March 2014
(02-18-14)

03  City Council Workshop, 5:30 p.m., Council Conference Room◆
03  City Council, 7:00 p.m., Council Chamber ◆
04  Board of Review, 9:00 a.m., Council Conference Room◆
10  Board of Review, 9:00 a.m. & 1:00 p.m., Admin Conference Room ❖
11  Board of Review, 2:00 p.m. & 6:00 p.m., Admin Conference Room ❖
11  Tax Increment Finance Authority, 4:00 p.m., TBD
13  Zoning Board of Appeals, 7:00 p.m., Council Chamber ◆
17  City Council, 7:00 p.m., Council Chamber ◆
19  Beautification Advisory Commission, 5:30 p.m., Council Conference Room ◆
20  Planning Commission, 7:00 p.m., Council Chamber ◆
25  Library Board, 5:00 p.m., Library, Conference Room ☕️

◆  City Council Chamber (Conf. Rm.) – 1827 N. Squirrel Road
❖  Administrative Conference Room – 1827 N. Squirrel Road
 חדרי הציות - 1984Taylor 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
1. MEETING CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF COUNCIL

4. APPROVAL OF MINUTES
   4a. Regular City Council – February 17, 2014

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
      7a.1. Tax Increment Finance Authority – February 11, 2014
      7a.2. Public Safety Advisory Committee – February 25, 2014

   7b. Motion – Approve 2014 Bloomfield Orchards Subdivision- Water Main Replacement & Concrete Street Patching, Scope of Engineering Services

8. OLD BUSINESS
   8a. Public Hearing/Motion – Adopt Ordinance to Amend Article VIII. Woodlands Preservation, Chapter 34. Environment, of the Auburn Hills City Code on Second Reading
   8b. Motion – Approve Revised 2014 Golf Fees
   8c. Report – 2014 Parks & Recreation Fees

9. NEW BUSINESS
   9b. Motion – Approve Purchase of Emergency Medical and Fire Dispatch Software and Training
   9c. Motion – Renewal of Liquor Licenses

10. COMMENTS AND MOTIONS FROM COUNCIL

11. CITY ATTORNEY’S REPORT

12. CITY MANAGER’S REPORT

13. 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 370-9402 or the City Manager’s Office at 370-9440 48 hours prior to the meeting. Staff will be pleased to make the necessary arrangements.
CALL TO ORDER: by Mayor McDaniel at 7:00 p.m.

LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke

Absent: None

Also Present: City Manager Auger, Assistant City Manager Tanghe, Director Olko, City Assessor Lohmeier, City Clerk Kowal, DPW Director Melchert, Recreation Director Marzolf, Deputy DPW Director – Infrastructure Herczeg, Deputy DPW Director – Quality of Life Services Grice, Public Utilities Manager Michling, Manager/PGA Pro Marmion, Roads & Fleet Manager Brisson, City Manager Assistant Mariuz, City Attorney Beckerleg, and City Engineers Hiltz and Juidici

19 Guests

4. APPROVAL OF MINUTES

4a. Regular Council Meeting – February 3, 2014

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: To approve the February 3, 2014 regular meeting minutes.

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

Motion Carried (7-0)

Resolution No. 14.02.030

4b. Council Workshop Meeting – February 3, 2014

Moved by Kittle; Seconded by Mitchell.

RESOLVED: To approve the February 3, 2014 Council workshop minutes.

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

Motion Carried (7-0)

Resolution No. 14.02.031

5. APPOINTMENTS AND PRESENTATIONS

5a. Motion – Confirm Appointment of Annette McAvoy to the Community Media Network (CMN) Board – Liaison to Auburn Hills

Ms. McAvoy introduced herself, noting she is a life-long resident of Auburn Hills. She is looking forward to working with CMN Board, noting public communication is important to the community.

Ms. Verbeke asked if Ms. McAvoy can look into the having the channel identified so the viewer knows what channel they are watching; currently there is no identification that it is the Auburn Hills cable channel.

Ms. McAvoy stated she will look into it.

Moved by Verbeke; Seconded by Burmeister.

RESOLVED: To Confirm the Appointment of Annette McAvoy to the Community Media Network (CMN) Board – Liaison to Auburn Hills.
Resolution No. 14.02.032

5b. Motion – Confirm Appointment of Robert Waltenspiel to the Zoning Board of Appeals for a term to expire 12/31/2015

Mr. Waltenspiel introduced himself, noting he has been a resident of Forester Square since it was built and has three children.

Moved by Mitchell; Seconded by Verbeke.

RESOLVED: To Confirm Appointment of Robert Waltenspiel to the Zoning Board of Appeals for a term ending December 31, 2015.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None Motion Carried (7-0)

Resolution No. 14.02.033

5c. Motion – Confirm Re-Appointment of Robert Luttermoser to the Zoning Board of Appeals for a term ending 5/31/2016.

Mr. Luttermoser introduced himself, a resident of Heritage in the Hills. He was appointed to the ZBA in 2002 and has been serving since. He believes his 35 years as an architect lends knowledge to the ZBA.

Mayor McDaniel explained this isn’t a two year term, but Mr. Luttermoser’s previous term expired a few years ago and was never reappointed.

Moved by Burmeister; Seconded by Knight.

RESOLVED: To Confirm Reappointment of Robert Luttermoser to the Zoning Board of Appeals for a term ending May 31, 2016.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None Motion Carried (7-0)

Resolution No. 14.02.034

6. PUBLIC COMMENT

Mel Pohl, 3072 Adams Road, at the suggestion of Mr. Grice, he contacted the DPW because the snow plow trucks have blocked in the bike paths. He has talked with several people in the City, and still there has been no progress in clearing the bike paths. His issue is at Adams Road, forcing people to walk in the road; however, it isn’t just the Adams Road area being affected.

Mayor McDaniel stated the message would be forwarded and determine what, if anything can be done.

Don Hughes, 3744 Bald Mountain Road, was disappointed to hear the City is not planning on issuing a moratorium at this time for oil and gas drilling. The development of a drilling site can happen very quickly, without notice to the City. The drilling company is moving forward with obtaining a permit. He would like Council to provide a timeline, available to all residents, of how the City will proceed.

Mr. Hughes asked who is liable for damage to homeowners if there is an accident or spill as a result of drilling. He also urged the City not to sign any leases for oil drilling on public land.

Philip Clampitt, 3744 Tienken Road, opposes any oil or gas drilling leases in Auburn Hills, but particularly for public property such as Hawk Woods Nature Center.

Mr. Melchert introduced Mark Michling, the new Public Utilities Manager. Mr. Michling comes from Eastpointe, with 25 years experience in DPW operations, with extensive experience in water and sewer operations.

Mr. Michling stated he is happy to be in Auburn Hills and is very impressed with the community, the workforce and the administration.

Larry Douglas, 3871 Brimfield, upon reading about an amendment to the Woodlands Ordinance, believes the Ordinance should be left as written. It protects good tree species, as well as champion trees and has served the community well.

Hanna Clampitt, 3744 Tienken Road, suggested the City be very cautious in continuing to look at oil and gas drilling in the community and all the negative effects the drilling can have. She supports a moratorium and agrees no leases should be signed until the effects of drilling have been determined.

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.
Consent Agenda Items 7c. and 7d. were removed from the Consent Agenda by Mr. Knight.

7a. Board and Commission Minutes

7b. Motion – Approve Inter-Local Agreement with Oakland County for Election Programming
RESOLVED: To authorize the City Clerk to sign the Interlocal Agreement for Ballot Layout and Programming Services between Oakland County and the City of Auburn Hills.

Moved by Hammond; Seconded by Mitchell.
RESOLVED: To approve the Consent Agenda Items 7a. and 7b.
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None
Motion Carried (7-0)

Resolution No. 14.02.035

7c. Motion – Approve 2014 Asphalt Maintenance Program – Scope of Engineering Services
Mr. Knight noticed a number of streets will be slurry coated and last year his street, Gray Road, was coated. He noted the cracks that were in the road prior to being coated broke through the slurry and the snow plows have also chipped away at the slurry coating and asked if this is a common occurrence with the slurry.

Mr. Brisson stated the cape seal will have reflective cracking coming through; however, in the summer months the seal becomes self healing from the heat. Regarding snow plowing, even concrete will get scraped from the plows.

Mr. Brisson confirmed for Mr. Kittle this is a budgeted item.

Mr. Kittle questioned with more potholes this winter, if the budgeted amount will be sufficient for the harsh winter’s effects on the roads.

Mr. Brisson noted the residential streets are in pretty good shape; it is the older more commercial streets where the pothole problems are.

Moved by Knight; Seconded by Kittle.
RESOLVED: To approve the OHM Scope of Engineering Services for the 2014 Asphalt Maintenance Program for the not-to-exceed amount of $32,500.00. In addition, materials testing services is estimated at $2,021.50. Funding is provided from Local Streets (203-453-935.000), Street Improvement (101-446-973.203), TIFA A (251-735-935.000) and TIFA D (253-737-935.000).
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None
Motion Carried (7-0)

Resolution No. 14.02.036

7d. Motion – Approve Carpet Bids for Fieldstone Golf Course Clubhouse
Mr. Knight asked if the proposed carpet is the best durable, wear and tear carpet available, with a longer life expectancy.

Mr. Marmion explained the carpeting is not the top of the line. In the past, spike proof carpeting was purchased, but the cost is very expensive. The new spikes are softer, and other carpets are available at a much lesser price. The more expensive carpeting was not budgeted for; this is a 26 ounce carpet recommended by the carpet specialist and should last five or six years.

Moved by Verbeke; Seconded by Knight.
RESOLVED: To award the bid to Reimer Floors, of Bloomfield Hills, Michigan in the amount of $12,995.00 and authorize the City Manager to convey acceptance by purchase order.
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None
Motion Carried (7-0)

Resolution No. 14.02.037

8. OLD BUSINESS
8a. Motion – Approve Squirrel Court Enhancement Project
Mr. Grice stated in January, the City received a Transportation Alternatives Program (TAP) grant in the amount of $194,589.00. These federal funds will be administered through the MDOT program. Additionally, the City has committed $499,465.00 from TIFA-A, and $47,969.86 from the Tree Fund to complete the $742,023.86 project. The goal of the project is to improve pedestrian access, reduce storm water impacts and make additional improvements along Squirrel Road, matching Auburn Road. On the north side of Squirrel Court, there will be a 17.5 foot wide pedestrian pathway adjacent to Riverside Park; the road will be reduced to three lanes, where currently there are five lanes. In addition to improving walkability, the design will include the installation of a mass transit pick up and drop off for SMART buses, Oakland University’s student bus, and the City’s senior bus; improving access to Downtown.
On the south side of Squirrel Court, behind the businesses, a six-foot wide, concrete sidewalk will be installed, with pedestrian access crossing Squirrel Court. Elevated planters will be installed, like those on Auburn Road as well as street trees throughout that area.

MDOT posted the project for competitive bids and received eight formal proposals. Fiore Enterprises, LLC, is the low bidder at $512,673.86. The remainder of the $742,023.86 project is made up of non-participating project costs. The streetscape features include Intellistreets LED lighting to match those along Auburn Road, as well as the music and public announcement system. Irrigation will be included in the project, not only for the new landscaping but for future improvement projects in the park and the amphitheater.

The City has been very successful in leveraging local investment dollars with State and Federal funds to bring down the costs of capital improvements and therefore recommends the project be awarded to Fiore Enterprises LLC.

Mr. Grice confirmed for Ms. Hammond, the street parking will no longer exist on Squirrel Court, and the Subway and Pampered Pooch have been aware of the project for a very long time. Both stores were made aware of the plans, prior to their moving into the building.

Mr. Knight stated with plans for the amphitheatre, removing the parking will make it more difficult for people. He understands the parking garage and making the Downtown a walkable area, but believes public parking needs to be increased, not decreased.

Mr. Grice explained the plan is to close Squirrel Court during construction, with the exception of the north end, allowing traffic into the businesses parking lot. During the course of construction one of the business driveways will be open to traffic. The road will be closed to allow an aggressive work schedule to be completed by Summerfest weekend, with construction beginning in April.

Mr. Grice noted there is no exit from the center driveway of the parking lot currently, and will remain no exit.

Mr. Tanghe explained this is a budgeted project, but doesn’t recall the current fund balance. The project cost is higher than anticipated; however, funds are available because another planned capital project was canceled. The checkbook is always being monitored, and funds are available.

Mr. Kittle asked if the other project is being moved to next year, or will it not take place at all.

Mr. Tanghe explained the money was for the amphitheater, which won’t be constructed this year, freeing up the additional funds. If budgeted for next year, there will be adequate funding. The TIF A district’s budgeting is very conservative; it is more maintenance mode and not capital mode. There are anticipated land sales this year that will help with the fund balance.

Mr. Grice explained the irrigation funding will come from the Tree Fund to support the landscaping and the newly installed trees.

Moved by Verbeke; Seconded by Burmeister.
RESOLVED: To award the Squirrel Court enhancement project to Fiore Enterprises LLC. in the amount of $512,673.86. In addition, approve the remaining non-participating project costs in the amount of $229,350.00 and authorize the TIFA Executive Director to approve any necessary change orders to successfully fulfill the requirements of the contracts. Funding in the amount of $499,465.00, to be provided by TIF District-A, Account No. 251-735-973.00, $47,969.86 from Tree Fund, Account No. 242-447-955.002, with the remaining to be paid by the TAP Grant.

Mr. Knight questioned giving an open ended checkbook for change orders; shouldn’t it be a set amount.

Mr. Tanghe explained the motion should read to accept the recommendation of the TIFA Board, because they authorize the expense; the rule of thumb for capital improvements is 10% for change orders. There is a clear understanding between himself, as the TIFA Executive Director and the TIFA Board that anything exceeding 10% would go back to the TIFA Board for approval.

VOTE: Yes: Burmeister, Hammond, Knight, McDaniel, Mitchell, Verbeke
No: Kittle
Motion Carried (6-1)

Resolution No. 14.02.038

8b. Motion –Approve the North Squirrel Road Scope of Engineering

Mr. Melchert explained a study conducted by OHM, of North Squirrel Road from Walton Boulevard to Dutton Road was initiated in 2009. The project is scheduled for 2015. The project will cost $3.7 million; the City received $1.7 million in federal funding. The project includes road pulverization and asphalt overlay, creating two through lanes with a center turn lane, a roundabout at Squirrel and Tienken Roads, curb and drainage enhancements, narrow vegetated medians, sidewalk and pathway connections, and an extension of the Galloway Drain.

At this time, staff is leaning towards removing the roundabout from the plan, because the $550,000 funding that was hoped for, is only available for 2016 projects. With the removal of the $550,000 roundabout, the project cost will be $3.2 million, thus reducing the scope of engineering by $50,000. It is important to complete the design this year, to be
submitted to MDOT by October for approval, allowing for a spring bid letting in 2015. The Geotechnical Services would also be reduced, by approximately $4,000.

Mr. Knight understands only a three lane road is currently needed; however, a five lane road or a boulevard should also be considered, because of future growth beyond five years. This is one of only two roads that the City owns that goes north and south. As Orion continues to grow, Squirrel Road will continue to be a cut through for people to access I-75. He only asks that consideration for future growth be considered when designing the road.

Mr. Kittle hopes the road work when completed, is durable and lives up to the life expectancy always touted. He asked what pulverizing and asphalt overlay is.

Mr. Melchert explained the pulverization process, is pulverizing the current asphalt and leaving it in place to create an additional base; it is rolled over and compacted with an asphalt overlay. This method is not considered reconstruction, it is maintenance. A reconstruction would be a complete removal of the existing pavement and possibly the base, and then being replaced with new concrete.

Mr. Kittle noted the boulevard will be wider, asking how, with the pulverization will the new width be met.

Mr. Juidici explained this project will have a combination of pulverization and overlay as well as reconstructing. The two existing lanes will be pulverized creating an aggregate base, with additional aggregate on the outside edges to support the additional road footprint. Some of the aggregate can be moved to the outside edges, where the grassy boulevard area will be, but additional aggregate will be brought in. The thickness of the overlay won’t be determined until the geotechnical services have been completed, but believed to be about six inches thick.

Mr. Kittle understands the economics of the roundabout, but believes it would be beneficial to consider the roundabout and try to find the money to make it work. He would like to have an informational session with the area residents, alerting them to the project and what’s to be expected.

Mr. Juidici stated there will be an informational meeting with the residents, after some initial engineering work is completed.

Mr. Kittle asked if the roundabout could be kept as an alternative, and be included in the scope of engineering. There may be other ways to fund the project.

Mr. Auger explained the scope of engineering for the roundabout is $50,000.

Mr. Knight believed the scope of engineering for the roundabout should be done as an alternative to the project; if it isn’t done now, it probably will never be done.

Mr. Kittle asked Mr. Juidici when a final decision must be made for a decision on the roundabout.

Mr. Juidici explained the unknown is the existing conditions and how much of the base and embankment materials are going to be needed for the wetland fill. Work is ongoing with the DEQ regarding the conservation easements; some of the fill at the intersection will require a DEQ permit. The analysis of how traffic will function has been completed.

Mayor McDaniel asked if it is possible to continue with the engineering work and at a later date, Council can decide whether to proceed with the roundabout or not.

Mr. Juidici explained the critical component of the project is DEQ permitting for the impact on the wetlands. As of now, the project is proceeding with a footprint for the roundabout. He suggests continuing moving forward with the roundabout included; the plan can be amended to exclude the roundabout at a later date prior to spending the $50,000.

Mr. Knight noted the $50,000 is approximately 17% of the cost of the project.

Ms. Hammond asked what will become of the big tree near Dutton Road.

Mr. Juidici stated the tree will remain as it is.

Ms. Mitchell asked if the incorporation of the roundabout impacts the timing of the project, the 2016 grant.

Mr. Melchert explained that particular grant won’t be considered until 2016 and the road and intersection will be constructed by that time.

It was confirmed the $50,000 is included in the $367,000.

Moved by Knight; Seconded by Kittle.

RESOLVED: To approve the North Squirrel Road Rehabilitation Scope of Engineering Services to OHM for the not-to-exceed amount of $367,000.00 and the Geotechnical Services to Schleede Hampton Associates for $16,745.00.

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

Motion Carried (7-0)

Resolution No. 14.02.039

9. NEW BUSINESS

9a. Public Hearing/Motion – Request to Approve Amendment to IFEC 2012-570 for Continental Structural Plastics for Increased Real Property Investment.
Mr. Lohmeier explained this request is for an increase in real property investment of $1,784,371 for a total investment of $3,361,871 for real property improvements. If approved, the company would save an additional $336,000 in taxes, and cost the City an additional $75,000 in taxes for the life of the certificate.

The property is located at 255 Rex Boulevard. The increase in expenses were for electrical, plumbing, HVAC/Duct Rework, millwork and doors, low voltage wiring, carpentry, construction services, and steel and masonry demolition necessary for the rehabilitation work.

Mayor McDaniel opened the public hearing at 8:01 p.m.

Garet Danvers noted more jobs have been created than originally anticipated, from 115 up to 120 and are expecting to hit 130 soon. These jobs are all high paying jobs. The company is becoming a more global company with a new location in France and work is proceeding for a joint venture in China.

Philip Kusky stated the last year has been very good, and he and all the employees are very happy and appreciate the support of Auburn Hills. Continental Plastics is an automotive supplier for structural composite parts, with about 25% of the business being non-automotive. Some of the parts they make are the body panels for the Corvette, the hood and deck lids for the Lincoln MKS, Jeep tops, pick-up boxes for Toyota, and the front end components and hoods for the big semi truck cabs. The company has about 10% per year annual growth, picking up some of the business from the companies that weren’t able to make it through the recession. The company continues to expand, as earlier noted with France and a joint venture in China, with more expansion in North America. The headquarters are established here, in Auburn Hills, and is a key location allowing them a showplace; a place of presence in a high-technology where they are a leader in composite technology.

Responding to Mr. Burmeister, Mr. Lohmeier explained amendments, extensions and transfers of IFEC’s come directly from City Council.

Mr. Kusky explained when construction of the building began, it was realized most of the interior needed updating as well as creating a new entrance. In the process they were able to make the building more efficient including replacing all the interior lighting and plumbing; the exterior lighting was replaced with LED lighting both in the parking lot and on the building. The roof insulation was increased by two inches beyond the requirements; eight of the 23 heating/air conditioning units were replaced, with the remainder being replaced with more efficient units over time. They weren’t able to use as many recycled products as hoped for, but recycled flooring was used in the lab and workout areas. The construction was completed with many local contractors and local purchases.

Ms. Verbeke asked if there was a comparison to LEED certification, seeing if they met any of the certification levels.

Mr. Danvers stated no, they aren’t familiar with the LEED program.

Mr. Knight asked if all these type improvements enhance the value of the property from a tax point of view.

Mr. Lohmeier stated yes, that is why the company is seeking an amendment to cover the increase in value.

Mr. Kittle appreciated the listing of local businesses that were used for the construction, noting it is the first time he has seen such a list.

Mayor McDaniel closed the public hearing at 8:11 p.m.

Moved by Knight; Seconded by Hammond.

RESOLVED: To approve the request for the amendment of IFEC 2012-570 for Continental Structural Plastics, Inc. for a total real property investment of $3,361,871 by adopting the attached resolution (Attachment A).

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

No: None  
Motion Carried (7-0)

Resolution No. 14.02.040

9b. Public Hearing/Motion – Request to Approve Amendment to IFEC 2012-571 for Continental Structural Plastics, Inc., for Increased Personal Property Investment.

Mr. Lohmeier explained the request is for an additional amount of $278,208, for a total investment of $940,208 for personal property improvements. Approval of this amendment would save the company an additional $7,712 in taxes, for the life of the certificate. The additional expenses include desks, seating, gym equipment, IT/phone systems and servers as well as some other smaller expenditure.

Mayor McDaniel opened and closed the public hearing at 8:14 p.m., hearing no comments.

Moved by Mitchell; Seconded by Burmeister.

RESOLVED: To approve the request for the amendment of IFEC 2012-571 for Continental Structural Plastics, Inc., for a total personal property investment of $940,208 by adopting the attached resolution (Attachment B).

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

No: None  
Motion Carried (7-0)

Resolution No. 14.02.041

9c. Motion – Approve Purchase of Tandem Axle Dump Truck with Wing Plow for Winter Operations
Mr. Brisson explained the oldest dump truck in the winter operation truck fleet is a 1999 and the newest is a 2009, with an average age of 10.4 years for the entire fleet. If approved this truck will be the second wing plow truck in the fleet; the wing plow allows for 20 feet of blade service. Two trucks with wing plows are able to do the work of three trucks; one-and-one half lanes per pass as opposed to three-quarters of a lane per pass. There are many anti-corrosion elements on the build of the truck, allowing for a 10 year, plus, life expectancy. This truck will also have higher liquid capacity than some of the current trucks.

Mr. Knight asked the price comparison with a typical type plow truck.

Mr. Brisson explained this is not a typical dump truck; it is a double tandem able to support the wing plow. The current trucks are single tandem, which would reduce the cost by approximately $25,000. The stainless steel bodies prolong the life of the trucks significantly.

Mr. Knight asked if there has been improvement in extending the life of the hydraulic systems on the trucks.

Mr. Brisson explained hydraulics have come a long way over the last several years; the weatherproofing and sealing of the electronics that support the hydraulics is considerably more reliable. The biggest challenge of protecting the trucks is from the salt that it spreads. The new designs of the augers keep the backend of the truck much cleaner with a lot less salt under the truck and more behind the truck.

Ms. Mitchell asked the life expectancy of this vehicle.

Mr. Brisson anticipates this truck will last 15 years, rather than 10 years as with most trucks. He confirmed this truck will be replacing a 1991 truck.

Responding to Mr. Kittle, Mr. Brisson noted the fleet contains four tandem and five single axle trucks, and only one tandem currently has the wing plow. There is a certain amount of horse-power that is needed to operate a wing plow; there was only one truck that was able to be retro-fitted.

Mr. Kittle asked if the attenuator is part of this purchase.

Mr. Brisson stated it is not, but rather than retire one of the single axles that is a little older, it can stay in the winter operations for a few more years. Preliminary pricing on the trailer attenuator is considerably cheaper than the truck mounted attenuator.

Moved by Knight; Seconded by Verbeke.

RESOLVED: To approve the purchase of a Freightliner tandem axle chassis from Wolverine Freightliner-Eastside, 107 South Groesbeck Hwy., Mt. Clemens, MI 48043 in the amount of $101,120.00. and to approve the body equipment and install from Truck and Trailer Specialties, 6726 Hanna Lake, Dutton, MI 49316 in the amount of $103,817.00; total truck and build cost $204,937.00. Funding is provided from Fleet Machinery and Equipment, account 661-442-977.000.

In answer to Mr. Kittle, Mr. Brisson stated if this vehicle is ordered this month, it will be ready in November, for next winter.

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

No: None

Motion Carried (7-0)

Resolution No. 14.02.042

9d. Motion – Approve the Purchase of 12 Replacement Vehicles

Mr. Grice explained this is the balance of the 2014 fleet replacement budget, which includes 12 vehicles; two, 2014 Dodge Ram 2500 Crew Cab 4 x 4 Work Trucks w/plows; one 2014 Dodge Grand Caravan; eight Dodge Ram 1500 Quad Cab 4 x 4 Pickup Trucks; and one 2014 Chevy AWD Express Work Van.

The proposed outgoing vehicles have been evaluated through the Vehicle Performance Model created by the Finance Department. The evaluation determined the service life (both age and mileage), repair costs, and the decline in salvage value is greater than replacing each with a new vehicle.

Mr. Knight hopes these new vehicles will be replacing some of the well-worn looking vehicles, as it is a reflection on the City.

Mr. Grice stated the 2001 and older trucks will be replaced with this purchase.

Ms. Verbeke asked if the funds received from selling the used vehicles is put into the general fund.

Mr. Grice explained those funds are put into the fleet fund. Some of the retired vehicles will be sold on MITN, and some of the others will be placed into seasonal services for the City. The current seasonal vehicles will also be sold on MITN. He confirmed 12 vehicles will be purchased and 12 vehicles will be sold.

Mr. Knight wants to continue supporting Chrysler; however, he hopes all purchased vehicles are competitively priced.

Mr. Kittle asked for an elaboration regarding the comparison pricing that was done with dealerships in the area.

Mr. Grice explained the vehicle prices were checked with local dealerships to make sure pricing with MiDeal are the fairest and accurate purchase prices, which it was.
Mr. Grice explained dealerships cannot provide a better price than the price offered at MiDeal; some dealerships prefer not to deal with MiDeal program.

Mr. Melchert stated the dealership comparative pricing came from those who have the opportunity to see the MiDeal bid but unable to beat it.

Mayor McDaniel suggested the comparisons for MiDeal also be included in the information supplied to Council.

Mr. Kittle noted the State is awarded a contract, in this case with Bill Snethkamp Dodge. The bid is being competitively bid using the State’s preexisting bid, which in this case is three years old. He would be in favor of delaying the purchase and take a look at some comparisons.

Mr. Auger explained the State’s bidding process allows everyone the opportunity to meet the State’s requirements to be awarded the contract. The prices offered through MiDeal, are known by all dealers throughout the State, so everyone knows what the cost of the vehicles are. At a previous Council meeting, Mr. Kittle suggested staff contact other dealer’s to make sure the State bid is the best bid, so staff did just that, and it was determined the MiDeal was the best price. The best deal found locally was a $300 difference in price.

Continuing, Mr. Auger explained the City’s purchasing ordinance requires writing separate bid specifications for each vehicle to be purchased, bids are then let, the Clerk’s Office receives the bids and conducts the bid opening, and comparisons of each submitted bid are completed. Part of the savings through the State bids is amount of staff time required.

Mr. Kittle stated he would like to have copies of the packages and test his sources to see if he can come up with lower prices. Also he questioned if the vehicle warranties will be impacted by retrofitting for propane.

Mr. Melchert explained the general consensus has been propane vehicles run cleaner and better; however, Chrysler has stated if they can prove the propane injection equipment has caused a problem with the vehicle then it wouldn’t be warranted; the burden of proof would be on the dealer. There is also the Magnuson-Moss Warranty Act that provides for a warranty to stay intact. The retrofit is a fairly simple change and is not invasive to the engineer at all.

Mr. Kittle asked if the vehicles are specifically assigned vehicles, or if they are more pool type vehicles.

Mr. Auger explained the comparison analysis is included in future informational memos.

Moved by Burmeister; Seconded by Knight.

RESOLVED: To approve the purchase of two (2) 2014 Dodge Ram 2500 Crew Cab 4 x 4 Work Trucks w/plows, one (1) 2014 Dodge Grand Caravan SXT, eight (8) Dodge Ram 1500 Quad Cab 4 x 4 Pickup Trucks be awarded to Bill Snethkamp Dodge, 6131 S. Pennsylvania Ave., Lansing, MI 48911 at total cost of $305,212.80. Also, one (1) 2014 Chevy AWD Express Work Van be awarded to Berger Chevrolet, 2525 28th Street S.E., Grand Rapids, MI 49512 at a cost of $27,388.70.

VOTE: Yes: Burmeister, Hammond, Knight, McDaniel, Mitchell, Verbeke
No: Kittle

Motion Carried (6-1)

Resolution No. 14.02.043

10. COMMENTS AND MOTIONS FROM COUNCIL

Ms. Verbeke:

- Noted the recorded audio from the last meeting wasn’t working properly and the audio regarding her comments did not transmit over the cable channel. She stated at the last meeting regarding the Woodland’s Ordinance, she is against changing the ordinance and has many concerns regarding the changes and would like further discussion.

- Stated Joslyn Road and Baldwin Road are both in terrible shape. Joslyn Road is scheduled to have repaving done from Collier Road, north to the I-75 on-ramp. She asked if the repaving could begin further north at Taylor or Vinewood to encompass more of Joslyn Road where there is a greater need of repair.

Mr. Melchert explained the concrete overlay project for Joslyn Road from Collier Road to just north of Pacific Boulevard, was scheduled for 2013. Now that the RCOC has secured an easement needed, the project will take place 2014. The City’s patching program will repair Joslyn Road from the interchange north to Brown Road, through the concrete patching program. The City will take advantage of the County’s traffic control, and saving those funds to allow for more patching. This is a Tri-Party funded project.

- Mr. Hughes mentioned earlier in the meeting, a timeline from Council and asked if there are any scheduled Council Workshops related to oil and gas drilling.

Mr. Burmeister:

- Attended his first Tax Incentive Review Committee (TIRC) meeting, in which the Committee asked what Council’s criteria is for Special projects.
Mr. Lohmeier explained the Policy explains a Special Project is at the discretion of City Council and provides for three intentions: significant economic impact on the community through the significant investment in buildings and equipment; the significant creation of new jobs in the community; or long-term commitment to the community to be made by the requesting company. There is no definition, but the three intentions.

Mr. Burmeister asked if there were any benchmarks; how many jobs or is it subjective.

Mayor McDaniel stated it is subjective, and Council decides how many Special Projects will be available.

Mr. Lohmeier noted the approved Policy indicates there can be five Special Projects and currently there is only one, Ralco Industries.

Mr. Burmeister asked if a company should note on their application the number of abatement years being sought, and if Special Projects go before TIRC or directly to Council.

Mr. Lohmeier explained all new Tax Incentive Review applications go before TIRC and state the number of abatement years being sought. If a company is seeking a 12 year abatement, that is considered a Special Project; the Policy maximum is eight years.

Mr. Lohmeier believed Mr. Burmeister was referring to a company requesting an eight year abatement from TIRC, but requested a 12 year abatement from City Council.

Mr. Auger noted the Project being referred to, wanted to expand their automotive business into wheelchairs. To move forward, the company needed to solidify their pricing to market their costs for the diversification.

Mayor McDaniel explained any tax abatement requests must go to TIRC before being referred to City Council. The TIRC can only approve up to an eight year abatement, anything more must go to City Council for approval. So even though noted as a Special Project to City Council, TIRC has already reviewed the application and recommended approval to Council.

Mr. Lohmeier stated the company requesting an abatement should, on their application, note if they will be seeking a 12 year abatement. On future applications, he will ensure TIRC is aware if the company is seeking more than the eight year abatement and if eligible for a Special Project.

Mr. Burmeister asked if there is any verification of the number of jobs being created or have been created.

Mr. Auger explained the local incentive is based on tax value. The State bases their findings on jobs, and the State is who will verify the number of jobs.

He received a call that some exercise equipment at the Community Center is broke, and asked if the equipment will be repaired or replaced.

Mr. Grice explained three machines are out of service, parts have been ordered for two of the machines, with those parts due to arrive next week; and the third machine is being replaced.

Ms. Mitchell:

- Appreciates Mr. Kittle requesting comparison amounts and suggested the information be forwarded to Mr. Kittle.

Ms. Hammond:

- Thanked DPW for filling the potholes downtown near the clock.
- Will not be attending the March 3rd meeting; she will be out of town.

Mr. Knight:

- Understands the gentleman who is frustrated by the snow being piled up and suggests he contact the snowplow people and politely ask that they pile the snow elsewhere.
- Training will take place tomorrow evening for the Zoning Board of Appeals members and he invited the new appointee to attend. Mr. Beckerleg will be conducting the training session.
- Asked the status of the conversion to propane for the police cars.

Mr. Melchert explained there has been some difficulty with the vendor; the tanks that were received are two inches too big. Those police vehicles were needed in the fleet, so the retro fit was not completed on those vehicles. The tanks will be used on the vehicles approved for purchase this evening and new tanks will be provided for future police cars.

- There is an airplane that is being fueled by natural gas in Wyoming. Natural gas is less than a $1.00 per gallon equivalent to 100 octane low lead at $6.00 per gallon.
- Asked about the University Drive bridge and if more funds have been raised.

Mr. Auger noted $4 million is needed, but progress is being made. A staff member spoke with the Governor, who is aware of the divergent diamond design, so it has reached the Governor's desk.
Mr. Kittle:

- Asked if the Clerk could publish the workshop schedule, in order of ranking and if there is a policy or an ordinance that corresponds with the subject to be forwarded to Council Members prior to the workshop.
- Regarding the news article that announced Mr. Auger’s leadership role in Michigan Local Government Management Association, Mr. Auger mentioned broken funding mechanisms for local units of government and how some of the state shared revenue is not working properly. With that in mind, he sat in a SEMCOG meeting that was discussing revenue sharing issues and looking at alternative ways to draw more revenue into the local units. At that meeting he met Bill Anderson, a SEMCOG consultant who is very knowledgeable regarding DDA’s and suggested that it might be beneficial for Council to invite Mr. Anderson to be a guest speaker.

Mayor McDaniel:

- Wants to clear up misinformation regarding a moratorium for gas and oil drilling; as of right now, there is no specific activity or confirmation of a site where drilling is to take place, nor has there been a permit pulled. For those reasons, Council feels it is premature for a moratorium. From his understanding, it is best practice to do a moratorium of reasonable delay when there is a specific threat or a specific item to delay. There is nothing specific to delay at this point. Council has already directed the City Attorney to draft a moratorium that can be adopted immediately when and if necessary. Information on the drilling continues to be gathered and reviewed.

11. CITY ATTORNEY’S REPORT – none

12. CITY MANAGER’S REPORT

- Staff has been working with the legal team to determine what form an ordinance would be necessary for the City to regulate gas and oil drilling within the City, not only defensible but fair to all concerned. All the public comments, professional comments, and MDEQ comments have been reviewed by the legal team and will be taken into consideration when drafting an ordinance, which will be presented to Council soon.

13. EXECUTIVE SESSION – Attorney Opinion

Moved by Verbeke; Seconded by Hammond.
RESOLVED: To Adjourn to Executive Session to discuss Attorney letter of opinion.
VOTE: Yes: Burmeister, Hammond, Kittle, Knight, McDaniel, Mitchell, Verbeke
No: None
Motion Carried (7-0)

Resolution No. 14.02.044

Adjourned to Executive Session at 9:07 p.m. Resumed regular meeting at 9:32 p.m.

Moved by Verbeke; Seconded by Burmeister.
RESOLVED: To terminate the agreement with EAFocus, and authorize the City Administration to, within the next seven days, give EAFocus a thirty day written notice to dissolve/terminate the agreement.
VOTE: Yes: Burmeister, Hammond, Kittle, McDaniel, Mitchell, Verbeke
No: Knight
Motion Carried (6-1)

Resolution No. 14.02.045

14. ADJOURNMENT

The meeting adjourned at 9:33 pm.

_____________________________________    ____________________________________
Kevin R. McDaniel, Mayor      Terri Kowal, City Clerk
CITY OF AUBURN HILLS
RESOLUTION 14.02.040
APPROVING AN AMENDMENT FOR
CONTINENTAL STRUCTURAL PLASTICS, INC.
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE 2012-570

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the 17th day of February, 2014.

The following resolution was offered by Councilperson Knight and supported by Councilperson Hammond:

WHEREAS, the City of Auburn Hills and the State Tax Commission approved an Industrial Facility Exemption Certificate in the year 2013 for Continental Structural Plastics, Inc. for a facility located at 255 Rex Blvd., Auburn Hills, and

WHEREAS, the certificate, known as Industrial Facility Exemption Certificate 2012-570, was approved with an estimated project cost of $1,577,500 for real property, and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the 17th day of February, 2014 at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, Continental Structural Plastics, Inc. has filed an application for an amendment to reflect the revised estimated costs for real property, and

WHEREAS, Rule 54 of the State Tax Commission allows a local unit to approve the revised cost of an Industrial Facility, and

WHEREAS, it is hereby found and determined by the City of Auburn Hills Council that the granting of the revised cost for Industrial Facility Exemption Certificate 2012-570 is reasonable and proper, and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property exempted.

NOW, THEREFORE, BE IT RESOLVED that the request for revised costs in the amount of $3,361,871 for real property for Industrial Facilities Exemption Certificate 2012-570, and

The City Council of Auburn Hills finds and determines that the granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974 and PA 255 of 1978, shall not have the effect of substantially impeding the operating of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.

The City Clerk shall send an original copy of this resolution to the Continental Structural Plastics, Inc. and the State Tax Commission.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke

NAYS: None

ABSENT: None

ABSTENTIONS: None

RESOLUTION 14.02.040 APPROVED (7-0)

STATE OF MICHIGAN) )SS
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 17th day of February, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 20th day of February, 2014.

________________________________
Terri Kowal, City Clerk
At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the 17th day of February 2014.

The following resolution was offered by Councilperson Mitchell and supported by Councilperson Burmeister:

WHEREAS, the City of Auburn Hills and the State Tax Commission approved an Industrial Facility Exemption Certificate in the year 2013 for Continental Structural Plastics, Inc. for a facility located at 255 Rex Blvd., and

WHEREAS, the certificate, known as Industrial Facility Exemption Certificate 2012-571, was approved with an estimated project cost of $662,000 for personal property, and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the 17th day of February, 2014 at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, Continental Structural Plastics, Inc. has filed an application for an amendment to reflect the revised estimated costs for personal property, and

WHEREAS, Rule 54 of the State Tax Commission allows a local unit to approve the revised cost of an Industrial Facility, and

WHEREAS, it is hereby found and determined by the City of Auburn Hills Council that the granting of the revised cost for Industrial Facility Exemption Certificate 2012-571 is reasonable and proper, and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the city of Auburn Hills after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property exempted.

NOW, THEREFORE, BE IT RESOLVED that the request for revised costs in the amount of $940,208 for personal property for Industrial Facilities Exemption Certificate 2012-571, and

The City Council of Auburn Hills finds and determines that granting of this Industrial Facilities Exemption Certificate, together with the aggregate amount of the certificates previously granted and currently in force, under PA 198 of 1974 and PA 255 of 1978, shall not have the effect of substantially impeding the operating of the City of Auburn Hills, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Auburn Hills.

The City Clerk shall send an original copy of this resolution to the Continental Structural Plastics, Inc. and the State Tax Commission.

AYES: Mayor McDaniel, Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION 14-02-041 APPROVED (7-0)

STATE OF MICHIGAN) )SS
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 17th day of February, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 20th day of February, 2014.

________________________________
Terri Kowal, City Clerk
CALL TO ORDER: Chairman Hassett called the meeting to order at 4:00 p.m.

ROLL CALL: Present: Ardelean, Goodhall, Gupta, Hassett, Molnar, and Price
Absent: Dilland, Dolly and Thornton
Also Present: TIFA Executive Director Tom Tanghe, Finance Director Gary Barnes, Deputy Finance Director Michelle Schultz, Coordinator of Community Relations & Legislative Affairs Stephanie Carroll

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

PERSONS WISHING TO BE HEARD
None

CORRESPONDENCE & PRESENTATIONS
Mr. Tanghe gave a verbal report on the status of the Primary Street Townhouse development. He informed the Board that the initial purchaser of the property withdrew. Subsequently, there is a new buyer looking at building approximately 18-20 units.

Mr. Tanghe gave a verbal report on the status of the University Drive Streetscape project.

Following the two updates, the Board had a short discussion on the University Drive Bridge TIFA Funding.

APPROVAL OF MINUTES
Moved by Goodhall to approve the January 14, 2014 minutes as corrected.
Supported by Molnar.
Yes: Ardelean, Goodhall, Gupta, Hassett, Molnar, Price
No: none

Motion carried

FINANCIAL REPORT
Finance Director Gary Barnes presented the financial report for January 31, 2014, reviewing the activities for this period, including the most recent revenues and expenses. That report included the following Total Liabilities and Fund Balances and Available Cash:

<table>
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<tr>
<th>Fund</th>
<th>Liabilities</th>
<th>Available Cash</th>
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<tr>
<td>TIFA 85-A</td>
<td>$26,638,353</td>
<td>Available Cash (TIF-A) $1,476,592</td>
</tr>
<tr>
<td>TIFA 85-B</td>
<td>$14,072,289</td>
<td>Available Cash (TIF-B) $10,100,381</td>
</tr>
<tr>
<td>TIFA 86-D</td>
<td>$27,239,212</td>
<td>Available Cash (TIF-D) $2,963,943</td>
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<tr>
<td></td>
<td>$67,949,854</td>
<td></td>
</tr>
</tbody>
</table>
Supported by Price.
Yes: Ardelean, Goodhall, Gupta, Hassett, Molnar, Price
No: none

OLD BUSINESS
None

NEW BUSINESS
The Board was presented with a request for the Squirrel Road Enhancement Project. Mr. Grice provided an overview of the project.

Mr. Hassett questioned the money from the tree fund. Mr. Grice indicated those dollars were for irrigation and other green infrastructure.

Moved by Goodhall to recommend to City Council, award of the Squirrel Court enhancement project to Fiore Enterprises, LLC in the amount of $512,673.86. In addition, approve the remaining non-participating project costs in the amount of $229,350.00 and authorize the TIFA Executive Director to approve any necessary change orders to successfully fulfill the requirements of the contracts. Funding in the amount of $499,465 to be provided by TIF District-A, Account No. 251-735-973.000 TAPGRANT and the tree fund, Account No. 242-447-955.002.
Supported by Ardelean.
Yes: Ardelean, Goodhall, Gupta, Hassett, Molnar, Price
No: none

BOARD MEMBER COMMENTS
None

ANNOUNCEMENT OF NEXT MEETING – The next regularly scheduled TIFA Board meeting is Tuesday, March 11, 2014 at 4:00 p.m. at City Hall in the Administrative Conference Room.

ADJOURNMENT
Moved by Goodhall to adjourn the meeting at 4:54 p.m.
Supported by Price.
Yes: Ardelean, Goodhall, Gupta, Hassett, Molnar, Price
No: none

Respectfully submitted,

Steve Goodhall
Secretary of the Board

Stephanie Carroll
Recording Secretary
CALL TO ORDER: Chairman Coolman called the meeting to order at 6:00 p.m.

ROLL CALL: Present: Members Boelter, Coolman, Hammond, Petras, Taylor
Abs­ent: None
Also Present: Director Olko, Deputy Director/Fire Manning, Deputy Director/Police Hardesty, Lt. Gagnon, Council Member Mitchell

LOCATION: Grusnick Public Safety Building, 1899 N. Squirrel Road, Auburn Hills MI 48326

3. APPROVAL OF MINUTES -
3a. July 29, 2013
3b. October 15, 2013
3c. January 27, 2014

Moved by Ms. Hammond to approve the minutes; Seconded by Mr. Boelter.
VOTE: Yes: Boelter, Coolman, Hammond, Petras, Taylor
No: None

Motion Carried (5-0)

4. PERSONS WISHING TO BE HEARD – none

5. NEW BUSINESS
5a. Emergency Medical & Emergency Fire Dispatch System
Lt. Gagnon explained this had gone out for bid a second time, after realizing there was more than one company that provided this service. Three companies were asked to submit bids, two companies, Priority Dispatch and APCO submitted bids, the third company Power Phone, could not meet the City’s specifications.

Lt. Gagnon explained there are three types of emergency dispatch systems: Guidecards, which are flip charts with tabs to quickly flip to the section that applies to the caller’s needs and notes what steps the dispatcher should take for that particular situation. Next are Spreadsheets, homemade, with information copied from the flip charts and onto an Excel spreadsheet and used in the same manor. The third is software integrated into (CAD) Computer Aided Dispatching. This is the quickest and most efficient for the dispatcher to assess the needs and put the necessary response in motion.

Priority Dispatch responds to more emergency calls in a week, than APCO does in a year. A very well respected company. In reviewing the bids, there are no Michigan references for APCO, nor did they meet all the bid specifications. Priority Dispatch either met or exceeded expectations with their training, software and quality assurance/improvement program and has numerous Michigan references.

Priority Dispatch integrates with the current computer system; it does not require the need to purchase new computers.

Deputy Director/Police Hardesty noted this request is for fire/medical dispatching and not for police dispatching at this time.

Lt. Gagnon stated the price for Priority Dispatch will not exceed $81,000. Most of the costs quoted are fixed, the installation/implementation cost is an estimate; the exact costs will depend on programming time.
The advantages of Priority Dispatch’s ProQA software are:

- Establishes a standard of service (Protocol Based)
- Enables prioritized responses (Determinant Codes)
- Enables quality assurance/improvement of services
- Liability risk reduction (Protocol Based)
- Accurate, consistent and concise information to first responders
- Certification & Accreditation
- On-site training of all communications staff
- Project management & on-site installation

APCO International “911 Advisor” software review:

- Software provides a basic template (agency completes the instructions & pre-arrival instructions)
- Train the trainer program conducted on-line (two, six week programs)
- Unknown additional costs associated with the integration of software with CAD
- This software is not in use currently with CLEMIS or any other Michigan 911 center
- Quality assurance/improvement program is a guide and not protocol based
- Call takers are not required to follow protocols and can skip questions/instructions
- No determinant codes provided to determine level of response

Mr. Coolman asked if other companies cannot meet the specifications, because we, the City, is expecting too much from companies.

Lt. Gagnon stated he doesn’t believe the specifications are too stringent. Priority Dispatch is located in Salt Lake City, Utah, and has provided emergency medical dispatch programs since 1987. Fire and police dispatching has been done since the early 2000’s. Priority Dispatch programs meet and/or exceed national standards, including Oakland County Medical Authority. Priority Dispatch programs are used by 3,000 agencies worldwide and 67 million calls are processed annually. Their product is very different from other companies.

APCO and Power Phone provide a template that each agency builds according to their needs; however, it is not known if or how these programs would connect with Oakland County.

The Priority Dispatch software provides callers with the feeling of zero-response time, because in most cases the dispatcher will remain on the line until responders arrive on the scene. The first responders will have accurate real-time updates to patient conditions.

Deputy Director/Fire Manning explained that by AHFD dispatching medicals and fires, there are deficiencies or delay in communications with the Fire personnel getting up-to-date information; this program is step-by-step and consistent. This program identifies when a responder should use lights and sirens, based on the degree of urgency.

Responding to Mr. Petras, Lt. Gagnon explained any software changes will automatically update. There is an annual fee of $6,700, which includes updates and upgrades to the software. At this time, the Emergency Police Dispatching component will not be included with this dispatch program.

Mr. Boelter asked if police will continue to respond to delta calls.

Lt. Gagnon stated yes; the codes will determine the correct response to a call, such as whether lights and sirens are needed, or normal driving, as well as what personnel is needed. The delta and echo calls will definitely have a police response, but it may not be necessary for the other calls. Priority Dispatch uses unified standards (protocols) that are the same in every system, allowing for constant research and evidence-based validation and updates. APCO’s system does not provide the same level of prioritization and does not provide determinate codes. Priority Dispatch also provides signals in the software for the call taker that enough basic information has been obtained to determine the response level and to start sending units, unlike APCO.

Oakland County Central Dispatch has been using the Priority Dispatch “ProQA” emergency medical dispatch since the early 2000’s and has been very satisfied. In 2010 Oakland County began using emergency fire dispatch for fire incidents to increase service levels to fire departments. The Sheriff’s Department recently added police dispatch software, but there have been some compatibility issues.

Mr. Coolman asked the timeline of implementation.
Director Olko stated if approved, STAR will only be continuing dispatch service as of May 1st, until the new program is in place and dispatchers have been trained. Training and software loading could begin June 1st. The building reconfiguration as discussed at the last meeting would not begin until at least 2015.

Deputy Director/Fire Manning stated STAR will charge $7.00 per dispatch call and will continue the dispatch services until the new program is completely implemented.

Moved by Mr. Boelter to recommend to City Council approval to purchase Emergency Medical and Fire Dispatching Software from Priority Dispatch and authorize the City Manager to convey acceptance by purchase order in the amount not to exceed $81,000.00.

Supported by Mr. Taylor.

VOTE: Yes: Boelter, Coolman, Hammond, Petras, Taylor
No: None

Motion Carried (5-0)

6. OLD BUSINESS – none

7. REPORT FROM THE DEPARTMENTS

7a. Fire Department

Deputy Director/Fire Manning affirmed Council approved at their last meeting the recommendations of the ambulance billing services and STAR as the emergency backup service. Staff is currently working with MHR on supplying the necessary information for medicare number process.

A firefighter was involved in an accident that was the other driver’s fault. The firefighter suffered minor injuries, and the Durango will likely be totaled.

7b. Police Department

Deputy Director/Police Hardesty noted the Department has hired three new candidates, completing the existing vacancies and bringing the Department to the optimum number of employees. There are a number of retirements that will take place this year, so the hiring process will be continued.

Mr. Coolman asked if there is a meet and greet for new officers.

Director Olko stated there isn’t, but at the annual banquets for Police and Fire, the new faces as well as the current personnel can be introduced.

8. ADJOURNMENT

The meeting adjourned at 6:49 p.m.

Respectfully Submitted,

Kathleen Novak
Records Retention Clerk
DATE: MARCH 3, 2014 MEETING

To: Mayor and City Council
From: Peter E. Auger, City Manager, Dan Brisson, Manager of Fleet and Road Divisions and
Mark Michling, Utilities Manager.
Submitted: February 26, 2014
Subject: 2014 Bloomfield Orchards Subdivision- Water Main Replacement & Concrete Street Patching,
Scope of Engineering Services.

INTRODUCTION AND HISTORY
Budgeted in 2014 is $ 882,000.00 for water main replacement and $ 316,800.00 for concrete road repairs in the Bloomfield Orchards Subdivision. Water main replacement identified for this project is the fifth phase of the 2003 Bloomfield Orchards Water Main Replacement Master Plan with some modifications to meet the 2014 budgeted amount. The cast iron main will be pipe burst and replaced with new high-density polyethylene (HDPE) piping. In addition to the replacement water main, all fire hydrants and gate valves will be replaced as part of the project. Once existing service lines are connected to the new main, restoration will be completed and concrete repairs will be performed to extend the service life of these roadways. Water main replacement and roadway repairs are planned for the following areas in the subdivision:

- Provincetown from Jamestown to Sheffield
- Sheffield from South Boulevard to Crofthill
- Southampton from South Boulevard to Crofthill

Attached is the OHM proposal outlining the scope of engineering services for the project. Cost breakdown is as follows:

- Survey and Obtain information $ 20,609.00
- Plan Development 13,544.00
- Final Design & Contract Documents 8,464.00
- Bidding Assistance 1,256.00

TOTAL $ 43,872.00

Engineering services cost distribution is $ 21,122.00 for the water main portion and $22,750.00 for the concrete patching.

STAFF RECOMMENDATION
Attached is the OHM proposal outlining engineering services for the project. The DPW and OHM have met to discuss packaging the water main and road repairs as one contract in order to maximize efficiencies and reduce conflicts of two contractors working in the same area. The DPW recommends Council approve the costs associated with the engineering portion of the project. The construction costs will be presented to Council once bidding for the project is received.

MOTION
Move to approve the OHM Scope of Engineering Services for the 2014 Bloomfield Orchards Subdivision, Water Main Replacement & Concrete Street Patching for the not-to-exceed amount of $ 43,872.00. Funding is provided from Local Streets (203-453-935.000) and Water Fund (592-536-977.000).

I CONCUR:

PETER E. AUGER, CITY MANAGER
February 21, 2014

City of Auburn Hills
1500 Brown Road
Auburn Hills, MI 48326

Attention:  Mr. Ronald Melchert
Director of Public Works

Regarding:  Auburn Hills 2014 Bloomfield Orchards Subdivision
Concrete Road Maintenance and WM Replacement, Phase V
Scope of Engineering Services

Dear Mr. Melchert:

Thank you for this opportunity to provide professional engineering services for the above referenced project. We have prepared the following project understanding and scope of services to be provided by OHM Advisors based on our previous discussions.

PROJECT UNDERSTANDING

It is our understanding that the City of Auburn Hills plans to continue with both the annual concrete road maintenance program and the water main replacement program in the Bloomfield Orchards Subdivision for 2014.

The roads selected for the 2014 concrete program are based on City budgeted funds and recommendations included in the 2013 Road Maintenance Report prepared by OHM. The following concrete maintenance activities are proposed:

- Provincetown from Jamestown to Sheffield
- Sheffield from South Blvd to Crofthill
- Southampton between South Blvd and Crofthill

The contract documents for the proposed concrete maintenance work will be prepared in log format. During the field logging, pedestrian facilities, sidewalks and ramps will be evaluated to determine future improvements necessary to bring the ramps into compliance with ADA. They City will need to decide on whether to do the upgrades as part of this project or a future project.

The water main replacements areas have been selected based on the phasing recommendation from the 2003 Bloomfield Orchards Water Main Replacement Master Plan. Some modification to the phase scope outline in the report was made to meet the planned budget amount. The WM replacement continues a multi-phase project consists of pipe bursting the existing cast iron water with new high-density polyethylene (HDPE) pipe. The proposed project limits for Phase 5 are; Sheffield between South Blvd and Crofthill; Southampton between South Blvd. and Crofthill; Provincetown between Jamestown and Sheffield. The total phase 5 quantities are approximately 4,000 ft of 8 inch and 260 ft of 12 inch water main. All but a 500-foot section of Southampton between South Blvd and Provincetown have been previously designed for the anticipated 2009 bid letting, however the project was put on hold prior to bidding.
In addition to replacement of the existing water main, all hydrants and gate valves will be replaced as part of the project. Based on experience from the previous phases of the project, exiting copper water services have been in good condition with the occasional service line curb stops needing to be replaced.

There will be areas where the water main replacement project will require removing existing roadway, driveway and sidewalk surfaces. By combining the annual concrete pavement maintenance program with the water main replacement there are savings anticipated due to synergies in the contracts and increased quantities. The residence will also benefit from a single contractor coordinating the work resulting in minimized time that the roadway is under construction.

SCOPE OF SERVICE

Task 1 – Survey and Obtain Information
Under this task, we will initiate the project and obtain necessary information to proceed with the design. Specific work efforts include:

- Attend pre-design meeting with the City to discuss project approach and schedule.
- Review existing utility information and record drawings for the Bloomfield Orchards subdivision area.
- Review as-built information from prior phases of water main replacement.
- Collect additional topographic information along Southampton between South Blvd and Provincetown. The survey will include roadway and utility features within the Right-of-way (ROW).
- Obtain detailed locations and elevations of existing roadways, sidewalks, driveways, retaining walls, surface utility features, landscaping and other, pertinent items within the ROW of this project area.
- Conduct a condition survey (log) of existing roadways to be utilized in preparation of the contract documents. This information will include but not be limited to road dimensions, existing road surface conditions, locations and condition of structures within the paved section, pavement markings, curb & gutter, shoulders, and culverts.
- Notify all known utility agencies of the proposed project within the project limits. Check for conflicts and coordinate relocations as needed.

Task 2 – Plan Development and Permitting
Under this task, we will undertake the preparation of construction plans and specifications and advertise the project for bidding. Specific work efforts include:

- Revise and prepare additional plans for the water main replacement.
- Revise and update opinion of probable cost.
- Prepare technical specifications and method of payment entailing materials, equipment, and labor necessary to perform the work.
- Prepare a bid sheet entailing all items of work and associated quantities.
- Prepare preliminary schedule for proposed work including construction start, substantial completion, and final completion dates.
- Produce two (2) copies of contract documents for the DPW, if requested.
- Prepare documents to obtain a Water Main Extension Permit from MDEQ, permit obtain for the 2009 project has expired. If required, a maximum of two (2) submittals will be completed.
- Prepare documents to obtain a Michigan Department of Transportation (MDOT) and Road Commission for Oakland County (RCOC) temporary signing permits for South Boulevard. If required, a maximum of two (2) submittals will be completed.

Task 3 – Final Design and Contract Documents
Based on comments received from permitting agencies and the City on the draft plans, the design will be finalized and contract documents created. Specific work efforts include:

- Finalize design plans based on comments obtained during the draft plan review.
- Finalize technical specifications and method of payment.
- Assemble applicable maintenance of traffic specification necessary to complete the proposed work for
inclusion in the contract documents.

- Prepare a bid sheet entailing all items of work and associated quantities.
- Prepare final opinion of probable cost.
- Perform final design Quality Control /Quality Assurance internal review.
- Prepare final schedule for proposed work including construction start, substantial completion, and final completion dates.
- Plan and attend one (1) meeting with the City to review contract documents prior to distribution for bid, if requested.

**Task 4 – Bidding Assistance**

Once the contract documents are complete, the project will be advertised and bid for construction. Specific work efforts include:

- Prepare and place an advertisement for bid. The job will be advertised for two (2) weeks with MITA & CAM. An invoice for advertisement, if applicable, will be provided to the Clerk for payment.
- OHM will provide plans and contract documents to the prospective Contractors and answer/document Contractor’s questions during the bidding process.
- Attend the bid opening.
- Prepare and evaluate a project bid tab. The bid tab shall include all bidding Contractors’ total project bid and unit price breakdown.
- Check references for the three lowest bidding contractors.
- Provide a recommendation of award to the City.
- If the City Council awards the contract, then OHM will assist in executing the Contract books including the following
  i. Create and mail out a Notice of Award letter to the awarded Contractor.
  ii. Coordinate the execution of six (6) copies of contract book.
  iii. Produce two (2) executed copies of contract documents for the City. One copy will be delivered to the City Clerk and one copy will be delivered to the DPW.
- If the City Council does not award the contract, then OHM will communicate that information to the appropriate Contractors.

**SCHEDULE**

We anticipate that field work for this project would take place this spring, with design, permitting, and bidding following. It is our understanding that the City would like construction to start in early summer. We anticipate that the project can be bid for a presentation to City Council for approval in June. If the project is approved, construction could commence in July. This schedule is based upon an authorization to proceed given by March 3, 2014.

**COMPENSATION**

The services outlined above will be performed on an hourly basis for the not-to-exceed amount of forty three thousand eight hundred and seventy two dollars ($43,872). This amount is based on the assumptions listed below. The City will be invoiced for services on a monthly basis. The estimated budget breakdown is as follows:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survey and Obtain Information</td>
<td>$20,609</td>
</tr>
<tr>
<td>Plan Development</td>
<td>$13,544</td>
</tr>
<tr>
<td>Final Design &amp; Contract Documents</td>
<td>$8,464</td>
</tr>
<tr>
<td>Bidding Assistance</td>
<td>$1,256</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$43,872</strong></td>
</tr>
</tbody>
</table>
FURTHER CLARIFICATIONS AND ASSUMPTIONS

The above-listed scope of services was prepared with the following assumptions:

- Presentations to the Planning Commission and City Council will not be required.
- The City will be responsible for all permit application fees and permit fees, if required.
- No permanent right-of-way is anticipated. City will obtain temporary grading easements, if required.
- No geotechnical services are included in this scope of services.
- OHM will be pleased to provide any additional services for this project on an hourly basis.

Services not included in this proposal:

a. Construction phase services such as, but not limited to, construction management, construction engineering, construction administration, construction observation, and/or construction layout.

b. Location of private utilities, other than requesting as-built information from private utility owners.

Should you find this agreement acceptable, please execute both copies and return one copy to us for our files. We look forward to providing professional services on this project. If you have any questions, please contact us.

Sincerely,

OHM Advisors

cc: Jeff Herczeg, Deputy Director of Infrastructure
   Dan Brisson, Manager of Fleet & Roads
   Mark Michling, Manager of Public Utilities
   Nicholas Bayley, OHM Advisors
   File

City of Auburn Hills
2014 Bloomfield Orchards Subdivision
Concrete Road Maintenance and WM Replacement, Phase V

Accepted By:________________________________________________________

Printed Name:________________________________________________________

Title:_______________________________________________________________

Date:_______________________________________________________________
INTRODUCTION
In an effort to offer another tool in the City’s tool box, the enclosed amendment to the Woodlands Preservation Ordinance has been drafted by staff. It would allow for improvements that provide a public benefit to be offered by a developer and considered by the City Council, in lieu of the current standard of just paying money into the City’s Tree Fund.

Payment into the Tree Fund typically occurs when a site is revegetated to meet or exceed the Zoning Ordinance, but the developer is unable to fit all the required replacement trees back onto the site required per the Woodlands Preservation Ordinance due to new impervious surface area being added (e.g., parking lots and building).

With the great job municipalities have done over the years in protecting green spaces, SEMCOG is now reporting that the tree canopy across Southeastern Michigan averages 33% of the land. Oakland County reports a higher tree canopy amount of 44%. SEMCOG also estimates that Oakland County’s impervious surface area is around 20%. Thus, despite significant development, our land is still well-forested throughout the region.

1. First Reading Proposal
The original amendment proposal shown in BLUE below was discussed by the City Council on February 4, 2014:

“Payment into City Tree Fund. Where the applicant has clearly established that due to site conditions planting of all required replacement trees on site is not possible and that an appropriate off-site location is not available, the applicant may elect to pay the City a non-refundable amount, established by City Council resolution, for each replacement tree not planted, or in the alternative, the City and the applicant can by mutual agreement provide for some other improvement to be made and or paid for by the applicant that constitutes a public benefit or provides a public value subject to the review and recommendation by the Planning Commission and approval by the City Council.”

At that meeting, it was the consensus of the City Council that additional restrictions should be placed in the amendment prior to Public Hearing and Second Reading so that the Tree Fund does not become in jeopardy of being depleted in the future. Such as the following:

- Allow consideration of this new provision only on non-residential sites.
- Provide a cap on the Tree Fund balance so that sufficient funds are available when needed to replace dead or damaged trees due to storms or disease.
- The public improvement that is considered shall be tied to an improvement documented in a recognized City plan.

2. Second Reading Proposal
As a result, the proposed change shown in RED below works to address the City Council’s concerns and is now offered for approval:

“Payment into City Tree Fund. Where the applicant has clearly established that due to site conditions planting of all required replacement trees on site is not possible and that an appropriate off-site location is not available, the applicant may elect to pay the City a non-refundable amount, established by City Council resolution, for each replacement tree not planted, or in the alternative, for projects located on properties in non-residential zoning districts, if there is a minimum balance in the Tree Fund of $250,000 as of the
date that the City and applicant reach the following described mutual agreement, the City and the applicant can by mutual agreement provide for some other improvement to be made and or paid for by the applicant, if said improvement is documented in a recognized plan approved by the City and constitutes a public benefit or provides a public value subject to the review and recommendation by the Planning Commission and approval by the City Council."

STAFF RECOMMENDATION
Staff recommends approval.

This unique provision would work like a Planned Unit Development (PUD), where a proposal is offered and both sides would have to mutually agree to proceed. **Thus, if the City does not like the developer's offer it does not have to accept it.** We envision this option would allow a developer to build an improvement in a City park, pave a road, etc... provided the City Council finds the improvement constitutes a public benefit or provides a public value. It would potentially allow a proposal to be made which would address a desired public improvement where little to no allocated funds exist. Thus, it would allow the City Council to consider and approve a lesser contribution from a developer to address a needed public improvement today, in lieu of receiving full payment into the Tree Fund restricted to future tree planting. Our estimation is there are very few sites left that this would affect.

MOTION
“Move to adopt an ordinance to amend Article VIII. Woodlands Preservation in Chapter 34. Environment of the Auburn Hills City Code on second reading, to be known as Ordinance No. 14-858.”

I CONCUR:  

PETER E. AUGER, CITY MANAGER
CALL TO ORDER: by Mayor Pro Tem Kittle at 7:00 p.m.

LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

Present: Mayor Pro Tem Kittle, Council Members Burmeister, Hammond, Knight, Mitchell, Verbeke

Absent: Mayor McDaniel

Also Present: City Manager Auger, Assistant City Manager Tanghe, Director Olko, Deputy Director/Police Hardesty, Deputy Director/Fire Manning, Community Development Director Cohen, DPW Deputy Director Grice, City Clerk Kowal, Recreation Director Marzolf, Manager/PGA Pro Marmion, City Attorney Beckerleg, and City Engineer Juidici.

41 Guests

9g. Motion – Accept the First Reading of an Ordinance to Amend Article V III, Woodlands Preservation in Chapter 34, Environment of the Auburn Hills City Code and Set for Public Hearing and Second Reading / Adoption at the Meeting of March 3, 2014.

Mr. Cohen explained the City’s Woodland’s Ordinance stipulates any construction project that will impact trees must receive a tree removal permit. The Ordinance also requires replacement of the trees that were removed from the site and if it isn’t possible to replace all those trees on the site, then the trees must be planted elsewhere in the City, such as a park, or provide the cost of those trees, $380 per tree, deposited into a fund.

The Tree Fund was intended to spend the money, only on new trees. Currently the Tree Fund totals approximately $500,000. It is anticipated over the next 10 years, the Tree Fund will swell to nearly $1 million. Over the past 10 years, the Fund has remained relatively constant, $500,000, spending mostly just the interest. Some of this money will be spent on Squirrel Road and Riverside Park.

This proposed amendment would allow the developers another option of not paying into the Tree Fund, but to present a proposal to the City that would benefit the public. It would allow a developer to help fund either monetarily or otherwise, a project the City would like done, but isn’t budgeted for. This would be a win-win for the City and the developer. It is possible for the developer to support a current project at a lesser cost than contributing to the Tree Fund.

In one pending case, staff has determined a developer will be required to pay roughly between $500,000 and $750,000 into the Tree Fund, because of not being able to fit all the required replacement trees back onto the site required by the Woodlands Preservation Ordinance due to new impervious surface being added (e.g., parking lots and building).

This unique provision would work like a Planned Unit Development (PUD), where a proposal is offered and both sides would have to mutually agree to proceed. Thus, if the City does not like the developer’s offer it does not have to accept it; it is totally at the City Council’s discretion.

Ms. Verbeke stated she is torn with this proposal, noting Ms. Mitchell had a good idea of only allowing this provision in specific zoning districts. She asked what specifically the Tree Fund money can be used for.

Mr. Cohen explained historically in Auburn Hills, the Fund has been used for street trees or trees for parks. The Woodland’s Ordinance is less stringent; money can be spent on irrigation or mulch around the trees. Continuing, Mr. Cohen stated this proposal would be a tool, allowing a contribution be made to a new sewer, a pathway or a park amenity.

Ms. Verbeke suggested breaking the City into quadrants and wherever the developing parcel is located, the funds must be spent within that quadrant. Another possibility of not allowing a tax abatement to a company that the City is offering this option to. She isn’t real passionate about the amendment, but would like other options.
Mr. Auger stated those are good points, and those points could be negotiated in each and every proposal that would come before Council. He clarified, this isn’t an option for PUD’s, Mr. Cohen likened the amendment option to a PUD, in that it would be totally at Council’s discretion. As elected officials, Council would have to weigh the present day value of what the developer is offering, or to put the money in fund that can only be used for trees.

Ms. Hammond noted Auburn Hills is known as Tree City and for green space, but asked if funds could be used to help pay for the amphitheatre.

Mr. Auger stated, yes, the Parks and Recreation Master Plan’s wish list could benefit from this ordinance amendment.

Mr. Cohen confirmed for Ms. Hammond, Council would be informed of the amount of money that would be generated by paying into the Fund if a project could not meet the tree ordinance. If a developer has a project proposal, it would come before City Council for discussion and approval or rejection; if approved there will be a written agreement between the developer and the City. Continuing, Mr. Cohen mentioned, developers still must meet the landscape ordinance, which is more rigid than most communities. The City’s Woodland Consultant, Eric Olsen, has an actual tree count for each site, so the number of replacement trees from a developed site is accurate.

Ms. Mitchell agrees the City would benefit from having more flexibility with the Tree Fund. Also, her statement from the Planning Commission meeting was most people don’t realize how commercial Auburn Hills, because of all the landscaping that screens the businesses. She understands Council would have full control of accepting or denying a project, but she would like some guidelines or a reference point when this would be an option, such as the contribution to the Tree Fund would be over a certain percentage of what the development cost is.

Ms. Mitchell mentioned she had visited an established business on Taylor Road, who was under the impression that Auburn Hills would not allow trees to be cut down. The company lost power and production because of the tree. She doesn’t want the City’s image to appear there isn’t a willingness to work with businesses.

Ms. Verbeke asked how Mr. Olsen felt about this possible amendment.

Mr. Cohen stated Mr. Olsen would like to save every tree; however, he understands why this amendment is being proposed. Mr. Olsen has completed the tree survey for the earlier mentioned project and he understands the difficulty of replacing all the required trees.

Responding to Ms. Verbeke, Mr. Cohen envisions procedurally, there would be an attachment to the Development Agreement with a Woodlands Permit, because it will be part of the Woodlands Ordinance.

Ms. Verbeke asked if Council would review the site plan and a tree agreement with any conditions at the time of site plan approval.

Mr. Cohen stated that is correct.

Ms. Verbeke agrees with Ms. Mitchell and would like to see structure or conditions to allow the alternative of paying into the Tree Fund.

Mr. Knight would expect an alternate project would cost the equivalent of money deposited into the Tree Fund. He believes there will be good alternatives for developers to choose from and if Council objects, then back to the drawing board. The fewer restrictions will allow more flexibility.

Mayor Pro Tem Kittle asked if the proposed amendment, as it stands today, can be tweaked with some of the suggestions and be brought back for a second reading and adoption, or does the amendment have to remain as presented this evening.

Mr. Beckerleg stated relative minor changes can be made to the language and brought back for adoption.

Mayor Pro Tem Kittle believed the original ordinance remains the same, with a caveat added as another tool.

Ms. Millan is concerned the City is creating an incentive to have trees cut down by amending the Woodlands Ordinance. She would be in favor of allowing the funds to be spent only on green improvements.

Mr. Przybylo asked if anyone has walked through the parks to see how many trees have fallen down; he believes trees should be replaced before spending all the tree funds.
Moved by Knight; Seconded by Hammond.

RESOLVED: To accept the First Reading of an Ordinance to Amend Article VIII. Woodlands Preservation in Chapter 34. Environment of the Auburn Hills City Code and Set for Public Hearing and Second Reading/Adoption at the meeting of March 3, 2014 with staff recommendations for potential guidelines.

Ms. Verbeke stated she will not vote in favor of this amendment; she doesn't want the ordinance changed.

Mr. Knight suggested potential guidelines in the motion, may or may not have additional language added to the amendment, it will be at Staff’s discretion.

Mr. Auger stated he and staff has heard the concerns, they will regroup and see what creative guidelines can be included in the amendment, to make sure this amendment won’t be abused.

Mr. Knight stated he has faith in this Council and future Council’s to use this amendment wisely, without having to add criteria that may cause restrictions.

Mayor Pro Tem Kittle noted Staff does a great job coming up with creative ideas.

Ms. Mitchell stated she will support the motion, knowing Staff will return with some guidelines.

VOTE: Yes: Burmeister, Hammond, Kittle, Knight, Mitchell

No: Verbeke

Motion Carried (5-1)

Resolution No. 14.02.022

Ms. Verbeke asked staff to advise Council what expenses are currently allowed in the Tree Fund.
CALL TO ORDER: Chairperson Ouellette called the meeting to order at 7:00 p.m.

ROLL CALL:
Present: Beidoun, Hitchcock, Emery, Pierce, Shearer, Spurlin, Mitchell, Ouellette
Absent: Mendieta
Also Present: Community Development Director Cohen, Water Resource Coordinator Keenan, Senior Services Director Adcock, Recreation Director Marzolf, Deputy DPW Director Grice
Guests: 17

LOCATION: City Council Chamber, 1827 N. Squirrel Road, Auburn Hills, MI 48326

8. NEW BUSINESS

8a. General Discussion: Woodlands Ordinance Amendment (8:22 p.m.)

Mr. Cohen noted the City has a tree fund. If a developer cannot plant all the trees required, the money that would have been spent on the trees is put into a fund for future purchase and plantings of trees. The fund currently has a substantial balance with no immediate plans to utilize those funds. Staff has come up with another tool in the City's toolbox, which would allow for improvements by a developer in lieu of paying money into the City's Tree Fund. The improvement considered must provide a public benefit by the developer and approved by City Council. This unique provision would work like a PUD, where a proposal is offered and both sided mutually agree to proceed. If the City does not like the developer's offer, it does not have to be accepted.

Responding to a question, Mr. Cohen stated the amount of the tree fund may not necessarily be equal to the improvement being proposed. It would also be possible for a developer to pay the bid amount on an approved City project as opposed to doing the work themselves.

Ms. Mitchell understands the benefits of being flexible; however, she fears the landscape will suffer with not planting the required trees on a site. Currently, it is very difficult to see the number of commercial buildings in the City because the sites are heavily landscaped. She suggested this might be limited to a specific zoning district.

Mr. Cohen stated he understood and noted these would be sites where it isn't possible for the required number of trees on the site. The City's landscape requirements are tougher than most communities. This would affect those sites where the number of replacement trees is impossible and the developer would have to pay a significantly large sum into the tree fund, or because of costs the site wouldn't be developed. This would apply to those sites where the tree fund would be a major expenditure.

Mr. Cohen explained an agreement would be drafted when a developer and Council agreed on an alternative to the tree fund and signed by both parties.

Mr. Grice explained the City has been fortunate over the years to have sufficient funding for tree planting throughout the City. Historically, the long term goal was to leave the tree fund as a rainy day fund, when the City doesn't have all the options that are currently available.

Mr. Cohen doesn't believe this will be an administrative burden.

Mr. Grice concurred; staff does a very good job making sure things are done correctly, as well as the City engineers being available.
CITY OF AUBURN HILLS
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 14-858

WOODLANDS PRESERVATION ORDINANCE
AN AMENDMENT TO PROVIDE AN ADDITIONAL OPTION
FOR ADDRESSING THE REPLACEMENT OF TREES

Section 1.

Sec. 34-310(b) of Article VIII. Woodlands Preservation in Chapter 34. Environment of the Auburn Hills City Code, as amended, is hereby amended and shall read as follows:

Section 34-310. Tree Survey and Tree Replacement Requirements.
(b) Tree Replacement Guidelines.
(1) Tree Replacement on Site. The City Council (formal review) or Community Development Department (administrative review) shall approve tree relocation or replacement locations in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed, provided that survival shall not be jeopardized by improvements or activities.
(2) Tree Replacement Plan. The applicant shall provide a tree replacement/landscape plan showing replacement tree species and locations, transplanted tree species and locations, tree details, and a table showing tree diversity compliance.
(3) Tree Relocation or Tree Replacement Off-Site. Where it is not feasible and desirable to relocate or replace trees on-site, relocation or replacement may be made at another location in the City approved as part of the permit.
(4) Payment into City Tree Fund. Where the applicant has clearly established that due to site conditions planting of all required replacement trees on site is not possible and that an appropriate off-site location is not available, the applicant may elect to pay the City a non-refundable amount, established by City Council resolution, for each replacement tree not planted, or in the alternative, for projects located on properties in non-residential zoning districts, if there is a minimum balance in the Tree Fund of $250,000 as of the date that the City and applicant reach the following described mutual agreement, the City and the applicant can by mutual agreement provide for some other improvement to be made and or paid for by the applicant, if said improvement is documented in a recognized plan approved by the City and constitutes a public benefit or provides a public value subject to the review and recommendation by the Planning Commission and approval by the City Council.

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.

The 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 ____________, 2014, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES: 
NAYES: 
ABSTENTIONS: 

STATE OF MICHIGAN ) 
COUNTY OF OAKLAND ) ss.

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 ____________, the original of which is in my office.

______________________________   ____________________________
KEVIN R. MCDANIEL, Mayor    TERRI KOWAL, City Clerk
CITY OF AUBURN HILLS
ORDINANCE NO. 762

WOODLANDS PRESERVATION ORDINANCE
AN ORDINANCE TO PROVIDE FOR AND REGULATE THE REMOVAL AND REPLACEMENT OF TREES AND TO PROVIDE FOR INCENTIVES TO RECREATE WOODLANDS AND SAVE TREES

THE CITY OF AUBURN HILLS ORDAINS:

Section 1. Purpose and Declaration.
(a) Continued development of the City has resulted in and continues to cause an unregulated and, in many cases, unnecessary removal of trees and other forms of vegetation and natural resources and processes. The goal of regulating the removal of trees, vegetation and natural resources will achieve preservation of important physical, aesthetic, recreational and economic assets for both present and future generations balanced against the rights of individual property owners. Specifically, it is found that:
(1) Woodlands provide for public safety through the prevention of erosion, siltation, and flooding;
(2) Woodland growth protects public health through the absorption of air pollutants and contamination, including the reduction of excessive noise, mental and physical damage related to noise pollution;
(3) Trees, vegetation and associated natural resources provide a material aspect of the character of the City; and
(4) Trees and woodland growth serve as an essential component of the general welfare by maintaining natural beauty, recreation and irreplaceable natural heritage.
(5) Large Trees:
   a. Produce more oxygen than smaller trees
   b. Occur with less frequency than smaller trees.
   c. Are more valuable than smaller trees.
   d. Offer the community intangible benefits, such as providing a living link between generations.
   e. Are, for all intent and purpose, irreplaceable.
(b) Therefore, the purposes of this Section are as follows, to be applied throughout the City:
(1) To provide for the protection, preservation, proper maintenance and use of trees and woodlands in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat;
(2) To protect the woodlands (including trees and other forms of vegetation) for their economic support of local property values when allowed to remain uncleared in whole or in significant part, and for their natural beauty, character, and geological, ecological, or historical significance; and
(3) To provide for the paramount public concern for these natural resources in the interest of health, safety and general welfare of the residents of this City, in keeping with Article IV, Section 52 of the Michigan Constitution of 1963, and the intent of the Natural Resources And Environmental Protection Act of 1994, as amended, or replaced.

Section 2. Definitions.
The following definitions shall apply in the interpretation of this Ordinance:
Champion tree means any tree listed in the American Forestry Association’s National Registry of Big Trees or the Michigan Botanist’s Champion Trees of Michigan
Commercial Nursery or Tree Farm means a licensed plant or tree nursery or farm in relation to those trees planted and growing on the premises of the licensee, which are planted and grown for sale to the general public in the ordinary course of the licensee’s business.
Conservation Easement means a parcel of land perpetually dedicated for the preservation of woodlands.
Diameter Breast Height (d.b.h.) means a tree’s diameter in inches measured by diameter tape at four and one-half (4½) feet above the ground. On multi-stem trees, the largest diameter stem shall be measured. Drip Line means an imaginary vertical line extending downward from the outermost tips of the tree branches to the ground.

Floodplain means that area identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for Pontiac Township” with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps, hereby adopted by reference and declared to be a part of this Ordinance. This Flood Insurance Study is on file at the Community Development Department.

Landmark tree means a tree of a protected species, in excellent or good condition, with a DBH of 24 inches or larger.

Non-protected Tree means the tree is not deemed to be protected unless located in a designated wetland or floodplain and/or protected by State or Federal law. Non-protected trees include:

- Acer negundo
- Acer saccharinum
- Ailanthus altissima
- Betula pendula
- Catalpa speciosa
- Elaeagnus angustifolia
- Elaeagnus umbellata
- Fraxinus spp
- Ginkgo biloba, female
- Gleditsia triacanthos
- Maclura pomifera
- Morus alba
- Populus species
- Robinia pseudoacacia
- Rhamnus cathartica
- Rhamnus frangula
- Salix species
- Ulmus pumila

Boxelder
Silver Maple
Tree of Heaven
European White Birch
Catalpa
Russian-olive
Autumn-olive
Ash
Ginkgo (female only)
Common Honeylocust
(Thornless Cultivars Protected)
Osage-orange
White Mulberry
Poplars
Black Locust
Common Buckthorn
Glossy Buckthorn
Willows
Siberian Elm

1 Non-protected regardless of location

Person means an individual, partnership, corporation, association, city, school district or other legal entity.

Protected Tree means any tree having a diameter breast height (d.b.h.) of six (6) inches or greater within a designated wetland or floodplain; any tree in upland areas having a d.b.h. of six (6) inches or greater not classified as a non-protected tree; a Champion Tree; or any tree planted as a replacement tree.

Replacement Tree means a canopy tree (deciduous or evergreen) of a protected species, with a straight trunk, northern grown, hardy to Zone 5, tolerant of site soil conditions, and tolerant to known insects and diseases. Replacement trees shall be of a protected species and shall be State Department of Agriculture Nursery Grade No. 1 or better. Replacement tree sizes are to be a minimum of two and one and half (2½) inch caliper for deciduous trees, and eight (8) foot height for evergreen trees, unless otherwise stipulated in the Recommended Tree List as adopted by the City Council.

Transplant means the relocation of a tree from one site to another within the City. Transplanting shall be done with best management practices, following guidelines in the latest addition of the American Standard For Nursery Stock (ANSI Z60.1-2004 or later).

Tree means any self-supporting, woody plant of a species which normally grows to an overall height of fifteen (15) feet or more.

Wetland means poorly drained and very poorly drained soils (as defined in 1. and 2. below), of two (2) or more contiguous acres, including those which are either covered with water or on which the water table is at or near the surface for a considerable part of the year and which, by nature of their surface or subsurface soil characteristics, either contribute to the replenishment of subsurface water supply or are self-contained water resources; or, land with two (2) or more contiguous acres, characterized by the
presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life; wetlands are commonly referred to as bogs, swamps, or marshes.

1. Poorly drained soils are those general organic soils from which water is removed so slowly that the soil remains wet for a large part of the time. The water table is commonly at or near the surface during a considerable part of the year. Poorly drained conditions are due to a high water table, to a slower permeable layer within the soil profile, to seepage, or to some combination of those conditions.

2. Very poorly drained soils are those soils from which water is removed from the soil so slowly that the water table remains at or on the surface a greater part of the time. Soils of this drainage class usually occupy larger or depressed sites and are frequently ponded.

Woodland means a biological community dominated by trees and other woody plants. It is composed of several layers of plants, consisting of a canopy (dominant trees), understory (woody trees and shrubs), and ground cover (woody and herbaceous plants). Woodland edges are defined as the perimeter of the tree canopy.

Section 3. Tree Removal Permit Applicability and Review Procedures.

(a) Permit Required. Except as otherwise provided in Section 3(b), a person shall not remove a tree or trees or cause a tree to be removed in the City of Auburn Hills without a tree removal permit issued by the City Council or Community Development Department in accordance with this Ordinance.

(1) A tree removal permit is required for the following:

a. The removal, relocation, or destruction of any tree, except as otherwise exempt in this Ordinance.

b. The construction of any structure, the depositing of any materials, land clearing, grubbing, or grading within the drip line of any protected tree.

(b) Exceptions.

A tree removal permit is not required in the following situations:

(1) Single-Family Residences. Individual single-family residential lots and parcels of property which have existing single-family residences located on them are exempt from the provisions and requirements of this Ordinance.

(2) Vacant, Undeveloped Lot/Parcel, Zoned Residential. An existing vacant, undeveloped lot/parcel, zoned residential on which the property owner has a valid building permit to construct one (1) new dwelling unit shall be exempt from the provisions and requirements of this Ordinance.

(3) Commercial Nursery or Tree Farm. Commercial tree farms and nurseries are excepted from the provisions of this ordinance; however, this exception is only applicable if the commercial nursery or tree farm has been licensed with the State of Michigan and in operation on the property for three (3) years or more, or the property owner records an affidavit that the commercial nursery or tree farm shall continue in active operation for a period of no less than five (5) years. This exception applies only as long as the tree farm or commercial nursery remains in operation and immediately terminates when such operations cease on the premises.

(4) Emergencies. Actions made necessary by an emergency, such as tornado, windstorm, flood, freeze, or other disaster, in order to prevent injury or damage to persons or property or restore order, and where it would be contrary to the interest of the public, or to the health or safety of one or more persons, to defer cutting pending submission and processing of a permit application.

(5) Maintenance, Repair, or Expansion of Public Services by a Public Agency. The removal, transplanting, or destruction of trees by a governmental agency, public utility, or their agent, in order to perform maintenance, repair, or expansion of lawfully located roads, public utilities and facilities used in the service of the public. For purposes of clarification, City of Auburn Hills' infrastructure projects which do not meet the administrative review provisions of Section 3(b)(4) are subject to this ordinance. Public notification is required only for properties which directly abut the improvement.
(6) **Dead, Catastrophic Decline, or Hazardous Trees.** With permission from the Community Development Department, trees can be trimmed or removed without replacement if:
   a. Where the tree is dead or poses a hazard, and the damage resulted from an accident or nonhuman cause; or,
   b. Where a tree is dying naturally as a result of catastrophic disease or insect, including, but not limited to; Oak Wilt, Dutch Elm disease, or Emerald Ash Borer infestation as determined by the City’s Woodlands Consultant.

(7) **Non-Protected Tree.** The removal of a non-protected tree as defined in Section 2 is exempt from the provisions and requirements of this Ordinance. The species of the tree shall be confirmed by the City Woodlands Consultant prior to removal.

(c) **Permit Application and Review.** Where a tree removal permit is required, an application shall be filed with the Community Development Department for review. The application shall be submitted together with a tree survey and tree replacement plan.

(1) **Internal Review for Completeness.** The City Planner, in consultation with the City Woodlands Consultant, shall review the tree removal permit application to verify that all required information has been provided.

(2) **On-Site Verification of Accuracy.** Upon receipt of a completed application, the City Planner shall authorize a field investigation by the City Woodlands Consultant to review and verify the accuracy of the information and details provided by the applicant. The receipt of the application shall constitute permission from the owner of the site to conduct such field investigation.

(3) **Public Hearing and Formal Review.** For projects not subject to administrative review as described in Section 3(c)4, the City Council, after Planning Commission public hearing (notification of property owners within 1,000 ft.) and recommendation, shall issue a tree removal permit when, in the reasonable exercise of its discretion, it has determined that:
   a. The tree replacement plan meets the requirements of this Ordinance.
   b. The removal or transplanting of protected trees is necessary within the development envelope for the construction of a structure or other site improvement required for development of the property.

(4) **Administrative Review – Site Plan/Subdivision Plat.** In those instances where based on the removal of protected trees, twenty (20) or less total replacement trees and transplanted trees (combined) are required to be planted at a project site, the City Planner shall cause a review of the plans and inspection by the City’s Woodlands Consultant of the project site to determine that such is the case. The City Planner is authorized to administratively approve the tree removal permit.
   a. If a champion tree or landmark tree is proposed to be removed from a project site, then the tree removal permit shall be reviewed by the Planning Commission and City Council regardless of the number of replacement trees or transplanted trees to be planted on the project site.

(d) **Review and Inspection Fees.**

(1) With the filing of an application, a fee shall be made payable to the City in an amount specified by resolution of the City Council, intended to cover all fees, including inspection and monitoring fees.

(2) If other consultant fees are required to be expended in reviewing the application, a further fee shall be made in an amount determined by the Community Development Department based upon the nature and extent of the study and/or consultations.

(e) **Conditions, Issuance, and Expiration of the Tree Removal Permit.**

(1) **Conditions.** The City Council (formal review) or Community Development Department (administrative review) may attach to the granting of the permit any reasonable conditions considered necessary to ensure the intent of this Ordinance will be fulfilled and to minimize damage to, encroachment in or interference with natural resources and processes within wooded areas including, without any limitation, the trees to be preserved.

(2) **Completion of Operation.** A maximum of twelve (12) months shall be provided to complete tree removal, transplanting and replacement operations insuring that plantings occur at correct times of the year. A six (6) month extension may be granted by the
Community Development Department provided a cash bond or irrevocable letter of credit with an evergreen clause (i.e., letter of credit may not expire without City approval) is submitted, in an amount established by City Council resolution, for each replacement tree. Replacement trees required to be planted in accordance with this Ordinance shall be in place and properly supported prior to the issuance of a final certificate of occupancy.

a. **As-Installed Tree Replacement Plan.** An accurate final plan showing the location of required tree plantings and date(s) of installation is required prior to the issuance of a final certificate of occupancy.

(3) **Security.** Where the applicant intends to develop a subdivision, site condominium, mass grading project, or phased project a cash bond or irrevocable letter of credit with an evergreen clause shall be submitted, in an amount established by City Council resolution, for each replacement tree. Monies shall be refunded by the City to the applicant as trees are planted back on site.

(4) **Term of Permit.** A tree removal permit issued under this section shall be null and void if work permitted under the permit has not commenced within twelve (12) months. The permit may be extended one (1) additional year by the City Council, after recommendation from the Planning Commission, provided the project still meets all requirements of this Ordinance.

a. **Exception.** A tree removal permit authorized in conjunction with a subdivision plat or Planned Unit Development project shall expire concurrently with the expiration of such project, unless an extension is granted by the City Council.

(f) **Successors in interest to applicant.** Successors in interest to the applicant shall conform to the tree removal permit and its conditions in their subsequent ownership, improvement, and occupancy of the property.

**Section 4. Tree Protection Prior to and During Construction.**

(a) Prior to the land clearing stage of development and before a tree permit will be issued, the owner, developer, or agent shall:

(1) Identify on site all trees or areas of trees which are being proposed to be preserved with fluorescent orange spray paint (chalk base) or by red flagging tape prior to field inspection by the Community Development Department.

(2) Erect barriers of four (4) foot-high wooden fencing or similar sturdy stock material staked with metal 'T-posts' five (5) feet on center for all such trees or groups of trees proposed to remain at the drip line or at a location that is deemed reasonable under the circumstances by the City Woodlands Consultant.

a. The City Council may require more substantial fencing, such as chain link, to protect: champion trees; plants which are threatened, endangered, or of special concern; or areas where trees being protected are in sensitive areas such as steep slopes.

b. Protective barriers are to be erected prior to any clearing or grubbing on the site, and barriers are to remain in tact until approved to be removed by the City, or when a Certificate of Occupancy is issued.

c. Keep clear all debris or fill, equipment, and material from within the required protective barrier.

d. During construction, not cause or permit any activity within the fence line of any protected tree or group of trees including, but not limited to, the storage of equipment, dumpsters, boulders, dirt, and excavated material, building or waste material, or any other material harmful to the life of a tree.

e. No damaging attachment, wires (other than cable wires for trees), signs, or permits may be fastened to any tree protected by this Ordinance.

(b) It is the applicant's responsibility to arrange a protective fencing inspection with the Community Development Department prior to land clearing and construction in order to ensure compliance with this section.
(c) When a champion tree is in danger of suffering from any type of nearby development, the party responsible for the development shall take appropriate steps as designated by the City's Woodlands Consultant to help the tree recover.

Section 5. Tree Survey and Tree Replacement Requirements.

(a) Tree Survey Guidelines:

1. The purpose of the tree survey is to locate trees having a d.b.h. of six (6) inches or greater on-site and identify areas where trees will be removed and saved. The tree survey shall be certified by a Registered Surveyor or Engineer, in a form acceptable to the Community Development Department and shall bear the following information and details:
   a. The scale shall be the same as the site plan or plat drawings.
   b. The shape and dimensions of the lot or parcel.
   c. The location of existing and proposed structures.
   d. The existing grade at the base of each tree shall be indicated on the tree survey using contour lines at two-foot intervals or spot grades.
   e. All trees shall be tagged in the field with identifying numbers, using non-corrosive metal tags, and shown on the plan with the corresponding number, including trees within twenty-five (25) feet of property lines and trees affected by road improvements and/or off-site utility work.
   f. The tree survey shall include a list of all trees having a d.b.h. of six (6) inches or greater on-site with their corresponding tree inventory number and disposition. Indicate common name, botanical name, d.b.h., condition, and whether or not are regulated. The list shall be provided on the plan.
   g. Show graphically the trees to be removed, to remain or to be relocated.
   h. The total number of trees on site, the total number of trees to be removed (protected and non-protected), and the total number of replacement trees required to be planted on site shall be indicated on the plan in table form.
   i. The proposed grade at the base of each tree shall be indicated, using contour lines at two-foot intervals or spot grades.
   j. A statement showing how trees to remain are to be protected on a permanent basis, including the proposed use of tree wells, protective barriers, tunneling, or retaining walls, shall be included on the plan.
   k. The location of protective fencing with details and specifications.
Trees do not need to be surveyed if fifty (50) feet or more outside the grading limits. The area to remain undisturbed shall be protected in accordance with this Ordinance prior to any activity.

Any easements, existing and proposed R-O-W lines, existing and proposed structures or construction, proposed grading limits, wetland limits, and 100 year floodplain line(s).

Provide a list of predominant species of sub-canopy trees, shrubs, and groundcover on the site, with approximate percentage coverage on the site.

Project phase lines.

(b) Tree Replacement Guidelines.

(1) Tree Replacement on Site. The City Council (formal review) or Community Development Department (administrative review) shall approve tree relocation or replacement locations in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed, provided that survival shall not be jeopardized by improvements or activities.

(2) Tree Replacement Plan. The applicant shall provide a tree replacement/landscape plan showing replacement tree species and locations, transplanted tree species and locations, tree details, and a table showing tree diversity compliance.

(3) Tree Relocation or Tree Replacement Off-Site. Where it is not feasible and desirable to relocate or replace trees on-site, relocation or replacement may be made at another location in the City approved as part of the permit.

(4) Payment into City Tree Fund. Where the applicant has clearly established that due to site conditions planting of all required replacement trees on site is not possible and that an appropriate off-site location is not available, the applicant may elect to pay the City a non-refundable amount, established by City Council resolution, for each replacement tree not planted.

(c) Replacement Tree Requirements

(1) Protected tree replacement ratio. Protected trees allowed to be removed through the permit process shall be replaced on a 1:1 ratio. All replacement trees shall be considered protected trees at time of placement, regardless of size.

(2) Landmark and Champion tree replacement ratio. Each protected landmark tree granted a removal permit shall be replaced with new replacement trees at a ratio of twenty-five percent (25%) of the caliper equivalent of the removed tree.

a. Calculation Example: 3 landmark trees 24” each in size are proposed to be removed (72” total caliper x .25 (25%) = 18 / 2.5 (replacement tree size) = 7.2).

   Thus, in this example, 3 landmark trees shall be replaced with 7 trees.

b. When units of measurements determining the number of required trees result in the requirement of fractional tree, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) tree.

(3) Tree Diversity. To provide for a thorough mix of trees indigenous to this area, and to avoid problems encountered in the past with monoculture, disease, and insects (for example, Dutch Elm disease / American Elm and Emerald Ash Borer / Ash Tree) the maximum percentage of tree species and genus permitted for replacement trees are governed to the following sliding scale:

a. 1-10 Replacement Trees – No Diversity Required
b. 11-50 Replacement Trees - 25% species / 50% genus

c. 51-100 Replacement Trees – 20% species / 40% genus
d. 101+ Replacement Trees – 10% species/ 20% genus

(4) Guarantee. Replacement trees shall be guaranteed for two (2) years from the date of planting. The applicant shall document the date(s) of tree installation with the Community Development Department. All trees relocated or planted as replacements shall exhibit a normal growth cycle and shall be maintained by the property owner for the life of the project.
Spacing requirements. Spacing shall be the same as in Landscaping and Screening Requirements, under the Zoning Ordinance in Section 1808, unless deviations are approved by the City Council for the purpose of providing a dense screen.

Planting details. Trees are to be planted per guidelines in the planting detail approved by resolution of the City Council.

Section 6. Incentive for Woodland Preservation.
(a) As an alternative or partial alternative to planting replacement trees, the City Council, after recommendation from the Planning Commission, may grant replacement tree credit for upland woodlands preserved via a conservation easement.
(1) The tree credit shall be one and one-half (1 1/2) trees for each protected tree saved.
(2) The credit shall not apply for woodlands preserved in wetlands or in conservation areas proposed via the Planned Unit Development Option in Zoning Ordinance No. 372.
(3) Conservation easements shall be one-eighth (1/8) acre in size or larger and have a minimum width of twelve (12) feet.
(b) Woodlands are encouraged to be preserved along property boundaries. These natural vegetative borders may help in establishing larger contiguous areas by being linked to similar woodlands or natural areas on adjacent parcels.

Section 7. Incentive for Woodland Mitigation.
(a) As an alternative or partial alternative to planting replacement trees, the City Council, after recommendation from the Planning Commission, may approve trees which are smaller in caliper size in situations where the intent is to recreate or create a densely-wooded area or wood lot. Such groupings of trees shall consist of canopy trees of a reduced caliper, understory trees, and shrubs and shall be used only in situations and locations where it is appropriate to create a densely-wooded effect.

With respect to mitigation, a woodland is composed of 136 canopy trees, 50 understory trees, 250 shrubs, and a herbaceous ground cover per acre. These numbers are based on property tree surveys and represent an average density per acre. Mitigated woodlands can enhance both the individual site and the overall community by establishing a natural buffer along property boundaries. These natural vegetative borders may help in establishing larger contiguous areas by being linked to similar woodlands or natural areas on adjacent parcels.
a. Mitigated woodlands shall consist of areas greater than 5,445 sq. ft. (1/8th of an acre) with the number of plants proportional to the area involved.

b. There is no maximum size limit for a mitigated woodland; however a minimum width of twelve (12) feet is required.

c. The edges of a mitigated woodland will be defined as a boundary six (6) feet away from the trunks of the border plants. Canopy and tree species should be randomly located throughout the mitigated area. Shrub species should be integrated along the edges to enhance the overall woodland appearance. Herbaceous ground cover shall be uniformly distributed across the entire area.

(2) **Replacement Credit and Mitigation Woodland Vegetation Mix.** The following table shows the credit for replacement trees for creating a mitigated woodland and the required plant diversity and distribution with the woodland. The credit represents an approximate twenty-five (25%) percent cost savings for the developer as an incentive for mitigating woodlands. In addition, the applicant will realize long term maintenance savings since mitigated woodlands do not require watering or lawn mowing after being established.

<table>
<thead>
<tr>
<th>Replacement Tree Credit</th>
<th>Mitigated Woodland Size</th>
<th>Mitigated Woodland Vegetation Mix</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Canopy Trees</td>
</tr>
<tr>
<td>101</td>
<td>1 acre</td>
<td>136</td>
</tr>
<tr>
<td>88</td>
<td>7/8 acre</td>
<td>119</td>
</tr>
<tr>
<td>76</td>
<td>3/4 acre</td>
<td>102</td>
</tr>
<tr>
<td>63</td>
<td>5/8 acre</td>
<td>85</td>
</tr>
<tr>
<td>51</td>
<td>1/2 acre</td>
<td>68</td>
</tr>
<tr>
<td>38</td>
<td>3/8 acre</td>
<td>51</td>
</tr>
<tr>
<td>26</td>
<td>1/4 acre</td>
<td>34</td>
</tr>
<tr>
<td>13</td>
<td>1/8 acre</td>
<td>17</td>
</tr>
</tbody>
</table>

(3) **Vegetation Distribution in a Woodland Mitigation Area.** The following table indicates the distribution of vegetation within a woodland mitigation area.

<table>
<thead>
<tr>
<th>Canopy Trees</th>
<th>Understory Trees</th>
<th>Understory Shrubs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage Distribution and Minimum Sizes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50% 1 1/2&quot; caliper branched</td>
<td>100% - 6' branched</td>
<td>100% - 18-24&quot;</td>
</tr>
<tr>
<td>25% 1&quot; caliper branched</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25% 6' branched</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evergreen tree – 3-4'</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(4) **Plant Diversity in a Woodland Mitigation Area.** The following table indicates the maximum percentage of a single genus in mitigated woodlands. The number of species used within the genus may vary.

a. This provision is intended to allow predominate vegetation in terms of plant genus to be utilized, while providing for diversity.

<table>
<thead>
<tr>
<th>Area</th>
<th>Canopy Trees</th>
<th>Understory Trees</th>
<th>Shrubs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Species</td>
<td>Genus</td>
<td>Species</td>
</tr>
<tr>
<td>1/8 to 3/4 acre</td>
<td>Var.</td>
<td>25%</td>
<td>Var.</td>
</tr>
<tr>
<td>Greater than 3/4 acre</td>
<td>Var.</td>
<td>20%</td>
<td>Var.</td>
</tr>
</tbody>
</table>

Var. = variable

(5) **Recommended Plant Selection.** The Recommended Vegetation List for woodland mitigation, adopted via resolution of the City Council, is based on plants indigenous to the
Great Lakes Region and their soil preferences. This list is intended as a guide. Final plant selection to be based upon specific site conditions.

(6) **Preservation of Woodland Mitigation Areas.** Woodlands mitigated under the provisions of this section shall be placed into a conservation easement.

(7) **Replacement of Dead Trees with Woodland Mitigation Areas.** Trees shall be guaranteed for two (2) years from the date of planting. The applicant shall document the date(s) of tree installation with the Community Development Department. All trees relocated or planted as replacements shall exhibit a normal live growth cycle and shall be maintained by the property owner for the life of the project.

(8) **Areas Woodland Mitigation is Not Permitted.** Areas where woodland mitigation should not occur are the following, unless authorized by the City Council:
   a. Existing wetland areas
   b. Within five (5) feet of existing or proposed utilities
   c. Within any existing or proposed easements
   d. Within five (5) feet of a building or paved area

**Section 8. Inspections: Stop Work; Certificate of Occupancy**

(a) **Inspections.** The applicant shall allow City representatives to enter and inspect the premises at any reasonable time, and failure to allow inspection shall constitute a violation of this ordinance.

(b) **Stop Work: Withholding Certificate of Occupancy.** The Community Development Department may issue a stop work order or withhold issuance of a certificate of occupancy, permits or inspections if this ordinance is being violated and/or until the provisions of this ordinance, including any conditions attached to a tree removal permit, have been fully met.

**Section 9. Variances.**

(a) A person applying for a tree removal permit may seek a variance if a practical difficulty makes strict compliance with the ordinance impractical.

(b) Upon the application of a person seeking a variance, the Planning Commission shall hold a public hearing after notice of the hearing is sent to property owners within 1,000 feet of the site and published in a newspaper having general circulation within the City not less than fifteen (15) days preceding the hearing.

(c) The City Council, after recommendation from the Planning Commission, may grant a variance if it finds a practical difficulty exists in complying with the strict application of this ordinance. In determining the existence of a practical difficulty, City Council shall consider:
   (1) The intent and purposes of the ordinance;
   (2) The character and community value of the protected trees affected;
   (3) The presence of unique circumstances which makes compliance with the ordinance physically impractical; and
   (4) The imposition of such conditions upon the grant of a variance as may be necessary to preserve, protect and/or propagate protected trees.

**Section 10. Penalties, Sanctions, and Remedies for Violation**

(a) **Civil Infraction Penalties.** Any person who violates the provisions of the Woodlands Preservation Ordinance, of the Auburn Hills City Code, as amended, shall be responsible for a municipal civil infraction, subject to the Schedule of Fines adopted by the 52-3 District Court, plus costs and other sanctions, for each offense.

   (1) In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the District Court Judge is authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation, of the provisions of Woodlands Preservation Ordinance of the Auburn Hills City Code, as amended.

   (2) The removal of a protected tree without a valid tree removal permit from the City shall constitute an act of violation. Each protected tree removed without a permit shall constitute a separate offense.

   (3) In addition to any remedies provided for by this Section, any equitable or other remedies available may be sought.
(4) The District Court Judge shall be authorized to impose costs, damages and expenses as provided by law.

(b) Required Mitigation for Tree Removal Without a Permit or Removal of Trees Originally Proposed to be Saved. The person in violation of this ordinance shall be required to mitigate for trees removed either without a tree removal permit or originally indicated and intended to be saved when such trees are excessively damaged or removed in violation of an approved permit during construction to the extent that it puts the tree at risk of death as determined by the City’s Woodlands Consultant.

(1) Protected trees, which are not landmark or champion trees, shall be replaced at one-hundred (100) percent DBH on an individual or cumulative basis.

(2)landmark and champion trees shall be replaced at one hundred twenty-five (125) percent DBH on an individual or cumulative basis.

(3) The size and location of replacement trees is at the discretion of the City Council, after recommendation from the Planning Commission.

(4) The violator is responsible for all costs and fees related to City's investigation of the offense.

(5) Mitigation shall be provided in addition to any other fines and remedies levied for the civil infraction.

(c) Required Mitigation for Tree Removal Without a Permit Where Evidence is Removed or Destroyed. In such cases where mass tree removal occurs and the evidence of tree species, sizes, and/or locations are destroyed or unidentifiable by the City's Woodland Consultant, then the site will be assumed to have been a woodland; unless clear evidence is provided by the violator establishing the size and species of the removed trees. With respect to mitigation, a woodland is composed of 136 canopy trees, 50 understory trees, 250 shrubs, and an herbaceous ground cover per acre. The violator shall plant or pay into the City's tree fund the financial equivalent per acre as determined by the City.

(1) The violator is responsible for all costs and fees related to City's investigation of the offense.

(2) Mitigation shall be provided in addition to any other fines and remedies levied for the civil infraction.

Section 11. 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 12. 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 13. Savings.
The 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 14. 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 15. 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 14th day of November, 2005, and ordered to be given publication in a manner prescribed by the Charter of the City of Auburn Hills.

AYES: Mayor Edwards, Mayor Pro Tem Pillsbury, Council Members Kittle, Knight, Luenberger, Newkirk
NAYES: None
ABSENT: Council Member McDonald
ABSTENTIONS: None

ORDINANCE ADOPTED

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. 762 adopted by the Auburn Hills City Council on the 14th day of November 2005, the original of which is in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 15th day of November, 2005.

LINDA F. SHANNON, City Clerk

MARI HARVEY-EDWARDS, Mayor
CITY OF AUBURN HILLS
To: Mayor and City Council  
From: Peter E. Auger, City Manager, Donald Grice, DPW Deputy Director & Gordon Marmion, Fieldstone Golf Course Manager  
Submitted: February 25, 2014  
Subject: 2014 Golf Fees

INTRODUCTION AND HISTORY
Over the past few weeks, at the direction of City Council, Fieldstone staff has been reviewing the 2014 fee schedule in an effort to find additional cost saving opportunities for City Residents. The rate structure at FGC is based on several factors. First is to cover the overall financial investment. Second is the annual maintenance costs. A third consideration is the competitive rates for a “premier daily fee facility.” Greens fees have been positioned slightly under our direct competitors (Orchards, Sheppards Hollow, Pine Trace, Greystone, BoulderPoint, and West Wynd). This pricing structure and strategy has provided good results, placing Fieldstone in the top 10 percent in the state for annual golf rounds. This, even with the strong Michigan competition, with an over-supply of golf courses. Michigan is ranked in the top 10 for number of courses per capita and in the top four along with Florida, California and Texas for total number of golf courses.

The next big driver of golf greens fees in Michigan is the weather. Wet and colder conditions in spring can force courses to offer “off season” rates for a longer period to attract golfers. These cheaper spring rates typically run through May. “Peak season” rates run until October or when the golf course is aerified (a necessary maintenance standard to remove material from our putting surfaces allowing better air circulation and relieving compaction).

In review of the proposed 2014 rates to determine if a 20 percent discount could be established for residents we reviewed the attached report the viewed our rate structure over the past ten years.

The regular season and spring/fall rates are established at the maximum rates we can competitively charge and maintain a close to capacity golf course. The resident rates, also referred to as, “Preferred Player Rates” are established at the minimum rates the golf course can charge our residents, business owners and premier customers and still maintain operational margins goal of 20 percent. This category does produce the most rounds of golf at Fieldstone and additional discounts will affect our bottom line.

The revised rate structure is attached. The full 20 percent discount for residents was not achieved. However, we did find areas within the regular and resident rates where further discounts could be applied and to stimulate play. It is important to note, that Senior Rates, Twilight Rates, Spring & Fall Rates are discounted rates to begin; therefore, the resident discount which is applied is less. Fieldstone also offers a couple of promotional programs that residents and patrons can pre-purchase golf rounds for even further discounts. That is an annual promotion at the Michigan Golf Show and a seasonal promotion with Michigan based groupgolfer.com.

STAFF RECOMMENDATION
Based on the findings of our internal evaluations, it is our recommendation to approve the revised 2014 Golf Fee Schedule for FGC.

MOTION
Move to approve the revised 2014 Fee Schedule for Fieldstone Golf Club of Auburn Hills.

I CONCUR:  
PETER E. AUGER, CITY MANAGER
<table>
<thead>
<tr>
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**REGULAR**

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**RESIDENT**

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## 2014 FEE SCHEDULE

### FIELDSTONE GOLF COURSE

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<tr>
<td>(Monday - Thursday before 12 noon, Friday, before 10 am, 50 &amp; over, 17 &amp; under)</td>
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There are off season rates if open in March and/or November.
To: Mayor and City Council
From: Peter E. Auger, City Manager; Brian Marzolf, Recreation Director
Submitted: February 26, 2014
Subject: 2014 Parks & Recreation fees report

INTRODUCTION AND HISTORY

At the February 3, 2014 City Council meeting, city council expressed an interest in finding the difference between resident fees and non-resident fees related to Recreation programs and facilities. A figure of a 20% discount was mentioned for residents.

In 2013, Parks & Recreation experienced its highest levels of participation rates in their near 25 year history with over 52,000 participants engaging in recreation programs and city-wide community events throughout the year. During this time period, Parks & Recreation produced $150,000+ in fees related to programs, events and facility rentals, also the highest amount of revenue produced in our history.

These fees represent a 32% cost recovery rate, reducing the total 2013 expense of the Parks & Recreation Department from $512,633 to $348,137 – an all-time high for cost recovery. Staff believes that this is in line with the City Council’s goal for all departments to “do more with less”, and Parks & Recreation has managed to do that through a combination of the current fees, corporate sponsorships of events and a heavy dose of volunteers being utilized throughout our operations. The current fee structure is helping us reduce our overall expense and has not become an issue with residents, as evidenced by our participation rates cited above.

In a review of the 2014 proposed recreation fees, an estimated 90%+ of the fees provide a 20% or higher discount to residents of Auburn Hills. The following is a sample comparison of resident rates vs. non-resident rates for some of our more popular programs and facilities:

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</tr>
<tr>
<td>CPR-First Aid</td>
<td>$5</td>
<td>$30</td>
<td>85%</td>
</tr>
<tr>
<td>Summer Day Camp</td>
<td>$110</td>
<td>$450</td>
<td>75%</td>
</tr>
<tr>
<td>Pre School Camp</td>
<td>$30</td>
<td>$120</td>
<td>75%</td>
</tr>
<tr>
<td>After School Activities</td>
<td>$25</td>
<td>$35</td>
<td>30%</td>
</tr>
<tr>
<td>Yoga</td>
<td>$42</td>
<td>$52</td>
<td>20%</td>
</tr>
</tbody>
</table>
### Recreation Programs:

<table>
<thead>
<tr>
<th>Program</th>
<th>Resident Rate</th>
<th>Non-Res Rate</th>
<th>Resident Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martial Arts</td>
<td>$45</td>
<td>$55</td>
<td>18%</td>
</tr>
<tr>
<td>Total Body Workout</td>
<td>$69</td>
<td>$79</td>
<td>13%</td>
</tr>
<tr>
<td>Ballet-Tap-Jazz Dance</td>
<td>$89</td>
<td>$99</td>
<td>10%</td>
</tr>
</tbody>
</table>

### Recreation Facilities (reserved):

<table>
<thead>
<tr>
<th>Facility</th>
<th>Resident Rate</th>
<th>Non-Res Rate</th>
<th>Resident Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Picnic Shelter</td>
<td>$0</td>
<td>$50</td>
<td>100%</td>
</tr>
<tr>
<td>Ball diamond</td>
<td>$0</td>
<td>$25</td>
<td>100%</td>
</tr>
<tr>
<td>Fitness Pass</td>
<td>$0</td>
<td>$250</td>
<td>100%</td>
</tr>
<tr>
<td>1/2 Banquet Room</td>
<td>$50</td>
<td>$100</td>
<td>50%</td>
</tr>
<tr>
<td>Multi-Sport Field</td>
<td>$80</td>
<td>$120</td>
<td>34%</td>
</tr>
<tr>
<td>Gymnasium</td>
<td>$50</td>
<td>$75</td>
<td>34%</td>
</tr>
<tr>
<td>Hawk Woods Cabin</td>
<td>$30</td>
<td>$40</td>
<td>25%</td>
</tr>
</tbody>
</table>

All of the Parks & Recreation fees, whether for programs, events, or facilities, have always been designed to be affordable for the residents. Our staff has received no complaints from residents regarding our rates in recent years. It’s important to note that the Parks & Recreation Department provides a Scholarship Program designed to meet the needs of those who cannot afford the fees for a recreation program. This program has proved beneficial and continues to be utilized every so often by our residents.

**STAFF RECOMMENDATION**

Staff believes at this time that our fee schedule is working well. We’re attracting residents with very affordable programming, and we’re also attracting non-residents to our programs with fees that are competitive with our neighboring communities. These non-resident fees significantly help with our overall annual revenue stream. Based on the reasoning described above, no changes are recommended to the fee schedule at this time for Parks & Recreation.

I CONCUR: __________________________

PETER E. AUGER, CITY MANAGER
To: Mayor and City Council  
From: Peter E. Auger, City Manager and Micheal R. Lohmeier, City Assessor  
Submitted: February 25, 2014  
Subject: Motion and Public Hearing – Request to approve Industrial Facilities Tax Exemption Certificate for Atlas Copco Assembly Systems LLC for new real and personal property

INTRODUCTION AND HISTORY
An application for an Industrial Facilities Exception Certificate (IFEC) has been received for real property and personal property to be located on parcel 02-14-24-100-002 and at 3301 Cross Creek Parkway, Auburn Hills. The property’s legal description is as follows:

T3N, R10E, SEC 13 & 24 PART OF W 1/2 OF SEC 13 & PART OF NW 1/4 OF SEC 24 BEG AT PT DIST N 87-07-06 E 2660.21 FT & S 01-01-44 W 150.33 FT & N 62-15-07 W 240.61 FT & S 70-20-53 W 403.56 FT FROM NE COR OF SEC 23, TH S 33-52-03 W 420.88 FT, TH S 33-41-03 W 376.97 FT, TH S 81-17-58 W 417.02 FT, TH N 08-42-02 W 222.82 FT, TH N 00-44-20 W 175.70 FT, TH N 40-32-10 W 173.22 FT, TH ALG CURVE TO RIGHT, RAD 240 FT, CHORD BEARS 45-51-10 E 30.54 FT, DIST OF 30.56 FT, TH N 49-30-00 E 92.82 FT, TH ALG CURVE TO LEFT, RAD 252.03 FT, CHORD BEARS 18-13-08 E 261.73 FT, DIST OF 275.20 FT, TH ALG CURVE TO RIGHT, RAD 799.12 FT, CHORD BEARS 67-00-19 E 83.80 FT, DIST OF 83.84 FT, TH N 64-00-00 E 478.63 FT, TH S 26-00-00 E 232.25 FT, TH S 53-11-27 E 275.94 FT TO BEG 14.63 A 12-12-13 FR 14-23-200-010

The parcel of land is 14.63 acres and is situated within the Schostak-Comerica Industrial Development District, established on September 15, 1986.

The request was submitted by Atlas Copco on January 31, 2014. As of the application date no personal property has been purchased and installed. Atlas Copco did begin construction of the real estate on November 20, 2013, which is within six (6) months of it filing its application. Atlas Copco is seeking forgiveness from the city’s policy of beginning construction prior to filing its application.

The real property will cost $12,000,000 (excluding land) and the personal property will cost $1,298,650 for a total project investment of $13,298,650. The real property consists of a new 120,000 square foot hi-tech industrial building for use as manufacturing and assembly of engineered to order fastening systems. The personal property consists of a variety of furniture and equipment including overhead cranes, mezzanine space, IT racks and server equipment, audio visual equipment, and office furniture for its staff and engineers (see attached listings).

This project will result in 0 jobs being retained and 30 new jobs. Jobs will be transferred from its existing location at 2998 Dutton Road, a building half the size of this new facility and of which the lease is expiring.

The project proposed in this application would be eligible for consideration of an IFEC under the provision of the city’s Property Tax Incentive Policy (Policy) and identified as a new facility, further defined, in pertinent parts, as

1. New facility (IFEC) – industrial real property and land improvements, and personal property, other than a replacement facility to be built or installed in a plant rehabilitation district or industrial development district by an existing business or a new business, as provided in PA 198, 1974 as amended may be granted a 50% tax incentive for up to eight (8) years based upon the criteria included in this policy. The minimum investment by a business in a new facility shall meet one of the following requirements …

1 March 19, 2012
Both of the plans for real property and personal property improvements meet the city’s Policy’s investment amounts of new facility for construction of site improvements and building improvements and for personal property. Furthermore real and personal property is defined in the city’s Policy as:

I(G) Personal Property - Personal property is machinery, equipment, furniture, fixtures and similar items as defined in the General Property Tax Act and that are utilized by the business in producing the end product or service of the business and real property assessable as personal property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

I(H) Real Property – Real property is defined as land, buildings, parking lots, utilities and similar items as defined in the General Property Tax Act and as assessed for property tax purposes.

The real and personal property improvements identified in the application are considered to meet the above definitions, respectively, for personal property and real property.

OWNERSHIP AND TERM OF ABATEMENT

Atlas Copco is leasing this new building (real property) but will own its personal property. The lease for its real property is executed for eleven (11) years, not including any options. The executed lease agreement is on file with the city’s Assessor.

Atlas Copco is requesting an 8-year abatement, which its 11-year lease would provide for in accordance with the city’s policy regarding business residence after the abatement expires.

TAX DELINQUENCIES AND SAVINGS

To the best of staff’s knowledge, there are no delinquent taxes owed by the applicant, of name, within the City of Auburn Hills.

If this abatement is granted for the facility at the 8-year maximum, given its lease of eleven (11) years, the potential property tax savings for the applicant over the term of the abatement is approximately $1,215,000; while the loss in city tax revenue would be approximately $271,000.

OTHER ABATEMENTS IN CITY

Atlas Copco does not have any existing real or personal property abatements in the city.

PENDING APPEALS

To the best of staff’s knowledge:

- There is no outstanding and/or pending appeal(s) involving the property that is the subject of this application.
- There is no outstanding and/or pending appeal(s) involving the applicant filing for this tax incentive within the City of Auburn Hills.

TAX INCENTIVE REVIEW COMMITTEE RECOMMENDATION (TIRC)

This application went before the city’s Tax Incentive Review Committee on February 10, 2014. Atlas Copco was represented by Dennis McCarthy (Business Controller) and Richard Barr (Legal Counsel). See TIRC minutes for discussion.

Motion by Mr. Iacobelli to recommend to city council, approval of an 8 year abatement to Atlas Copco Assembly Systems LLC, for new real and personal property for their new facility located at 3301 Cross Creek Parkway (Parcel ID: 02-14-24-100-002), with a term beginning 12/31/2014 and ending 12/30/2022 and the business residency requirement to operate the facility 2 years after the expiration of the certificate. Additionally, the committee recommends granting the 6 month lookback for this application based on the delay of application due to the MTT appeal by their landlord of their current building at 2998 Dutton Road, which has since been remedied.

Supported by Mr. Landsberg.

VOTE: Yes: All

Motion carried (5-0)
STAFF RECOMMENDATION
Based on reviewing the city’s tax incentive policy, combined with the recommendation forwarded by TIRC, staff recommends approval of the application for an 8-year abatement, beginning December 31, 2014 and ending on December 30, 2022 with a business residence requirement of an additional 2 years after the certificate expires.

MOTION
Move to approve the request for an 8-year IFEC pertaining to new real property and personal property for Atlas Copco Assembly Systems LLC with a real property investment of $12,000,000 and personal property investment of $1,298,650 for a combined total investment of $13,298,650 by adopting the attached resolution.

I CONCUR: PETER E. AUGER, CITY MANAGER
CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
FOR ATLAS COPCO ASSEMBLY SYSTEMS LLC

At a regular meeting of the City Council of the City of Auburn Hills, Oakland County, Michigan, held in the Council Chambers at 1827 N. Squirrel Road, Auburn Hills MI 48326 on the 3rd day of March, 2014.

The following resolution was offered by Councilperson and supported by Councilperson

WHEREAS, pursuant to P.A. 198, 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on the 15th day of September, 1986, the City of Auburn Hills, established an Industrial Development District, commonly referred to as the Schostak-Comerica Industrial Development District; and

WHEREAS, Atlas Copco Assembly Systems LLC has filed an application for an Industrial Facility Exemption Certificate with the Clerk of the City of Auburn Hills with respect to proposed new real and personal property within the Schostak-Comerica Industrial Development District; and

WHEREAS, before acting on said application, the City Council of Auburn Hills held a hearing on the 3rd day of March, 2014 at a regularly scheduled meeting, at which time the applicant, the assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction and installation of the facility has not begun earlier than six (6) months before 31st day of January, 2014, the date of the acceptance of the application for the Industrial Facility Exemption Certificate; and

WHEREAS, completion of the real and personal property is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in Auburn Hills; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Auburn Hills after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

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

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

2. The application from Atlas Copco Assembly Systems LLC for an Industrial Facilities Exemption Certificate with respect to a New Facility on the following described parcel of real property situated within the Schostak-Comerica Industrial Development District; to wit;

   The real property parcel the facility is located on is identified as tax parcel 02-14-24-100-002, having an address along 3301 Cross Creek Parkway, Auburn Hills, MI 48326, including:

   Legal Description: T3N, R10E, SEC 13 & 24 PART OF W 1/2 OF SEC 13 & PART OF NW 1/4 OF SEC 24 BEG AT PT DIST N 87-07-26 E 2660.21 FT & S 01-01-44 W 150.33 FT & N 62-15-07 W 240.61 FT & S 70-20-53 W 403.56 FT FROM NE COR OF SEC 23, TH S 33-41-03 W 376.97 FT, TH S 81-17-58 W 417.02 FT, TH N 08-42-02 W 222.82 FT, TH N 00-44-20 W 175.70 FT, TH N 40-32-10 W 173.22 FT, TH ALG CURVE TO RIGHT, RAD 240 FT,
is hereby approved for real property and personal property improvements.

3. The Industrial Facilities Exemption Certificate shall remain in force and effect for a period of eight (8) years, and the starting date for the certificate is December 31, 2014 and the ending date is December 30, 2022.

4. The total project investment approved is $13,298,650.

5. Atlas Copco Assembly Systems LLC agrees to operate the facility for which the Industrial Facilities Exemption Certificate is granted for the term of the certificate, plus an additional two years after the date of the certificate’s expiration.

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

RESOLUTION ADOPTED

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly appointed City Clerk for the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Auburn Hills City Council held on the 3rd day of March, 2014.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this XX day of March, 2014.

________________________________
Terri Kowal, City Clerk
**Application for Industrial Facilities Tax Exemption Certificate**

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

**To be completed by Clerk of Local Government Unit**

<table>
<thead>
<tr>
<th>Signature of Clerk</th>
<th>Date received by Local Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>131/2014</td>
</tr>
</tbody>
</table>

**STC Use Only**

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Date Received by STC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**APPLICANT INFORMATION**

All boxes must be completed.

<table>
<thead>
<tr>
<th>1a. Company Name (Applicant must be the occupant/operator of the facility)</th>
<th>1b. Standard Industrial Classification (SIC) Code - Sec. 3(10) (4 or 5 Digit Code)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlas Copco Assembly Systems LLC</td>
<td>333249</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1c. Facility Address (City, State, Zip Code) (real and/or personal property location)</th>
<th>1d. City/Township/Village (indicate which)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3301 Cross Creek Parkway</td>
<td>Auburn Hills</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1e. County</th>
<th>1f. School District Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oakland</td>
<td>Rochester 63260</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2 Type of Approval Requested</th>
<th>3a. School District Code where facility is located</th>
</tr>
</thead>
<tbody>
<tr>
<td>New (Sec. 2(4))</td>
<td>Rochester 63260</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3b. School Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>63260</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Amount of years requested for exemption (1-12 Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
</tr>
</tbody>
</table>

8. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Facility is a new 120,000 square foot hi-tech industrial building and improvements to be used for the manufacture and assembly of engineered order fastening systems primarily for the automotive industry.

<table>
<thead>
<tr>
<th>6a. Cost of land and building improvements (excluding cost of land)</th>
<th>$12,000,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>* Attach list of improvements and associated costs.</td>
<td>Real Property Costs</td>
</tr>
</tbody>
</table>

| 6b. Cost of machinery, equipment, furniture and fixtures         | $1,298,650.00  |
| * Attach list of machinery, equipment, furniture and fixtures    | Personal Property Costs |

| 6c. Total Project Costs | $13,298,650.00 |
| Total of Real & Personal Costs |

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

<table>
<thead>
<tr>
<th>Real Property Improvements</th>
<th>Begin Date (M/D/Y)</th>
<th>End Date (M/D/Y)</th>
<th>Owned</th>
<th>Leased</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11/20/13</td>
<td>8/31/14</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Personal Property Improvements</th>
<th>Begin Date (M/D/Y)</th>
<th>End Date (M/D/Y)</th>
<th>Owned</th>
<th>Leased</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1/31/14</td>
<td>12/31/14</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ownership</strong></td>
<td><strong>Leased</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this extension. **Yes** **No**

**9. No. of existing jobs at this facility that will be retained as a result of this project.** 0

10. No. of new jobs at this facility expected to create within 2 years of completion. 30 est.

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and disbursement statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

   **a. TV of Real Property (excluding land)****

   **b. TV of Personal Property (excluding inventory)**

   **c. Total TV**

12. Check the type of District the facility is located in:

   **Industrial Development District** **Plant Rehabilitation District**

12b. Date district was established by local government unit (contact local unit) 9/15/66

12c. Is this application for a speculative building (Sec. 3(8))? **Yes** **No**
APPLICANT CERTIFICATION - complete all boxes.
The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 196 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

<table>
<thead>
<tr>
<th>13a. Preparer Name</th>
<th>13b. Telephone Number</th>
<th>13c. Fax Number</th>
<th>13d. E-mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis McCarthy</td>
<td>(586) 630-1931</td>
<td>(248) 373-3001</td>
<td><a href="mailto:dmmccarthy@smtp.com">dmmccarthy@smtp.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14a. Name of Contact Person</th>
<th>14b. Telephone Number</th>
<th>14c. Fax Number</th>
<th>14d. E-mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis McCarthy</td>
<td>(586) 630-1931</td>
<td>(248) 373-3001</td>
<td>same as above</td>
</tr>
</tbody>
</table>

> 15a. Name of Company Officer (No Authorized Agents)
Dennis McCarthy, controller and board secretary

> 15b. Mailing Address (Street, City, State, ZIP Code)
2988 Dutton Road, Auburn Hills, MI 48326

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.
This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

> 16a. Action taken by local government unit
☐ Abatement Approved for ______ Yrs Real (1-12), ______ Yrs Pers (1-12)
☐ After Completion ☑ Yes ☐ No
☐ Denied (Include Resolution Denying)

> 16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:
☐ Check or Indicate N/A If Not Applicable
1. Original Application plus attachments, and one complete copy
2. Resolution establishing district
3. Resolution approving/denying application.
4. Letter of Agreement (Signed by local unit and applicant)
5. Affidavit of Fees (Signed by local unit and applicant)
6. Building Permit for real improvements if project has already begun
7. Equipment List with dates of beginning of installation
8. Form 2222 (If applicable)
9. Speculative building resolution and affidavits (If applicable)

> 16c. LUCI Code

> 16d. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

> 17a. Signature of Clerk

> 17b. Name of Clerk

> 17c. E-mail Address

> 17d. Clerk’s Mailing Address (Street, City, State, ZIP Code)

> 17e. Telephone Number

> 17f. Fax Number

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)
January 31, 2014

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

Dear Ms. Kowal,

Enclosed with the letter please find the application of Atlas Copco Assembly Systems LLC for approval by the City Council of an industrial facilities exemption certificate for our new facility at 3301 Cross Creek Parkway. As an existing business in Auburn Hills, we are excited to be making plans to stay in the City after our existing lease expires. We also plan to expand in our new location, with the goal of hiring 30 more people within the next 2 years.

We ask that the city allow for a six month look back on this application. Our business is growing exceptionally fast and consequently has resulted in an rapid construction schedule on our new facility. Secondly there was an outstanding tax appeal on our current location that we were able to work with our current landlord to facilitate a resolution, allowing us to submit this application today.

I would like to thank the support provided by Steven Cohen, Laurie Renaud, Peter Auger, Micheal Lohmeier, Victor Bennett and others and look forward to many more years working with the City.

Thank you for your assistance with this request.

Very truly yours,

Atlas Copco Assembly Systems LLC

By:    

Dennis McCarthy, Business Controller
<table>
<thead>
<tr>
<th>Real Property Category</th>
<th>Start Date</th>
<th>Completion</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Development</td>
<td>11/20/2013</td>
<td>8/31/2014</td>
<td>500,000</td>
</tr>
<tr>
<td>Site Improvements</td>
<td>11/20/2013</td>
<td>8/31/2014</td>
<td>500,000</td>
</tr>
<tr>
<td>Building Improvements</td>
<td>11/20/2013</td>
<td>8/31/2014</td>
<td>11,000,000</td>
</tr>
</tbody>
</table>

**Total**

12,000,000

Based on estimates provided by the Landlord
<table>
<thead>
<tr>
<th>Beg. Inst. Date</th>
<th>End. Inst. Date</th>
<th>Item Name</th>
<th>Value</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/1/2014</td>
<td>8/30/2014</td>
<td>Computer Cat 6 wiring</td>
<td>$160,000</td>
<td>covers both phone and computer systems</td>
</tr>
<tr>
<td>8/1/2014</td>
<td>8/15/2014</td>
<td>Signage Exterior of Building</td>
<td>$12,500</td>
<td>Monument sign</td>
</tr>
<tr>
<td>7/1/2014</td>
<td>8/1/2014</td>
<td>External Shelter</td>
<td>$20,000</td>
<td>house pallets and large test parts</td>
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<tr>
<td>7/1/2014</td>
<td>8/1/2014</td>
<td>2 - 5 ton overhead Cranes</td>
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<td>8/1/2014</td>
<td>8/15/2014</td>
<td>Reception Desk</td>
<td>$12,500</td>
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<td>8/1/2014</td>
<td>10/1/2014</td>
<td>Additional Mezzanine Space</td>
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<td>9/1/2014</td>
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<td>IT Racks and Server Equipment</td>
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<td>10/15/2014</td>
<td>and training room</td>
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<td>8/1/2014</td>
<td>Building Security System</td>
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<td>10/31/2014</td>
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<td>10/1/2014</td>
<td>Office furniture and Installation</td>
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</table>

$1,298,650
CITY OF AUBURN HILLS

RESOLUTION

ESTABLISHING INDUSTRIAL DEVELOPMENT DISTRICT

FOR

SCHOSTAK-COMERICA

At a meeting of the City Council held on the 15th day of September, 1986, held at the City Council Chambers at 1827 N. Squirrel Road, Auburn Hills, Michigan, 48007;

It was moved by Councilman Davis and seconded by Councilman Smith

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

WHEREAS, the City of Auburn Hills has been requested by Philip J. Houdek on behalf of the Schostak-Comercia to establish an Industrial Development District on property owned by the Schostak-Comercia, located in the City of Auburn Hills; and

WHEREAS, the City Council of the City of Auburn Hills, has given written notice by certified mail to the owners of real property within the proposed Industrial Development District of the fact that a public hearing was to be held upon the petition of Schostak-Comercia, and such public hearing has been held on the day and time provided in the written notice and all those who appeared were given an opportunity to be heard; and the City Council of the City of Auburn Hills have duly considered the petition and all evidence brought before it;

NOW THEREFORE, BE IT HEREBY RESOLVED:

That the City Council of the City of Auburn Hills does hereby establish an Industrial Development district pursuant to act 198 of the Public Acts of 1974 for property described as Appendix A attached;

AYES: Mayor Grusnick; Councilman Jerrell; Davis; Douglas; Shirley; and Smith

NAYES: None

ABSENT: Councilman Pisk

ABSTAINED: None

RESOLUTION ADOPTED:

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 by the City Council of the said City at a duly called meeting held on the 15th day of September, 1986, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 16th day of September, 1986.

[Signature]

Veronica C. New, City Clerk
APPENDIX A

Parcel #1

A part of the Northwest 1/4 of Section 13; T-3-N, R-10-E, City of Auburn Hills; Oakland County; Michigan, being described as: Beginning at the center of Section 13; thence S 84°37'38" W, 50.00 feet along the East-West 1/4 line of Section 13 to the point of beginning; thence continuing along said East-West 1/4 line S 84°37'38" W, 711.26 feet said point being N 03°12'15" W, 2,355.14 feet along the line between Section 13 and 14 and N 84°37'38" E, 1,823.79 feet along the East-West 1/4 line of Section 13 from the corner common to Section 13, 14, 23 and 24; thence N 08°55'20" W, 364.90 feet to the Southerly line of University Drive; thence N 85°07'40" E, 737.00 feet along said line to the Westerly line of Squirrel Road; thence S 04°52'20" E, 357.77 feet along said line to the point of beginning and containing 6.00 acres.

Parcel #2

A part of the Southeast 1/4 of Section 14; T-3-N, R-10-E, City of Auburn Hills; Oakland County; Michigan; being described as: Commencing at the corner common to Section 13, 14, 23 and 24; thence S 87°24'59" W, 1,511.85 feet along the line between Section 14 and 23; thence N 00°19'56" W, 1,217.05 feet to the point of beginning; thence continuing N 00°19'56" W, 300.94 feet to the Southeastere line of University Drive; thence N 63°13'20" E, 811.21 feet along said line; thence S 03°27'52" E, 818.17 feet; thence S 08°55'20" E, 772.35 feet to the point of beginning and containing 11.43 acres.

Parcel #3

A part of the Southeast 1/4 of Section 14; T-3-N, R-10-E, City of Auburn Hills; Oakland County; Michigan; being described as: Beginning at the corner common to Sections 13, 14, 23 and 24; thence S 87°24'59" W, 1,511.85 feet along the line between Section 14 and 23; thence N 00°19'56" W, 1,217.05 feet; thence N 86°20'19" E, 772.35 feet; thence N 03°27'52" W, 818.17 feet to the Southeastere line of University Drive; thence N 63°13'20" E, 744.29 feet along said line to the line between Section 13 and 14; thence S 03°22'29" E, 13.85 feet to the East 1/4 corner of Section 14; thence S 03°12'15" E, 2,340.44 feet along the line between Section 13 and 14 to the point of beginning and containing 56.69 acres.

Parcel #4

A part of the Southeast 1/4 of Section 14; T-3-N, R-11-E, City of Auburn Hills; Oakland County; Michigan; being described as: Commencing at the corner common to Section 13, 14, 23 and 24; thence S 87°24'59" W, 1,511.85 feet along the line common to Sections 14 and 23 to the point of beginning; thence S 87°17'19" W, 1,133.97 feet along said line to the Easterly line of Interstate 75; thence N 25°35'19" E, 25.26 feet and N 35°24'55" E, 300.00 feet and along a curve to the left 603.00 feet; said curve having a radius of 504.72 feet; central angle of 68°27'08" and long chord bearing N 01°11'21" E, 567.77 feet and N 33°02'13" W, 207.68 feet along said line to the Southeastere line of University Drive (limited access); thence along said line along a curve to the right 1,043.30 feet; said curve having a radius of 2,789.79 feet; central angle of 21°25'37" and long chord bearing N 53°45'18" E, 1,037.23 feet and N 64°28'07" E, 106.75 feet to the end of the limited access; thence continuing N 64°28'07" E, 75.00 feet and N 25°31'53" W, 19.05 feet and N 63°13'20" E, 52.96 feet along said line; thence S 00°19'56" E, 1,688.04 feet to the point of beginning and containing 30.91 acres.
Parcel #5

A part of Sections 13, 23, and 24, T-3-N, R-10-E, City of Auburn Hills, Oakland County, Michigan, being described as: Beginning at the corner common to Section 13, 14, 23 and 24; thence N 03°12'15" W, 2,302.25 feet along the line common to Section 13 and 14 to the Southerly line of University Drive; thence N 51°2'10" E, 236.71 feet east and along a curve to the right 1,000.25 feet; said curve having a radius of 1,681.05 feet; central angle of 34°05'30" and long chord bearing N 68°04'55" E, 985.56 feet and N 85°07'40" E, 34.49 feet along said Southerly line of University Drive; thence S 04°52'20" E, 1,500.00 feet; thence N 85°07'40" E, 461.20 feet; thence S 33°21'25" E, 271.28 feet; thence S 30°35'30" E, 189.48 feet; thence S 10°43'40" E, 230.75 feet; thence S 78°16'40" E, 105.73 feet; thence S 41°04'25" E, 105.90 feet; thence N 87°44'10" E, 139.73 feet; thence N 64°59'15" E, 358.26 feet to a point on the North-South 1/4 line of Section 13; thence S 04°59'25" E, 980.08 feet along said line to the 1/4 corner common to Sections 13 and 24; thence S 01°01'44" W, 150.33 feet to the centerline of a 20 foot wide Sanitary Sewer Easement-Clinton Oakland Interceptor; thence N 62°15'07" W, 240.61 feet and S 70°20'53" W, 403.56 feet and S 33°52'03" W, 420.88 feet and S 33°41'03" W, 376.97 feet and S 81°17°58° W, 541.82 feet and S 81°15'24" W, 524.02 feet and S 28°26'18" W, 315.55 feet and S 79°34'38" W, 351.35 feet and S 69°44'08" W, 282.21 feet and S 60°15'48" W, 512.88 feet and S 29°55'42" W, 252.14 feet and S 25°58'55" W, 489.97 feet and S 76°23'10" W, 363.75 feet and S 24°52'10" W, 125.33 feet and S 67°39'40" W, 467.08 feet and N 67°00'25" W, 420.08 feet along said center line of a 20 foot wide Sanitary Sewer Easement-Clinton Oakland Interceptor; thence S 57°58'18" W, 313.50 feet to the Easterly line of Interstate 75; thence N 10°35'26" W, 1,243.62 feet and N 07°37'53" W, 668.63 feet and N 05°53'35" E, 365.54 feet and N 25°32'46" E, 227.17 feet along said line to the Southerly line of Zahn Road; thence N 87°16'56" E, 201.01 feet and N 02°43'04" W, 67.00 feet and N 87°16'56" E, 987.56 feet along said line; thence N 02°43'04" W, 33.00 feet to the North line of Section 23; thence N 87°24'59" E, 1,511.85 feet along said line to the point of beginning and containing 273.58 acres.
LAND SITUATED IN THE CITY OF AUBURN HILLS, IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN IS DESCRIBED AS FOLLOWS:

PART OF THE WEST ¼ OF SECTION 13 AND PART OF THE NORTHWEST ¼ OF SECTION 24, TOWN 3 NORTH, RANGE 10 EAST, DESCRIBED AS:
COMMENCING AT THE NORTH CORNER OF SAID SECTION 24, THENCE SOUTH 01 DEGREES 48 MINUTES 04 SECONDS WEST 160.33 FEET; THENCE NORTH 61 DEGREES 30 MINUTES 47 SECONDS WEST 240.61 FEET; THENCE SOUTH 71 DEGREES 05 MINUTES 13 SECONDS WEST 402.85 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 34 DEGREES 36 MINUTES 23 SECONDS WEST 420.88 FEET; THENCE SOUTH 34 DEGREES 25 MINUTES 23 SECONDS WEST 376.97 FEET; THENCE SOUTH 82 DEGREES 02 MINUTES 18 SECONDS WEST 417.02 FEET; THENCE NORTH 07 DEGREES 57 MINUTES 42 SECONDS WEST 222.82 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 175.70 FEET; THENCE NORTH 39 DEGREES 47 MINUTES 50 SECONDS WEST 173.22 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF DEEPWOOD DRIVE; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE SOUTHERLY LINE OF SAID DEEPWOOD DRIVE; 1) ALONG A CURVE TO THE RIGHT 30.66 FEET, SAID CURVE HAVING A RADIUS OF 240.00 FEET, A CENTRAL ANGLE OF 07 DEGREES 17 MINUTES 41 SECONDS AND A LONG CHORD BEARING OF NORTH 48 DEGREES 35 MINUTES 30 SECONDS EAST, 30.54 FEET, AND 2) NORTH 50 DEGREES 14 MINUTES 20 SECONDS EAST 92.82 FEET, AND 3) ALONG A CURVE TO THE LEFT 275.20 FEET, SAID CURVE HAVING A RADIUS OF 252.03 FEET, A CENTRAL ANGLE OF 62 DEGREES 33 MINUTES 47 SECONDS, AND A LONG CHORD BEARING OF NORTH 18 DEGREES 57 MINUTES 28 SECONDS EAST, 281.73 FEET TO A POINT ON THE SOUTHERLY LINE OF CROSS CREEK PARKWAY; THENCE ALONG A CURVE TO THE RIGHT 83.84 FEET SAID CURVE HAVING A RADIUS OF 790.12 FEET, A CENTRAL ANGLE OF 09 DEGREES 00 MINUTES 40 SECONDS AND A LONG CHORD BEARING OF NORTH 87 DEGREES 44 MINUTES 39 SECONDS EAST, 83.80 FEET; THENCE NORTH 64 DEGREES 44 MINUTES 20 SECONDS EAST 478.83 FEET; THENCE SOUTH 25 DEGREES 15 MINUTES 40 SECONDS EAST 232.25 FEET; THENCE SOUTH 52 DEGREES 27 MINUTES 07 SECONDS EAST 275.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 637,270.60 SQUARE FEET OR 14.63 ACRES.
Industrial Facility Application
PA 198, 1974

City of Auburn Hills

Supplemental Information
To Be Provided by Applicant/Company

Name of Company: Atlas Copco Assembly Systems LLC

Company Profile: Provide a brief description of the company including its history, type of incorporation, corporate headquarters location, parent corporation, previous corporate names. Describe the type of products produced, principal markets, and the activity to be carried out at the proposed or existing facility in Auburn Hills.

Atlas Copco Assembly Systems LLC is a Delaware limited liability company established in the mid-1970’s. The company is a division of Atlas Copco AB, a Swedish company, with a sales affiliate and an assembly systems affiliate. Facilities for the company and these affiliates were located in Farmington Hills and Sterling Heights prior to being consolidated into one building at 2998 Dutton in Auburn Hills, Michigan. The companies conduct sales and service of industrial electric and pneumatic tools and for the development of advanced assembly systems for manufacturing companies in many industrial segments including electronics, automotive, aerospace, off-road, recreational vehicle, appliance, and several others where industrial fastening solutions are utilized for production operations.

The new facility will be utilized as the primary Customer Center for Atlas Copco Tools and Assembly Systems division in the United States and will be host to sales, service and administrative staff as well as containing an operational facility to build assembly systems incorporating Atlas Copco tools and systems with custom engineered products acquired from local vendors.
Please respond to the following questions or state if not applicable:

1. If presently located in Auburn Hills, how long have you been in business here?
   9.5 years

2. Has a site plan for the facility requested for tax abatement been submitted and approved?
   Yes

3. Will development of the site require a change in zoning or a request for special land use or other variances?
   No

4. What will be required to develop the site? Do water, sewer, and other utilities exist presently at the site? Will any new access roads need to be constructed or upgraded?
   Water and Sewer exist at the street for tie in. No access roads needed

5. Will the company request that the City of Auburn Hills assist in paying any costs related to providing infrastructure for this facility?
   No

6. Are any wetlands or environmentally sensitive areas to be impacted by construction of the facility?
   None

7. How will water retention and drainage be provided for the facility?
   Retention Pond

8. Will any raw materials be used or stored at the facility? Will your company require outside storage of any products or materials?
   No uncovered outside storage. No raw materials consumed or stored.
9. What will be the operating hours of the facility? Will any heavy equipment be operated at the facility after completion of construction?

Normal business hours (6:00 a.m. to 6:00 p.m.), some Saturday hours. No heavy equipment will be used after construction.

10. Will the facility produce industrial waste? Will any known hazardous chemicals be used or produced? Will the facility produce any significant air emissions?

No industrial wastes will be produced other than cardboard and wood that will be recycled.

11. State the various job classifications, the number to employed, and the hourly wage rates of non-management employees, i.e. administrative, secretarial, engineering, sales, laborers, machinists, etc. State whether any positions are part time or temporary.

<table>
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<tr>
<th>Number\Type</th>
<th>avg Rate</th>
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<tr>
<td>29 Admin</td>
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<tr>
<td>1 Secretary</td>
<td>29.81</td>
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<td>19 Engineers</td>
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<td>18 Service Techs</td>
<td>27.35</td>
</tr>
<tr>
<td>11 Marketing Support</td>
<td>32.38</td>
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</table>

94 - non management full time

All positions are expected to be full-time.

12. Does the proposed site allow for future expansion of the facility? If yes, state the amount of floor area that can be added after the initial phase of construction.

Yes – possible 20,000 square feet addition.

13. Has your company received tax abatements from the community where it is presently located? If so describe the type of abatement.

None, to the best knowledge of the company.
City of Auburn Hills  Building  Permit No: PB130310

Community Development Department  1827 N. Squirrel Road  Phone: (248) 364-6900
Building Services Division  Auburn Hills, Michigan 48326  Fax: (248) 364-6939

3301 Cross Creek Parkway  OAKLAND TECHLGY PARK ASSOCIATES LLC

Issued: 11/20/13  Const value: $0
Construction Type: Use Group:
Zoning: Bldg. Sq. ft 120,00
Permit Category Industrial, Add/Alter/Repair
Census Type
Parcel Pin # 02-14-23-200-010

Owner
2 TOWN SQ STE 850  SOUTHFIELD  MI  48076-3783

Contractor
D & G INVESTMENT CO
TWO TOWN SQ 850  Ph# (248) 357 3777
SOUTHFIELD  MI  48076

Applicant
D & G INVESTMENT CO
TWO TOWN SQ 850  Ph# (248) 357 3777
SOUTHFIELD  MI  48076

Work Description: FOR NEW ATLAS COPCO BLDG - FOUNDATION & SHELL PERMIT

Stipulations:
1. DPW AND FIRE APPROVALS, & ALL FEES TO BE PAID.
2. SEE ATTACHED PLAN REVIEW & NOTES.
3. SUBMIT ENERGY CODE & SOIL BORINGS

FOOTING INSPECTIONS REQUIRED, WHEN APPLICABLE.
COMMERCIAL / INDUSTRIAL PERMITS MUST HAVE FINAL FIRE INSPECTION 248.376.9431 AND DPW 248.319.3777 APPROVALS BEFORE SCHEDULING FINAL BUILDING INSPECTION.
ALL SIGN PERMITS MUST HAVE FINAL SIGN APPROVAL, THE INSPECTIONS SHOULD BE REQUESTED AFTER COMPLETION.

Permit Item  Work Type  Fee Basis  Item Total

Application Fee - Non-Residential/Comm  Application Fee  1.00  310.00
BPR Other > $500,000  PR Building  14,023,955.00  27,711.00
Building Plan Microfilming Fee  Standard Item  25.00  49.00
NC Value $200,001 +  Standard Item  14,023,955.00  84,059.00

Jeffrey A. Spencer  Code Book In Effect
Building Official  

Fee Total: $112,129.00
Amount Paid: $112,129.00
Balance Due: $0.00

Please be advised you must adhere to Ordinance No. 893 which states hours and days of construction activity. Monday - Saturday 7:00 a.m. - 7:00 p.m. or sunrise to sunset whichever is less. No construction activity allowed on Sundays unless written permission has been granted by the City Manager because of hardship or emergency conditions existing. Please see Ordinance 893 for full details.

I agree this permit is only for the work described and does not grant permission for additional work which requires separate permits. I understand that this permit will expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after work has commenced; and, that I am responsible for assuring all required inspections are requested in conformance with the applicable code. I hereby certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his authorized agent. I agree to conform to all applicable laws of the State of Michigan and the local jurisdiction, the City of Auburn Hills. All information on the permit application is accurate to the best of my knowledge. BEFORE YOU DIG CALL MISS DIG 1-800-483-1171

Payment of permit fee constitutes acceptance of above terms.

23
ASSIGNMENT AND ASSUMPTION OF LEASE

THIS ASSIGNMENT AND ASSUMPTION OF LEASE (the "Agreement") is made and entered into effective February 1, 2014, by and between Atlas Copco Tools and Assembly Systems LLC, a Delaware limited liability company ("Assignor"), and Atlas Copco Assembly Systems LLC, a Delaware limited liability company ("Assignee").

The undersigned Assignor, being the Tenant under a certain Net Lease dated as of October 21, 2013, by and between Assignor and Oakland Technology Park Associates 3 LLC ("Landlord"), for certain real property located in Auburn Hills, Michigan (the "Lease"), hereby assigns, transfers, and conveys all of Assignor's right, title and interest in and to the Lease to Assignee. Pursuant to Section 15.02 of the Lease, Assignor remains liable under the Lease.

The parties have executed this Assignment and Assumption of Lease as of the date first written above.

ASSIGNOR:
Atlas Copco Tools and Assembly Systems LLC, a Delaware limited liability company

By: [Signature]
Name: Dennis McCarthy
Title: Business Controller and Board Secretary

ASSIGNEE:
Atlas Copco Assembly Systems LLC, a Delaware limited liability company

By: [Signature]
Name: Dennis McCarthy
Title: Business Controller and Board Secretary

Atlas Copco AB, as guarantor pursuant to the Guaranty of Lease by Atlas Copco AB dated as of October 21, 2013, acknowledges that its obligations under the Guaranty of Lease remain in full force and effect notwithstanding the foregoing Assignment.

Atlas Copco AB

By: [Signature]
Name: Dennis McCarthy
Title: Business Controller
CONSENT OF LANDLORD

Oakland Technology Park Associates 3 LLC, as Landlord under the Lease, consents to the foregoing Assignment and Assumption of Lease.

Oakland Technology Park Associates 3 LLC
By: [Signature]
Name: [Name]
Title: [Title]
NET LEASE

This Lease is made as of OCT. 21, 2013, by and between Oakland Technology Park Associates 3 LLC ("Landlord"), whose address is Two Towne Square, Suite 650, Southfield, Michigan 48076 and Atlas Copco Tools & Assembly Systems LLC, a Delaware limited liability company ("Tenant"), whose corporate address is 2998 Dutton Road, Auburn Hills, MI 48326 who agree as follows:

SECTION 1: THE PREMISES

1.01 In consideration of the mutual promises, covenants and agreements herein contained, the adequacy of which is by both parties acknowledged, and in further consideration of the rent and other charges to be paid and the covenants to be performed by Tenant, Landlord hereby leases to Tenant and Tenant hereby leases from Landlord the real property located in the City of Auburn Hills, County of Oakland, and State of Michigan, more particularly described in Exhibit "A" attached to, and made an integral part of, this Lease (the "Land"), together with the building and other improvements now existing or hereafter to be constructed on the Land under Section 2 (the "Improvements") (the Land and the Improvements collectively will constitute and be referred to in this Lease as the "Premises").

SECTION 2: CONSTRUCTION OF IMPROVEMENTS

2.01 Landlord agrees to construct the Improvements on the Land, prior to the Commencement Date (defined in Section 3.01), substantially in accordance with the Site Plans and specifications listed in Exhibit "B" and as amended by Exhibit "B" Additional Specifications attached to and made an integral part of this Lease (the "Plans"). No minor change from the Plans which may become necessary during construction will invalidate, change or affect this Lease.

2.02 The Improvements will be completed on or before Sept. 1, 2014 if in good faith Landlord is delayed in construction by any labor dispute, strike, lockout, fire, unavoidability of material, weather or other casualty, beyond its reasonable control, then the period of delay necessarily caused by such occurrence will be added to the indicated completion date.

SECTION 3: THE TERM

3.01 The Term will be Eleven (11) years, from and after the Commencement Date. If the Commencement Date is other than the first day of a calendar month, the Term will be extended to terminate at the end of the calendar month in which it would otherwise terminate under the preceding sentence. The Term will commence (the "Commencement Date") the date upon which all of the following have occurred:

(i) Landlord has delivered to Tenant a Certificate of Occupancy (whether Temporary or Final) which permits the Tenant to occupy the Premises;

(ii) Landlord has substantially completed the Premises in accordance with the Plans and specifications listed in Exhibit "B" and as amended by Exhibit "B" Additional Specifications and the Premises are broom clean (with glass cleaned); The Premises will not be considered unready or incomplete if any minor or insubstantial details of construction, decoration or mechanical
from the date that such rent, late charges or other sums are payable under the provisions of this
Lease until actually paid by Tenant.

503. Any default in the payment of rent, late charges or other sums will not be
considered cured unless and until the late charges and interest due hereunder are paid by Tenant
to Landlord. If Tenant defaults in paying such late charges and/or interest, Landlord will have the
same remedies as on default in the payment of rent. The obligation hereunder to pay late
charges and interest will exist in addition to, and not in the place of, the other default provisions of
this Lease.

SECTION 6: TAXES, ASSESSMENTS AND UTILITIES

601. Tenant agrees to pay all taxes and assessments, general and special, all water
rates and all other governmental impositions which may be levied on the Premises or any part
thereof, or on any building or improvements at any time situated thereon, during or pertaining to
the Term and any extensions thereof based on the terms herein. All such taxes, assessments, water
rates and other impositions will be paid by Tenant before they become delinquent. The property
taxes and assessments for the first and last years of the Term or any extension thereof, will be
prorated between Landlord and Tenant so that Tenant will be responsible for any such tax or
assessment attributable to the period during which Tenant has possession of the Premises. In the
event any assessment is or may be payable in installments, Landlord agrees to elect to pay some
in installments, and Tenant's liability therefore shall be limited to those installments attributable to
the Term or the period beyond the expiration of the Term during which Tenant retains possession of
the Premises. For purposes hereof, taxes and assessments shall include, but shall not be limited to,
the following:

(i) any tax, assessment, water rate, fee, license fee, license tax, business license fee,
commercial rental tax, levy, charge, assessment, imposition, penalty or tax imposed by any
lawful taxing authority against the land, buildings and improvements presently and/or at
any time during the Term comprising the Premises; (ii) any tax on the Landlord's right to
receive, or the receipt of, rent or income from the Premises or against Landlord's business of
leasing the Premises (excluding Landlord's income tax, franchise tax, estate or Inheritance
tax and single business tax obligation); (iii) any tax or charge for fire protection, streets,
sidewalks, road maintenance, refuse or other services provided to the Premises by any
governmental agency; (iv) any tax based upon are-assessment of the Premises due to a
change in ownership or transfer of all or part of Landlord's interest in the Premises; and (v)
any charge for replacing any tax previously included within the definition of real
property tax. In addition, any reasonable costs, expenses and attorneys' fees (including
the cost of tax consultants) incurred by Landlord in connection with the negotiation for
reduction of the assessed valuation of the land, buildings and Improvements comprising
the Premises and any protest or contest of taxes shall be included in such term, provided,
however, such costs, expenses and fees shall in no event exceed the tax savings obtained
as a result of such reduction in assessed valuation.

The so-called "due-date" method of proration will be used, it be presumed that taxes and
assessments are payable in advance. In the event that during the Term of any extension thereof
(i) the real property taxes levied or assessed against the Premises are reduced or eliminated,
whether the cause is a judicial determination of unconstitutionality, a change in the nature of the
taxes imposed or otherwise, and (ii) there is levied, assessed or otherwise imposed on the Landlord,
in substitution for all or part of the tax thus reduced or eliminated, a tax (the "Substitute Tax") which
imposes a similar burden upon Landlord by reason of its ownership of the Premises, then to the extent of such burden the Substitute Tax will be deemed a real estate tax for purposes of this paragraph.

6.02 Tenant agrees to pay all charges made against the Premises for gas, heat, electricity and all other utilities as and when due during the continuance of this Lease. Landlord shall not be liable to Tenant for damages or otherwise (i) if any utility shall become unavailable from any public utility company, public authority or any other person or entity (including Landlord supplying or distributing such utility), (ii) for any interruption or failure in a utility service (including, without limitation, any heating, ventilation or air conditioning) caused by the making of any necessary repairs or improvements or by any cause beyond Landlord’s reasonable control, and the same shall not constitute a termination of this Lease or an eviction of Tenant.

6.03 In the event that payment of any or all of the foregoing taxes, assessments and utilities are to be made from an escrowed fund required to be established by Landlord as Mortgagor under the terms of any first mortgage on the Premises, then Landlord will so notify Tenant. Tenant will not be required to pay directly such taxes, assessments and utilities as are paid from the escrowed fund, but will instead, as additional rent, pay to Landlord on the first day of each month of the Term an amount equal to the amount required to be paid by Landlord under the terms of such first mortgage to the escrowed fund on account of such charges. If the actual taxes, assessments and utilities, when due, exceed the total amounts from time to time paid therefore by Tenant, then Tenant will pay on demand any deficiency to Landlord. If such payments by Tenant, over the Term, exceed the amount of taxes, assessments and utilities paid therefrom, such excess will be refunded by Landlord to Tenant at the expiration of the Term, or when such excess is refunded by the mortgagee to Landlord, whichever first occurs. Landlord, or the escrow agent, shall provide an annual accounting of the tax escrow.

6.03 Tenant shall pay, before delinquency, all taxes assessed, levied, charged or unpaid against trade fixture, furnishings, equipment or any other personal property belonging to Tenant or against any leasehold interest, right of occupancy or any Investment of Tenant in the Premises. If any of Tenant’s personal property or the foregoing items are taxes with the Premises, Tenant shall pay Landlord the taxes for the personal property or such items within fifteen (15) days after Tenant receives a written statement from Landlord for such personal property taxes.

SECTION 7: USE OF THE PREMISES

7.01 The Premises during the continuance of this Lease will be used and occupied for offices, assembly, lab/R&D/prototype of industrial tooling/fastening/compressor devices, and related processes, and related equipment only and for no other purpose without the prior written consent of Landlord. Tenant agrees that it will not use or permit any person to use the Premises or any part thereof for any use or purposes in violation of the laws of the United States, the laws, ordinances or other regulations of the State and municipality in which the Premises are located, or of any other lawful authority, or the Declaration of Covenants and Restrictions, dated December 30, 1987, recorded Liber 10257 page 157 Oakland County Records, and amended April 28, 2010 Liber 42024, page 675 (a copy of which is attached hereto as Exhibit "C", to which Declaration this Lease is hereby expressly made subject). During the Term or any extended term, Tenant will keep the Premises and every part thereof and all buildings at any time situated thereon in a clean and wholesome condition and generally will comply with all lawful health and policy regulations. All signs and advertising displayed in and about the Premises will be such only as to advertise the business carried on upon the Premises and Landlord will reasonably approve and control the
IN WITNESS WHEREOF the Landlord and Tenant have executed this Lease as of the date set forth at the outset hereof.

WITNESSES:

[Signatures]

LANDLORD: Oakland Technology Park Associates 3 LLC

BY: [Signature]

Its: MANAGER

TELENT: Atlas Copco Tools & Assembly Systems LLC

BY: [Signature]

Its: BUSINESS CONTROLLER

[Signature]
INDUSTRIAL FACILITIES EXEMPTION APPLICATION
AFFIDAVIT OF FEES

In accordance with State Tax Commission Bulletin No. 3 dated January 1998, the City of Auburn Hills and the Applicant for Industrial Facilities Exemption Certificate do hereby swear and affirm, by our signatures below, that no payments of any kind, whether they be referred to as "fees," "payments in lieu of taxes," "donations," or by other like terms, in excess of the fees allowed by PA 198, of 1974, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

City of Auburn Hills

Signed: ____________________________________________

Name: Kevin McDaniel

Title: Mayor

Dated: ____________________________________________

Applicant/Company

Signed: ____________________________________________

Name: Dennis McCarthy

Title: Business Controller

Dated: January 31, 2014
TAX INCENTIVE AGREEMENT

Industrial Facility Exemption Certificate

(Revised March 19, 2012)

Atlas Copco Assembly Systems LLC, hereinafter referred to as the "Company" has submitted an application to City Council for the granting of an Industrial Facility Exemption Certificate (IFEC), pursuant to Michigan Public Act 198, of 1974, as amended.

In recognition of the granting of the IFEC by City Council and the benefit of the tax savings for the Company, and the economic growth of the City, I hereby agree on behalf of the Company to the following:

1. The Company will furnish notification of the completion of the facility to the City Assessor and the State Tax Commission, within 30 days of the date of completion. If there is no construction progress for a facility under construction for more than 180 days, the Company will notify the City Assessor.

2. Within 90 days of the date of completion of the facility, the Company will report:
   a. The final cost of the facility to the City Assessor and the State Tax Commission; and a detailed listing of the new personal property acquired for the facility, including description, type, identification, year of acquisition and cost of purchase and installation.
   b. The number of jobs created by completion of the facility, not including jobs transferred from other locations.

If the actual project costs are more than 10% less than the estimated costs given in the application, or if the number of jobs created are less than the number estimated in the application, the Company will provide an explanation.

3. As a condition of receiving an Industrial Facilities Exemption Certificate, or an extension of an existing certificate, pursuant to this policy, a company agrees to operate the facility for which the IFEC is granted for the term of the IFEC, plus an additional term after the date of expiration of the IFEC according to the following schedule:
   a. Tax abatement of up to eight (8) years (including extensions) = Length of the abatement plus two years.
   b. Tax abatement over eight (8) years = (including extensions) = Length of the abatement plus four years.

4. The Company further understands that if it vacates or fails to operate the facility for which the IFEC is granted for the period of time as outlined above, that the
company is liable for repayment of any property tax savings benefiting the Company due to the existence of the IFEC, beginning with the initial effective year of the IFEC. In addition, the Company will be liable for repayment of future tax savings if there are any remaining years in the term of the IFEC, under the provisions of Section 21(2) of Public Act 198, 1974 as amended. These provisions may be waived by the City Council at the request of the Company for justifiable cause.

5. The Company further agrees to pay its abated real and personal property taxes timely and without penalty. In addition, the Company agrees to inform the City Assessor and the City Treasurer of any plans to relocate the company from any location within the City, 30 days prior to the relocation.

6. The Company agrees to notify the City Assessor and City Treasurer of any change in the ownership of the Company’s real and personal property assets or a majority share of the Company’s stocks. For the purposes of this agreement, a new owner or lessee shall be defined as follows:

   a. For those industrial facilities exemption certificates that pertain to real property improvements, the term “new owner or lessee” shall be defined as follows:

      i. A new entity that acquires, owns and occupies or leases and occupies the facility after the existing certificate holder has physically moved from or vacated the facility.

      OR

      ii. An entity that acquires an ownership interest of more than 50% in the existing certificate holder entity that owns and occupies or leases and occupies that facility.

   b. For those industrial facilities exemption certificates pertaining to personal property, the term “new owner or lessee” shall be defined as follows:

      i. A new entity that acquires from the existing certificate holder entity the ownership of the facility or leasehold interest in the facility and which keep the facility at its current location.

      OR

      ii. An entity that acquires an ownership interest of more than 50% in the existing certificate holder entity that owns or leases the facility.

7. Whenever there is a new owner or lessee, as defined above, of any real or personal property for which an industrial facilities exemption certificate has been granted, the new owner or lessee shall make application for a transfer of the certificate to the new owner or lessee immediately, but no longer than six (6) months after a change in ownership occurs. The City Council may grant requests
to transfer existing certificates, after review and recommendation by the Tax
Incentive Review Committee, provided requests are consistent with the City's
adopted Tax Incentive Policy, or any amendments made to the policy, that is in
effect at the time a request for a transfer is made. An updated tax incentive
development agreement shall accompany any request for a transfer of a
certificate to a new owner or lessee.

8. The Company further agrees to abide by all other city ordinances, building and
zoning codes during the operation of the facility.

By the signatures of representatives of both the Company and the City below, it is
understood that both the Company’s investment in the project and the City’s
investment through the granting of the IFEC is to encourage the economic growth of
all.

WITNESS:  

SIGNATURE  

PRINT NAME

COMPANY REPRESENTATIVE:  

BY:  

SIGNATURE  

PRINT NAME  

ACKNOWLEDGED BY THE CITY OF Auburn Hills

WITNESS:

SIGNATURE

PRINT NAME

BY:  

SIGNATURE  

PRINT NAME

KEVIN McDANIEL

MAYOR

TITLE

DATED:  

WITNESS:

SIGNATURE

PRINT NAME

BY:  

SIGNATURE  

PRINT NAME

TERRI KOWAL

CITY CLERK

TITLE

DATED:  

Page 3 of 3
DATE: MARCH 3, 2014

A G E N D A  I T E M  N O .   9 b .

To: Mayor and City Council
From: Peter E. Auger, City Manager; T. Hardesty Dep. Director Emergency Services, Lt. Ryan Gagnon
Submitted: February 27, 2014

Subj ect: MOTION - Emergency Medical and Fire Dispatching Software and Training

I N T R O D U C T I O N  A N D  H I S T O R Y

The 2014 Approved Police budget includes $95,000 to purchase and install Emergency Medical/Fire/Police dispatching software and training. Emergency Medical Dispatching (EMD) is necessary to provide life-saving pre-arrival instructions to callers in conjunction with the Fire Department’s move to full medical transport. An invitation to bid was placed on Michigan Inter-governmental Trade Network and sent to Dispatch Communication companies for the purchase of Emergency Medical Dispatching software with an option to also purchase Fire & Police Dispatching software. The closing of the ITB was January 31, 2014 at 3:00 p.m. at the City of Auburn Hills City Clerk’s office. Priority Dispatch and APCO International submitted bids for the project.

The chart below depicts the quotes provided by both companies:

<table>
<thead>
<tr>
<th>Description</th>
<th>Priority Dispatch</th>
<th>APCO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Software</td>
<td>$27,100</td>
<td>$15,000</td>
</tr>
<tr>
<td>Guidecards</td>
<td>$2,370.00</td>
<td>$4,563.00</td>
</tr>
<tr>
<td>Training</td>
<td>$9,415</td>
<td>$2,785</td>
</tr>
<tr>
<td>Install/Implementation (Estimated)</td>
<td>$22,500</td>
<td>None</td>
</tr>
<tr>
<td>Accreditation</td>
<td>$2,250</td>
<td>Not-Available</td>
</tr>
<tr>
<td>Quality Assurance</td>
<td>$3,210</td>
<td>$758</td>
</tr>
<tr>
<td>Call Review Service</td>
<td>$9,048.00</td>
<td>Not-Available</td>
</tr>
<tr>
<td>Annual Support</td>
<td>$6,720.00</td>
<td>$2,250.00</td>
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<tr>
<td>Misc</td>
<td>$40.00</td>
<td>$332.15</td>
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<td>Sub-Total</td>
<td>$82,653.00</td>
<td>$25,688.15</td>
</tr>
<tr>
<td>Discounts</td>
<td>$5,814.00</td>
<td>None</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$76,839.00</td>
<td>$25,688.15</td>
</tr>
</tbody>
</table>

Priority Dispatch offers emergency medical, fire and police dispatching software and quoted their software in three separate quotes. The chart above depicts the emergency medical and fire dispatching software (see explanation below). APCO has all three disciplines included in one software system that cannot be purchased separately.

A comprehensive review was conducted of both programs to determine which is best suited for our operations. Priority Dispatch either met or exceeded our expectations with their training, software, and quality assurance/improvement program. The APCO system did not meet all of the bid specifications.

**Benefits of Priority Dispatch “ProQA” software:**
- Establishes a Standard of Service (protocol based system)
- Enables Prioritized Responses
- Enables Quality Assurance/Improvement of services
- Provides Liability Risk Reduction through standardized call processing
- Provides Certification and Accreditation for communications center
- Provides accurate, consistent and concise information to first responders

o:\CITY COUNCIL PACKET\MARCH 3\9b. Emergency Dis\COVER MEMO - Purchase Of Emergency-Fire Dispatching Software.Docx
• Promotes first responder and caller (victim) safety
• Project management and on-site installation of product
• On-site training of all dispatchers for emergency medical dispatching certification

Review of APCO International “911 Advisor” software:
• Software provides a basic template (agency completes the instructions & pre-arrival instructions)
• Train the trainer program conducted online (two 6 week programs)
• Unknown additional costs associated with integration of software with CAD
• This software is not in use currently with CLEMIS or any other Michigan 911 center
• Quality Assurance/Improvement program is a guide and not protocol based
• Call takers are not required to follow protocols and can skip questions/instructions
• No determinant codes provided to determine level of response.

Priority Dispatch is located in Salt Lake City, Utah and has provided EMD dispatch programs since 1987 and fire and police dispatching programs since the early 2000’s. Priority Dispatch programs meet and/or exceed the national standards set by the International Academies of Emergency Dispatching as well as local standards set by the Oakland County Medical Authority. The protocols are constantly updated by the National Academies of Emergency Dispatch (NAED) and in use by more than 3,000 agencies worldwide. Priority Dispatch assumes the liability for call processing methods. This software system will provide callers with a feeling of a “zero-response time” because in most cases they will remain on the line with a dispatcher receiving treatment instructions until responders arrive on scene. First responders in the field will have accurate real-time updates to patient conditions. While most of the costs quoted are fixed, the installation/implementation costs are an estimate. The exact costs will depend on programming and installation time which is the reason for the 5% contingency.

Priority Dispatch uses unified standards (protocols) that are the same in every system. This allows for constant research and evidence-based validation and updates. Determinate codes are provided to first responders, which facilitate the correct response to a call (driving lights and sirens or normal driving). This reduces overall liability and reduces the risk associated with driving with lights and sirens in traffic when it is not necessary. APCO’s system does not provide this level of prioritization and it does not provide determinate codes. Priority Dispatch provides signals in the software for the call taker telling them that enough basic information has been obtained to determine response level and to start sending units. APCO’s software does not utilize these flags in the software.

Oakland County Central Dispatch has been using the Priority Dispatch “ProQA” EMD program since the early 2000’s and are very satisfied with the system. This system is used by many private EMS companies in southeast Michigan. In 2010 Oakland County began using EFD for fire incidents to increase service levels to fire departments. The Sheriff’s Department just recently added Police Dispatch Software but there have been some compatibility issues with the way some calls are handled. Priority Dispatch was able to provide numerous references of agencies in Michigan who currently use their software. APCO was unable to provide any references in the State of Michigan.

STAFF RECOMMENDATION

Staff recommends the bid be awarded to Priority Dispatch for the Purchase of Emergency Medical and Fire Dispatching software. Public Safety Advisory Committee at their meeting on 02/25/14 recommended a bid award to Priority Dispatch.

MOTION

Move to approve the purchase of Emergency Medical and Fire Dispatching Software from Priority Dispatch and authorize the City Manager to convey acceptance by purchase order in the amount not to exceed $81,000.00.

I CONCUR:  

PETER E. AUGER, CITY MANAGER
CALL TO ORDER: Chairman Coolman called the meeting to order at 6:00 p.m.

ROLL CALL: Present: Members Boelter, Coolman, Hammond, Petras, Taylor
Absent: None
Also Present: Director Olko, Deputy Director/Fire Manning, Deputy Director/Police Hardesty, Lt. Gagnon, Council Member Mitchell

LOCATION: Grusnick Public Safety Building, 1899 N. Squirrel Road, Auburn Hills MI 48326

3. APPROVAL OF MINUTES -
   3a. July 29, 2013
   3b. October 15, 2013
   3c. January 27, 2014

Moved by Ms. Hammond to approve the minutes; Seconded by Mr. Boelter.
VOTE: Yes: Boelter, Coolman, Hammond, Petras, Taylor
No: None
Motion Carried (5-0)

4. PERSONS WISHING TO BE HEARD – none

5. NEW BUSINESS
   5a. Emergency Medical & Emergency Fire Dispatch System
   Lt. Gagnon explained this had gone out for bid a second time, after realizing there was more than one company that provided this service. Three companies were asked to submit bids, two companies, Priority Dispatch and APCO submitted bids, the third company Power Phone, could not meet the City’s specifications.

   Lt. Gagnon explained there are three types of emergency dispatch systems: Guidecards, which are flip charts with tabs to quickly flip to the section that applies to the caller’s needs and notes what steps the dispatcher should take for that particular situation. Next are Spreadsheets, homemade, with information copied from the flip charts and onto an Excel spreadsheet and used in the same manor. The third is software integrated into (CAD) Computer Aided Dispatching. This is the quickest and most efficient for the dispatcher to assess the needs and put the necessary response in motion.

   Priority Dispatch responds to more emergency calls in a week, than APCO does in a year. A very well respected company. In reviewing the bids, there are no Michigan references for APCO, nor did they meet all the bid specifications. Priority Dispatch either met or exceeded expectations with their training, software and quality assurance/improvement program and has numerous Michigan references.

   Priority Dispatch integrates with the current computer system; it does not require the need to purchase new computers.

   Deputy Director/Police Hardesty noted this request is for fire/medical dispatching and not for police dispatching at this time.

   Lt. Gagnon stated the price for Priority Dispatch will not exceed $81,000. Most of the costs quoted are fixed, the installation/implementation cost is an estimate; the exact costs will depend on programming time.

   The advantages of Priority Dispatch’s ProQA software are:
   • Establishes a standard of service (Protocol Based)
   • Enables prioritized responses (Determinant Codes)
   • Enables quality assurance/improvement of services
   • Liability risk reduction (Protocol Based)
   • Accurate, consistent and concise information to first responders
   • Certification & Accreditation
   • On-site training of all communications staff
• Project management & on-site installation

APCO International “911 Advisor” software review:
• Software provides a basic template (agency completes the instructions & pre-arrival instructions)
• Train the trainer program conducted on-line (two, six week programs)
• Unknown additional costs associated with the integration of software with CAD
• This software is not in use currently with CLEMIS or any other Michigan 911 center
• Quality assurance/improvement program is a guide and not protocol based
• Call takers are not required to follow protocols and can skip questions/instructions
• No determinate codes provided to determine level of response

Mr. Coolman asked if other companies cannot meet the specifications, because we, the City, is expecting too much from companies.

Lt. Gagnon stated he doesn’t believe the specifications are too stringent. Priority Dispatch is located in Salt Lake City, Utah, and has provided emergency medical dispatch programs since 1987. Fire and police dispatching has been done since the early 2000’s. Priority Dispatch programs meet and/or exceed national standards, including Oakland County Medical Authority. Priority Dispatch programs are used by 3,000 agencies worldwide and 67 million calls are processed annually. Their product is very different from other companies.

APCO and Power Phone provide a template that each agency builds according to their needs; however, it is not known if or how these programs would connect with Oakland County.

The Priority Dispatch software provides callers with the feeling of zero-response time, because in most cases the dispatcher will remain on the line until responders arrive on the scene. The first responders will have accurate real-time updates to patient conditions.

Deputy Director/Fire Manning explained that by AHFD dispatching medicals and fires, there are deficiencies or delay in communications with the Fire personnel getting up-to-date information; this program is step-by-step and consistent. This program identifies when a responder should use lights and sirens, based on the degree of urgency.

Responding to Mr. Petras, Lt. Gagnon explained any software changes will automatically update. There is an annual fee of $6,700, which includes updates and upgrades to the software. At this time, the Emergency Police Dispatching component will not be included with this dispatch program.

Mr. Boelter asked if police will continue to respond to delta calls.

Lt. Gagnon stated yes; the codes will determine the correct response to a call, such as whether lights and sirens are needed, or normal driving, as well as what personnel is needed. The delta and echo calls will definitely have a police response, but it may not be necessary for the other calls. Priority Dispatch uses unified standards (protocols) that are the same in every system, allowing for constant research and evidence-based validation and updates. APCO’s system does not provide the same level of prioritization and does not provide determinate codes. Priority Dispatch also provides signals in the software for the call taker that enough basic information has been obtained to determine the response level and to start sending units, unlike APCO.

Oakland County Central Dispatch has been using the Priority Dispatch “ProQA” emergency medical dispatch since the early 2000’s and has been very satisfied. In 2010 Oakland County began using emergency fire dispatch for fire incidents to increase service levels to fire departments. The Sheriff’s Department recently added police dispatch software, but there have been some compatibility issues.

Mr. Coolman asked the timeline of implementation.

Director Olko stated if approved, STAR will only be continuing dispatch service as of May 1st, until the new program is in place and dispatchers have been trained. Training and software loading could begin June 1st. The building reconfiguration as discussed at the last meeting would not begin until at least 2015.

Deputy Director/Fire Manning stated STAR will charge $7.00 per dispatch call and will continue the dispatch services until the new program is completely implemented.

Moved by Mr. Boelter to recommend to City Council approval to purchase Emergency Medical and Fire Dispatching Software from Priority Dispatch and authorize the City Manager to convey acceptance by purchase order in the amount not to exceed $81,000.00.

Supported by Mr. Taylor.
VOTE: Yes: Boelter, Coolman, Hammond, Petras, Taylor  
No: None  
Motion Carried (5-0)

6. OLD BUSINESS – none

7. REPORT FROM THE DEPARTMENTS

7a. Fire Department
Deputy Director/Fire Manning affirmed Council approved at their last meeting the recommendations of the ambulance billing services and STAR as the emergency backup service. Staff is currently working with MHR on supplying the necessary information for medicare number process.

A firefighter was involved in an accident that was the other driver’s fault. The firefighter suffered minor injuries, and the Durango will likely be totaled.

7b. Police Department
Deputy Director/Police Hardesty noted the Department has hired three new candidates, completing the existing vacancies and bringing the Department to the optimum number of employees. There are a number of retirements that will take place this year, so the hiring process will be continued.

Mr. Coolman asked if there is a meet and greet for new officers.

Director Olko stated there isn’t, but at the annual banquets for Police and Fire, the new faces as well as the current personnel can be introduced.

8. ADJOURNMENT
The meeting adjourned at 6:49 p.m.

Respectfully Submitted,

Kathleen Novak
Records Retention Clerk
To: Mayor and City Council
From: Peter E. Auger, City Manager; and T. Hardesty, Deputy Director of Emergency Services
Submitted: February 27, 2014
Subject: Motion for 2014 Liquor License Renewals

INTRODUCTION AND HISTORY
This is the time when City Council reviews all On-Premises Liquor Licenses within the City for renewal. If the City wishes to object to the renewal of a license, the Michigan Liquor Control Commission (MLCC) must receive the written objection at least 30 days prior to the expiration date of April 30th, 2014. Upon receipt of an objection from the City, the MLCC will hold an Administrative Revocation Hearing to determine if the license should be renewed or not. By State law and local ordinance the only liquor licenses that need to be renewed by City Council and the MLCC are those businesses that serve alcohol for consumption on premises.

To insure the close monitoring of LCC licenses, City Council has enacted Chapter 6 of the Code of Ordinances, “…to regulate and establish procedures and standards for liquor licensing in the City of Auburn Hills.” Pursuant to this ordinance, license holders pay a renewal fee to the City and are inspected by the Police, Fire, and Building Departments. The Fire Department found some violations at licensed liquor establishments within the City and is working with the businesses to correct the issues. The Building Department also found some minor violations and they too are working with the businesses to correct these violations. Both departments recommend approval for all establishments.

Beyond the physical inspection performed by the Police Department, we also check our computer records for the number of calls for service at each establishment and the nature of the requests. We have determined that no establishments had substantial problems with the frequency or nature of calls for service. In 2013, the Police Department conducted two (2) under age controlled buy enforcement operations. During the two sting operations conducted two (2) of our Class C establishments furnished alcohol to a minor. As part of our follow-up these establishments were referred to our TIPS program (Training for Intervention Procedures), which educates bartenders and wait staff on how to recognize intoxicated individuals and what actions they are to take if they are confronted with intoxicated persons on their premises. Bar Louie declined our offer of TIPS training, electing to train their staff in-house and On The Border is in the process of scheduling TIPS training. Our officers continue to work with area hotels and motels during prom month to prevent underage drinking at those establishments.

LICENSES OF SPECIAL NOTE
There are two (2) Class C On-Premise licenses in escrow and one in bankruptcy as of February 14th, 2014:

<table>
<thead>
<tr>
<th>LICENSEE</th>
<th>DBA</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TIFA</td>
<td>NONE</td>
<td>3050 Auburn Rd</td>
</tr>
<tr>
<td>Gary Yeomans</td>
<td>NONE</td>
<td>1451 Opdyke (old Mt. Jacks)</td>
</tr>
<tr>
<td>Stir Crazy Café – Closed ( Bankruptcy)</td>
<td></td>
<td>4248 Baldwin Rd</td>
</tr>
</tbody>
</table>

LIQUOR LICENSE VIOLATIONS – 3 YEAR HISTORY
According to the MLCC and a database maintained by City departments, the following establishments have received violations:

- On The Border 5/23/13- Sale to minor - Fined
- Bar Louie 12/13- Sale to minor - Pending
- Applebee’s #5832(Squirrel Rd) 5/9/2011- Sale to Minor - Fined
- Max & Erma’s 5/7/2012- Sale to Minor - Fined
- Miyako Steakhouse 11/28/11 - Sale to Minor - Fined
Duffy's 12/6/2012 Sale to Minor- Fined
Toby Keith’s 7/7/2011 sold to intoxicated person-Fined
8/4/2012 furnished alcohol intoxicated person-Fined
12/6/2012 Sale to Minor-Fined
BD Mongolian BBQ 5/9/2011 Sale to minor- Fined
TGI-Fridays 11/28/11 Sale to Minor-Fined
Santa Fe Café’ 12/7/2012 Sale to Minor-Fined
11/30/2012 Sale to Minor/After hours- Fined
Chili’s Bar and Grill 11/18/2011 Sale to Minor- fine
Joes Crab Shack 1/26/2012 NSF Check to LCC
Hoop’s 5/7/2012 Sale to Minor- Fined
Red Ox 5/7/2012 Sale to Minor- Fined

**LICENSES ELIGIBLE FOR RENEWAL**

The following licensed establishments have met all requirements for license renewal in accordance with Police, Fire and Building department inspections and have all paid the annual license renewal fee:

- Alfoccino
- Applebee's #8088
- Applebee's #8076 (Squirrel Rd)
- AMC Theatres
- Bar Louie
- Buddy's Pizzeria
- BD Mongolian Barbeque
- Callahan Brother's Inc.
- Chili's Grill & Bar
- Crown Plaza O'Malley's
- Fieldstone Golf Course
- German American Marksman Club
- Great Lakes Golf Dome
- Hilton Suites
- Hoops Sports and Entertainment
- Hyatt Place Hotels
- Joe's Crab Shack
- Lelli's
- Longhorn Steakhouse
- Logan's Roadhouse
- Makimoto Sushi Bar & Asian Kitchen
- Max & Erma's Restaurant
- Miyako Japanese Steak & Seafood
- Palace of Auburn Hills
- Romano Macaroni Grill
- Olive Garden Italian Restaurant
- On The Border
- Rainforest Café
- Rangoli Indian Cuisine
- Red Ox Tavern
- TGI Friday's
- Courtyard Marriott (Hospitality Properties)

Attached is the City Treasurer's report on the status of all outstanding taxes, utilities or license renewal fees. The information contained in this memo is as of 2/26/2014.

**STAFF RECOMMENDATION**

Staff recommends renewal of all liquor licenses for those establishments listed above that have met the City's requirements. The below listed licenses are not recommended for approval as they have unpaid fees from one or more of the following; taxes, water bill, or renewal fees:

- Hill Gazette Post #143-American Legion
- Santa Fe Mexican Restaurant
- Fran O'Brien's Maryland Crab House
- Elwell Grill
- Toby Keith's I Love This Bar
- Duffy's Irish Pub

**MOTION**

Move to recommend approval of the annual liquor licenses of those establishments that have met the licensing requirements of the City; and that a public hearing be scheduled for Monday, March 17th, 2014 to consider evidence regarding the recommendation of non-renewal of a liquor license to those establishments who have not met the City’s requirements.

I CONCUR: ___________________________

PETER E. AUGER, CITY MANAGER
The following establishments have not met the requirements for license renewal due to non-payment of renewal fees, water/sewer fees, and/or taxes.

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Real Property Taxes as of 02/25/14</th>
<th>Personal Property Taxes as of 02/25/14</th>
<th>Total Taxes Due</th>
<th>License Renewal Fees</th>
<th>Water &amp; Sewer</th>
<th>Total Amount Due</th>
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*Note: Status as of 02/26/14 - Will be updated after 02/28/14 (last day of tax collection at City)

Grand Total Delinquencies 15,198.70
February 11, 2014

City of Auburn Hills  
Karen Adcock  
1827 Squirrel Rd.  
Auburn Hills, MI 48326

Dear Karen,

We want to thank you for the generous donations received during your tree lighting at the Auburn Hills Community Center to Rochester Area Neighborhood House. It is through this kind of support that we are able to meet the needs of our neighbors during times of hardship. Continued community support has helped us to assist our families as they work to become self-sufficient and this donation enables us to better serve our families in need.

This donation also demonstrates your confidence in our ability to help our neighbors, and we take that charge very seriously. We are extremely grateful for your generosity and sincerely honored by your support.

With gratitude,

Linda Riggs  
Executive Director  
Rochester Area Neighborhood House

* Log onto our website at www.ranh.org so that you can sign up for monthly newsletter updates and access our Facebook page!

Neighbors Helping Neighbors  
1234 Inglewood  •  Rochester, MI 48307  •  248-651-5836  •  Fax 248-651-5310  
info@ranh.org  •  www.ranh.org
The Fire Departments Staffing did change this month. We welcomed aboard 3 new paid on call personnel. For station 2 we have Christina Biondo and Jesse Beaton, at station 3 we have Joshua Racza. We also have officially hired familiar faces Nick Tosch and Nate Holt as part-time paramedics. We currently employ 17 full-time staff and a total of 30 paid on Call personnel: 6 assigned to Station 1, 16 to Station 2, and 8 to Station 3 with an additional 6 part time medics.

January Anniversaries

A/Lieutenant Chapman 34 Years of Service
Lieutenant Hering 13 Years of Service
Firefighter/Medic McNamara 9 Years of Service
Firefighter Wynn 4 Years of Service

Firefighter Fitness

Fire personnel are encouraged to maintain a healthy lifestyle through proper diet and exercise. During the month of January fire personnel logged 60.33 hours of workout time.

What did you do before you stared at AHFD?
89-93: US Navy USS Constellation CV-64 flight deck lighting supervisor
93-95: Cook at TGI Fridays
95-99: AH DPW Water Department
02-06: Detroit Fire Department
02-Present: AHFD (94-99: Paid on call @ station 3)

Married? Kids? Pets?
I have been married for 13 wonderful, blessed years to Anna-Lisa and have 3 children: Kayla 16, Alexandra 9 and Johnny 6.

What do you like to do outside of work?
Snowmobile, boating, cabin at Higgins Lake, coaching kids little league
I like to be outside, beating PD in various sporting events.

Career Highlights/Awards/Commendations:
1st full time job at Detroit Fire Department in 1999
Hired at Auburn Hills full time in 2002
Promotion to Lieutenant in 2013
Life saving award in 2013

What do you enjoy most about working in the fire service?
Being part of a team
Being able to help people
Getting out in the community meeting residents
Being able to do something different everyday
Driving a Fire Truck
### Interesting Calls

**Wednesday January 1st, 2014** - fire personnel responded to the Extended Stay hotel, 2100 Featherstone, on a report of smoke in the hallway. As personnel were responding they received an update that there was a fire in a room on the first floor. Crews arrived on scene to find that the sprinkler system in the room had activated and contained the fire to the room where it started. Fire personnel quickly extinguished the remaining fire and moved to salvage operations as the sprinkler system was damaged and continued to flow water into the room. Personnel were able to quickly improvise a drain system using a fire hose attached to the sprinkler system to limit the water damage. The management staff was very appreciative of the actions of the personnel on scene. Guests in the immediate area were moved to other rooms and the hotel remained open. It appears the fire started in the wall heater in the room. There were no injuries.

![improvised drain from sprinkler system](image1)

![wall heater](image2)

**Tuesday January 6th, 2014** - fire personnel responded to the YMCA on a report of a gentleman who had fallen off of an exercise machine and was unconscious. Fire personnel arrived to find YMCA staff and Sergeant Jim Stoinski from the police department performing CPR on a 71 year old patient. The patient was shocked by the YMCA’s automatic defibrillator. Paramedics Tony Randolph, Dave Ghesquiere and fire fighter Nick Hansen arrived on scene and initiated advanced life saving techniques. The patient was transported to Crittenton hospital where emergency heart procedures were performed. The patient is currently in intensive care and doctors believe his prognosis for recovery is good. The YMCA staff receives annual CPR and defibrillator training from our fire personnel.

![YMCA](image3)

**Thursday January 30th, 2014** - at 7:40 pm units were dispatched to Oakland Estates on a report of a mobile home fire. As units were responding to Oakland Estates a second structure fire was reported on the opposite end of the city at Dow Automotive on Harmon Rd. The complainant at Dow reported heavy black smoke in the building. Police units arrived quickly on scene at Oakland Estates and reported there was no fire. The home owner was using a heater to thaw pipes under the mobile home. Responding fire units were diverted to Dow Automotive. The first arriving unit reported there was light smoke inside the building but they could not locate the source. After further searching the building personnel located a burnt rang that had been hanging from a boiler pipe. The red rag was originally hung from the pipe to warn of a low hanging valve. The rag became over heated due to the continuous flow of hot water as the boiler tried to keep up with the recent frigid temperatures. There was no damage to the building.

![image4](image4)

**Polar Vortex Causes Broken Sprinkler Pipes**

The extreme cold weather froze the pipes of sprinkler systems in several businesses and residential buildings in Forester Square. Fire personnel have responded to 25 fire alarms between Monday and late in the day on Thursday. Of these alarms, 13 were the direct result of frozen sprinkler lines. Some of the lines broke and caused significant water damage in the building. Fire inspectors are working with businesses and property managers to get their fire suppression systems back on line as quickly as possible.

**On Thursday January 30th, 2014** - a contingent of city staff from Mankato Minnesota consisting of the city manager, director of public safety, and two fire command members visited the fire department to discuss our fire operations. Mankato is very similar in size and demographics to Auburn Hills and their staff is very interested in our fire operations since the merger to Emergency Services. Director Olko and personnel from fire command met with the Mankato representatives for almost four hours to discuss the changes and efficiencies that have come as a result of the merger.

![image5](image5)
During the month of January the department responded to 287 calls for service. This represents an increase of 61 incidents from December 2013. 48% of all calls for service were in Station 2’s district. Responses for station 1 and 3 were 32% and 19% respectively. There were 5 actual fires and 282 non-fire related incidents.

Incident Type by Station

Station 2 continues to be the most requested station for calls for service. This is due to the fact that this area has several high occupancy buildings within its response area, including Oakland University, medical facilities, large office buildings, and several senior housing complexes making up the bulk of the call volume. The department had a total of 173 EMS calls in January. Within that total, 106 of these were actual transports to a local hospital. 57 of the transports were ALS (advance life support) which requires one of the following procedures: drug therapy, advanced airway management or advance cardiac care. 49 were BLS (basic life support), which represents a stable patient who does not require any ALS procedures.

Response by Location Type

In January, 41% of all emergency responses were to residential occupancies, 25% were at businesses and public places such as restaurants, retail stores and other buildings open to the public.
Incidents by day of the week

The data below reflects that Thursday was our busiest day of the month, reporting 65 calls for service.

Training Hours

Suppression training continued to account for the most hours in January’s training report. This includes the monthly scheduled training dates, FTO and technical rescue. Suppression training of our personnel, particularly the Paid on Call staff is critically important due to the high risk/low frequency nature of fire fighting.

Public Education

We conducted 11 programs during the month of January. Public education continues to be a very important part of the Fire Department. There were a total of 145 programs delivered last year.

Prevention Division

The graphs below reflect the activity of the Fire Prevention Division. The main focus of their efforts has been directed at getting new businesses into their buildings in an efficient and timely manner and ensuring fire safety of existing businesses as well.

The Prevention Division has also been working diligently on processing Hazardous Materials applications and issuing permits. In 2013 they collected $58,800 in for Hazardous Materials permit fees. They have just begun to collect for 2014 with a total of 74% reported and 30% paid ($19,400).
Oakland County Narcotics Enforcement Team

In January an Auburn Hills Police Officer was selected and joined the Oakland County Narcotics Investigation Team (NET). The NET team is comprised of Officers and Deputies from agencies within Oakland County. Having one of our officers on the team will help us improve on narcotics investigations and provide additional resources when dealing with any problems in our own community.

We have experienced some very positive results from the information obtained by Officers on the road, which is then sent to our investigator on the team. Follow-up investigations and operations are conducted in order to obtain enough evidence to secure a search warrant. Some of these search warrants have been executed in neighboring jurisdictions, which originated from arrests made in Auburn Hills.

One such case resulted in the execution of a search warrant at a home in Auburn Hills. 70+ marijuana plants, 4 lbs of processed marijuana, and 8 illegal firearms were located inside the home. Investigators determined that these individuals unlawfully possessed the drugs and the case will be submitted to the Prosecutor’s Office for review.

Joining the NET team will assist us in providing a better service to the community and effectively dealing with problems that arise from drug use and drug distribution.

New Police Officers

On January 20, 2013 we welcomed two new Police Officers to the Auburn Hills team. Both officers were sworn-in by the City Clerk and officially began their law enforcement careers.

Officer Brad Brasil is a recent graduate of Western Michigan University where he obtained a Bachelors degree in Criminal Justice. He then attended the police academy at Kalamazoo Valley Community College.

Officer Kevin Starrs is a recent graduate of Ferris State University where he obtained a Bachelors degree in Criminal Justice. He then attended the police academy at Oakland Community College.

(Pictured from left to right: Deputy-Director James Manning, Officer Brad Brasil, Officer Kevin Starrs, and Director Doreen Olko)

It is exciting to have these fine young men join our ranks and begin their careers. For the next four months they will be going through the field training program and will have to demonstrate their ability to function on their own in order to complete the training.
Emergency Closure of the University Bridge Over I-75

On Friday, January 17, 2014 we were notified by MDOT that they were closing the University Drive bridge over I-75 for emergency repairs that would need to be made.

Our team of Command staff and officers worked quickly to get the message out to the public through social media. It would have a significant impact on traffic leaving Oakland University and local business in the University corridor. This information was disseminated quickly to the media and local businesses and schools.

The changeable message signs from the Police Department and Dept. of Public Works were quickly deployed in the area to direct motorists to alternate routes.

The closure lasted a week as MDOT crews constructed temporary support beams under the bridge to stabilize it. Traffic was also affected on I-75 as the two left lanes in both directions were also closed.

We continued to update the motoring public through our social media (Nixle, Twitter, Facebook), which helped ease the congestion as commuters planned alternative routes accordingly.

Crime and Service Statistics

We continually strategize our responses and make the best use of the tools and personnel we have to produce the best possible outcomes.

We have experienced a 12.69% increase in our Part A incidents (more serious offenses), -35.56% decrease in our Part B incidents (non-violent misdemeanors), and a 28.37% increase in Part C incidents (misdemeanor and service related incidents) compared to the same time frame last year.

We have experienced a 42.7% increase in traffic crashes compared to the same time frame last year. We experience an increase due to inclement weather in January.

Officers have issued -11.39 less traffic citations compared to the same time frame last year.
Avondale Academy's virtual learning school relocates to new University Center in Downtown Auburn Hills

Online open enrollment option offers alternative means for high school students through age 19 to earn a diploma

Avondale School announced its virtual school began operating from the new University Center building in Downtown Auburn Hills. The virtual school is offered through the district’s alternative high school, the Avondale Academy, and had previously been based there. The Avondale Academy has open enrollment and offers both traditional and non-traditional educational opportunities to students entering high school through age 19.

The University Center, located at 3350 Auburn Road, is a partnership between the Avondale School District, the Auburn Hills Tax Increment Finance Authority (TIFA) and four of Auburn Hills' colleges and universities: Oakland Community College, Baker College and Thomas M. Cooley Law School. The University Center provides 4,800 square feet on the first floor to host college level classes and 2,400 square feet on the second floor for Avondale's virtual school. The building was part of four new developments in downtown Auburn Hills that were celebrated at an October 2013 ribbon-cutting event sponsored by the city of Auburn Hills.

"We are pleased to have a premium facility like the University Center to operate Avondale Academy's virtual school," said Dr. George Heitsch, superintendent of the Avondale School District. "We thank our higher education partners in Auburn Hills and also the city of Auburn Hills for collaborating on a project that has such an immediate benefit to area students seeking a high school diploma through the new frontier of virtual learning."

In the virtual school, which is approved by the State of Michigan, students are assigned classes through the Education 20/20 program with the assistance of a mentor teacher. Of the 32 students who graduated from the Avondale Academy in June 2013, 13 obtained their degrees through the Avondale Academy virtual school. Avondale introduced the virtual school in the 2010-2011 school year.

The educational opportunities offered through the Avondale Academy provide students numerous benefits, including small class sizes, a safe and friendly learning environment, multiple learning options, credit recovery, an Avondale School District diploma, individualized instruction accredited by the State of Michigan and transportation from some out-of-district locations.

The Avondale Academy and virtual school serve students through age 19. Beyond traditional 9-12 grade students, fall enrollment is open for students who did not receive a diploma with their graduating class and have not turned 20 prior to the first day of school. For questions about the virtual school or the Avondale Academy, which is located at 1435 W. Auburn Road, in Rochester Hills, call 248-537-6600.
Police search for Auburn Hills burglar suspect

By John Turk
john.turk@OakPress.com
@jrturk on Twitter

Police are looking for the public’s help in identifying a suspect who is believed to have stolen more than $5,000 in personal items in a string of Auburn Hills home invasions in recent weeks.

The break-ins, which occurred between Jan. 31 and Feb. 19 in the area of Walton Boulevard and Dexter Road, happened while the homeowners were out — usually during daytime hours, investigators said.

The suspect, or suspects, gained access to the homes by prying open windows or through unlocked doors. Items such as video games, guns, jewelry, cash and electronics were all reported stolen. In total, five homes were broken into. Areas burglarized included the 2800 block of Pontiac Court, the 2100 block of Walnut Road, the 2900 block of Edna Jane Road and, most recently, a Wednesday home invasion in the 2900 block of James Road.

In the Wednesday incident, a resident in the neighborhood reported that a possible suspect was in the area of the break-in, but he walked away in an unknown direction. That report yielded a composite sketch of the suspect, said Auburn Hills Police Lt. Ryan Gagnon.

“The suspect may be knocking on the door, checking if anyone’s home beforehand,” Gagnon said, adding police are hoping to generate tips from the sketch. “We want people to call us if they see anybody that’s suspicious, and anyone who seems out of place in their neighborhoods.”

The suspect is described as a white man in his mid-30s who is 6-feet tall, and has a thin build with brown hair, a full beard and mustache. He was wearing a beige or dark brown coat with a zipper and dark blue jeans dur-

ing the Wednesday incident, a witness told police.

Anyone with information on this string of incidents is asked to call the Auburn Hills Police Department at 248-370-9444 or Crime Stoppers at 1-800-SPEAK-UP (800-773-2587).

“We want people to call us if they see anybody that’s suspicious…”

— Lt. Ryan Gagnon, Auburn Hills Police Department

This is a computer sketch of a possible suspect in five home invasions in Auburn Hills.

WHEN, WHERE AND WHAT

- Jan. 31, 2800 block of Pontiac Court: Four video games, a camera, a computer, and two pieces of jewelry stolen.
- Feb. 7–13, 2100 block of Walnut Road: Homeowner’s window was pried out, and the alarm system sounded. It didn’t appear that the suspect took anything or that entry was made, police said.
- Feb. 11, 2100 block of Walnut Road: Cash taken from resident’s home.
- Feb. 11, 2900 block of Edna Jane Road: Phone, cash and coins stolen.
- Feb. 19, 2900 block of James Road: Three handguns — two semi-automatic pistols, one revolver — was taken from the home, as well as jewelry.

To report information about these home invasions online, visit www.1800speakup.org, or to text a tip, text CSM and your tip to 274637.
Police looking for pellet gun sniper

Residents speak out about stranger targeting vehicles throughout Oakland County

By Carol Hopkins and John Turk

carol.hopkins@oakpress.com
@OPCarolHopkins on Twitter
john.turk@oakpress.com
@jrTurk on Twitter

Amity Thompson of Waterford Township was headed toward a class at Baker College around 5 p.m., Jan. 22 when she looked in her rearview mirror and saw a gun sticking out of the window, resting on the side mirror.

"It was like a handgun, but not a long gun," said Thompson, 35.

Then she heard a ping, the sound of something hitting her car.

Thompson is among as many as 11 drivers who have had a stranger shoot at them with a BB or pellet gun. Some media are calling the shooter the "Oakland County sniper."

It was still light out when Thompson started to go through the intersection at Bay and University on the border of Auburn Hills and Pontiac.

"I was going very slow as the roads were slick when I heard something hit my car," she said.

"It was really surreal because by the time I realized what exactly happened, I was through the intersection and they had turned down Bay Street (in Pontiac)."

SNIPER » PAGE 5

Auburn Hills Police Sgt. Rick Leonard looks over maps and evidence photos from recent shootings in the city.

TIM THOMPSON — THE OAKLAND PRESS
Sniper

FROM PAGE 1

"But I was looking at them the whole time and saw the gun retract back into the car," Thompson, who has filed a report with the Oakland County Sheriff's Office, said the car was a black Jeep Cherokee-type vehicle.

"I have a Ford Escape and the (vehicle) was level with me. Because of the noise that I heard and after thinking about it for a few minutes, I realized that it had to be a BB kind of gun or pellet gun." Thompson said afterward she was confused, but then angry.

"I was swearing," she said. "I said, 'You just shot my car.'"

Thompson has washed her car a couple times since and has found no indentations or nicks.

"I assume they hit the license plate," she said.

Thompson has been taking that route through Pontiac to get to college on and off for about nine years, she said.

"I never knew that area was so dangerous. The officer who responded told me to take another route so I did that now," she said.

"From what others have said, it appears I was lucky my window wasn't shattered. I really can't understand what someone would gain by doing this."

Van's glass shattered

Another Waterford woman who asked to share only her first name, Kristina, told WXYZ-TV that she and her family drove recently to Clarkston Family Video and had an even more disturbing encounter.

"Well it's scary. You're just driving on your typical Friday night you wouldn't think you'd have to worry about that," she told WXYZ.

A car was behind her as she turned into the video store's parking lot. Then her mini-van's back window exploded, according to the report.

"I thought they'd hit the back of our car or they'd thrown a rock at us or something," said Kristina.

She was grateful her teenage daughter, who was riding with them earlier, was not with them.

"Had she been, we had glass up to the second bench of our van. So it would have been on them or hit them," said Kristina.

Police reports piling up

Between Jan. 5 through Feb. 9, total reports of shootings have increased to at least 10 incidents, with seven incidents in Auburn Hills, two in Pontiac and one in Orion Township.

A dark-colored or black four-door sedan, possibly a Ford Fusion or Dodge Neon, is described as a potential suspect vehicle.

"In all of these cases, there has been no evidence that the projectile which caused the damage came from a firearm. Several of the occupants reported driving down the road and their window just shattering or breaking," Auburn Hills Lt. Ryan Gagnon said, noting only one person, a 13 year old, was injured, and then just slightly.

The incidents have happened on Baldwin Road, between Brown Road and Great Lakes Crossing Drive, M-59 between Odyke and Adams, South Boulevard near I-75, Squirrel Road between Auburn and M-59 and Walton Boulevard near Squirrel Road, and Kern Road in Orion Township.

Right now, investigators are looking into whether this string of shootings is being carried out by younger students.

"It doesn't appear any of these incidents are occurring during normal school hours," said Gagnon, "which lead us to believe the suspect(s) have some type of schedule. They're also happening in the evening, particularly on the weekends - the majority of them have happened on Friday, Saturday and Sunday, with one incident on a Thursday evening."

Gagnon said he does not believe a shooting in Detroit, where a Clarkston woman was shot while driving, is connected to the case, because, "the incidents we've been hearing about are either in Auburn Hills or immediately near our border."

Gagnon cautioned that drivers should be paying attention to their surroundings and get a description or license plate number of a car that looks suspicious. Victims of a shooting while driving should pull into a well-lit, populated area and immediately call 9-1-1.

The public is asked to contact the Auburn Hills Police Department at 248-970-9444 or CRIMESTOPPERS at 1-800-SPEAKUP or 1-800-773-2587, with information. Call the Oakland County Sheriff's deputies at 248-898-4911. A cash reward is being offered. Callers can remain anonymous.

In October 2012, a series of two dozen roadway shootings that spanned four counties in the I-96 corridor put drivers on edge.

Raulie Casteel, the Wixom man who pleaded no contest to several charges related to the shootings, was sentenced earlier this month to 104 months to 14 years in prison by Oakland County Circuit Judge Denise Langford Morris.

Sentencing in Livingston County, where a jury found Casteel guilty of terrorism and other charges, is set for 1:30 p.m. March 4. He faces up to life in prison in that case.

Shown is an evidence photo from a pellet gun shooting of a car in Auburn Hills.
Cash reward of $1,000 offered in Auburn Hills area pellet gun shootings

By John Turk
john.turk@oakpress.com
@rturk on Twitter

Michigan Crime Stoppers is offering a $1,000 cash reward for tips leading to an arrest and conviction in as many as 12 pellet gun shootings in and around Auburn Hills.

So far, Crime Stoppers personnel have received only one tip relating to the shooting incidents, which happened between Jan. 5 and Feb. 9, in Auburn Hills, Orion Township and Pontiac — some near a major shopping mall.

The shootings occurred on Baldwin Road, between Brown Road and Great Lakes Crossing Drive, M-59 between Opdyke and Adams, South Boulevard near I-75, Squirrel Road between Auburn and M-59, Walton Boulevard near Squirrel Road, and Kern Road in Orion Township.

Police are looking for a dark-colored or black four-door sedan, possibly a Ford Fusion or Dodge Neon, that is described as a potential suspect vehicle.

Residents who reported the shootings said they were confused, then angry after they were shot at. Waterford resident Amy Thompson — shot at while on her way to class at Baker College — described the attack as “surreal.”

Auburn Hills Police Lt. Ryan Gagnon said local authorities haven’t taken any new reports since the shooting information was released to the community last week.

Gagnon said, adding that the shootings don’t appear to be the work of a sniper, but possibly students.

Call (800) SPEAK-UP with tips or visit www.1800speakup.org.

Visit theoaklandpress.com to view a map of reported shooting locations.

Sun., Feb 16, 2014
oaklandpress.com

AUBURN HILLS

Quality Lube Oil & Auto Repair earns 2013 Angie’s List award

Quality Lube Oil Change & Auto Repair Center in Auburn Hills has earned the service industry’s coveted Angie’s List Super Service Award for 2013.

“As a family-owned and operated business for 32 years now, we believe in treating customer vehicles as if they were our own. We are dedicated to providing professional, top-notch auto service, and we appreciate our many local customers who have made us the success we are today,” said Terry Braun, company founder.

“Only about 5 percent of the companies Quality Lube competes with in the metro Detroit area are able to earn our Super Service Award,” said Angie’s List Founder Angie Hicks.

Angie’s List winners have met strict eligibility requirements including an “A” rating in overall grade.

Quality Lube was established in 1981 as one of the first drive-through oil changes in Michigan.
Plante Moran marks 90 years, still growing, attracting top talent

A business doesn’t make it 90 years without planning, perseverance and people who make it happen. Plante Moran, one of the nation’s largest certified public accounting and business advisory firms is celebrating 90 years. It was founded by Elorion Plante on Jan. 20, 1924 in Detroit. Frank Moran joined Plante in 1950 to form Plante Moran. The firm has grown through the years and now has a staff of more than 2,000 professionals worldwide.

Plante Moran has received numerous top workplace honors and has been named a top employer for women and interns.

The firm was recently named to FORTUNE magazine’s list of the “The 100 Best Companies To Work For” for the 16th consecutive year.

“In 2013, we hired 345 staff firmwide, compared to 285 in 2012,” said Gordon Krater, CPA, the firm’s managing partner. “A total of 24,893 applications were received by Plante Moran in the year ending June 2013,” he added.

Plante Moran has had several strategic mergers, beginning in earnest in the 1980s when the firm merged with Danielson Schultz & Co. and Bristol, Liesenring, Herkner & Co., which gave Plante Moran offices in Lansing, Kalamazoo, Battle Creek, Benton Harbor and Traverse City as well as Cleveland, Ohio.

Plante Moran continued to expand in the Ohio market in 1997 through a merger with NCOT Accounting and Consulting of Ohio as well as Jackson, Rolfes & Spurgeon in 2009. The firm entered the Chicago market in 2004 through a merger with Gleeson, Sklar, Sawyers and Cumpata and a 2012 merger with Chicago-based Blackman Kallick. Plante Moran now has 21 offices throughout Illinois, Michigan and Ohio, with international offices in Shanghai, China; Monterrey, Mexico; and Mumbai, India. The firm’s Chicago office is now its second largest, after Southfield. Plante Moran also has a location in Auburn Hills.

“We plan to continue to invest in southeast Michigan and throughout Michigan, Ohio and Illinois, too,” said Krater.

“Plante Moran was recently recognized as the largest accounting firm in both southeast Michigan and Michigan. We never intended to be the largest, we always strived to be the best,” said Krater. “The firm is looking to grow through merger opportunities in contiguous states.”

Key growth areas for the firm in recent decades include auditing, tax and consulting services for middle market businesses with a global presence, real estate advisory services through Plante Moran CRESA and a broad menu of wealth management services through the firm’s Plante Moran Financial Advisors (PMFA), Plante Moran Insurance Agency and Plante Moran Trust affiliates. Formed in 1982, PMFA now has more than $8 billion of assets under management and was ranked ninth in May 2013 on Forbes’ list of “Top 50 Wealth Managers”. 

http://www.theoaklandpress.com/apps/pbcs.dll/article?avis=OP&date=20140226&category=NEWS&loopenr=14...
Plante Moran marks 90 years, still growing, attracting top talent

“Our growth has been very steady since the recession. We stayed invested in our services during the recession, so that we would be able to serve our clients’ needs when they began to recover. We have seen growth in every industry we serve and nearly every service we provide since 2010. Manufacturing has certainly been experiencing a rebound,” said Krater.

The Construction Association of Michigan (CAM) and Plante Moran released the 2013-2014 biennial state of the Michigan construction industry survey. Tom Doyle, leader of the Construction Industry Group at Plante Moran, noted that overall construction industry trends are positive.

“We are seeing cautious optimism in the survey results which mirrors what many of our construction clients are currently experiencing in the field,” said Doyle. “Construction leaders realize it could be a long road back, so positive trends need to be considered in light of where the industry was in 2009. Still, there are definite, measurable upticks in the industry and overall, we are confident the survey findings reflect an industry in recovery.”

From the results of the report, there is a positive trend in larger construction projects, with respondents reporting 31 percent of projects in the next 12-18 months are anticipated to be $1 million or more, an 11 percent increase from 2011.

Reflecting the most positive results in many years, 89 percent of respondents anticipate the volume of work will increase or stay the same over the next 12-18 months.

A notable bright spot is in the labor category, where 53 percent of respondents planned no change in workforce over the next 12-18 months but 42 percent anticipated adding employees. This is a sharp contrast to 2009, when 26 percent of respondents anticipated layoffs.

The 2013-2014 report is at issuu.com/matthewaustermann/docs/cam_2013-2014_webg

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Suspect in Auburn Hills shooting charged after argument sparks gunshots at mobile home park

By John Turk, The Oakland Press

Monday, February 17, 2014

A 28-year-old Auburn Hills man has been charged following a Sunday shooting that sprang from an argument at a mobile home park.

Darwin Jiles, Jr., was charged Monday in Oakland County Circuit Court with assault with intent to do great bodily harm less than murder tied to the shooting of a 28-year-old Pontiac resident who remains hospitalized.

Personal bond for Jiles was set at $10,000. There is no future court date set, but will appear in the near future in 52-3 District Court, said Auburn Hills Lt. Ryan Gagnon.

Jiles’ charges stem from a heated argument on Sunday between two friends at the Lake in the Hills mobile home park, which is located near Shimmons and Phillips roads.

Gagnon said the victim had known Jiles for some time, left a home and walked down the street after the two men got into an argument.

Jiles allegedly found the victim a short distance down the road, then a second argument ensued, said Gagnon. A short time later, the victim was shot in the lower leg.

After police responded to a 9-1-1 call, the Pontiac man was treated by STAR EMS personnel and Auburn Hills Fire Department responders, then transported to a nearby hospital.

Jiles and a 54-year-old Auburn Hills woman, who were both at the scene, were questioned in regards to the shooting. A weapon was also found at the scene, police said.

Some inconsistencies with what precipitated the shooting and why the gun was pulled have detectives investigating further. Jiles — who owned the gun and had a license to carry it — told police the gun accidentally went off, while the victim said Jiles pulled it on him, Gagnon added.

Assault with intent to do great bodily harm less than murder carries a maximum possible penalty of 10 years and/or $5,000 fine upon conviction.
Automation Alley unveils new manufacturing tech center at Oakland University

By Andrew Kidd, The Oakland Press

Thursday, February 20, 2014

Rochester Hills >> Troy-based business accelerator Automation Alley marked the grand opening Thursday of its new Product Lifecycle Management Center, located on Oakland University’s campus, with tours and demonstrations of 3-D printing technology.

Product Lifecycle Management is the process of managing a product’s lifecycle from conception and design, through manufacture, to service and disposal. People, data, processes and business systems are integrated and the process is considered vital for all future digital design and manufacturing because of its ability to reduce waste and generate higher quality products and greater profits.

The purpose of the new collaborative operation, according to experts in attendance, is to turn the campus of 20,000 students into a pipeline for local talent and keep industry employees and students up to speed in a world where technology develops at break-neck speeds.

“Ultimately, we want Southeast Michigan to be known as a center of excellence for PLM,” said center director Alex Violassi, “meaning a place where people from all over the country can come to find PLM expertise, talent and resources.”

The Product Lifecycle Management Center — located on campus inside OU INC and in partnership with Oakland University’s School of Engineering and Computer Science, among other organizations — will offer training and PLM certification using cutting-edge equipment and software, including computer-aided design, computer-aided engineering and computer-aided manufacturing. Other PLM technologies the center will offer include digital factory simulation, 3-D scanning and 3-D printing.

Violassi said the center’s purpose is to educate current industry employees on product lifecycle management so they can bring that knowledge back to their workplace and apply it, as well as give individuals a chance to brush up on their skills and students the opportunity to get a glimpse of future manufacturing careers. And the university’s location is convenient for that purpose, said Automation Alley executive director Ken Rogers.

“All that’s needed for game-changing innovation is having the right people with the right resources,” Rogers said. “Our desire for the center is to educate the workforce in order to better serve the industry. What better place to do that than here in such close proximity to both educators and the industry?”

To learn more about the Automation Alley Lifecycle Management Center, contact Violassi at (248) 648-4701 or violassia@automationalley.com.
OU ranks 4th for women faculty in engineering

Oakland University is among national leaders in categories related to women faculty in engineering and the number of undergraduate computer science degrees awarded to students, according to recent data from the American Society for Engineering Education.

The ASEE’s latest “By the Numbers” survey ranked Oakland fourth out of 246 schools in the nation for the percentage of women tenured or tenure-track faculty in engineering with 29.6 percent in fall 2012.

Oakland also was listed 42nd out of 171 schools for the number of undergraduate computer science degrees awarded within an engineering program. Tied with Princeton University, OU awarded 52 such degrees during the 2011-2012 academic year.

“These latest rankings by the ASEE reflect two statistics we are very proud of at Oakland,” said Louay M. Chamra, Ph.D., professor and dean of Oakland University’s School of Engineering and Computer Science. “We take great pride in the strength and diversity our women faculty members provide our students, and we are proud of our continually growing undergraduate computer science program.”

The survey showed that in fall 2012 the national percentage of women tenured/tenure-track faculty in engineering was about 14 percent.

In 2001, it was just 8.9 percent.

Laila Guessous, Ph.D., associate professor in OU’s Department of Mechanical Engineering, recalls a distinct lack of diversity in engineering classes during her undergraduate years.

“I didn’t have a single female engineering professor for any of my classes and was often the lone female engineering student in my class,” she said.

“I believe that as women represent a higher percentage of engineering faculty, it will help make the School of Engineering and Computer Science more welcoming to women engineering students who, unfortunately, continue to be underrepresented in engineering programs across the country — especially in mechanical engineering.”

Oakland University is ranked fourth in the country for the percentage of women tenured/tenure-track faculty in engineering.

Along with top-notch programs, the school also features outstanding faculty dedicated to preparing learners for the 21st-century workplace.
Oakland University, led by Popkey and Apsey, routs Detroit

Staff and wire reports

ROCHESTER » Elena Popkey scored a team-high 18 points and Peyton Apsey posted a career-high 18 points to lead Oakland (11-13, 6-8 HL) to a rout over Detroit (4-19, 1-9 HL), 97-78, on Thursday night inside the Athletics Center O'rena. The Golden Grizzlies shot 67.7 percent in the second half and a season-high 53.7 in the game. "That was a great win for our team and our program," said head coach Jeff Tungate. "I thought in the second half our offense really executed well. We were very unselfish with the basketball." A total of six Golden Grizzlies reached double figures. Bethany Watterworth tallied 15 points and a season-high seven assists, while Nola Anderson matched her career high with 14 points and eight rebounds.

Avondale student wins statewide vehicle design contest

Tyler Wayne, a junior at Avondale High School, received first place for his grade in the 2014 Chrysler Group, College for Creative Studies and United Way Autorama High School Design Competition.

An awards presentation will take place on Friday, March 7 at the Autorama Event at Cobo Center in Detroit. As the first-place winner for the junior class, Wayne of Rochester Hills will receive an iPad and a three-week automotive design summer course at the College for Creative Studies, including housing and meals.

"We are so proud of Tyler for all his hard work and dedication to this program," said Avondale High School art teacher Leigh Wright. "Tyler has decided to go into automotive design as a career based on his experience with this and similar art/auto design programs, such as the GM 'You Make a Difference Program', during his time at Avondale and I have no doubt he will continue to excel."

The high school design competition is open to high school students currently attending a Michigan public school. Students must design a vehicle that satisfies the needs of young consumers while remaining eco-friendly and are allowed to pull from the current Chrysler Group brands (Chrysler, Dodge, Jeep, Ram Truck, FIAT or SRT) for inspiration.

Student submissions are hand drawn on a single sheet of white paper no smaller than 8-by-10-inches and no larger than 11-by-17 inches with the use of pencil markers or paint. Any additional information regarding the design of the vehicle can be included on a separate sheet of paper. The submissions are then reviewed by a judging panel that includes designers from the Chrysler Group Product Design department and faculty from the College for Creative Studies.

To learn more about the Chrysler, College for Creative Studies and United Way Autorama High School Design Competition, visit collegeforcreativestudies.edu.
Oakland University student charged in Auburn Hills shooting says reports on incident weren’t accurate

By John Turk, The Oakland Press

Friday, February 21, 2014

An Oakland University graduate student charged after a shooting in Auburn Hills said he did not commit a crime.

“I’m the victim here,” said Darwin Jiles Jr., 28, who was charged Monday in Oakland County Circuit Court with assault with intent to do great bodily harm less than murder — a charge he said he wasn’t initially given by police. “Due process will show that truth will prevail.”

The 28-year-old, freed on a personal bond of $10,000, awaits his Feb. 25 preliminary exam in the 52-3 District Court.

Accounts differ greatly on what exactly happened early morning on Sunday, Feb. 16, near Shimmons and Phillips roads, the scene of the shooting.

Reports from Auburn Hills police state that investigators and medical emergency personnel responded to several hangup 911 calls at about 2:40 a.m. Sunday, and later found that a 28-year-old Pontiac man was shot in the lower left leg.

While officers were responding to the hangup calls, they found Jiles, the victim and Jiles’ 54-year-old mother along the somewhat secluded road, police said. It was Jiles — with a phone to his ear, flagging the officers down — who called the incident in, police said.

The victim was treated at the scene and taken to a nearby hospital with a serious, but not life-threatening injury.

After questioning all three parties, police submitted a case to the Oakland County Prosecutor’s Office, and Jiles was charged the next day.

Differing accounts

Since walking out of the Auburn Hills Police Department, Jiles — a former Flint resident — says inconsistencies in reports have negatively affected his goal of becoming a politician.

He’s in a graduate program at Oakland University focused on public administration, he said, and is active in many community outreach organizations.

Jiles said he was returning from a dance event Saturday at Wayne State University when the victim — who he knew years ago, but hadn’t been in contact with since — tried to get in touch with him.

“I thought he wanted to go to church the next day,” he said, adding that he ended up picking the victim up and driving back to his home in the Lake in the Hills mobile home park.

http://www.theoaklandpress.com/apps/pbcs.dll/article?avis=OP&date=20140221&category=NEWS&lopenr=14...
Oakland University student charged in Auburn Hills shooting says reports on incident weren’t accurate

He said the victim, who was going to stay the night, had become aggressive while in Jiles’ home. Police say statements indicate that an argument over whether Jiles would take the victim home then took place, and the victim left the home after Jiles refused.

Jiles said that his mother was there during the entire shooting episode. The lead detective on the case, Craig Damiani, said she gave a different statement.

“His mom says she wasn’t there the first time ... she initially said (Jiles) came back to the house and got her, then came back to the scene,” said Damiani.

Mentor-mentee

Jiles added that the police report stating that he and the victim had known each other “quite some time” didn’t paint an accurate picture, either.

“It was a mentor-mentee relationship, not a friendship,” he said, noting he founded the Flint Urban Culture group, a community organization focused on inner-city outreach. “He always came to me, I was never the one who contacted him first.”

Police reports detail that Jiles told investigators the pair had met 10 years ago at a halfway house he mentored at, but that he had tried to avoid the victim in recent years due to the victim’s lifestyle.

How the gun went off

While the victim was walking along the roadway after leaving Jiles’ home, Jiles drove out to the area, then another argument ensued, police reported.

Jiles’ gun — which he holds a license to carry — went off sometime during that confrontation, said investigators.

Jiles said he was not upset with the victim, and that there wasn’t even an argument. At one point, the victim became angry at him and “ran up” on him along the roadway, he told police.

Police report statements given by the victim state that Jiles pulled over next to him in a maroon Chevy Corsica, got out of the car and fired one shot at the victim, telling the victim to apologize for “disrespecting” him.

After the incident, Jiles told officers that the gun went off during a scuffle while it was still inside his coat, but police reports indicated there was no evidence that a bullet went through his jacket, said Auburn Hills Lt. Ryan Gagnon, who said Jiles gave a different account when asked again. Jiles would give no specific details about how the gun actually went off, Gagnon added.

Passion influenced by past

The Oakland University student said his passion for outreach programs stems from his father’s 2008 death following an assault in a Flint neighborhood.

He’s been mentored by several Republican party and leaders in the non-profit community, and says his goal is to “save someone from what happened to my father.”

He moved to Auburn Hills after graduating from Baker College in 2008 to get away from crime, he added, and now, he’s distraught about the charges recently brought against him.

However, he said he continues to be optimistic that he’ll be vindicated in court. “Truth is truth,” he said.

http://www.theoaklandpress.com/apps/pbcs.dll/article?avis=OP&date=20140221&category=NEWS&lopenr=14...
Development News

Mixed-use project to add to Auburn Hills downtown development plan

THURSDAY, FEBRUARY 13, 2014

Auburn Hills' emerging downtown area will add a $10 million residential and commercial development to just over one acre at the southwest corner of Auburn and Squirrel roads.

Construction on Rivers Edge of Auburn Hills, a planned unit development, is to begin this summer and be completed by the summer of 2015.

Developer Burton-Katzman LLC won approval for the project from the city council in early February, adding to a list of developments mostly related to the growing population of college students that has changed Auburn Hills in the last year. The developments include DEN, Downtown Education Nook; the University Center; the Auburn Square apartments and its retailers; and a 233-space parking structure.

Rivers Edge is expected to be a four-story building with 9,300 square feet of commercial space on the ground floor and 31 one- and two-bedroom apartments and lofts on the top three floors. About 50 parking spaces will be for residents, and another 11 will serve the commercial tenants and other downtown Auburn Hills visitors.

"We are pleased that Burton-Katzman is bringing this type of popular mixed-use, urban loft project to downtown Auburn Hills," says Steve Cohen, director of community development for Auburn Hills. "Continued investment in the city is sparking strong interest from developers, prospective tenants and retailers."

Source: Barbara Fornasiero, EA Focus, Inc.

Writer: Kim North Shine

 Palace unveils renovated Palace Grille and a fresh, modern menu

By Sylvia Rector Detroit Free Press Restaurant Critic Filed Under Entertainment Dining Out Auburn Hills
Royal Oak Ann Arbor
Feb. 16

Taking cues from some of metro Detroit's most popular, casually upscale restaurants, the Palace of Auburn Hills Wednesday unveiled a fresh new interior and a stylishly reinvented menu for its 160-seat Palace Grille.

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The Palace of Auburn Hills on Wednesday unveiled a fresh new interior and a stylishly reinvented menu for its 160-seat Palace Grille.

Taking cues from some of metro Detroit's most popular, casually upscale restaurants, the Palace of Auburn Hills unveiled a fresh new interior and a stylishly reinvented menu Wednesday for its 160-seat Palace Grille.

Featuring dishes ranging from coriander-crusted tuna Nicoise with wasabi mustard vinaigrette to mac-and-cheese with Zingerman's cheeses and smoked pork belly, the new menu is designed to be more contemporary and in step with today's dining tastes, Palace Sports & Entertainment president and CEO Dennis Mannion said Wednesday in a media tour and tasting.

As they looked for inspiration, Palace officials "targeted" the menus of owner Bill Roberts' area restaurants, Mannion said, and then turned to Levy Restaurants — the Palace's food services provider — to create their own new dishes. Roberts' restaurants include Town Tavern, Streetside Seafood and Roadside Bar & Grill, among others.

The final Palace Grille menu was created after "hundreds of taste tests" and the involvement of Levy's top chef in Chicago, Mannion said.

The dishes served at Wednesday's tasting were, in fact, more typical of popular restaurants in Birmingham, Royal Oak and Ferndale than the kind of food guests sometimes think of at sports and concert venues.
Many of the menu’s appetizers, spreads, salads and sandwiches are designed for sharing and arrived at the table in trendy curvy bowls or on wooden boards and trays.

Appetizers ($5-$18) included a mixture of crisp, tempura-style calamari and green beans served with chili-lime dipping sauce and creamy lemon horseradish; a trio of spreads — eggplant caponata, savory heirloom tomato jam and rosemary goat cheese — with cucumber discs and pita chips, and a farro-Fuji apple salad.

One of the most striking dishes on the table was the coriander-crusted tuna Nicoise salad with rare seared tuna, haricots verts, fingerling potatoes, confit cherry tomatoes and Nicoise olives.

But the mostly male group seemed most impressed with the 15-ounce Angus bone-in rib eye handsomely presented on a wooden board with oversized crispy onion rings, shaved artichoke salad and house-made “steak sauce butter.” At $36, it was the most expensive entrée on the menu; others ranged from $15 to $30.

Other items included a rich, beefy, 8-ounce Angus burger house-ground with brisket and short rib; rustic spaghetti with Maine lobster; fried chicken sliders with slaw, tobacco onions and jalapeno aioli, and house-made lobster-roll salad on miniature brioche buns.

Many ingredients come from local purveyors, said Palace executive chef Terrance Louzon. The brioche buns are baked fresh and delivered daily by Rochester’s Give Thanks Bakery; Zingerman’s Creamery in Ann Arbor provides cheeses and gelato, and produce comes from local purveyors who obtain it from local farms in season.

The Grille’s casually sophisticated new interior features curving black leather banquettes, a lounge area with low tables and soft seating and flat-screen TVs for watching the Detroit Pistons game.

The adjacent bar — where the menu now features craft cocktails and craft beers — seats 130.

The Palace Grille rebranding is part of the third and final phase of a major Palace-wide three-year improvement project launched in 2011, after the facility was purchased by Tom Gores and Platinum Equity.

Also unveiled Wednesday were other Phase 3 improvements including 100- and 200-level suite renovations;

a new Concierge Lounge; suite terrace upgrades including granite-topped bars, new seating, carpet and glass dividers, and a renovated President’s Zone, designed for corporate networking, meetings and entertaining. New restrooms and other facilities for the handicapped have also been completed.

Only event ticket-holders can dine at the Palace Grille & Bar, which has an exterior entrance on the east side of the building. It opens two hours before events and closes one hour after
Gibbs Expands Dealer Network And Launches Export Program

Gibbs Sports Amphibians logo. (PRNewsFoto/Gibbs Sports Amphibians)


The company currently has 16 U.S. dealerships with 21 retail outlets and expects to double the number by year's end, according to Neil Jenkins, chairman of Gibbs.

Jenkins reported that Gibbs currently has Quadski dealership outlets in 11 states, including California, Florida, Illinois, Louisiana, Massachusetts, Michigan, New York, Pennsylvania, South Carolina, Tennessee, and Texas.

Gibbs is also establishing an international distribution network with outlets in major regions throughout the world, including Africa, Asia, Europe, the Middle East, and South America.

Internationally, the company now has established outlets in Argentina, Germany, Japan, Korea, Portugal, Russia and Saudi Arabia. Gibbs began to export Quadskis from its production facilities in Michigan last December.

"Consumer interest in the Quadski and our other high-speed amphibian products has been exceptionally strong from day one," said Alan Gibbs, the company's founder. "We have as many as 23,000 visitors per day on our website, many of them from outside of the United States. As more people get the opportunity to see these high speed amphibians in action, that interest will continue to grow."

The Gibbs Quadski is the world's first high-speed personal sports amphibian. It's capable of reaching speeds of up to 45 miles per hour on both land and water and transitions between the two in five seconds or less.
The Quadski’s patented technology includes water jets that are lighter and more compact than standard marine-industry jets and a unique retractable suspension system. The vehicle is powered by a K1300 BMW Motorrad engine.

**Gibbs Amphibians** is the world's leading developer of High Speed Amphibian (HSA) technology platforms for consumer, commercial, humanitarian and military applications. Gibbs Amphibians is a privately held company founded by Alan Gibbs with Neil Jenkins in 1999. It consists of two divisions – Gibbs Sports Amphibians, which designs and manufactures consumer sports amphibians such as the Quadski, and Gibbs Amphitrucks, which develops commercial amphibians for first responder, humanitarian and military use. Gibbs Sports Amphibians is based in Auburn Hills, Michigan.

More information about Gibbs and its HSA technology can be found at [www.gibbssports.com](http://www.gibbssports.com) OR [www.gibsspress.com](http://www.gibsspress.com).

**Photo:** http://photos.prnewswire.com/prnh/20140217/DE66320

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Gibbs Quadski In Top Gear Challenge On And Around Lake Como

Gibbs Sports Amphibians logo. (PRNewsFoto/Gibbs Sports Amphibians)

AUBURN HILLS, Mich., Feb. 13, 2014 NEWS.GNOM.ES – Gibbs Sports Amphibians is celebrating the successful appearance of its Quadski, an amphibious personal watercraft, in a Top Gear challenge race that airs in the U.S. on Monday, Feb. 17 on BBC America (at 8:30 p.m. EST).

(Logo: http://photos.NEWS.GNOM.ES.com/prnh/20120601/DE17417/LOGO)

Top Gear is the most watched factual TV show in the world with an audience of over 340 million worldwide. The UK-based BBC show critically reviews vehicles alongside extreme stunts, challenges, celebrity appearances and weekly features. Top Gear is hosted by Jeremy Clarkson, Richard Hammond and James May.

In the current episode (Episode 2 of Series 21), an Alpha Romeo 4C is pitted against a Gibbs Quadski on and around Lake Como in Italy, famous for its narrow winding roads and stunning views. The Quadski-Alfa Romeo challenge stars Richard Hammond, a popular presenter on the show since 2002, and Jeremy Clarkson, a key Top Gear presenter since 1986.

Hammond drives the Alpha 4C, a new lightweight, rear-wheel-drive sports car with a 237-hp turbocharged engine capable of 160 mph which is new to the U.S. market in 2014, while Clarkson drives the Gibbs Quadski, a unique sports amphibian powered by a 140 hp BMW Motorrad engine.

Clarkson was able to drive the Quadski across Lake Como, while Hammond was forced to negotiate the course on land. Although Clarkson acknowledged that he could easily have won the race with his Quadski arriving at the finish line first, he conceded the victory to the Alpha Romeo with typically British eccentricity and sense of fair play. Clarkson went on to praise the Gibbs Quadski for its reliability, adding that it “performed faultlessly.”

The Lake Como race marks the Quadski’s debut on Top Gear and follows the vehicle’s launch in October 2012. Gibbs has 21 retail locations in 11 states, including California, Michigan, Illinois, New York, Florida, South Carolina, Pennsylvania, Tennessee, Massachusetts, Texas and Louisiana. Gibbs plans to double this number by the end of the year.

Manufactured in Michigan, the Quadski is the world’s first personal sports amphibian and features an advanced composite hull and patented water-jet technology. The Quadski is able to reach speeds up to 45mph on land and water and transition between the two in under five seconds. Its unique retractable suspension system provides superb ride-and-handling on land and retracts in seconds after entering water. Designed to meet applicable state and federal safety regulations, the Quadski is 10.5 feet in overall length; 5.5 feet in width and 4.3 feet in height with a wheelbase of 5.6 feet.

“We’re delighted that the Quadski was given the chance to demonstrate its capabilities on Top Gear,” commented Neil Jenkins, chairman of Gibbs Technologies Ltd. “The perfect stage to showcase what personal sports amphibians are all about and I wouldn’t be at all surprised if the experience turns Clarkson into a Quadski owner!”

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More information about Gibbs and its HSA technology can be found at www.gibbsports.com OR www.gibbspress.com;