



The City of Auburn Hills

City Council Meeting

Minutes

August 9, 2010

Workshop

Mayor McDonald, Mayor Pro Tem Hammond, and City Council Members Doyle, Kittle, Knight, McDaniel and Newkirk held a workshop prior to the Regular City Council meeting at 5:30 p.m.; discussing sibling cities sharing office services, marihuana laws, and having one waste hauler.

CALL TO ORDER: by Mayor McDonald at 7:00 p.m.

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

Present: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle Kittle, Knight, McDaniel, Newkirk

Absent: None

Also Present: City Manager Auger, Assistant City Manager Tanghe, Police Lieutenant Manning, City Assessor Bennett, Finance Director Barnes, City Attorney Beckerleg, City Engineer Juidici, DPS Director Melchert, TIFA Chair Bennett
9 Guests

4. APPROVAL OF MINUTES

4a. Regular City Council Meeting – July 26, 2010

Moved by Mr. Newkirk; Seconded by Ms. Hammond.

RESOLVED: To approve the July 26, 2010 Council Meeting minutes as submitted.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel McDonald, Newkirk

No: None

Motion carried (7-0)

RESOLUTION NO. 10.08.123

5. APPOINTMENTS & PRESENTATIONS

5a. Reappointment of Lacey Salerno to the Planning Commission

Moved by Mr. Kittle; Seconded by Ms. Doyle.

RESOLVED: To confirm the reappointment of Lacey Salerno to the Planning Commission for a term ending July 31, 2013.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel McDonald, Newkirk

No: None

Motion carried (7-0)

RESOLUTION NO. 10.08.124

6. PERSONS WISHING TO BE HEARD - None

7. CONSENT AGENDA

7a. Receive Board and Commission Minutes

7a.1. Board of Review – July 20, 2010

7b. Motion – Approve Fourth Amendment to Cardell Agreement

RESOLVED: To approve the Fourth Amendment to the Agreement dated January 31, 1996 between the Cardell Corporation and the City of Auburn Hills and to authorize the City Manager to complete the execution of said Fourth Amendment.

Moved by Mr. Knight; Seconded by Mr. McDaniel.

RESOLVED: To approve Consent Agenda Items 7a and 7 b.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel McDonald, Newkirk

No: None

Motion carried (7-0)

RESOLUTION NO. 10.08.125

8. OLD BUSINESS - None

9. NEW BUSINESS

9a. Motion – Public Hearing and Request to Approve Tax Exemption for New Personal Property – Magneti Marelli Holding USA)

Mayor McDonald opened the public hearing at 7:06 p.m.

Tyler Tennent, representing Magneti Marelli stated the city had previously awarded Magneti Marelli Holding USA, a six year tax exemption. Because, the company was unable to secure a lease at 4121 Atlantic, the application was never submitted to the State Tax Commission. Since then, the company has found another location, 3900 Automation Drive. They've signed a lease and are reapplying for the same six year exemption. Responding to questions, Mr. Tennent, stated the original tax exemption agreement remains the same and, they will be utilizing the location's entire space.

Mayor McDonald closed the public hearing at 7:08 p.m.

Moved by Mr. Kittle; Seconded by Mr. Newkirk.

RESOLVED: To approve the request for a 6 year New Personal Property Tax Exemption for Magneti Marelli by approving the attached resolution, contingent upon the City receiving a signed agreement (Attachment A).

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel McDonald, Newkirk

No: None

Motion carried (7-0)

RESOLUTION NO. 10.08.126

9b. Discussion – Tri-Party Agreement / Adams Road

DPS Director Melchert informed council that the Road Commission for Oakland County has stated that the Tri-Party Program could be eliminated in future years and existing funding allocations may be in jeopardy. He suggests we use funding currently available for improvements to Adams Road between South Boulevard and Auburn Road. Explaining no action will be needed until a formal cost participation agreement is prepared between the parties involved.

10. COMMENTS AND MOTIONS FROM COUNCIL

Mr. Kittle

- Stated he is proud of the city, its employees and everything we are doing.

Ms. Hammond

- Congratulated Mr. Kittle on winning the County Commissioner nomination, and wished him luck in the General Election.
- Remarked what a huge success National Night Out was, commending the committee and Mike Kazyak on a wonderful job.

Mr. Knight

- Gave kudos to the Police Department on their sex offender report, and the good job they are doing to make sure sex offenders are registering.
- Invited Council to the Optimist Club on Thursday mornings, stating for the next three weeks a member of the Police Department will be explaining what is happening in the city.

Mr. McDaniel

- Echoed the comments on National Night Out, complimenting the staff and the Police Department, asking Mr. Auger to share the positive comments received.

Ms. Doyle

- Reminder that the Farmers' Market is held every Thursday from 3 p.m. until 7 p.m. through October.
- Asked about the specialized training the Police Department experienced in June. Lt. Manning said the training is labor intensive, but is needed to retain certification. Training has reduced injuries to officers and prisoners keeping insurance policy rates and claims down.

Mayor McDonald

- Stated Auburn Hills makes good use of the Tri County Funds ~ asking for support to have a resolution prepared, for the next council meeting, in opposition of pulling back funds.

11. CITY ATTORNEY'S REPORT - None

12. CITY MANAGER'S REPORT

- Stated a Coyote was sighted by the Clinton River and patrols will be on the lookout.
- Distributed a 2011 Goals and Objectives book; stating the book will be utilized as Department Heads use the book as a reminder of City Council's strategic goals.
- Stated the 2011 budget is being prepared and will be presented to Council next month.

13. EXECUTIVE SESSION – Labor Negotiations

Moved by Mr. McDaniel; Seconded by Mr. Newkirk.

RESOLVED: To adjourn to executive session.

VOTE: Yes: Doyle, Hammond, Kittle, Knight, McDaniel McDonald, Newkirk

No: None

Motion carried (7-0)

RESOLUTION NO. 10.08.127

Council adjourned to executive session at 7:27 p.m. and reconvened the regular session at 8:15 p.m.

14. ADJOURNMENT

Hearing no objections, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Mayor James D. McDonald

Linda F. Shannon, City Clerk

Attachment A

**CITY OF AUBURN HILLS
RESOLUTION
APPROVING AN APPLICATION FOR EXEMPTION
OF NEW PERSONAL PROPERTY
FOR
MAGNETI MARELLI HOLDING USA**

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 at 7:00 p.m. on the 9th day of August, 2010

The following resolution was offered by Councilperson Kittle and supported by Councilperson Newkirk.

WHEREAS, **Magneti Marelli Holding USA** has made application for Exemption of New Personal Property located at 3900 Automation with the Clerk of the City of Auburn Hills pursuant to the requirements of Act No. 328, Public Acts of 1998, as amended, and

WHEREAS, the Clerk has notified in writing the Assessor of the City of Auburn Hills and the legislative body of each taxing unit which levies ad valorem property tax within the City of Auburn Hills so that they shall be afforded an opportunity to be heard at this public hearing to determine whether the Exemption of New Personal Property shall be approved or disapproved; and

WHEREAS, said public hearing having been held on the 9th day of August, 2010 at a regularly scheduled meeting; and

WHEREAS, comments on granting of the Exemption of New Personal Property were heard and considered; and

WHEREAS, the City of Auburn Hills established an Industrial Development District know as the Lebel, Inc Industrial Development District, on October 24, 1988, following a public hearings, as required by PA 198 of 1974, as amended, and

WHEREAS, the Lebel, Inc Industrial Development District is an Eligible district as defined in Act No. 328, Public Acts of 1998 section 7e, and

WHEREAS, The City of Auburn Hills meets the definition of a “Eligible Local Assessing District” under PA 328 of 1998 section 7(e)(ix), as amended; and

WHEREAS, it is hereby found and determined by the City of Auburn Hills Council that Magneti Marelli Holding USA is qualified as an Eligible taxpayer as defined in Act No. 328, Public Acts of 1998 section 7h, and is engaged primarily in research and development at 3900 Automation, Auburn Hills, and

WHEREAS, City Council has further determined that the granting of the Exemption of New Personal Property is necessary to reduce unemployment, promote economic growth, and increase capital investment; and

NOW, THEREFORE, BE IT RESOLVED that the application for Exemption of New Personal Property is hereby approved with the following conditions:

That the period of time for which the Exemption of New Personal Property shall remain in force and effect shall be 6 years.

And that the starting date for the certificate is December 30, 2010 and the ending date is December 30, 2016.

And that, **Magneti Marelli Holding USA Inc** agrees to operate the personal property for which the **New Personal Property Exemption** is granted, in the City of Auburn Hills for the term of the certificate, plus an additional **2 years** of business operation at their normal level (to include the retained and new jobs created during the **6 year** exemption period) after the date of the expiration.

AYES: Mayor McDonald, Mayor Pro Tem Hammond, Council Members Doyle, Kittle, Knight, McDaniel, Newkirk
NAYS: None
ABSENT: None
ABSTENTIONS: None

RESOLUTION ADOPTED 10.08.126

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed Clerk of the City of Auburn Hills, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Council held on the 9th day of August, 2010 the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 10th day of August, 2010.

Linda Shannon, City Clerk

LEGAL DESCRIPTION:

3N, R10E, SEC 3 PART OF E 1/2 OF SEC BEG AT PT DIST S 00-11-53 W 43 FT FROM E 1/4 COR, TH S 00-11-53 W 455.09 FT, TH W 698.51 FT, TH ALG CURVE TO RIGHT, RAD 600 FT, CHORD BEARS N 39-28-17 E 98.58 FT, DIST OF 98.69 FT, TH N 44-11-01 E 67.35 FT, TH ALG CURVE TO LEFT, RAD 543 FT, CHORD BEARS N 34-44-34 E 178.14 FT, DIST OF 178.94 FT, TH N 25-18-07 E 262.29 FT TH ALG CURVE TO LEFT, RAD 729.62 FT, CHORD BEARS S 79-06-38 E 282.31 FT, DIST OF 284.11 FT, TH N 89-42-11 E 99.63 FT TO BEG 5.64

Also known as Tax Parcel Number 02-14-03-401-011