



The City of Auburn Hills
City Council Meeting
Minutes

April 24, 2017

CALL TO ORDER: Mayor McDaniel at 7:00 p.m.
LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326
Present: Mayor McDaniel, Council Members Burmeister, Hammond, Kittle, Knight, and Mitchell.
Absent: Verbeke
Also Present: City Manager Tanghe, Assistant City Manager Grice, City Attorney Beckerleg, Police Chief Olko, City Clerk Kowal, DPW Director Melchert, Finance Director Schulz, Community Development Director Cohen, Assessor Griffin, Deputy Clerk Pierce, City Engineer Juidici, Mgr of Roads and Fleet Brisson

22 Guests

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. DeRuitter 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

ATTACHMENT A

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