

Vote on Resolution to Remove Item C-1, Hearing for Standard Resolution #4 for Big Oak Train Paving SAD No. 04.201.1, from the Table

Resolution #2004-10-525
Moved by Howrylak
Seconded by Lambert

RESOLVED, That Item C-1, Public Hearing for Standard Resolution #4 for Big Oak Trail Paving SAD No. 04.201.1 be **REMOVED** from the table.

Yes: Howrylak, Lambert, Stine, Schilling, Beltramini, Eisenbacher
No: None
Absent: Broomfield (at vote)

C-1 Standard Resolution #4 for Big Oak Trail Paving SAD No. 04.201.1

Resolution #2004-10-526
Moved by Stine
Seconded by Howrylak

RESOLVED, That Item C-1, Public Hearing for Standard Resolution #4 for Big Oak Trail Paving SAD No. 04.201.1 be **POSTPONED** until the Regular City Council meeting scheduled for Monday, November 15, 2004.

Yes: All-7

POSTPONED ITEMS (Con't):

D-2 Reconsideration of COBASYS/Texaco Ovonic

Resolution #2004-10-527
Moved by Stine
Seconded by Beltramini

RESOLVED, That Resolution #2004-08-429b, Moved by Council Member Stine and Seconded by Council Member Lambert, as it appears below be **RECONSIDERED** City Council:

*RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture abated taxes for the 2003 and 2004 Tax Years, after Certification of the December 2004 Millage Rates, under terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplelawn - Troy, Michigan; and*

*BE IT RESOLVED, That the recapture of the abated taxes will take place **after** until the property is leased or not to exceed 2012, whichever occurs first; and*

*BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.*

Yes: All-4

No: None

Absent: Beltramini, Broomfield, Howrylak

Yes: Stine, Schilling, Beltramini, Broomfield,

No: Eisenbacher, Howrylak, Lambert

MOTION CARRIED

Proposed Resolution to Amend Reconsidered Resolution by Substitution

Resolution

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** it in its entirety and **SUBSTITUTING** it with, "RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture actual and estimated abated taxes for the Tax Years 2003 through 2012, in an amount not to exceed \$413,685.10, per terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplelawn – Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail."

Vote on Resolution to Amend by Substitution the Proposed Resolution to Amend Reconsidered Resolution by Substitution

Resolution #2004-10-528

Moved by Beltramini

Seconded by Stine

RESOLVED, That the Resolution to Amend Reconsidered Resolution by Substitution be **AMENDED** by **SUBSTITUTION** by **STRIKING** it in its entirety and **INSERTING**, "RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture abated taxes for the 2003 and 2004 Tax Years, through May 2005, under terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplelawn - Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.

Yes: Schilling, Beltramini, Stine
No: Broomfield, Eisenbacher, Howrylak, Lambert

MOTION FAILED

Proposed Resolution #1 to Amend Reconsidered Resolution

Resolution
Moved by Lambert
Seconded by Beltramini

RESOLVED, That the Resolution to Amend Reconsidered Resolution by Substitution be **AMENDED** by **STRIKING** "2012" and **INSERTING** "2008".

Vote on Resolution #2 to Amend Reconsidered Resolution

Resolution #2004-10-529
Moved by Lambert
Seconded by Beltramini

RESOLVED, That the Resolution to Amend Reconsidered Resolution by Substitution be **AMENDED** by **STRIKING** "\$413,615.10" and **INSERTING** "\$296,403.47".

Yes: Beltramini, Eisenbacher, Howrylak, Lambert, Stine, Schilling
No: Broomfield

MOTION CARRIED

Vote on Resolution #1 to Amend Reconsidered Resolution

Resolution #2004-10-530
Moved by Lambert
Seconded by Beltramini

RESOLVED, That the Resolution to Amend Reconsidered Resolution by Substitution be **AMENDED** by **STRIKING** "2012" and **INSERTING** "2008".

Yes: Eisenbacher, Howrylak, Lambert, Stine, Schilling, Beltramini
No: Broomfield

MOTION CARRIED

Vote on Amendment as Amended to Substitute Reconsidered Resolution

Resolution #2004-10-531
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** it in its entirety and **INSERTING**, “RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture actual and estimated abated taxes for the Tax Years 2003 through 2008, in an amount not to exceed \$296,403.47, per terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplawn – Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.”

Yes: Eisenbacher, Howrylak, Lambert, Stine, Schilling, Beltramini
No: Broomfield

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2004-10-532
Moved by Stine
Seconded by Lambert

RESOLVED, That the City Council of the City of Troy hereby **AUTHORIZES** the City Assessor to file a Petition with the Michigan Tax Tribunal to recapture actual and estimated abated taxes for the Tax Years 2003 through 2008, in an amount not to exceed \$296,403.47, per terms of the Letter of Agreement between the City of Troy and Texaco Ovonic Battery Systems, L.L.C., now known as COBASYS, 1334 Maplawn – Troy, Michigan; and

BE IT ALSO RESOLVED, That a copy of this resolution be **FORWARDED** to the State Tax Commission by certified mail.

Yes: Howrylak, Lambert, Stine, Schilling, Beltramini, Eisenbacher
No: Broomfield

MOTION CARRIED

The meeting **RECESSED** at 9:21 PM.

The meeting **RECONVENED** at 9:31 PM.

D-3 Resolution to Amend Reconsidered Zoning Ordinance Text Amendment (ZOTA 199) Section 03.41.04 Site Plan Review / Approval Standards and Submittal Requirements – Proposed by Council Member Eisenbacher

Resolution #2004-10-533
Moved by Eisenbacher
Seconded by Broomfield

RESOLVED, That reconsidered Resolution #2004-09-507, Zoning Ordinance Text Amendment (ZOTA 199) for Section 03.40 – Site Plan Review / Approval, be **AMENDED** by **STRIKING** “one