Drivers License # Date of Birth

Email Address Viktor771@yahoo.com

Other affiliated locations both current and past locations of Smoking lounge(s) this includes out-state licenses:

<table>
<thead>
<tr>
<th>License Type</th>
<th>Location (City, State)</th>
<th>Licensee</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>W/A</td>
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<tr>
<td>W/A</td>
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</table>

List any license violations of Public Act 188 the Smoke-Free Air Law issued either to the applicant, any owners, the corporation or entity for the preceding three (3) years:

<table>
<thead>
<tr>
<th>Where</th>
<th>Date</th>
<th>Disposition</th>
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</thead>
<tbody>
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</tbody>
</table>
CITY OF AUBURN HILLS
APPLICATION FOR SMOKING LOUNGE

Liability Insurance: Accord

Name of Agent: Johnston Lewis Associates, Inc.
Address: 525 E. Maple, Troy, MI 48083

Phone Number: 248-528-2400
Amount of Coverage: $1,000,000 / $2,000,000
Certificate of Insurance Attached: Yes

Address: _______________________________________________________
Number: ____________________________________
Street Name: _______________________________________

Is the proposed location of business located within 500 feet of a school or church
Yes ✗ No

Hours of Operation:

Monday: 10 AM to 2 AM
Tuesday: 10 AM to 2 AM
Wednesday: 10 AM to 2 AM
Thursday: 10 AM to 2 AM

I, Viktor Paljusaj, being the applicant for the Smoking lounge
for
The Lost Cigar Room, located at 3880 Capreze Road, D. H.
Proposed Business

by and through its president, does hereby offer the assertion that the proposed use would be
compatible with the surrounding land uses and compatible with abutting roadways and will not
cause an interference to traffic and/or impair traffic flow.

President/Owner/Resident Agent

Date

Notary:

State of Michigan, County of Oakland

On this ______ day of May, 2017, before me personally appeared
Viktor Paljusaj, who being duly sworn, says that he/she signed the
questionnaire consisting of 3 pages and that the statements contained therein are true.
CITY OF AUBURN HILLS
APPLICATION FOR SMOKING LOUNGE

Application for Person of Influential Interest

Smoking Lounge: Clubhouse Suite C Venue

Role/Interest of the below listed person in Smoking Lounge: Member/Owner

Last: Pal
Middle: Jusaj
First: Viktor

Known by any other names in the last 7 years? List

Address

121 Fern Drive

Street

City: Milford

248 721 1572

Mobile Phone

Home Phone

State: MI

Zip Code: 22678

Drivers License #: License EXP:

Date of Birth: 01/15/63

Email address: Viktor77@yahoo.com

Criminal Record**

Have you ever been arrested for a crime

_____ Yes  _____ No  If so,

Charge: ___________________________ where: ___________________________ when: ___________________________

Charge: ___________________________ where: ___________________________ when: ___________________________

Charge: ___________________________ where: ___________________________ when: ___________________________

** Out-of-state residents must submit certified record of criminal history from the State Police and certified driving record from the State Department of Motor Vehicles with application.

List any license violations of Public Act 188 the Smoke-Free Air Law issued to the Person of Influential Interest applicant, for the preceding three (3) years:

Where

Date

Outcome

________________________________________

________________________________________

________________________________________

I assert that the above information is truthful.

Applicant Signature

Date: 5/13/12

Page 4 of 4
CERTIFICATE OF LIABILITY INSURANCE

PRODUCER
Johnston Lewis Associates, Inc
575 E. Maple Road
Troy, MI 48083
Nik Gjonaj

INSURED
Clubhouse 81, LLC
13 S Washington st
Oxford, MI 48371

COVERAGE
COMMERICAL GENERAL LIABILITY
A
X CLAIMS-MADE

Liq $1mil/$2mil
A
X EPLI $50,000

AUTOMOBILE LIABILITY
A
X ANY AUTO
X SCHEDULED AUTOS
X HIRED AUTOS

UMBRELLA LIAB
A
X EXCESS LIAB

WORKERS COMPENSATION
AND EMPLOYER'S LIABILITY

INSURER A: General Casualty/QBE
24414

CERTIFICATE NUMBER:
BIND12302016

DATE (MM/DD/YYYY)
01/04/2017

OP: MV

COVERAGES

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 191, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER
Insured's Copy

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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The ACORD name and logo are registered marks of ACORD
Proposed Cigar Bar located at 3880 Lapeer Road, Auburn Hills, MI

Clubhouse 81-1, LLC d/b/a The Loft Cigar Room located in the upper level of Clubhouse 81 Restaurant & Bar

Operational Statement

The Loft Cigar Room

The proposed plan is to isolate the second floor dining room area as it currently exists in the bar/restaurant known as Clubhouse 81. This area will be glassed off and separated from the existing Class C licensed area. The ownership of the Cigar Bar Exemption Permit will be Clubhouse 81-1, LLC; an affiliated company to the ownership of the restaurant/bar.

As the cigar lounge is located within the location of a MLCC licensed premises, all requirements of the MLCC relative its operations will also be followed by the cigar lounge.

The exemption transfer application has been submitted to the State of Michigan Department of Community Health Tobacco Section and is currently being processed. A copy of the application is attached.
3680 LAPEER RD AUBURN HILLS MI 48326-1734
14-02-401-030
Commercial and Industrial Property Profile

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

### Owner Information

<table>
<thead>
<tr>
<th>Owner(s)</th>
<th>TRIPLE PROPERTIES AUBURN HILLS LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
<td>645 GRISWOLD ST STE 1300 DETROIT MI 48226-4120</td>
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### Location Information

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<tr>
<td>Municipality</td>
<td>City of Auburn Hills</td>
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<td>School District</td>
<td>210 PONTIAC CITY SCHOOLS</td>
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### Property Description

T3N, R10E, SEC 2 PART OF SE 1/4 BEG AT PT DIST N 01-45-29 W 1621.65 FT & N 88-26-30 E 60 FT FROM S 1/4 COR, TH N 01-47-45 W 350 FT, TH N 88-26-30 E 396.81 FT, TH S 01-33-30 E 350 FT, TH S 88-26-30 W 395.36 FT TO BEG 3.18 A 8-17-89 FR 008 & 009

### Split/Combination Information

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<td>Added To</td>
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### Most Recent Sale Since 1994

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<td>44718:281</td>
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<td>Grantor</td>
<td>MEM INVESTMENTS</td>
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<td>Grantee</td>
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### Tax Information

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<td>Effective Date For Taxes</td>
<td>12/01/2014</td>
</tr>
<tr>
<td>Principal Residence Exemption</td>
<td>0%</td>
</tr>
<tr>
<td>2013 Taxes Summer</td>
<td>$18,988.56</td>
</tr>
<tr>
<td>2014 Taxes Winter</td>
<td>$6,261.12</td>
</tr>
<tr>
<td>Village</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Lot Information

<table>
<thead>
<tr>
<th>Description</th>
<th>LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acres</td>
<td>3.18</td>
</tr>
</tbody>
</table>
### Commercial and Industrial Property Profile

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

<table>
<thead>
<tr>
<th>Building/Section 1</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building</td>
<td>1</td>
<td>Used As</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant</td>
</tr>
<tr>
<td>Year Built</td>
<td>1992</td>
<td>Effective Year</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1993</td>
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<tr>
<td>Class</td>
<td>D</td>
<td>Quality</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Good</td>
</tr>
<tr>
<td>No of Stories</td>
<td>1</td>
<td>Height Per Story (feet)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>28</td>
</tr>
<tr>
<td>Avg Square Feet</td>
<td>7,238</td>
<td>Elevators</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
</tr>
<tr>
<td>Sprinklers</td>
<td>Y</td>
<td>Identical Units</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Total Building Square Footage</td>
<td>7,238</td>
<td></td>
</tr>
</tbody>
</table>

### Building/Section 1 Lump Sum Adjustments

<table>
<thead>
<tr>
<th>Description</th>
<th>Square Feet</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>OUTDOOR SEATING</td>
<td>2,408</td>
<td>0</td>
</tr>
<tr>
<td>ELEVATOR</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

11. Primary Owner's Mailing Address: 13 S. Washington

City: Oxford  State: MI
Zip Code: 

12. Email Address for Primary Owner: VIKTOR YAH

13. The primary owner's valid State ID/Driver's License Number.

(please initial)

14. I submit and attach with this 2016 Cigar Bar Exemption Sale Affidavit a copy of the primary owner's valid State ID or Driver's License. Attach copy below.

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL
JAN 29 2016
MDHHS Tobacco Section

Received
DEC 16 2016
MDHHS Tobacco Section
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the ARTICLES OF ORGANIZATION (DOMESTIC L.L.C.)
for
CLUBHOUSE 81-1, LLC

ID NUMBER: F08932

received by facsimile transmission on January 12, 2017 is hereby endorsed.

Filed on January 12, 2017 by the Administrator.

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

In testemony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 12th day of January, 2017.

Julia Dale
Director
Corporations, Securities & Commercial Licensing Bureau
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

FILING ENDORSEMENT

This is to Certify that the CERTIFICATE OF ASSUMED NAME

for

CLUBHOUSE 81-1, LLC

ID NUMBER: F08932

to transact business under the assumed name of

THE LOFT CIGAR ROOM

received by facsimile transmission on January 16, 2017 is hereby endorsed.

Filed on January 23, 2017 by the Administrator.

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Expiration Date December 31, 2022

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 23rd day of January, 2017.

[Signature]
Julia Dale, Director
Corporations, Securities & Commercial Licensing Bureau

Sent by Facsimile Transmission
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name
Viktor Pajuscaj

Address
13 S. Washington

City
Oxford

State
MI

ZIP Code
48371

EXPIRATION DATE:
DECEMBER 31

CENSAY OF ASSUMED NAME
For use by Corporations, Limited Partnerships and Limited Liability Companies
(Please read information and instructions on the last page)


1. The name of the corporation, limited partnership, or limited liability company is:
Clubhouse 81-1, LLC

2. The identification number assigned by the Bureau is: F08932

3. The assumed name under which business is to be transacted is:
The Lost Cigar Room

4. This document is hereby signed as required by the Act.

COMPLETE ITEM 5 ON PAGE 3 IF THIS NAME IS ASSUMED BY MORE THAN ONE ENTITY.

Signed this 11th day of January 2017

By: 
Viktor Pajuscaj
Member

(Limited Partnerships Only - Indicate Name of General Partner, if the General Partner is a corporation or other entity)

01/16/2017 10:56AM (GMT-05:00)
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received

(for bureau use only)

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

Name
Viktor Paljusaj

Address
13 S Washington

City
Oxford

State
MI

ZIP Code
48371

Document will be returned to the name and address you enter above. If left blank, document will be returned to the registered office.

ARTICLES OF ORGANIZATION
For use by Domestic Limited Liability Companies
(please read information and instructions on reverse side)

Pursuant to the provisions of Act 23, Public Acts of 1993, the undersigned executes the following Articles:

ARTICLE I

The name of the limited liability company is: Clubhouse 81 LLC

ARTICLE II

The purpose or purposes for which the limited liability company is formed is to engage in any activity within the purposes for which a limited liability company may be formed under the Limited Liability Company Act of Michigan.

ARTICLE III

The duration of the limited liability company if other than perpetual is: 20 years

ARTICLE IV

1. The name of the resident agent at the registered office is: Viktor Paljusaj

2. The street address of the location of the registered office is:

13 S Washington

Oxford, Michigan

3. The mailing address of the registered office if different than above:

(P.O. Box or Street Address)

(City)

(Michigan)

(Street Address)

(City)

(Zip Code)

(Street Address)

(City)

(Zip Code)

ARTICLE V (Insert any desired additional provision authorized by the Act; attach additional pages if needed.)

Signed this 16th day of November, 2016

By, (Signature(s) of Organizer(s))

Viktor Paljusaj

(Type or Print Name(s) of Organizer(s))
STATE OF MICHIGAN

2016 CIGAR BAR EXEMPTION SALE AFFIDAVIT

To be used when selling exemption to new owner.

PUBLIC ACT NO. 188 OF 2009

INSTRUCTIONS

This form is to be used to apply for the sale of the Cigar Bar exemption from the smoking prohibition of the Public Act No. 188 of 2009. Exemptions are granted on a location-by-location basis. The Applicant must fill out a Renewal Affidavit for each Cigar Bar he/she owns and/or operates every January.

Completion of this Sale Affidavit does not guarantee that the establishment will continue to be exempted from the smoking prohibition of Public Act No. 188 of 2009. The establishment must receive written approval of the exemption sale.

PLEASE NOTE: Upon receipt and initial review of the Cigar Bar Exemption Sale Affidavit and supporting documents, additional information may be requested from Applicant to complete our review of the Affidavit.

Applicant will be notified in writing via United States Postal Service “Certified Mail” if request for sale of the exemption is granted or denied.

THE EXEMPTION SALE AFFIDAVIT MUST BE FILLED OUT COMPLETELY, INITIALED, SIGNED, AND NOTARIZED IN ORDER TO BE ACCEPTED AND CONSIDERED BY THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH - TOBACCO SECTION. Mail to:

Michigan Department of Community Health
Tobacco Section—Affidavit Review
P.O. Box 30195
Lansing Michigan 48913

YOU MUST USE THE STAMPED, ORIGINAL AFFIDAVIT. NO PHOTOCOPIES OR OTHER REPRODUCTIONS WILL BE ACCEPTED.

ALL INCOMPLETE AFFIDAVITS WILL BE DENIED AND RETURNED FOR COMPLETION, CAUSING A DELAY IN OUR REVIEW AND CONSIDERATION OF YOUR REQUEST FOR THE EXEMPTION SALE.

NO HAND-DELIVERED AFFIDAVITS WILL BE ACCEPTED. ALL AFFIDAVITS MUST BE MAILED (mailing address above).

ORIGINAL

JAN 29 2016
MDHHS
Tobacco Section

Received

DEC 16 2016
MDHHS
Tobacco Section
DEFINITIONS

Following are definitions or partial definitions of words and terms used in this Affidavit, as defined by the Public Act No. 188 of 2009, the Tobacco Products Tax Act, and the guidelines as developed by the Michigan Department of Community Health thereunder:

“Applicant” means an establishment or an establishment’s agent, and includes an applicant for a renewal certificate.

“Application” means an establishment’s affidavit to the Department for a certificate, and includes any supporting materials.

“Business Name” means the name by which people know your business. This is the name your establishment uses on its signage and that you use to advertise and sell your products and services.

“Cigar” means any roll tobacco weighing 3 or more pounds per 1,000, which roll has a wrapper or cover consisting only of tobacco.

“Cigar Bar” means an establishment or area within an establishment that is open to the public and designated for the smoking of cigars, purchased on the premises or elsewhere.

“Department” means the Michigan Department of Community Health.

“Establishment” means a place of business, commerce, or other service-related activity that encompasses a single, contiguous physical location. “Establishment” does not refer solely to a subsection or partition of a business location (e.g. subsection of a restaurant), but refers to the business establishment as a whole.

“Infiltration” means to enter, permeate, or pass through a substance or area by filtering or by insinuating gradually.

“Smoking paraphernalia” means any equipment, apparatus, or furnishing that is used in or necessary for the activity of smoking.

“Tobacco product” means a product that contains tobacco and is intended for human consumption, including, but not limited to, cigarettes, non-cigarette smoking tobacco, or smokeless tobacco, and cigars.
STATE OF MICHIGAN
2016 CIGAR BAR EXEMPTION SALE
AFFIDAVIT PUBLIC ACT NO. 188 OF 2009

1. Operating Name of Business (the name by which patrons know your business, name on sign):
   "The Lost Cigar Room"
   
2. Legal Name of Business:
   Clubhouse Billie
   
3. Federal Employer Identification Number (FEIN):
   81-4523595
   
4. Street Address of Cigar Bar:
   3880 Lapeer Road
   
   City: Auburn Hills  
   State: MI  
   Zip Code: 48326-1734
   
5. County Where Cigar Bar is Located:
   Oakland
   
6. Mailing Address of Cigar Bar:
   2581 McElwain Road
   
   City: Bloomfield Hills  
   State: MI  
   Zip Code: 48302
   
7. Telephone Number of Cigar Bar:
   Permanent Business Phone Number: 248-370-8909
   Temporary/Contact Phone: 248-866-4855
   
8. This 2016 Sale Affidavit is being completed by:
   [ ] Owner  [ ] Operator
   
9. Name of Primary Owner of Cigar Bar:
   Viktor Paljusaaj, Member
   
10. Primary Owner's Cell Phone Number
    248-721-1572

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL
JAN 29 2016
MDHHS Tobacco Section

Received
DEC 16 2016
MDHHS Tobacco Section

Approved
Primary Owner's Mailing Address: 13 S. Washington St.

City: Oxford  State: MI  Zip Code: 48371

Email Address for Primary Owner: VIKTOR771@yahoo.com

The primary owner's valid State ID/Driver's License Number: [redacted]

I submit and attach with this 2016 Cigar Bar Exemption Sale Affidavit a copy of the primary owner's valid State ID or Driver's License. Attach copy below. (please initial)

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL  Received

JAN 29 2016  DEC 16 2016

MDHHS Tobacco Section  MDHHS Tobacco Section

Approved
15. List Names of All Other Cigar Bar Co-Owner(s). Include cell phone number(s):

Viktor Paljusaj 248 721 1572

16. List the Name(s) of all Agents Authorized to Give/Receive Information (Attorney, Accountant, etc.):

Phillip Maxwell, J.D. 586 612 - 0034

Michael Scheid 248 866 - 9855

17. I understand that my Cigar Bar must be open and operational by December 31, 2016 or my establishment will not be eligible to renew this exemption in 2017; and my establishment will no longer be exempt from Public Act No. 188 of 2009. (please initial) [Signature]

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL
JAN 29 2016
MDHHS Tobacco Section

Received
DEC 16 2016
MDHHS Tobacco Section

Approved
18. I attest that in the 12-month period from January 1, 2016 through December 31, 2016, the Cigar Bar will generate 10% or more of its total gross income from the on-site sale of qualifying cigars (retail price of greater than $1.00) and/or the rental of on-site humidors. (please initial)

19. I attest that the Cigar Bar is located on premises that are physically separated from any areas of the same or adjacent establishment in which smoking is prohibited under the Public Act No. 188 of 2009 and where smoke does not infiltrate into those non-smoking areas. For purposes of this Affidavit and under the Public Act No. 188 of 2009, I understand that "physically separated" means an area that is enclosed on all sides by any combination of solid walls, windows, or doors that extend from floor to ceiling. (please initial)

20. I attest that the Cigar Bar prohibits entry to all persons under the age of 18 during the hours the Cigar Bar is open for business. (please initial)

21. I attest that the Cigar Bar has installed on its premises an active humidor. (please initial)

22. I attest that the Cigar Bar only allows the smoking of cigars on the premises that retail for over $1.00 per Cigar. (please initial)

23. I attest that the Cigar Bar only allows cigars to be smoked on premises. No other tobacco products are allowed to be smoked in the Cigar Bar. (please initial)

24. I understand that in order to qualify annually for this exemption renewal, I must file an Affidavit with the Michigan Department of Community Health, Tobacco Section-Affidavit Review, between January 1 and January 31 of each year. (please initial)

25. I understand that I must notify the Michigan Department of Community Health-Tobacco Section in writing via United States Postal Service immediately if any information contained in this Affidavit changes, including, but not limited to, sale, name, ownership, address, etc. I further understand that failure to do so may result in the revocation and permanent loss of my exemption. (please initial)

26. I understand that I must notify the Michigan Department of Community Health-Tobacco Section in writing via United States Postal Service immediately if the Cigar Bar listed ceases operation. I further understand that failure to do so may result in the revocation and permanent loss of my exemption. (please initial)
27. I am aware that the information contained in this Affidavit is subject to reporting to, and auditing by, the Michigan Department of Treasury, the Michigan Liquor Control Commission, the Michigan Department of Agriculture and Rural Development, the Michigan Department of Community Health - Tobacco Section, the Michigan State Police, local Police Department, County Sheriff Department, City Authorities, or all. [Initial]

28. I understand that the Michigan Department of Community Health-Tobacco Section will only discuss the information contained in this Affidavit with the person(s) listed in questions #9, #15, and #16. [Initial]

29. I understand that if approved, the Cigar Bar Exemption is valid only at the address listed in question #4 of this Affidavit. [Initial]

30. I submit and attach with the 2016 Sale Affidavit a copy of the Cigar Bar's Deed/Lease. [Initial]

31. I submit and attach with the 2016 Sale Affidavit a copy of the Cigar Bar's Certificate of Occupancy. [Initial]

32. I submit and attach with the 2016 Sale Affidavit a copy of the Cigar Bar's sales agreement between buyer/seller. [Initial]

33. I submit and attach with the 2016 Sale Affidavit the original Cigar Bar's Seller's Affidavit. [Initial]

34. I submit and attach with the 2016 Sale Affidavit the original Cigar Bar's 2015 Notice of Decision. [Initial]

35. I submit and attach with the 2016 Sale Affidavit a copy of the blue prints or floor plans for the new Cigar Bar. [Initial]

36. I agree to notify the Michigan Department of Community Health-Tobacco Section in writing using form MDCH-TS011 via United States Postal Service immediately of the official opening date of the Cigar Bar. [Initial]

37. I enclose the 2016 Sale Affidavit processing fee in the form of a check in the amount of $250 payable to the "State of Michigan". [Initial]
Does your Cigar Bar have a State of Michigan, Department of Treasury- Tobacco Products Tax License (sample below) that is valid from July 1, 2015 through June 30, 2016?  □ Yes  □ No  
(please initial) If yes, please attach a copy below.

---

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
TOBACCO PRODUCTS TAX LICENSE
Issued under the provisions of P.A. 222 of 1893, as amended
OTHER TOBACCO PRODUCTS ONLY

SAMPLE

EXPIRES JUNE 30, 2015

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER
THE FOLIAGE ON THE BACKGROUND CHANGES TO ORANGE WHEN VIEWED "HOLD AT AN ANGLE TO VIEW"

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL

JAN 29 2016

MDHHS
Tobacco Section

Received

DEC 16 2016

MDHHS
Tobacco Section

Approved
Please attach a copy of your current State of Michigan, Department of Treasury, Sales Tax License (sample below). (please initial)

---

<table>
<thead>
<tr>
<th>Tax Codes</th>
<th>Type</th>
<th>Cc-City</th>
<th>X</th>
<th>Loc.</th>
<th>Seas. Months</th>
<th>Place</th>
<th>F</th>
</tr>
</thead>
</table>

Issued under authority of P.A. 167 of 1929, as amended.

---

STATE OF MICHIGAN
DEPARTMENT OF TREASURY

CLUBHOUSE 811 LLC
123 $ WASHINGTON ST
OXFORD, MI 48371-4976

SALES TAX LICENSE
ACCOUNT NUMBER
61-4820093

EXPIRATION DATE
SEP 30, 2015

---

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL
JAN 29 2016
MDHHS
Tobacco Section

Received
DEC 16 2016
MDHHS
Tobacco Section

Approved
Is your Cigar Bar located in Genesee County? ☐ Yes ☐ No. If yes, please attach a copy of your current Genesee County Tobacco Retailer License (sample below). (please initial)

License No.

Issued by the Genesee County Health Department to operate under the provisions of the regulation to require licensure of retailers selling tobacco products, effective February 14, 1994.

IS GRANTED TO: SAMPLE

DIRECT INQUIRIES TO: Genesee County Health Department, 630 S. Saginaw St., Flint, Michigan 48502

FAILURE TO POST IN A CONSPICUOUS PLACE IS A VIOLATION OF THIS REGULATION.

ORIGINAL JAN 29 2016
MDHHS Tobacco Section

Received DEC 16 2016
MDHHS Tobacco Section

Approved
41. Is your Cigar Bar located in Ingham County? □Yes □No. If yes, please attach a copy of your current Ingham County Tobacco Sales License (sample below). □ (please initial)
42. Is your Cigar Bar located in the City of Dearborn? Yes ☑ No. If yes, please attach a copy of your current City of Dearborn Tobacco License (sample below). (please initial)
43. Is your Cigar Bar located in the City of Troy? □ Yes □ No  If yes, please attach a copy of your current City of Troy Smoking Lounge License (sample below). 

City of Troy
City Clerk's Office
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3331

SMOKING LOUNGE LICENSE

(This License is Not Transferable)

This permit does not constitute an endorsement.

This is to certify that the City of Troy has approved and issued a Smoking Lounge License as indicated on this card.

M. Aileen Bittner
M. Aileen Bittner, Acting City Clerk

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL
JAN 29 2016
MDHHS Tobacco Section

Received
DEC 16 2016
MDHHS Tobacco Section

Approved
Does your Cigar Bar have a Food Service License (sample below) at this address? □ Yes □ No If yes, please attach a copy of the Food Service License. (please initial)

---

SAMPLE

RESERVED FOR MICHIGAN DEPT OF COMMUNITY HEALTH USE

ORIGINAL

JAN 29 2016
MDHHS Tobacco Section

Received
DEC 16 2016
MDHHS Tobacco Section
Does your Cigar Bar have a Liquor License (sample below) at this address? ☐ Yes ☐ No If yes, please attach a copy of the Liquor License. [Signature] (please initial)

[Sample]

DATE: [Sample]

ORIGINAL

JAN 29 2016

MDHHS
Tobacco Section

Received

DEC 16 2016

MDHHS
Tobacco Section

Approved
I submit and attach with 2016 Sale Affidavit one (1) 4 x 6 inch color photograph of the exterior sign of the Cigar Bar. Attach photograph to this page: 

Glue or Tape 4x6 photo here

ORIGINAL
JAN 29 2016
MDHHS
Tobacco Section

Received
DEC 16 2016
MDHHS
Tobacco Section
I submit and attach with 2016 Sale Affidavit two (2) 4 x 6 inch color photograph of the exterior storefront including the sign. Attach the same photograph twice to this page. (please initial)

Glue or Tape 4x6 photo here

Glue or Tape 4x6 photo here
I submit and attach with 2016 Sale Affidavit one (1) 4 x 6 inch color photograph taken standing in the front door way facing straight ahead looking into the Cigar Bar. Attach the photograph to this page.

(please initial)

Glue or Tape 4x6 photo here
I submit and attach with 2016 Sale Affidavit one (1) 4 x 6 inch color photograph taken standing in the front doorway facing to the left looking into the Cigar Bar. Attach the photograph to this page. ______________ (please initial)

Glue or Tape 4x6 photo here
I submit and attach with 2016 Sale Affidavit one (1) 4 x 6 inch color photograph taken standing in the front doorway facing to the right looking into the Cigar Bar. Attach the photograph to this page. [Blank] (please initial)

Glue or Tape 4x6 photo here
I submit and attach with 2016 Sale Affidavit two (2) 4 x 6 inch color photographs of the humidor taken from different angles. Attach the photographs to this page. [Initial] (please initial)

Glue or Tape 4x6 photo here

Glue or Tape 4x6 photo here
52. I swear this Affidavit is true and understand that a person who makes false statement in an Affidavit under MCL 333.12611 is guilty of perjury under Section 423 of the Michigan penal code, 1932 PA, MCL 750.423 and is subject to the penalties as set forth in this statute. (please initial)

Signature of Authorized Representative:

Date: 12-14-16

NOTARY PUBLIC INFORMATION AND STAMP

Name of Notary Public (please print) Michael Scheid

Licensed in State of Michigan

Licensed in County of Oakland

Subscribed and sworn to before me this 14 day of December, 2016

Notary Public of the State of Michigan MY COMMISSION EXPIRES: 2020

Notary Signature

ORIGINAL

JAN 29 2016

MDHHS Tobacco Section

Received

DEC 16 2016

MDHHS Tobacco Section
NOTE: ALL EXEMPTION SALE AFFIDAVITS MUST BE COMPLETED, DATED, NOTARIZED, AND POST-MARKED.

THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH – TOBACCO SECTION DOES NOT CONFIRM RECEIPT OF SUBMISSIONS. WE STRONGLY SUGGEST THAT ALL AFFIDAVITS BE SENT VIA UNITED STATES POSTAL SERVICE-CERTIFIED MAIL FOR TRACKING PURPOSES.

ALL AFFIDAVITS MUST BE MAILED TO:

MICHIGAN DEPARTMENT OF COMMUNITY HEALTH TOBACCO SECTION-AFFIDAVIT REVIEW P.O. BOX 30195 LANSING MICHIGAN 48913

Questions? Call the Smoke-Free Air Law Information Hotline 866-597-6653
13. EXECUTIVE SESSION – No Electronic Information Available
Auburn Hills students compete in ‘Battle of the Books’

Wednesday, April 26, 2017

The 22nd annual Auburn Hills Public Library Battle of the Books took place at the Avondale High School. This 5th grade reading competition was open to any 5th grade Avondale student, as well as 5th graders from Will Rogers Elementary and Oakland Christian school. Students formed teams and read from a pre-selected list of six titles. This year, 10 teams register with a total of 106 students participating. In the end, the top spot went to Sesame Street Super Readers (Woodland Elementary) in first. Second place went to The Book Bosses (Woodland Elementary). In third place were the Nerdwalls: Nerds of the Sea (Deerfield Elementary). Prizes for Best Name was awarded to Eat, Sleep, Read (Rogers Elementary) and Best Costume was awarded to FBI: Fabulous Book Investigators (Oakland Christian School).

–Submitted by Amanda Bonness Parry


© 2017 The Oakland Press (http://www.theoaklandpress.com)
Detroit Institute of Arts welcomed nearly 153,000 Oakland County residents in 2016

By Mark Cavitt, mcavitt@digitalfirstmedia.com., @MarkCavitt on Twitter

Tuesday, April 25, 2017

In 2016, the Detroit Institute of Arts reinvested approximately $1.6 million worth of Oakland County taxpayer dollars into services that directly served county residents.

According to Larisa Zade, senior communications specialist for the DIA, approximately 152,585 county residents visited the DIA in 2016.

This equates to about $10.49 contributed per resident last year directly funding DIA operations and programs as part of the 2013 art institute service agreement.

RELATED: Detroit Institute of Arts website, dia.org

“The residents of Oakland County mean a lot to us,” said Salvador Salort-Pons, DIA director, CEO and president. “We have a big impact on the community with programs we do outside of the museum. What is important to us is reaching out and bringing the museum out into our community. It’s great to have people come to the museum but it’s even greater when we go out into the community.”

Oakland County, along with Wayne and Macomb County are five years into its 10-year service agreement with the DIA. As part of the agreement each county resident pays 20 cents per $1,000 of taxable value on their home, annually. The owner of home with $150,000 taxable value pays $30 annually.

In return, the DIA reinvests those dollars back into each county by funding community partnership and outreach programs, student services, professional educator development programs, senior programs as well as providing for free admission into the DIA.

“The DIA millage continues to generate a great return on investment for Oakland County taxpayers, thanks in part to the accountability afforded us through the Oakland County Arts Authority which ensures transparency and exchange of ideas,” said Oakland County Treasurer Andy Meisner. “I’ve been pleased in the positive ripple effects felt throughout Oakland County by this regional collaboration.”

Based on the service agreement with the Oakland County Arts Authority, the DIA is required to invest a minimum of $550,000 in these services annually.
On Saturday, the DIA will host Oakland County Day as part of its annual county days program. The DIA will provide free transportation to and from the museum at the following locations.

- Farmington City Hall at 10 a.m.
- Novi Civic Center at 10 a.m.
- Auburn Hills Community Center at 9:30 a.m.
- Clarkston Independence Library at 9:30 a.m.
- Downtown Milford (101 Oak Street) at 9:30 a.m.

Reservations are required by calling (313)-833-4005 or online at tickets.dia.org, click on April 29.

Attendance numbers

- In 2016, 103,754 Oakland County residents took advantage of the DIA’s free admission. This number does not include special exhibitions, special on-site events and special off-site events.
- This represents a $846,178 worth of admissions at regular prices.
- Since August 2013, 427,824 Oakland County residents have visited the DIA.

Student Services and Educator Development

- A total of 20,871 Oakland County students, teachers and chaperones participated in DIA field trips with free transportation paid for by the DIA as part of the service agreement. 16,000 is the service agreement commitment.
- “The schools are looking to the DIA to help support their own school art programs,” said Salort-Pons. “In some cases schools don’t have art programs. We are in a way looked as the place to have those school art programs. I’m thrilled we are providing students with this opportunity that don’t have it at their schools.”
- The DIA expects the number of field trips to expand in 2017 in response to increase in teacher requests
- The DIA funded professional development programs for over 460 Oakland County teachers in 2016. This includes visits to Birmingham, Clarkston, Novi, Berkley, Southfield, Waterford and Rochester Community Schools as well as the Center for Advanced Studies and the Arts
- In 2016, the DIA invested $232,694 into school programs, with a service agreement commitment of $150,000.

Senior Program

- In 2016, The DIA invested $140,541 into its new Oakland County Senior Thursday Program
- 82 senior groups from Oakland County participated in the program, which includes guided tours, lectures, art making and films shown at the Detroit Film Theatre. The service agreement commitment is 60 senior groups
• 1,740 residents attended 84 DIA Behind the Seen talks in the community where DIA representatives go out into the community and talk about museum exhibits, programs and activities

Community Partnership Programs

• In 2016, the DIA invested $390,808 county taxpayer dollars into community partnership programs within the county. The service agreement commitment is $300,000.

• The DIA held multiple community partnership programs including Inside|Out, DIA Away, County Days, college engagement, community art making, director cut talks and a arts and health symposium

“The thing I like to do the best is my director’s cut program,” said Salort-Pons. “I go into public libraries and senior centers and speak about the museum and what we have planned for the future in the tri-county area. I did this in over 35 locations last year. More are planned for 2017.”

• Inside|Out brings high quality museum reproductions to communities across Oakland County for the spring and summer months

• DIA Away is a free, mobile interactive experience space, which visited 16,000 county residents in 2016

• In October, the DIA hosted staff and faculty from tri-county colleges for an evening of networking and to provide for information about DIA program


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Whitman Elementary, Pontiac High School to remain open under new partnership agreement

By Natalie Broda, nbroda@digitalfirstmedia.com,, @NatalieBroda on Twitter

Friday, April 28, 2017

The Pontiac School District is expected to sign an agreement Monday to ensure that two schools identified for closure by the state will remain open.

The agreement with the state Department of Education will be signed at Monday’s school board meeting and covers Pontiac High School, with 860 students, and Walt Whitman Elementary, with 560 students. The schools have a combined enrollment of 1,420 students of 4,200 in the district.

Brian Whiston, state superintendent, has already signed the agreement as has the Oakland Schools intermediate district. Both the Oakland Schools and MI Excel have been supporting Pontiac’s turnaround efforts with teacher training as part of a 2013 consent agreement with the state to raise academic performance.

Since the consent agreement was enacted, the district has cut its deficit by 51 percent, from $51.7 million to $25 million. Graduation rates within the district have also increased from 55 percent to 69 percent over the past three years.

Pontiac Superintendent Kelley Williams said she expects the board will approve the agreement.

“It’s a great opportunity to continue the work already implemented. When the (Michigan Department of Education) came for a state oversight visit, we did verbally receive that they are impressed with the work done at Whitman and the high school and that two of our schools made it off the priority list already,” Williams said.

Schools below the fifth percentile of the state’s list of lowest performing schools are placed on priority status. This year, Alcott Elementary School and Herrington Elementary School were both released from priority status.

The partnership agreement would essentially replace the district’s current agreement between the state and the state treasurer. To do so, the state treasurer must sign an amendment of the existing education plan to replace it.

“We’ve outlived the plan from three years ago. We matched several of the targets, so we were kind of stagnant with the language and it was time to amend the agreement anyway,” Williams said.
The new agreement sets goals for student achievement growth in math and reading, as well as attendance, climate and culture. The district will have 18 months to meet the 3 to 5 percent target for growth in those areas.

The new agreement also asks that districts enlist other partners and clearly identify their roles in assisting the district, something the Pontiac district already had done under its current agreement. Throughout the process of developing the new agreement, Williams was told several times that Pontiac’s agreement was the model for agreements offered to 38 other schools identified for closure.

The partners under the new agreement are Oakland University, Oakland Community College, Oakland Schools, the state education department and General Motors.

“I do want to commend the state superintendent for developing this, to allow districts such as Pontiac to continue the work versus taking the next steps of accountability,” Williams said.

“It was more so of a partnership rather than asking for compliance like three years ago,” she said. “This is actually a partnership where everyone has outlined what they’re going to bring to the table. It made us feel like we’re not in this alone.”

The agreement will be presented to the Pontiac School Board of Education at 6 p.m. on Monday, May 1 at the ODell Nails Administration Building, 47200 Woodward Ave. in Pontiac.

RELATED: Pontiac Schools looks at data, improvement plan, as two schools are targeted for closure

RELATED: State offers schools new option to avoid closure

RELATED: District, supporters hold meeting on 2 potential school closures in Pontiac

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DETROIT (AP)>> Fiat Chrysler and Google for the first time will offer rides to the public in the self-driving vehicles they are building under an expanding partnership.

The companies announced in the spring of last year that they would build 100 self-driving Chrysler Pacifica hybrids minivans. Those vehicles have been tested in Arizona, California and Michigan.

Waymo, Google’s self-driving car project, said Tuesday that it will allow hundreds of people in Phoenix to take rides in the vehicles so that it can get feedback on the experience. Phoenix-area residents can apply on Waymo’s website.

The company also said that it’s expanding its fleet to 500 Pacifica hybrids.

Waymo — created by Google in 2009 — has given rides to the public before in its hometown of Mountain View, California. In 2015, it let a blind man ride around Austin, Texas, in one of its completely self-driving pods. The Phoenix program will be much larger in scale, and it will be the first to use the Pacifica minivans.

Waymo isn’t the first to put regular passengers in self-driving cars in the race to develop the technology. Ride-hailing company Uber has had self-driving Volvos on the road in Pittsburgh since last fall. Boston startup nuTonomy is giving taxi rides to passengers in Singapore and Boston. In all cases, there is a backup driver behind the wheel.

Waymo said it wants to learn where people want to go in a self-driving vehicle, how they communicate with it and what kinds of information and controls they want.

Fiat Chrysler builds the Pacifica minivan in Windsor, Canada, just across the border from Detroit. It adds Waymo’s self-driving software and hardware, including sensors and cameras, at a facility in Michigan. Fiat Chrysler’s U.S. headquarters is in Auburn Hills, Michigan.

“This collaboration is helping both companies learn how to bring self-driving cars to market, and realize the safety and mobility benefits of this technology,” said Waymo chief John Krafcik in a company release.
Michelle Krebs, an executive analyst for the car shopping site Autotrader, says studies have shown that a majority of Americans are still reluctant to ride in a fully self-driving car. Opening Waymo’s vehicles to the public will help build riders’ confidence, she said.

“The key to acceptance is exposure and education,” she said.

Ultimately, Waymo says, self-driving cars could prevent many of the 1.2 million deaths that occur on worldwide roads each year.

Waymo has made clear that it intends to form partnerships with automakers and not build its own self-driving cars. It’s also in talks with Honda Motor Co. about a potential collaboration.
Free adoption day April 29 at Oakland County Animal Control and Adoption Center

By Mark Cavitt, mcavitt@digitalfirstmedia.com, @MarkCavitt on Twitter

Monday, April 24, 2017

You can adopt a furry friend for free on Saturday.

The Oakland County Animal Control and Adoption Center, 1700 Brown Road in Auburn Hills, has received a grant from the Bissell Pet Foundation covering all adoption fees for one day only.

Free adoptions will only be available at the Auburn Hills center, not at any one of the eight outreach centers.

oakgov.com/petadoption

RELATED: Adoption Center website.

RELATED: Click here to view animals available for adoption, etfinder.com/pet-search?shelter_id=MI369

The grant covers adoption fees up to $135 for dogs, $114 for puppies and $57.50 for cats.

The center has received grants from the foundation in the past including in October when the last free adoption day was held.

On Oct. 22, 70 animals were adopted as part of the Bissell Empty the Shelter Free Adoption event, which is one day record for adoptions at the center.

According to the center, there will be about 30 dogs and 25 cats available for adoption on Saturday.

“We at Bissell Pet Foundation aim to make a difference around the country by supporting our partners’ efforts that will lead every pet to a happy home,” said Bissell on their website. “We know from your stories that adopted pets change their owners’ lives.”

IF YOU GO

• Saturday, April 29, from 10 a.m. to 4 p.m.

• 30 dogs and 25 cats

• Oakland County Animal Control and Adoption Center, 1700 Brown Road, Auburn Hills
• call the shelter at (248)-391-4100 to determine availability of animals before coming

• event facebook page, facebook.com/events/338030973261670/

The Oakland County Animal Control and Pet Adoption Center has eight satellite outreach centers located throughout the County.

• Advanced Petcare of Oakland - 6378 Sashabaw Road, Clarkston, 248-620-2900
• Allen Animal Hospital - 19066 Farmington Road, Livonia, 248-476-0570
• The Cat Practice - 875 S. Worth, Birmingham, 248-540-3390
• Pet Supplies Plus - 6845 Highland Road, White Lake, 248-889-4131
• Pet Supplies Plus - 2057 Telegraph Road, Bloomfield Hills, 248-333-7545
• Maxx’s Grooming - 3044 Sashabaw Road, Waterford, 248-673-9973
• Animal Medical Center of Troy - 994 W. South Blvd, Rochester Hills, 248-852-9800
• Auburn Animal Hospital - 1619 E. Auburn Road, Rochester Hills, 248-852-5666


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Several animals adopted for free during Oakland County ‘Empty the Shelters’ event

Sunday, April 30, 2017

The Oakland County Animal Control and Pet Adoption Center in Auburn Hills was among several shelters across the state participating in the BISSELL Pet Foundation’s “Empty the Shelters” free adoption event on April 29.

Nearly 400 people showed up at the Pet Adoption Center on Saturday in the hopes of either expanding their own “fur family” or supporting friends and family members looking to adopt, with some lining up hours before the doors even opened. In total there were 35 dogs and 19 cats adopted out to local families, said Shelley Grey, kennel supervisor.

Additionally, the shelter was able to reunite six animals with their previous owners.

More photos from the free adoption event can be found in The Oakland Press Media Center at media.theoaklandpress.com.

— Jenny Sherman, Digital First Media

URL: http://www.theoaklandpress.com/general-news/20170430/several-animals-adopted-for-free-during-oakland-county-empty-the-shelters-event

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Hawk Woods Nature Center celebrates Earth Day

Friday, April 21, 2017

The Cornell Lab of Ornithology recently partnered with Hawk Woods Nature Center in Auburn Hills to host “Gardening with Habitat Connections,” a two-day, overnight workshop for third through eighth grade classroom teachers. Attendees learned about citizen science, outdoor teaching, bird migration and reproduction, and gardening for Michigan birds. Hawk Woods Nature Center also invites the public to come visit, like Berkley’s Rogers School fourth grade class (pictured) did recently, the location at 3799 Bald Mountain Road, Auburn Hills. To celebrate Earth Day on Saturday, April 22, residents are encourage to come out to Hawk Woods and enjoy the trails, free of chard. For more information, call 248-370-9353.

–Monica Drake, The Oakland Press
**Oakland County**

**Meisner recognizes local students at annual Financial Literacy Art Contest reception**

**By Mark Cavitt**  
mccavitt@digitalfirstmedia.com  
@MarkCavitt on Twitter

Promoting financial literacy and education is a personal passion for Oakland County Treasurer Andy Meisner.

On Wednesday, Meisner held his 6th annual Financial Literacy Art Contest show and reception for local high school artists at the Flagstar Strand Theater in Downtown Pontiac.

The event concludes Meisner’s annual Financial Literacy Multimedia Art Contest, which is produced in partnership with Flagstar Bank, Oakland Schools, and the Oakland Livingston Human Services Agency.

“The art contest is one of the most effective, not to mention enjoyable, ways in which we accomplish that mission,” said Meisner. “I marvel at the creativity of these students and respect their hard work and that of the many great teachers throughout our fine Oakland County public schools encouraging their participation.”

**Scholarship award winners**

First place winners, who each received a $1,000 scholarship, included Brandon High School freshman Luis Hernandez, Clarenceville High School sophomore Dayton Rowland, Troy High School junior June Choi and Avondale High School senior Brooke Blanchette.

The annual contest is open to Oakland County public high school students in grades 9 through 12. Each entry must be the original work of the student.

This year saw the highest level of student participation in the contest’s six years with entries from over 140 student-artists representing 10 high schools in nine Oakland County public school districts. Participating high schools in this year’s contest included Rochester Adams, Avondale, Birmingham Groves, Bloomfield Hills, Brandon, Clarenceville, Lake Orion, Pontiac, Rochester Stoney Creek and Troy.

Scholarships are awarded to at least three student-artists from each grade level based primarily on how well they use their artistic vision to interpret and portray subjects of financial literacy.

The art contest has awarded over $60,000 in scholarships over the six years of the competition. Flagstar Bank provides the funding for the scholarship awards.

“We applaud the Oakland County Treasurer’s office for getting young people involved in financial literacy and challenging them to express financial ideas through artwork,” said Sandro DiNello, CEO of Flagstar Bank.

Brooke Blanchette, Avondale High School senior was one of the winners. Oakland County Treasurer Andy Meisner hosted the sixth annual Financial Literacy Multimedia Art Contest Art Show and Awards Ceremony on Wednesday at the Flagstar Strand Theatre for the Performing Arts in downtown Pontiac.
A recent study by the Association of American Universities found that public institutions are increasing personnel and funding to implement programming, send staff and faculty to trainings, develop brand new web platforms and engage students in the name of combating sexual assault on college campuses.

At Oakland University, several new initiatives were created on campus after a 2015 report from the Association of American Universities found that of 150,000 students at 27 universities nationwide, 11.7 percent experienced nonconsensual sexual contact by physical force, threats of force or incapacitation. Of those students, 23.1 percent of undergraduate females said they experienced nonconsensual sexual contact with 10.8 percent having experienced penetration.

Nancy Schmitz, assistant vice president for student affairs and dean of students, said that while she can’t exactly point to new personnel hired or positions created, that many of the current faculty and staff had sexual misconduct and sexual assault training incorporated into their regular duties.

A firm number on how much the university has spent increasing programming and training was unavailable at time of publication due to commencement activities at the university, but Schmitz described it as “significant.”

Housing staff, including residential advisors, health center staff, counseling staff and several other departments have been required to undertake bystander awareness training and victim support training, such as the assistant dean of students and deputy Title IX coordinator spending five days in Washington for Title IX investigator training. Residential advisors now undergo training during the summers before students move in and the Oakland University Police Department is required to take training as well.

The way universities report sexual assault on clery reports was changed between 2014 and 2015 according to Schmitz, with the requirement to separate forcible and non-forcible sex offenses on the report.

For 2015, forcible sex offenses were broken into rape or fondling.

Here are some statistics on sexual assault and misconduct at Oakland University from 2013 to 2015, according to the most recent annual security report from the university:
• Forcible sex offenses on campus property: 2013, 2; 2014, 12; 2015, no data available.
• Forcible sex offenses on non-campus property: 2013, 4; 2014, 0; 2015, no data available.
• Forcible sex offenses on public property: 2013, 1; 2014, 1; 2015, no data available.
• Rape on campus property: 2015, 6.
• Rape on non-campus property: 2015, 2.
• Dating violence on campus property: 2013, 6; 2014, 6; 2015, 7.
• Dating violence on non-campus property: 2013, 2; 2014, 1; 2015, 0.
• Domestic violence on campus property: 2013, 4; 2014, 1; 2015, 0.
• Domestic violence on non-campus property: 2013, 0; 2014, 5; 2015, 5.
• Stalking on campus property: 2013, 8; 2014, 6; 2015, 15.
• Stalking on non-campus property: 2013, 0; 2014, 0; 2015, 1.

Two of the 34 new programs and trainings are online resources which can be accessed at any time.

The first is the Sexual Assault Violence Initiative, known as SAVI, which is available on Oakland University’s main website under the Dean of Students section. The page includes resources for reporting sexual assault, from the Oakland University Police Department to the Graham Health Center, as well as resources for counseling on campus and off campus. The page also includes resources for faculty and staff if they have been assaulted or know of a student or colleague who has been assaulted.

“This was a comprehensive university initiative where representatives from different areas brought pieces of critical information together for students to have access to 24/7. If a student is wanting information at 2 a.m., if they’re feeling anxious or want to help a friend, they can use this tool. It was a significant development for us,” Schmitz said.

The second, known as Campus Clarity, is a computer-module program geared toward new students entering the university which covers components of sexual assault such as substance use and sexual misconduct.

Other sexual assault and sexual misconduct programming at the university includes talks, mock trials, residence hall programs, pledges, awareness events, presentations, discussions, performances and rape aggression defense classes.