



# TROY CITY COUNCIL

## REGULAR MEETING AGENDA

SEPTEMBER 26, 2011  
CONVENING AT 7:30 P.M.

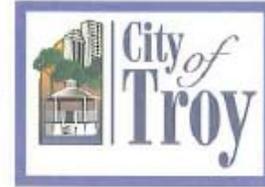
Submitted By  
The City Manager

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***NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.***

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TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag". The signature is written in a cursive, flowing style.

John Szerlag, City Manager



# TROY CITY COUNCIL

## VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

### **VISION:**

To honor the legacy of the past and build a strong, vibrant future and be an attractive place to live, work, and grow a business.

### **GOALS:**

#### **Provide a safe, clean, and livable city**

- Practice good stewardship of infrastructure
- Maintain high quality professional community oriented police and fire protection
- Conserve resources in an environmentally responsible manner
- Encourage development toward a walkable, livable community

#### **Provide effective and efficient local government**

- Demonstrate excellence in community services
- Maintain fiscally sustainable government
- Attract and support a committed and innovative workforce
- Develop and maintain efficiencies with internal and external partners
- Conduct city business and engage in public policy formation in a clear and transparent manner

#### **Build a sense of community**

- Communicate internally and externally in a timely and accurate manner
- Develop platforms for transparent, deliberative and meaningful community conversations
- Involve all stakeholders in communication and engagement activities
- Encourage volunteerism and new methods for community involvement
- Implement the connectedness of community outlines in the Master Plan 2008

#### **Attract and retain business investment**

- Clearly articulate an economic development plan
  - Create an inclusive, entrepreneurial culture internally and externally
  - Clarify, reduce and streamline investment hurdles
  - Consistently enhance the synergy between existing businesses and growing economic sectors
  - Market the advantages of living and working in Troy through partnerships
-



**CITY COUNCIL  
AGENDA**

September 26, 2011 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**INVOCATION: Pastor Jack Mannschreck – Big Beaver United Methodist Church** 1

**PLEDGE OF ALLEGIANCE:** 1

**A. CALL TO ORDER:** 1

**B. ROLL CALL:** 1

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:** 1

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E-1 No Public Hearings 1

**F. PUBLIC COMMENT:** 1

**G. RESPONSE / REPLY TO PUBLIC COMMENT** 2

**H. POSTPONED ITEMS:** 2

H-1 No Postponed Items 2

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- Monday, October 3, 2011 Regular Meeting..... 7
- Monday, October 17, 2011 Regular Meeting..... 7
- Monday, November 14, 2011 Regular Meeting..... 7
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- Monday, December 5, 2011 Regular Meeting..... 7
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**SCHEDULED SPECIAL CITY COUNCIL MEETINGS:** **7**

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**INVOCATION: Pastor Jack Mannschreck – Big Beaver United Methodist Church**

**PLEDGE OF ALLEGIANCE:**

**A. CALL TO ORDER:**

**B. ROLL CALL:**

- a) Mayor Louise E. Schilling  
Robin Beltramini  
Wade Fleming  
Martin Howrylak  
Mayor Pro Tem Mary Kerwin  
Maureen McGinnis  
Dane Slater

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of \_\_\_\_\_ at the Regular City Council Meeting of September 26, 2011 due to \_\_\_\_\_

Yes:

No:

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1 Certificates of Recognition and Special Presentations**

- a) The Art Institute of Michigan-Troy Introduction by Turner Berg

**D. CARRYOVER ITEMS:**

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**D-1 No Carryover Items**

**E. PUBLIC HEARINGS:**

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**E-1 No Public Hearings**

**F. PUBLIC COMMENT:**

In accordance with the Rules of Procedure of the City Council, Article 16 – Members of the Public and Visitors:

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five (5) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five minutes to address Postponed, Regular Business or Consent Agenda items or any other item as permitted under the Open Meetings Act during the Public Comment portion of the agenda.
- City Council may waive the requirements of this section by a majority of the City Council members.
- City Council may wish to schedule a Special Meeting for Agenda items that are related to topics where there is significant public input anticipated.
- Through a request of the Chair and a majority vote of City Council, public Comment may be limited when there are fifteen (15) or more people signed up to speak either on a Public Hearing item or for the Public Comment period of the agenda.

## **G. RESPONSE / REPLY TO PUBLIC COMMENT**

### **H. POSTPONED ITEMS:**

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**H-1 No Postponed Items**

### **I. REGULAR BUSINESS:**

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**I-1 Board and Committee Appointments: None Scheduled**

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**I-2 Board and Committee Nominations: None Scheduled**

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**I-3 Request for Closed Session – No Closed Session Requested**

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**I-4 Waiver of Bids for Purchase of Vindicator Fire Nozzles**

#### Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

WHEREAS, First Strike Technologies, Inc. of Kansas, Illinois is the sole manufacturer and distributor for the Vindicator line of fire nozzles; and

WHEREAS, Vindicator nozzles have been field tested at the City's fire stations and found to improve firefighter safety, use less water, and limit water damage;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and authorizes the purchase of twenty-four (24) Vindicator Heavy Attack Nozzles from the sole manufacturer and distributor, First Strike Technologies, Inc. of Kansas, Illinois, for an estimated total cost of \$20,499.00.

Yes:

No:

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**I-5 Designation of Voting Delegates at the Annual Meeting of the Michigan Municipal League**

Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **DESIGNATES** \_\_\_\_\_ as Principal Official Representative (Official Voting Delegate) and hereby **DESIGNATES** \_\_\_\_\_ as the Alternate Official Representative (Official Alternate Voting Delegate) to cast the vote of the City of Troy at the Annual Business Meeting of the Michigan Municipal League to be held October 4 through October 7, 2011 in Grand Rapids, Michigan.

Yes:

No:

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**I-6 Proposed Troy Public Library Budget for Fiscal Years Ending 2012-2014**

Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's annual budget for fiscal year July 1, 2011 through June 30, 2012, as recommended by City Management, which amends the City of Troy's 2011-12 budget, as shown on Attachment 1; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Troy Public Library's three-year budget from July 1, 2012 through June 30, 2014, as recommended by City Management, which amends the City of Troy's three-year budget, as shown on Attachment 2.

Yes:

No:

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**I-7 Ordinance Revisions in Accordance with Troy City Council Resolutions to Dissolve Boards and Committees**

Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 13, Historic Preservation, of the Troy City Code in accordance with the proposal prepared by City Management; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** Chapter 27, Parks and Recreation Board, of the Troy City Code in accordance with the proposal prepared by City Management.

BE IT FINALLY RESOLVED, That copies of these ordinances shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

**J. CONSENT AGENDA:**

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**J-1a Approval of "J" Items NOT Removed for Discussion**

Suggested Resolution

Resolution #2011-09-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) \_\_\_\_\_, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

Yes:

No:

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**J-1b Address of "J" Items Removed for Discussion by City Council**

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**J-2 Approval of City Council Minutes**

Suggested Resolution

Resolution #2011-09-

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) Regular City Council Meeting of September 12, 2011

**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions****a) Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts**Suggested Resolution

Resolution #2011-09-

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to furnish various Tee Shirts for the Recreation Department with an option to renew for one (1) additional year to the low total bidder, ITA Printing of Butler, PA for an estimated total cost of \$28,124.00, at unit prices contained in the bid tabulation opened September 7, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with the contract expiring September 30, 2012.

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**J-5 Sustainable Development Checklist**Suggested Resolution

Resolution #2011-09-

WHEREAS, The City of Troy Zoning Ordinance included a Sustainable Design Option, which is intended to promote environmentally sustainable and energy efficient design and development practices for the construction of new and the rehabilitation of existing buildings and sites within the City; and

WHEREAS, Section 12.01 of the City of Troy Zoning Ordinance established the requirement of a separate Sustainable Development Checklist; and

WHEREAS, The Planning Commission developed the Sustainable Development Checklist and recommended approval of the document at the September 13, 2011 Regular meeting.

THEREFORE BE IT RESOLVED, The Sustainable Development Checklist is hereby **APPROVED**.

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**J-6 Request for Recognition as a Nonprofit Organization Status from Robert Ginther – South Oakland Chapter of Warthogs Motorcycle Club**Suggested Resolution

Resolution #2011-09-

RESOLVED, That Troy City Council hereby **APPROVES** the request from South Oakland Chapter of Warthogs Motorcycle Club, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

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**J-7 Request for Approval of Relocation Claim – John R Road Improvement Project, Square Lake to South Boulevard, Project No. 02.204.5 – Parcel 44 – Sidwell #88-20-02-230-011**

Suggested Resolution  
Resolution #2011-09-

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Elizabeth Strichick, pertaining to the City of Troy's acquisition of her property at 6695 John R, having Sidwell #88-20-02-230-011, and **AUTHORIZES** payment in the amount of \$1,850.

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**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

**K-1 Announcement of Public Hearings:**

- a) Announcement of Public Hearing for October 3, 2011 – Community Development Block Grant (CDBG) 2012 Application
- b) Announcement of Public Hearing for October 17, 2011 – Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing at 300 E. Big Beaver

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**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**

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**L. COUNCIL REFERRALS:**

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

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**L-1 Council Referrals: None Submitted**

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**M. COUNCIL COMMENTS**

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**M-1 No Council Comments Advanced**

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**N. REPORTS**

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**N-1 Minutes – Boards and Committees:**

- a) Zoning Board of Appeals-Final-August 16, 2011
- b) Planning Commission Special/Study/Draft-August 23, 2011
- c) Planning Commission Special/Study/Final-August 23, 2011
- d) Liquor Advisory Committee-Draft-September 12, 2011

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**N-2 Department Reports: None Submitted**

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**N-3 Letters of Appreciation: None Submitted**

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**N-4 Proposed Proclamations/Resolutions from Other Organizations: None Proposed**

**O. STUDY ITEMS**

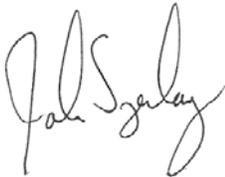
**O-1 No Study Items Presented**

**P. CLOSED SESSION:**

**P-1 No Closed Session Requested**

**Q. ADJOURNMENT**

Respectfully submitted,



John Szerlag, City Manager

**FUTURE CITY COUNCIL PUBLIC HEARINGS:**

**SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

Monday, October 3, 2011 .....	Regular Meeting
Monday, October 17, 2011 .....	Regular Meeting
Monday, November 14, 2011 .....	Regular Meeting
Monday, November 21, 2011 .....	Regular Meeting
Monday, November 28, 2011 .....	Regular Meeting
Monday, December 5, 2011 .....	Regular Meeting
Monday, December 19, 2011 .....	Regular Meeting

**SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**



## CITY COUNCIL AGENDA ITEM

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Date: September 15, 2011

To: John Szerlag, City Manager

From: Susan Leirstein, Purchasing Director  
William S. Nelson, Fire Chief

Subject: Waiver of bids for purchase of Vindicator Fire Nozzles

### Background

Over the past 10-15 years, the fire service in this country has documented a significant increase in the fuel loading in residential structures. This increased fuel loading has resulted in more rapid flashovers in dwelling fires and generally more rapid heat and smoke development when fires occur.

In 2009, the Troy Fire Department initiated a project to evaluate nozzles to determine if there was a more effective nozzle to address the increased fire loading issue. Fire flows, nozzle pressures, fire temperatures, and general nozzle performance were evaluated in live fire environments and it was determined that the Vindicator nozzle provided a significant improvement over existing nozzle performance. The fire department purchased several Vindicator nozzles and deployed them to the fire stations for field testing. The results of this testing indicated that the Vindicator nozzle significantly shortened the time required to "knock down" fire and did so with more gallons per minute of water delivered while decreasing the nozzle reaction force experienced by the firefighters. These factors result in several benefits: improved firefighter safety, less water used, and less water damage.

First Strike Technologies, Inc. is the sole manufacturer and distributor for this product so there is no benefit from soliciting bids for these nozzles.

### Recommendation

City management recommends that the bid process be waived and a purchase order be awarded to First Strike Technologies, Inc. to purchase 24 Vindicator Heavy Attack nozzles for \$20,498.80. Funds are budgeted in the 2011-2012 Fire Operations budget for this project.



## CITY COUNCIL AGENDA ITEM

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## CONVENTION

OCT. 5-7, 2011

## Contact Information:

Municipality Name \_\_\_\_\_

Contact Name (person completing this form) \_\_\_\_\_

Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

## Attendee Information (please complete another form if registering more than three attendees):

## Attendee #

#1. Attendee Name \_\_\_\_\_ Nickname \_\_\_\_\_

Title \_\_\_\_\_ \*Email \_\_\_\_\_

#2. Attendee Name \_\_\_\_\_ Nickname \_\_\_\_\_

Title \_\_\_\_\_ \*Email \_\_\_\_\_

#3. Attendee Name \_\_\_\_\_ Nickname \_\_\_\_\_

Title \_\_\_\_\_ \*Email \_\_\_\_\_

\*Hotel housing code will be sent here

## Registration Information:

## MML Liability Pool and/or Workers Comp Members

 Early Bird Rate, through 9/9/2011 (\$324 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_  
 Regular Rate, after 9/9/2011 (\$374 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_

## MML Full &amp; Associate Members/BAP Participants

 Early Bird Rate, through 9/9/2011 (\$399 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_  
 Regular Rate, after 9/9/2011 (\$449 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_

## Nonmember Government Entities

 Regular Rate (\$549 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_

## Guests

 Regular Rate (\$99 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_

Guest Name(s): \_\_\_\_\_

## Affiliate Breakfasts – Thursday, October 6, 2011

 MI Association of Mayors (\$25 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_  
 MI Women in Municipal Government (\$25 per person) Attendee #(s) \_\_\_\_\_ Qty: \_\_\_\_\_ \$ \_\_\_\_\_

## Donations

 Michigan Municipal League Foundation Donation \$ \_\_\_\_\_

Donor Name: \_\_\_\_\_

## Parade of Flags

Does your municipality wish to participate in the Parade of Flags?  Yes  No TOTAL \$ \_\_\_\_\_

## Special Accommodations

Do any of the above listed attendees require a vegetarian/vegan meal? If so, please list name(s) below:

Do any of the above listed attendees require special assistance/accommodations? If so, please specify below:

## Registration Options:

**Online:** To register and pay online visit [www.mml.org](http://www.mml.org). On the home page located on the right hand side under "My League," click on "Log On" and enter your name and password. After you are logged in, click on "Events."

**Fax:** Please fax registration form to 734-669-4223, then mail with check payable to: Michigan Municipal League P.O. Box 7409 Ann Arbor, MI 48107-7409

**Registration Questions?** Call 734-669-6371 or email [registration@mml.org](mailto:registration@mml.org). For a full list of Convention registration policies, please visit [www.mml.org](http://www.mml.org), click on Training/Events, click on Convention Registration Policies.



MML Tour Home Page

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- [Host City Reception](#)
- [The Community Excellence Award Race for the Cup!](#)
- [Foundation Auction](#)
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[League Home](#) > [Convention Main](#) >

Money is tight and we feel your pain. We've shortened the Convention to accommodate your travel budget! Convention will kick-off with the opening general session at 2:00 pm on Wednesday, instead of the traditional general session on Tuesday afternoon, so you save on one night at the hotel!

If you would like to come in early, we have limited rooms available Tuesday, October 4. Additional rooms on this day should be available the first week in September. Please contact the Anway Grand Plaza Hotel 800-253-3590 to reserve your room

### Pre-Convention Programming

**Tuesday, October 4, 2011**  
 9:00 am-4:30 pm MAMA Municipal Law Program  
 1:00-4:00 pm Pre-Convention Workshops  
 4:30 pm Elected Officials Academy Board Meeting

### CONVENTION AGENDA AT-A-GLANCE

[\(Click here for a PDF of the complete program.\)](#)

**Wednesday, October 5, 2011**  
 9:00-10:00 am Governance Committee Meeting  
 10:00 am-5:00 pm Registration Hours  
 10:00 am Board of Trustees Meeting  
 1:00-2:00 pm Annual Business Meeting  
 2:00-4:15 pm Welcoming General Session  
     Parade of Flags  
     Community Excellence Awards  
     Keynote Presentation  
 4:15-4:30 pm Networking Break  
 4:30-5:30 pm Breakout Sessions  
 6:00 pm Host City Reception

**Thursday, October 6, 2011**  
 7:00 am-6:00 pm Registration Hours  
 7:15-8:15 am MAM Breakfast (Tickets available for purchase.)  
     MWIMG Breakfast (Tickets available for purchase.)  
 8:30-10:15 am General Session  
 10:15-10:45 am Message from the Governor  
 10:45-11:15 am Networking Break/Press Conference  
 10:45 am-3:00 pm Silent Auction Bidding  
 11:15 am-12:30 pm Breakout Sessions  
 12:30-1:45 pm Luncheon  
 1:45-2:00 pm Stretching Break  
 2:00-2:45 pm General Session  
 2:45-3:15 pm Networking Break  
 3:00 pm Silent Auction Bidding Closes  
 3:15-4:30 pm Breakout Sessions  
 5:30-8:00 pm Reception & Annual Awards Banquet

**Friday, October 7, 2011**  
 9:00-11:00 am Closing Breakfast & General Session  
     Community Excellence Award "Race for the Cup" Winner Announced  
 11:00 am-12:00 pm MBC-LEO Meeting

### Pre-Convention Sessions

Tuesday, October 4

**The Michigan Medical Marihuana Act (MMMA) Two Years Later**  
 1:00-4:00 pm

The MMMA has been in effect for two years now, yet there are still many unanswered questions. How and where is medical marijuana dispensed? What are the implications for a municipality as an employer? On average, the state Department of Community Health is receiving 70+ medical marijuana patient applications a day. Attend this session

SHARE



and discover the likely impacts of the Act on local units of government. There will be discussion on issues surrounding the right to farm, dispensaries, ongoing ACLU cases, zoning, and more. **Cost: \$70.** [Click here](#) to register.

#### Meetings R' Us

1:00-4:00 pm

Do your meetings run smoothly? Is your council or board debating issues until late into the night? By using parliamentary procedure, you can gain control and have more productive meetings. This basic guide to fair and orderly meeting procedures will help keep discussions focused and allow you to accomplish the business on the agenda. This session will focus on council meetings and all of the problems and interruptions that can complicate them, including dealing with difficult people. **Cost: \$70.** [Click here](#) to register.

#### Festivals – Best Practices and Liability Issues

1:00-4:00 pm

Few activities define your hometown more than the festivals, parades, fireworks, and other special events that celebrate your local history, current achievements, or civic pride. By their nature, special events require that you and your citizens engage in conduct and activities that are extraordinary. Without proper planning, organization and experience, the chances increase that your special event will result in a bodily injury or property damage to your residents or visitors, and a financial loss to your municipality. Hear from risk management professionals and local communities on best practices for running a special event in your community. **Cost: \$70.** [Click here](#) to register.

#### Local Government Finance: Guarding the Public Checkbook

1:00-4:00 pm

*NLC Competency: Competent Practitioner – 2 credits*

Learn strategies and techniques to increase your proficiency and comfort in dealing with financial oversight responsibilities. Gain knowledge of budget management, financial crisis warning signs, the perils of micro-management, and establishing an adequate fund balance. Participants will also receive the book *Local Government Dollars & Sense: 225 Financial Tips for Guarding the Public Checkbook*. **Cost: \$70.** [Click here](#) to register.

#### Michigan Association of Municipal Attorneys' (MAMA)

##### Municipal Law Program

9:00 am-4:30 pm

The MAMA is presenting a full-day workshop designed for attorneys to sharpen their skills in municipal law. The topics will include the Enforcing Charter Violations; Insourcing; Outsourcing; Downsizing and Elimination of Services; Collective Bargaining Issues; Current Issues in Social Media; and Survival Techniques for Local Government Attorneys. The 2011 MAMA Awards Luncheon will be held immediately following the annual meeting. Tickets to attend only the awards luncheon and annual meeting will be available [Click here](#) to register.

## Vendor Presentation Sessions

Wednesday and Thursday:

#### Social Media Pavilion

Wednesday from 1-5:30 pm

Thursday from 8 am-4:30 pm

Tweeting, poking, posting and tagging. Someone is following you, someone checked in, someone wants to be your friend and you were just asked if you're linked in.

From desktops and smart phones people are connecting with people, sharing news and getting information. Still wondering what the hubbub is about? The experts from NuWave Solutions are on hand to help – stop by the Social Media Pavilion in the Center Concourse and get the answers. They'll walk you through the process of becoming Friends with the League. Following the League, Linking up with your peers and hash-tagging your thoughts during convention on the social media screens you're seeing around convention.

**Sponsored by NuWave Solutions**

4:30-5:30 pm Wednesday:

#### Show Me the Money

##### Project Funding Success Stories

Dreaming of a new library or community center but can't find a way to pay for it? See examples of creatively funded municipal projects and learn how to improve your projects' scores for grant worthiness.

Prain & Newhof Grants Specialist Jim Hegarty and Senior Project Manager Jason Washier will show you how to find grants that match your projects—and once you find them, how to write winning grant proposals that will put your project at the top of the stack!

This high-energy session is a "must" for any community that wants to find creative ways to improve itself—even on a limited budget!

**Sponsored by Prain & Newhof**

#### Confronting the Foreclosure Crisis

##### The Benefits of Partnership with the Mortgage Service Industry

Are foreclosures hurting your neighborhoods? Learn how code enforcement professionals and the mortgage service industry can work together to preserve vacant properties in your community.

Safeguard Properties professionals will share best practices in use across the nation to prevent foreclosures from becoming blight. Get the inside scoop on the timelines and processes of the foreclosure process, and learn about the role of property preservation companies in resolving such issues as debris removal and occupancy verification.

You'll also learn about a free, web-based platform that allows you to identify a property's direct point of contact, communicate with the servicer, and monitor and expedite resolution.

**Sponsored by Safeguard Properties**

#### When Construction Projects Go Bad

##### How to Manage and Win Lawsuits

Every community has at least one horror story involving a sewer overflow project, road improvement or municipal construction that looked great on paper but later went bad. Some of the state's top commercial and construction litigators will explain how municipalities can best manage and win lawsuits involving construction projects.

Attorneys from Zausmer, Kaufman, August, Caldwell & Tayler, PC will start with the pre-contract process. You'll learn how certain contractual terms like claim notice provisions, site condition clauses, arbitration provisions, and limitation of liability clauses can impact future litigation.

**Sponsored by Zausmer, Kaufman, August, Caldwell & Tayler, PC**

#### Top Ten Open Meetings Act Mistakes – And How to Avoid Them

How well do municipal officials *really* need to know the Open Meetings Act (OMA)? Like the back of their hand, of course. In fact, the OMA is filled with nuances that can easily lead to innocent missteps – which can then result in time-consuming headaches and even costly and potentially damaging litigation. Join attorneys from Foster Swift's municipal team for an explanation of the most common OMA pitfalls, and ways to avoid them.

**Sponsored by Foster Swift**

#### Playing for Keeps

##### Concepts Behind Universally Accessible Playgrounds

Can a playground become a vibrant, inclusive center for community activity and pride? A universally designed play environment can engage children and families of all abilities. Learn how new research in Sensory Processing Disorder is transforming traditional universal access into sensory-rich playgrounds for children with autism as well as children in the general population. Professional landscape structure specialists from Superior Play will also show you how to identify potential funding sources and programs which satisfy bid requirements.

**Sponsored by Superior Play**

**Weathering the Health Care Reform Storm**

Need a road map for all the health care reform changes? Find out how to organize the rules into categories, and learn the key provisions affecting plan sponsors to prepare for the immediate future and long-term action plans.

*Sponsored by American Fidelity*

11:15 am -12:30 pm Thursday:

**Planning for Place****20/20 Vision for 2020**

Today's economic woes have discouraged many communities from planning for the future. But successful revitalization requires a clear vision and focused plan built on the assets of 21st century communities. OHMI Architects, Engineers and Planners will show you how to create your own Year 2020 Vision Plan, engage citizen and business support, tap into community-based funding resources, create public/private partnerships, and leverage infrastructure grants. It's a common-sense guide to setting visionary yet realistic goals that can be converted into action plans.

*Sponsored by OHMI Architects, Engineers, Planners*

3:15-4:30 pm Thursday:

**Making Main Street Work With Less**

Everyone's talking about the importance of placemaking in downtown revitalization projects. But with dwindling resources and more daunting tasks, how can today's communities rise to the challenge? Whether or not your community has a traditional downtown, you can turn customers into engaged citizens who volunteer their time to get things done. MSHDA Downtown & Community Services Division Director Joe Borgstrom will share success stories from the Michigan Main Street program to show you how to make your own Main Street vision come true.

*Sponsored by MSHDA*

**League Annual Convention**

October 5-7, 2011

Grand Rapids

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Michigan Municipal League  
1675 Green Road, Ann Arbor MI. 48105  
734.662.3246 | 800.653.2483



MML Tour Home Page

- Registration
- Sponsors
- Program (PDF)
- Housing
- Agenda
- Pre-Con Sessions
- Vendor Presentation Sessions
- Convention Blog
- Flyer (PDF)
- General Information
- Conventional Wisdom
- What is ArtPrize?
- Host City Reception
- The Community Excellence Award Race for the Cup!
- Foundation Auction
- Support the Arts & Donate Supplies

### Vendor Opportunities

Sponsoring the Annual Convention provides you with a unique opportunity for communicating with professionals from local government. Event attendees are typically high-level decision makers representing Michigan municipalities, and many participants are repeat attendees who know each other. This creates a relaxed and informal atmosphere with the right settings for meeting new people.

When becoming our sponsor, we will do our utmost to satisfy your needs for involvement and exposure. Are you looking for networking and relationship building? Presentation opportunities? Company branding? Our sponsor packages offer pre-defined exposure opportunities, but don't hesitate to bring us your personal requests. Contact Terri Murphy at 734-669-6342 or [tmurphy@mml.org](mailto:tmurphy@mml.org) for more information.

Please note, the League does not host an exhibit hall at our Annual Convention.

- [Complete Details](#) (PDF)
- [Vendor Registration Form](#) (PDF)

### Convention General Information

#### HOW CAN I REGISTER?

**Online**  
In order to reduce the amount of printed paper and increase member privacy, the League will no longer accept credit card payments on printable registration forms for League events. All credit card payments are to be completed online via My League ([www.mml.org](http://www.mml.org)). My League is your secure, interactive online League account. It's available to all members and nonmembers, with a quick and easy sign-up process.

**Via Printable Form**  
Visit [tour.mml.org](http://tour.mml.org) to download and print a faxable registration form. Complete and fax to 734-669-4223, then mail with check payable to: Michigan Municipal League PO Box 7409 Ann Arbor, MI 48107-7409.

#### HOUSING

Money is tight and we feel your pain. We've shortened the Convention to accommodate your travel budget! Convention will kick-off with the opening general session at 2:00 pm on Wednesday, instead of the traditional general session on Tuesday afternoon, so you save on one night at the hotel!

If you would like to come in early, we have limited rooms available Tuesday, October 4. Additional rooms on this day should be available the first week in September. Please contact the Amway Grand Plaza Hotel 800-253-3590 to reserve your room.

**Host Hotel** - Amway Grand Plaza Hotel, Grand Rapids  
Phone: 800-253-3590 or 616-774-2000

#### Housing Reservation Process

Housing reservations will only be accepted for those who have registered for Convention. After registering for Convention, a confirmation email will be sent to you within 48 hours. The confirmation email will contain your registration information and your personalized housing registration code. The hotel requires that you provide this code in order to make reservations during the League's Annual Convention.

**Housing Rates**  
\$124 (plus an 8% occupancy tax and 6% state tax)

**Parking**  
\$10 self-parking per day/night  
\$20 valet per day/night

#### COMMUNITY EXCELLENCE AWARD

**Excellence Award  
YOU BE THE JUDGE  
Wednesday, October 5, 2:00 pm**  
Join us in this good-natured competition and cheer for Michigan's best. See the Community Excellence Award regional finalists unveil their winning presentations.

SHARE



You are the official judges. Your votes will alone decide which community takes home the Cup. After the general session, cast your vote at the official Community Excellence Award Voting Booth.

Don't miss the Cup Presentation Breakfast on Friday, October 7, where you can enjoy breakfast with new friends and be part of the fifth annual Community Excellence Award Cup Presentation.

[Click here](#) to read more about the CEA Region Finalists.

#### LEAGUE FOUNDATION & SILENT AUCTION

Contribute to the silent auction by bidding or donating an item. This annual event presents a great opportunity to bring home unique gifts representing communities across Michigan, or you can highlight your community, local businesses, and local talent by donating an item. We will again offer the online feature to our auction process. You will have the option to contribute and bid for donated items online prior to the live actual silent auction event. For more information on donating an item, call Deborah Watton-Medley at 734-662-3246.

Funds raised through the League Foundation's auctions help support the League's mission to enhance and develop leadership in local government.

#### SUPPORT THE ARTS & DONATE SUPPLIES

In support of art education, the League has partnered with the Grand Rapids Student Advancement Foundation (GRSAF) to donate art supplies to students in the Grand Rapids district. Due to recent budget cuts, the GRSAF has taken over the responsibility for raising 100% of the funds for art and music supplies for the school district and the 19,000 youth that it serves. We see this as a great opportunity to support budding artists and to express the importance of the arts to community.

We would like you to partner with us and show your support for the arts by bringing your donation of art supplies to Convention. A donation box will be available near registration. You may even want to do an art drive at city hall so that others can contribute as well.

Art supply examples include, but aren't limited to:

- Paints (watercolor, acrylic, poster, oil, etc.)
- Crayons
- Colored pencils
- Pastels
- Drawing paper
- Sculpting clay
- Glue (sticks, Elmer's, etc.)
- Scissors
- Tape
- Easels
- Brushes
- Canvas
- Markers

To learn more about the GRSAF visit [www.grsaf.org](http://www.grsaf.org).

**League Annual Convention**  
**October 5-7, 2011**  
**Grand Rapids**

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## FROM THE OFFICE OF THE CITY MANAGER

Date: September 23, 2011

To: The Honorable Mayor and City Council Members

From: John Szerlag, City Manager

Subject: Proposed Troy Public Library Budget for Fiscal Years Ending 2012-2014

The passage of the dedicated millage of 0.7 mills for the Troy Public Library assures funding through June 30, 2016. Accordingly, city management has developed both a one-year budget for fiscal year ending 2012 and a three-year budget through fiscal year ending 2014. These documents were developed in accordance with our declining revenue line. We have therefore budgeted a consistent level of service over our three-year time horizon. And this is one of the reasons that we have incorporated a fund balance in these documents. In other words, this method of budgeting smoothes out our level of service, so that the library does not begin with a higher level of service and fall to a lower one throughout the budget cycle.

Please know that the library board has met and reviewed these documents. The board has unanimously recommended approval thereof.

As a point of comparison, our largest budget for the library was fiscal year ending 2007, where we budgeted approximately \$5.2 million for all library services. Please know that our three-year budget averages approximately \$2.9 million for all library services. Succinctly, these documents incorporate a 55-hour per week library with 6 day service (it will remain closed on Saturdays).

City management recommends an amendment to our budget document to include the Troy Public Library's annual budget for fiscal year ending 2012, as well as the three-year budget that runs through fiscal year ending June 30, 2014.

Cc: Mark Miller, Cathy Russ, Tom Darling, Monica Ireland, Aileen Bittner

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**2011/2012 BUDGET AMENDMENT NO 2.**


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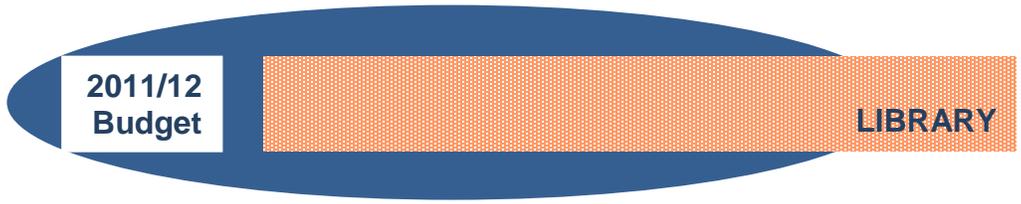
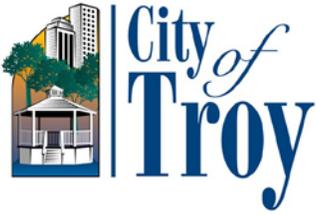
	<b>2012 Current Budget</b>	<b>Amendment</b>	<b>2012 Amended Budget</b>
<b>GENERAL FUND</b>			
Revenues:			
Penal fines	\$ 100,000	\$ (100,000)	\$ -
Fines & forfeitures	20,000	(20,000)	-
Total amended revenues	<u>120,000</u>	<u>(120,000)</u>	<u>-</u>
Expenditures:			
Library operating	<u>\$ 662,550</u>	<u>\$ (662,550)</u>	<u>\$ -</u>
<b>LIBRARY FUND</b>			
Revenues:			
Taxes	\$ -	\$ 3,060,593	\$ 3,060,593
Fines and Fees	-	156,000	156,000
Other Revenue	-	114,481	114,481
Total amended revenues	<u>-</u>	<u>3,331,074</u>	<u>3,331,074</u>
Expenditures	<u>\$ -</u>	<u>\$ 2,973,495</u>	<u>\$ 2,973,495</u>

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 FYE 2013 and 2014 BUDGET AMENDMENT NO 2.
 

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	<u>2013 Current Budget</u>	<u>Amendment</u>	<u>2013 Amended Budget</u>	<u>2014 Current Budget</u>	<u>Amendment</u>	<u>2014 Amended Budget</u>
<b>GENERAL FUND</b>						
Expenditures:						
Library operating	\$ 99,500	\$ (99,500)	\$ -	\$ 101,000	\$ (101,000)	\$ -
<b>LIBRARY FUND</b>						
Revenues:						
Taxes	\$ -	\$ 2,835,249	\$ 2,835,249	\$ -	\$ 2,682,165	\$ 2,682,165
Fines and Fees	-	150,000	150,000	-	150,000	150,000
Other Revenue	-	100,000	100,000	-	100,000	100,000
Total amended revenues	<u>-</u>	<u>3,085,249</u>	<u>3,085,249</u>	<u>-</u>	<u>2,932,165</u>	<u>2,932,165</u>
Expenditures	<u>\$ -</u>	<u>\$ 2,973,495</u>	<u>\$ 2,973,495</u>	<u>\$ -</u>	<u>\$ 2,872,995</u>	<u>\$ 2,872,995</u>



- *Library Director*.....**Cathleen Russ**

# Expense Annual Budget by Organization Report

## Detail

	2010 Actual Amount	2011 Estimated Amount	2011 Amended Budget	2012 Approved Budget	2012 Amended Budget	% Change From Prior Year
<b>Fund: 271 Library</b>						
<b>Revenue</b>						
TAXES					\$3,060,593.00	
FINES AND FEES					\$156,000.00	
OTHER REVENUE					\$114,481.00	
<b>TOTAL- 271 REVENUES</b>					<b>\$3,331,074.00</b>	
<b>Fund: 271 Library</b>						
<b>Expenditures</b>						
PERS - PERSONAL SERVICES	\$2,559,519.31	\$1,364,950.00	\$1,492,599.80	\$373,150.00	\$1,542,635.00	3%
SUP - SUPPLIES	\$49,321.63	\$39,000.00	\$58,000.00	\$14,500.00	\$59,000.00	2%
OTH - OTHER SERVICE CHARGES	\$782,898.99	\$696,130.00	\$709,070.00	\$274,900.00	\$774,360.00	8%
Department Total: Library	\$3,391,739.93	\$2,100,080.00	\$2,259,669.80	\$662,550.00	\$2,375,995.00	5%
<b>Fund: 271 LIBRARY- CAPITAL</b>						
<b>Capital Expenditures</b>						
BUILDING AND IMPROVEMENTS	\$62,406.00	\$0.00	\$0.00	\$0.00	\$40,000.00	400%
OFFICE EQUIPMENT	\$51,735.00	\$1,000.00	\$0.00	\$0.00	\$37,500.00	375%
BOOKS/MATERIALS	\$709,227.00	\$300,000.00	\$425,000.00	\$106,250.00	\$520,000.00	18%
Capital Total: Library	\$823,368.00	\$301,000.00	\$425,000.00	\$106,250.00	\$597,500.00	29%
<b>TOTAL- 271 LIBRARY EXPENSES</b>	<b>\$4,215,107.93</b>	<b>\$2,401,080.00</b>	<b>\$2,684,669.80</b>	<b>\$768,800.00</b>	<b>\$2,973,495.00</b>	<b>10%</b>
<b>Fund 271: LIBRARY- Unassigned Fund Balance</b>						
<b>Fund Balance</b>						
Year-end Total					\$357,579.00	



2011/12  
Budget

PERSONNEL SUMMARY

Positions	Approved 2011/12		Amended 2011/12	
	Full- Time	Full- Time	Full- Time	Part- Time
• <i>Library</i>				
Library Director	0	0	1	
Assistant Library Director	0	0	1	
Administrative Aide	0	0	0	
Circulation Supervisor	0	0	0	
Office Assistant				1
Business Office Assistant				1
Librarian				16
Librarian I	0	0	0	
Librarian II	0	0	0	
Library Aide				16
Library Assistant				15
Library Systems Specialist				1
Page				13
Head of Adult Information Services	0	0	1	
Head of Youth Services	0	0	1	
Head of Circulation	0	0	1	
Business Office Manager	0	0	1	
<b>Total- Library</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>63</b>



2011/12  
Budget

LIBRARY

**SUMMARY OF BUDGET CHANGES - LIBRARY**

• **Significant Notes – 2011/12 Budget Compared To 2010/11 Budget**

Personal Services:

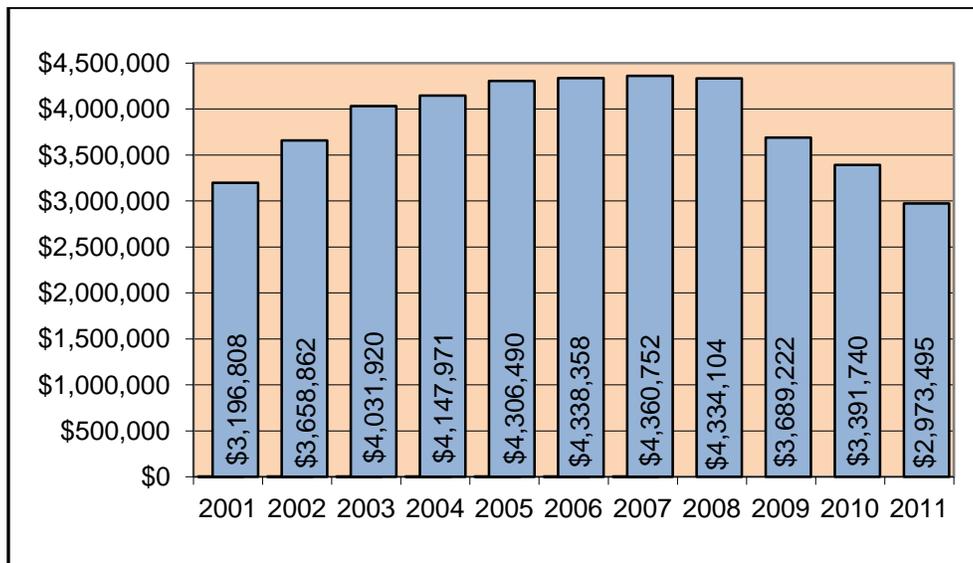
There is a \$50,000 increase in Personal Services, due to the addition of an Adult Information Services department head, a Youth Services department head, and the reinstatement of the Assistant Director position. However, the total number of full-time employee remains the same.

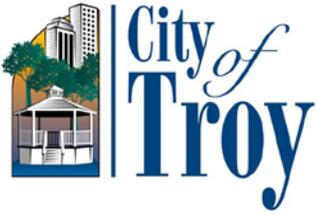
Other Service Charges:

The Troy Public Library will conduct a strategic planning project this year. \$20,000 has been allocated for the services of a library consultant to assist with this project, which will involve all facets and members of the Troy community.

Personnel Summary	Approved 2008/09		Approved 2009/10		Approved 2010/11		Amended 2011/12	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
Library	16	96	15	93	6	64	6	63
<b>Total Department</b>	<b>16</b>	<b>96</b>	<b>15</b>	<b>93</b>	<b>6</b>	<b>64</b>	<b>6</b>	<b>63</b>

• **Operating History for Library**





2011/12-  
2013/14  
Budget

LIBRARY

- *Library Director*.....**Cathleen Russ**

# Expense Annual Budget by Organization Report

## Detail

	2011 Amended Budget	2012 Approved Budget	2012 Amended Budget	2013 Proposed Budget	2014 Proposed Budget
<b>Fund: 271 Library</b>					
<b>Revenue</b>					
TAXES			\$3,060,593.00	\$2,835,249.00	\$2,682,165.00
FINES AND FEES			\$156,000.00	\$150,000.00	\$150,000.00
OTHER REVENUE			\$114,481.00	\$100,000.00	\$100,000.00
<b>TOTAL- 271 LIBRARY REVENUES</b>			<b>\$3,331,074.00</b>	<b>\$3,085,249.00</b>	<b>\$2,932,165.00</b>
<b>Fund: 271 Library</b>					
<b>Expenditures</b>					
PERS - PERSONAL SERVICES	\$1,492,599.80	\$373,150.00	\$1,542,635.00	\$1,542,635.00	\$1,542,635.00
SUP - SUPPLIES	\$58,000.00	\$14,500.00	\$59,000.00	\$59,000.00	\$59,000.00
OTH - OTHER SERVICE CHARGES	\$709,070.00	\$274,900.00	\$774,360.00	\$751,360.00	\$751,360.00
Department Total: Library	\$2,259,669.80	\$662,550.00	\$2,375,995.00	\$2,352,995.00	\$2,352,995.00
<b>Fund: 271 LIBRARY- CAPITAL</b>					
<b>Capital Expenditures</b>					
BUILDING AND IMPROVEMENTS	\$0.00	\$0.00	\$40,000.00	\$40,000.00	\$0.00
OFFICE EQUIPMENT	\$0.00	\$0.00	\$37,500.00	\$25,000.00	\$0.00
BOOKS/MATERIALS	\$425,000.00	\$106,250.00	\$520,000.00	\$520,000.00	\$520,000.00
Capital Total: Library	\$425,000.00	\$106,250.00	\$597,500.00	\$585,000.00	\$520,000.00
<b>TOTAL- 271 LIBRARY EXPENSES</b>	<b>\$2,684,669.80</b>	<b>\$768,800.00</b>	<b>\$2,973,495.00</b>	<b>\$2,937,995.00</b>	<b>\$2,872,995.00</b>
<b>Fund 271: LIBRARY- Unassigned Fund</b>					
<b>Fund Balance</b>					
Year-end Total			\$357,579.00	\$504,833.00	\$564,003.00



2011/12-  
2013/14  
Budget

PERSONNEL SUMMARY

Positions	Approved 2011/12		Amended 2011/12		Proposed 2012/13		Proposed 2012/13	
	Full- Time	Full- Time	Full- Time	Part- Time	Full- Time	Part- Time	Full- Time	Part- Time
• <i>Library</i>								
Library Director	0	0	1		1		1	
Assistant Library Director	0	0	1		1		1	
Administrative Aide	0	0	0		0		0	
Circulation Supervisor	0	0	0		0		0	
Office Assistant				1		1		1
Business Office Assistant				1		1		1
Librarian				16		16		16
Librarian I	0	0	0		0		0	
Librarian II	0	0	0		0		0	
Library Aide				16		16		16
Library Assistant				15		15		15
Library Systems Specialist				1		1		1
Page				13		13		13
Head of Adult Information Services	0	0	1		1		1	
Head of Youth Services	0	0	1		1		1	
Head of Circulation	0	0	1		1		1	
Business Office Manager	0	0	1		1		1	
<b>Total- Library</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>63</b>	<b>6</b>	<b>63</b>	<b>6</b>	<b>63</b>



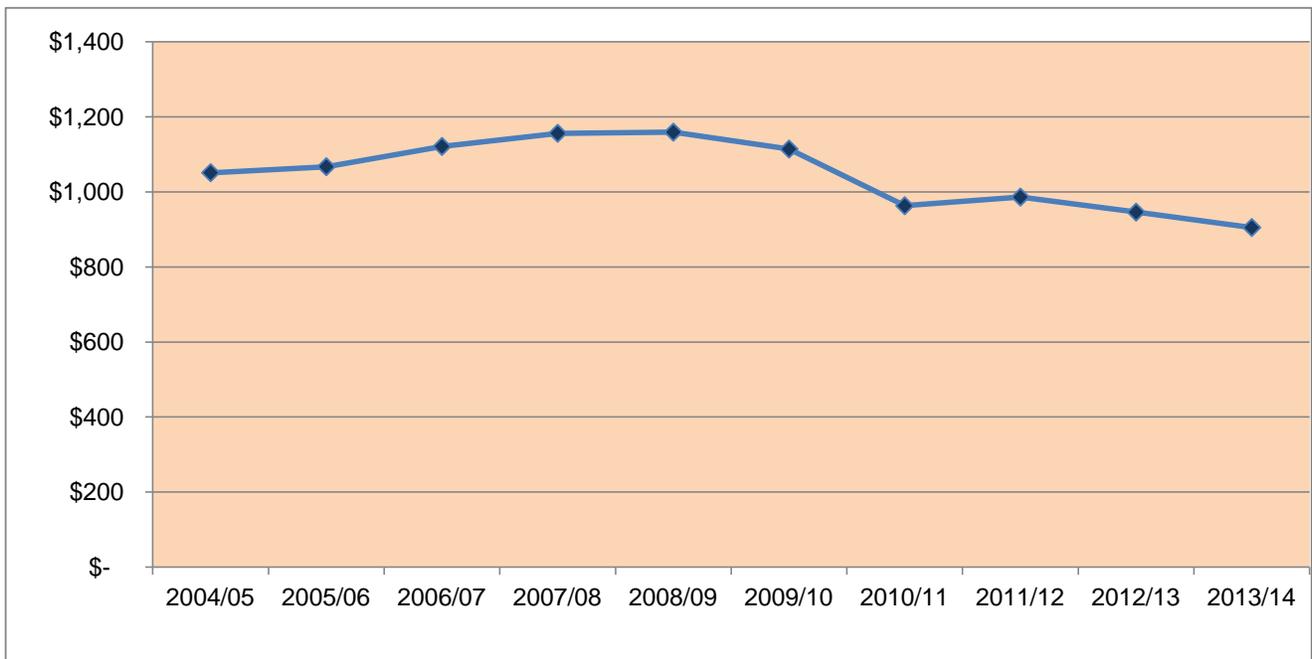
2011/12 -  
2013/14  
Budget

**SUMMARY OF MILLAGE REQUIREMENTS**

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	Proposed 2011/12	Proposed 2012/13	Proposed 2013/14
General Operating	6.50	6.50	6.50	6.50	6.50	6.50	6.50	6.50	6.50
Refuse	0.83	0.83	0.68	0.68	0.75	0.87	0.96	1.06	1.14
Capital	1.62	1.60	1.60	1.60	1.53	1.53	1.53	1.53	1.36
Debt	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.67
Library							0.70	0.70	0.70
<b>Total</b>	<b>9.45</b>	<b>9.43</b>	<b>9.28</b>	<b>9.28</b>	<b>9.28</b>	<b>9.40</b>	<b>10.19</b>	<b>10.29</b>	<b>10.37</b>

Ave. Res. TV      112,886    118,834    124,597    124,885    120,014    102,490    96,775    91,930    87,300

Ave. Res. City Taxes    \$ 1,067    \$ 1,121    \$ 1,156    \$ 1,159    \$ 1,114    \$ 963    \$ 986    \$ 946    \$ 905





## CITY COUNCIL ACTION ITEM

Date                    September 22, 2011

TO:                      Mayor Schilling and City Council

FROM:                  John Szerlag, City Manager  
 Mark F. Miller, Director of Economic and Community Development  
 Aileen Bittner, City Clerk

SUBJECT:              Ordinance Revisions in Accordance with Troy City Council Resolutions to Dissolve Boards and Committees

Pursuant to City Council resolution, certain boards and committees were dissolved. In order to maintain function, consistency, and relevance, amendments are needed as housekeeping.

In Chapter 13 – Historic Preservation refers to the Troy Historical Commission, which has been expunged by City Council resolution. These references have been amended, and reference to the Director of Building & Zoning has been replaced with appropriate City Administration.

In Chapter 27 – Parks and Recreation Board refers to the Troy Daze Committee and the Advisory Committee for Senior Citizens, both of which have been expunged by City Council resolution.

### Financial Considerations:

- There are no financial considerations associated with this item.

### Legal Considerations:

- There are no legal considerations associated with this item.

### Policy Considerations:

- There are no policy considerations associated with this item.

Approved as to Form and Legality: \_\_\_\_\_  
 Lori Grigg-Bluhm, City Attorney

### 1. **PURPOSE**

The purpose of this Chapter is to 1) safeguard the heritage of the City of Troy by preserving historic resources in the City which reflect elements of its cultural, social, economic, political and architectural history; (2) stabilize and improve property values; 3) foster civic beauty; 4) strengthen the local economy; 5) promote the use of historic resources for the education, pleasure and welfare of the citizens of the City.

(Rev. 11/17/2003)

### 2. **DEFINITIONS**

For the purpose of this Chapter, the following definitions shall apply:

- A. **ALTERATION**: Work that changes the detail of a resource but does not change its basic size or shape.
- B. **CERTIFICATE OF APPROPRIATENESS (COA)**: Written approval of a permit application to apply for a building permit if required, for work that is determined to be appropriate and that does not adversely affect a resource.
- C. **COMMISSION**: The historic district commission which is responsible for implementing Public Act 169 of 1970 as amended and the city's historic preservation ordinance for the City of Troy.
- D. **COMMITTEE**: A historic district study committee appointed by the city council.
- E. **DEMOLITION**: razing a resource, whether entirely or in part, which may include, but is not limited to demolition by neglect.
- F. **DEMOLITION BY NEGLECT**: Neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.
- G. **FIRE ALARM SYSTEM**: A system designed to detect and annunciate the presence of fire or by-products of fire. Fire alarm system includes smoke alarms.  
  
(12/22/2005)
- H. **HISTORIC DISTRICT**: In accordance with Act 169, Public Acts of 1970, the term "Historic District" shall mean an area or group of areas not necessarily having contiguous boundaries, created by the City for the purposes of this Chapter. This shall include any historical or cultural site or structure (including significant trees or other plant life located thereon) of particular historic or cultural significance to the City of Troy, the State of Michigan, or the U.S.A., where cultural, political, spiritual, economic or social history of the community, state or nation is reflected or exemplified with historic personages or with important events in local, state, or

national history, or which embody the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, or style or method of construction, or a notable work of construction, or a notable work of a master designer or architect whose individual genius influenced his age.

- I. **HISTORIC LANDMARK**: Any structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this city, state, or of the United States. A landmark is a historic district as defined in this section which contains only one (1) resource.
- J. **HISTORIC RESOURCE**: A structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of this city, state, or of the United States.
- K. **NOTICE TO PROCEED**: Authorization to perform work that does not qualify for a COA but may legally be accomplished following criteria set forth in this ordinance.
- L. **OPEN SPACE**: Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.
- M. **ORDINARY MAINTENANCE**: Keeping a resource unimpaired and in good condition through ongoing minor intervention to the exterior of a resource. Ordinary maintenance does not change the exterior appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this act.
- N. **PROPOSED HISTORIC DISTRICT**: An area or group of areas, not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.
- O. **REPAIR**: To restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes an alteration for purposes of this act.
- P. **RESOURCE**: A building, structure, site, object, feature or open space located within a historic district, or described as a historic landmark.
- Q. **SMOKE ALARM**: A single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this ordinance “single-station alarm” means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. “Multiple-station alarm” means two

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or more single-station alarms that are capable of interconnection such that actuation of one alarm causes all integrated separate audible alarms to operate.

(12/22/2005)

- R. **WORK**: Construction, addition, alteration, repair, moving, excavation or demolition.

(Renumbered 12/22/2005)

### 3. **REGULATION OF RESOURCES AND ESTABLISHED HISTORIC DISTRICTS**

- A. There shall be no construction, alteration, repair, moving or demolition of the exterior features of a Historic Resource unless a certificate of appropriateness or a notice to proceed is issued in accordance with this chapter. The following Historic Districts are hereby established.

**Troy Union Cemetery, 1199 E. Square Lake** (Tax ID: 88-20-02-301-009) T2N, R11E, SEC 2, PART OF SW ¼ OF SW ¼ BEG AT PT DIST S 89-44-00 E 750 FT FROM SW COR SEC 2, TH S 89-44-00 E 573.57 FT, TH N 00-24-30 W 446.10 FT, TH N 88-46-00 W 365.25 FT, TH S 40-53-00 W 133.60 FT, TH S 89-27-30 W 29.8 FT, TH S 14-06-00 W 360.89 FT TO BEG 4.66 A

**6890 Norton** (Tax ID: 88-20-03-226-033) T2N, R11E, SEC 3 PART OF NE ¼ BEG AT PT DIST S 01-15-30 E 809.30 FT & S 88-59-30 W 276.15 FT FROM N 1/8 COR, TH S 88-59-30 W 250 FT, TH N 01-35-15 W 136.63 FT, TH N 88-59-30 E 250 FT, TH S 01-35-15 E 136.63 FT TO BEG 0.78 A

**770 W. Square Lake** (Tax ID: 88-20-04-354-011) T2N, R11E, SEC 4 PART OF SW ¼ BEG AT PT DIST N 00-17-56 E 259.88 FT & S 89-45-00 E 160 FT & S 79-23-48 E 273.17 FT & S 69-02-36 E 300 FT & S 79-29-59 E 232.30 FT & S 89-57-22 E 136.66 FT FROM SW SEC COR, T N 00-12-04 E 226.40 FT, TH N 73-29-54 E 14.90 FT TH ALG CURVE TO RIGHT, RAD 60 FT, CHORD BEARS N 86-20-14 E 26.67 FT, DIST OF 26.89 FT, TH ALG CURVE TO LEFT, RAD 60 FT, CHORD BEARS N 74-27-32 E 50.18 FT, DIST OF 51.77 FT, TH S 40-15-30 E 40.45 FT, TH S 89-57-22 E 9.96 FT, TH S 00-06-01 W 215 FT, TH N 89-59-22 W 125.75 FT, TO BEG 0.67 A5-3-90 FR 008

**330 W. Square Lake** (Tax ID: 88-20-04-451-029) T2N, R11E, SEC 4 E 169.92 FT of W 856.08 FT OF S 300 FT OF SE ¼, EXC S 60 FT TAKEN FOR RD 0.941A 2-6-93 FR 025

**6091 Livernois** (Tax ID: 88-20-04-478-013) T2N, R11E, SEC 4 TROY ACRES S 70 FT OF LOT 1

**6071 Livernois** (Tax ID: 88-20-04-478-017) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 1 EXC E 27 FT TAKEN FOR RD 6-11-96

CORR

**6059 Livernois** (Tax ID: 88-20-04-478-018) T2N, R11E, SEC 3, 4, 9 & 10, SUPERVISOR'S PLAT NO. 7 LOT 2

**90 West Square Lake** (Tax ID: 88-20-04-478-022) T2N, R11E, SEC 4, TROY ACRES NO. 1 SLY 150 FT OF LOT 20 EXC BEG AT SW LOT COR, TH N 89-30-00 E 93 FT, TH N 41 FT, TH S 88-15-21 W 93.04 FT, TH S 38.98 FT TO BEG 6-13-96 CORR

**Former Stone School, 3995 South Boulevard** (Tax ID: 88-20-06-101-001) T2N, R11E, SEC 6 W 165 FT OF N 264 FT OF NW FRC  $\frac{1}{4}$  EXC PART TAKEN FOR HWY DESC AS BEG AT NW SEC COR, TH ELY 91 FT ALG SEC LINE, TH SWLY TO PT IN W SEC LINE DIST OF 91 FT SLY FROM BEG, TH NLY 91 FT ALG SEC LINE TO BEG 0.90 A

**Beach Road Cemetery** (Tax ID: 88-20-07-451-001) T2N, R11E, SEC 7 N 147 FT OF 167 FT OF SW  $\frac{1}{4}$  OF SE  $\frac{1}{4}$  0.57A

**46 East Square Lake Road** (Tax ID: 88-20-10-101-002) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7, PART OF LOT 26 BEG AT NW COR, T S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT TO BEG, ALSO ALL OF LOT 27

**54 East Square Lake Road** (Tax ID: 88-20-10-101-003) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7 LOT 26 EXC BEG AT NW LOT COR, TH S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT ALG W LOT LINE TO BEG

**90 East Square Lake Road and 110 East Square Lake Road** (Tax ID 88-20-10-101-004) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 25

**126 East Square Lake Road** (Tax ID: 88-20-10-101-005) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISOR'S PLAT NO. 7 LOT 24

**138 East Square Lake Road** (Tax ID: 88-20-10-101-006) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 23

**160 East Square Lake Road** (Tax ID: 88-20-10-101-043) T2N, R11E, SEC 10 PART OF NW  $\frac{1}{4}$  BEG AT PT DIST N 00-14-00 W 33 FT FROM NE COR OF LOT 23 OF 'SUPERVISOR'S PLAT NO 7', TH S 89-43-00 E 145 FT, TH S 00-14-00 E 300 FT, TH N 89-43-00 W 145 FT, TH N 00-14-00 W 300 FT TO BEG 1 A

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**101 East Square Lake Road** (Tax ID: 88-20-03-301-077) T2N, R11E, SEC 3, SUPERVISOR'S PLAT NO. 7 E 30 FT OF LOT 20 EXC S 41 FT TAKEN FOR RD, ALSO LOT 21 EXC S 41 FT TAKEN FOR RD, ALSO N 73.43 FT OF LOT 22

**Sylvan Glen Clubhouse, 5725 Rochester Road** (Tax ID: 88-20-10-200-001) T2N, R11E, SEC 10 NE /4 160 A

**5871 Hilmore** (Tax ID: 88-20-11-103-014) T2N, R11E, SEC 11 PART OF NW ¼ BEG AT PT DIST S 01-33-00 E 833 FT FROM NE COR OF W ½ OF NW ¼, TH S 88-55-00 W 330 FT, TH S 01-33-00 E 200 FT, TH N 88-55-00 E 330 FT, TH N 01-33-00 W 200 FT TO BEG 1.55 A

**Hill House, 4320 John R** (Tax ID: 88-20-13-303-014) T2N, R11E, SEC 13 PART OF SW ¼ BEG AT PT DIST N 00-49-43 E 1544.71 FT FROM SW SEC COR, TH S 89-10-17 E 220 FT, TH N 00-49-43 E 200 FT, TH N 89-10-17 W 220 FT, TH S 00-49-43 W 200 FT TO BEG EXC W 50 FT TAKEN FOR RD 0.77 A

**4820 Livernois** (Tax ID: 88-20-15-102-010) T2N, R11E, SEC 15 BELZAIR SUB NO 1 OUTLOT C EXC THAT PART DESC AS BEG AT NE COR OF OUTLOT C, TH S 00-06-40 W 164.45 FT ALG E LINE OF OUTLOT C, TH S 89-46-10 W 24.14 FT, TH N 00-00-16 W 97.30 FT, TH N 89-59-44 E 3.00 FT, TH N 00-00-16 W 36.52 FT, TH S 80-03-40 W 3.04 FT, TH N 00-00-16 W 27.00 FT TO N LINE OF OUTLOT C, TH N 80-03-40 E 24.54 FT TO BEG

**Emerson Church – Unitarian Universalist, 4320 Livernois** (Tax ID: 88-20-15-351-002) T2N, R11E, SEC 15 & 16 MC CORMICK & LAWRENCE LITTLE FARMS SUB LOTS 46 & 47 EXC W 27 FT TAKEN FOR RD, ALSO ALL OF LOT 48, ALSO W 85.58 FT OF LOT 49

**Troy Museum & Historic Village - Caswell House, Poppleton School, Old City Hall, Old Troy Church and Parsonage, Log Cabin and Wagon Shop 60 W. Wattles** (Tax ID: 88-20-16-478-033) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 89 TO 92 INCL, ALSO LOTS 131 TO 134 INCL EXC S 27 FT TAKEN FOR RD, ALSO N 30.75 FT OF LOT 138, ALSO LOTS 139 TO 142 INCL, EXC E 27 FT TAKEN FOR LIVERNOIS RD, and 100 W WATTLES (Tax ID 88-20-16-478-027) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 130 EXC S 20 FT TAKEN FOR WATTLES RD., and 109 LANGE (Tax ID: 88-20-16-478-026) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 93.

(Corrected: 12/07/2009)

**Crooks Road Cemetery** (Tax ID: 88-20-20-226-022) T2N, R11E, SEC 20 PART OF NE ¼ BEG AT PT DIST N 00-43-30 E 1101.84 FT FROM E ¼ COR, TH N 88-08-30 W 310.03 FT, TH ALG CURVE TO RIGHT, RAD 100 FT, CHORD BEARS N 43-08-30 W 141.42 FT, DIST OF 157.08 FT, TH N 01-51-30 E 180 FT, TH ALONG CURVE TO LEFT, RAD 180 FT, CHORD BEARS N 43-08-30 W 254.56 FT, DIST OF 282.74 FT, TH N 01-51-30 E 179.31 FT, TH S 87-06-30 E 577.09 FT, TH S 00-43-30 E 629.54 FT TO BEG 6.71 A

**3645 Crooks** (Tax ID: 88-20-20-226-038) T2N, R11E, SEC 20 TROY HIGHLANDS NO. 1 LOT 70

**839 W. Wattles** (Tax ID: 88-20-21-101-024) T2N, R11E, SEC 21 PART OF NW ¼ BEG AT PT DIST S 89-58-00 E 535.00 FT FROM NW SEC COR, TH S 89-58-00 E 287.00 FT, TH S 00-13-00 W 607.22 FT, TH N 89-58-00 W 287.00 FT, TH N 00-13-00 E 607.22 FT TO BEG EXC N 245 FT OF W 150 FT THEREOF, ALSO EXC N 60 FT TAKEN FOR RD 2.97 A

**3864 Livernois** (Part of Tax ID: 88-20-22-101-005) Part of the NW ¼ of Sec. 22, T.2N R11E, City of Troy, Oakland County, Michigan beginning at the point which is N 00°20'25" E 1771.60 ft. Along the West line of Sec. 22 from the West ¼ corner of Sec. 22, T2N R11E; thence, continuing along the West line of Sec. 22 N 00°20'25" E 330.00 ft.; thence S 89°25'55" E 225.00 ft.; thence S 00°20'25" W 330.00 ft.; thence N 89°25'55" W 225 ft. to the point of beginning. Containing 74,247 square feet – 1.705 acres, and subject to an easement over the North 30 ft. for ingress and egress and public utilities.

(Rev. 12/22/05)

**36551 Dequindre** (Tax ID: 88-20-25-230-032) T2N, R11E, SEC 25 PART OF NW ¼ BEG AT PT DIST S 00-00-08 E 1028.22 FT & S 89-23-59 W 60 FT FROM NE SEC COR, TH S 00-00-08 E 300 FT, TH S 89-23-59 W 245 FT, TH N 00-00-08 W 300 FT, TH N 89-23-59 E 245 FT TO BEG 1.69 A

**1934 Livernois** (Tax ID: 88-20-27-351-016) T2N, R11E, SEC 27 ADDISON HEIGHTS SUB N 81 FT OF W 108 FT OF LOT 53

**Perrin Cemetery (Coolidge)** (Tax ID: 88-20-32-152-002) T2N, R11E, SEC 32 PART OF W ½ BEG AT W ¼ COR, TH N 00-03-00 E 165 FT, TH E 140 FT, TH S 00-03-00 W 165 FT, TH S 88-44-30 E 25 FT, TH S 01-06-30 W 67.5 FT, TH N 88-31-00 W 165 FT, TH N 00-03-00 E 66 FT TO BEG 0.78

(Rev. 06/21/2010)

- B. Except as provided in subsection C, all of the Historic Districts established as of July 21, 2003 shall be exempt from the requirements and provisions of Section 4 of this Chapter entitled "Establishment, Modification or Elimination of a Historic District". Such exempt Historic Districts shall not be within the purview of any

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Historic District Study Committee and shall remain under the sole jurisdiction of the Historic District Commission, except to the extent otherwise provided in Section 5 of this Chapter for the Historic Districts included in the Troy Museum and Historic Village.

- C. A person or entity that owns a resource within a Historic District established as of July 21, 2003, may submit a request to the Commission to modify or eliminate such Historic District. In such cases, the Historic District may only be eliminated or modified in accordance with Section 14.

(Rev. 11/17/2003)

### 4. **HISTORIC DISTRICT COMMISSION**

- A. **Creation of Commission:** In order to execute the purposes of this section, there is hereby created a Commission to be called the Historic District Commission.
- B. **Membership of Commission:** The Historic District Commission shall consist of seven (7) members whose residence is located in the City of Troy. The majority of the members will have a clearly demonstrated interest in or knowledge of historic preservation. The Commission shall include at least two (2) people chosen from a list submitted by a duly organized history group or groups, and, if available, one (1) architect duly registered in the State of Michigan. They shall be appointed by the City Council for terms of office of three (3) years. All members shall hold office until their successors are appointed. Members of the Commission may be reappointed after their terms expire. A vacancy occurring in the membership of the Commission for any cause shall be filled by a person appointed by the City Council for the unexpired term. The members of the Commission shall serve without compensation.

(Rev. 12/22/2005)

### 5. **DUTIES AND POWERS OF THE COMMISSION**

The Commission shall have all powers and duties authorized by Public Act 169 of 1970, as amended, MCL 399.201, et seq. including but not limited to the following:

- A. The Commission shall have authority to conduct an ongoing survey to identify historically and architecturally significant, properties, structures and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state or city. The Commission may use the Michigan Historical Site Survey form as a guide, and accept the work of interested volunteers. Such Site Surveys should be kept as a part of the permanent records of the Commission, at a place designated by the Commission.
- B. It shall be the duty of this Commission to review all applications for permits required by City ordinance concerning construction, alteration, repair, moving or

demolition of the exterior features of a historic resource. Plans for any work in the historic resources comprising the Troy Museum and Historic Village may be submitted based on a three-year plan based on Department of Interior Preservation briefs but without detailed specifications. For purposes of this Chapter, the historic resources of the Troy Museum and Historic Village shall include, but are not limited to, those Historic Districts established in Section 3 of this Chapter and listed as Old City Hall, Caswell House, Poppleton School, Old Troy Church, and Parsonage. It is the intent of this section that the Commission shall be lenient in its judgment of plans for a new construction or for alteration or demolition of historic resources of little historic value, except where such construction, alteration or demolition would seriously impair the historic value and character of the resource and the surrounding resources and area. A permit shall not be issued and proposed work shall not proceed until the Commission has acted on the application by issuing a certificate of appropriateness or a notice to proceed.

In reviewing the plans, the Commission shall follow the United States Secretary of the Interior's standards for rehabilitating historic buildings as set forth in 36 CFR part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the Commission may be followed if they are equivalent in guidance to the Secretary of Interior's standards and guidelines and are established or approved by the Michigan Department of History, Arts, and Libraries. The Commission shall also consider the following:

1. The historical or architectural value and significance of the resource and its relationship to the historic value of the surrounding area;
2. The relationship of the exterior architectural features of the resource to the rest of the resource and to the surrounding area;
3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used;
4. Any other factor, including aesthetic, which it deems to be pertinent.

The Commission shall review and act upon exterior features of a historic resource and shall not consider interior arrangement, unless interior work will cause visible change to the exterior of the resource. The Commission shall not disapprove an application due to considerations not set forth above.

- C. In those situations where the Commission finds the proposed work adversely affects the exterior of a resource the Commission considers valuable to the city, state or nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the city, state or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

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- D. Work within a historic district shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Commission to be necessary to substantially improve or correct any of the following conditions:
1. The resource constitutes a hazard to the safety of the public or to the structure's occupants.
  2. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances.
  3. Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner.
  4. Retaining the resource is not in the interest of the majority of the community.
- E. The Commission may recommend to the City Council certain incentive programs to encourage preservation of landmark buildings in the City.
- F. The Commission may accept, in the name of the City of Troy, any grant, loan or aid of any character from Federal, State or private sources, to be expended for the purposes contemplated by this chapter, including, but not limited to the making of surveys of historical structures and/or sites, and the acquisition, restoration and possible resale of properties of historical or architectural significance. Such funds shall be administered in accordance with the Charter of the City of Troy, but a separate accounting shall be made of them and a copy of such accounting given to the Commission at least quarterly.
- G. Budget: There may be appropriated in the annual budget of the City of Troy a sum of money which may be expended and accounted for in accordance with the Troy City Charter and the Uniform Budgeting and Accounting Act of the State of Michigan.

(Rev. 11/17/2003)

6. **RULES OF THE COMMISSION**

- A. The Commission shall elect from its membership a Chair, Vice- Chair and Secretary at the first meeting each year. The Chair shall preside over the Commission and have the right to vote. The Vice-Chair shall perform the duties of the Chair in his or her absence. The Secretary shall keep an accurate record of the proceedings of the Commission.

(Rev. 11/17/2003)

- B. The Commission should meet at least quarterly, and at the call of the Chair, Secretary, or two (2) members of the Commission, if matters are referred to it by the ~~Director of Building and Zoning~~Planning Director.

(Rev. 11/17/2003)

- C. At least four (4) members of the Commission shall constitute a quorum for the transaction of its business. The Commission shall adopt rules for the transaction of its business which shall provide for the time and place of holding meetings. All meetings of the Commission shall be open to the public, and any person or his or her duly constituted representative shall be entitled to appear and be heard on any matter before the Commission before it reaches its decision.

(Rev. 11/17/2003)

- D. The Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings and actions. The concurring affirmative vote of four (4) members shall constitute approval of plans before it for review, or for the adoption of any resolution, motion or other action of the Commission. The Commission shall submit an annual report of its activities to the City Council.

(Rev. 09/25/1978)

7. **PROCEDURES FOR REVIEW OF PLANS**

- A. Application for a building permit to construct, alter, move or demolish any resource in a Historic District shall be made to the ~~Director of Building and Zoning~~Building Official. Plans shall be submitted showing the resource in question and also showing its relation to adjacent resources.

- B. Upon the filing of such application, the ~~Director of Building and Zoning~~Building Official or his or her representative shall immediately notify the ~~Commission~~Planning Director of the receipt of such application and shall transmit it together with accompanying plans and other information to the Commission.

- C. The Commission shall review the plans according to the duties and powers specified herein. In reviewing the plans, the Commission may confer with the

applicant for the building permit, and ~~with the Director of Building and Zoning, and with the~~ with the Building Official and/or City Planning Director.

- D. The Commission shall approve or disapprove such plans, and, if approved, shall issue a certificate of appropriateness or a notice to proceed, which is to be signed by the Chair or Vice- Chair, attached to the application for a building permit and immediately transmitted to the ~~Director of Building and Zoning~~ Building Official. The Chair shall also stamp all plans submitted to the Commission signifying its approval or disapproval.
- E. If the Commission disapproves of such plans, it shall state its reasons for doing so and shall transmit a record of such action and reasons therefore in writing to the ~~Director of Building and Zoning~~ Building Official and to the applicant. The Commission shall advise what it thinks is proper if it disapproves of the plans submitted. The applicant, if he or she so desires, may make modifications to the plans and shall have the right to resubmit the application at any time after so doing.

If the requested permit is denied by the Commission, the ~~Director of Building and Zoning~~ Building Official shall disapprove the application.

- F. The failure of the Commission to approve, conditionally approve or disapprove of such plans within sixty (60) days from the date of application for the building permit, unless otherwise mutually agreed upon by the applicant and the Commission, shall be deemed to constitute approval and the ~~Director of Building and Zoning~~ City Planning Director shall proceed to process the application without regard to a certificate of appropriateness or notice to proceed from the Commission.
- G. After a building permit is granted, the ~~Director of Building and Zoning~~ Building Official or his or her representative shall inspect the construction or alteration in accordance with the procedures established by the Building Department of the City of Troy.
- H. In cases where approval of demolition is granted for reasons other than public health or safety, the certificate of appropriateness or notice to proceed shall not become effective until sixty (60) days after the date of issuance, in order to provide a period of time within which it may be possible to relieve a hardship or transfer the property to another owner who will retain the resource. At the discretion of the Commission, this waiting period may be waived.
- I. If the Commission grants a permit for demolition, it may notify the ~~Troy Historical Commission~~ City Manager so that ~~that body~~ City Administration may consult with the owner about obtaining anything of historical significance from the property.
- J. If an applicant seeks immediate approval to alter, repair, move or demolish a resource to prevent an imminent hazard to the safety of the public or a

structure's occupants, the Chair of the Commission shall call a special meeting as early as possible, in compliance with the Open Meetings Act, to make a decision on the applicant's request.

- K. Upon a finding by the commission that a historic resource within an historic district, subject to its review and approval, is threatened by demolition by neglect, the commission may do either of the following:
1. The commission may require the owner of the resource to repair all conditions contributing to the demolition by neglect.
  2. If the owner does not make repairs within a reasonable time, the commission or agents may enter the property and make such repairs as are necessary to prevent demolition by neglect. The cost of the work shall be charged to the owner and may be levied by the city as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.
- L. The Historic District Commission shall not issue a certificate of appropriateness or notice to proceed unless an applicant certifies in the application that the property where the work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the State Construction Code Act, MCL 125.1501 *et seq.* as amended.

(Rev. & Renumbered: 12/22/2005)

### 8. **DEMOLITION OR MOVING HISTORIC RESOURCES**

The demolition or moving of resources located in Historic Districts shall be discouraged. The Commission shall not approve demolition except when deemed a hazard to public health or safety by a responsible public agency, but may issue a certificate of appropriateness for moving said resource.

The Commission may issue a certificate of appropriateness or notice to proceed for the moving or demolition of any resource. An application for the moving or demolition of a resource shall be approved by the Commission if any of the following conditions prevail, and if in the opinion of the Commission the proposed work will materially improve or correct these conditions:

1. The resource is a deterrent to a major improvement program which will be of substantial benefit to the community;
2. Retention of the resource would cause undue financial hardship to the owner; or
3. Retention of the resource would not be in the interest of the majority of the

community.

(Rev. 11/17/2003)

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### 9. **PROPOSED HISTORIC DISTRICT**

Upon receipt of substantial evidence showing the presence of historic architectural, archeological, engineering, or cultural significance of a proposed historic district, the City Council may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the Historic District Commission for review as provided in this ordinance. The Historic District Commission shall review permit applications with the same powers that would apply if the proposed historic district were an established historic district. The review may continue in the proposed historic district for not more than one year, or until such time as the City Council approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

(Rev. 11/17/2003)

### 10. **EMERGENCY MORATORIUM**

If the City Council determines that pending work will cause irreparable harm to resources located within an established historic district, City Council may, by resolution, declare an emergency moratorium of all such work for a period not to exceed six months. The City Council may extend the emergency moratorium for an additional period not to exceed six months upon finding that the threat of irreparable harm to resources is still present. Any pending permanent application concerning a resource subject to an emergency moratorium may be summarily denied.

(Rev. 11/17/2003)

### 11. **YARD VARIANCES**

Due to peculiar conditions of design and construction in Historic Districts, where structures were often built close to the lot lines, it is in the public interest to retain the District's appearance by making variances to normal yard requirements. Where it is deemed that such variances will not adversely affect neighboring properties, the Commission may recommend to the ~~Board of Zoning Appeals~~ Zoning Board of Appeals that such variance to standard yard requirements be granted.

(Rev. 11/17/2003)

### 12. **EXCEPTIONS**

Nothing in this chapter shall be construed to prevent ordinary maintenance, repair or sale of any resource within an historic district. Nor shall anything in this chapter be construed to alter, amend or delete provisions of other Troy City ordinances, or the Troy City Charter pertaining to the administration, control, or ownership of property owned by the City of Troy.

(Rev. 11/17/2003)

### 13. **APPEALS**

An applicant aggrieved by a decision of the Commission concerning a permit application may file an appeal with the state historic preservation review board of the Michigan Historical Commission. The appeal shall be filed within sixty (60) days after the decision is furnished to the applicant. A permit applicant aggrieved by the decision of the historic preservation review board may appeal the decision to the circuit court. Any citizen or duly organized historic preservation organization in the city, as well as resource property owners, jointly or severally aggrieved by a decision of the historic district commission concerning a matter other than a permit application, may appeal the decision to the circuit court.

(Rev. 11/17/2003)

### 14. **ESTABLISHMENT, MODIFICATION OR ELIMINATION OF A HISTORIC DISTRICT**

#### A. **Establishment of Historic District Study Committee**

Before establishing, modifying or eliminating any Historic District, City Council shall appoint a Historic District Study Committee. The Committee shall contain a majority of persons who have a clearly demonstrated interest in or knowledge of historic preservation, and shall consist of at least one (1) member of the Historic District Commission and shall contain representation from at least one other duly organized local historic preservation organization. The study committee shall be an ad hoc committee established to consider the establishment, modification or elimination of historic districts in specified areas as determined by City Council and then be dissolved.

#### B. **Duties of the Historic District Study Committee**

1. The Historic District Study Committee shall do all of the following:
  - a. Conduct a photographic inventory of resources within each proposed historic district, following procedures established or approved by the Michigan Department of History, Arts, and Libraries.
  - b. Conduct basic research of each proposed historic district and the historic resources located within that District;
  - c. Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of the historic resources, the Committee shall be guided by the selection criteria for evaluation issued by the Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR part 60.

## Chapter 13 - Historic Preservation

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- d. Prepare a preliminary Historic District Study Committee report that addresses at a minimum all of the following:
    - i. The charge of the Committee;
    - ii. The composition of the Committee membership;
    - iii. The historic district or districts studied;
    - iv. The boundaries for each proposed historic district in writing and on maps;
    - v. The history of each proposed historic district;
    - vi. The significance of each district as a whole, as well as a sufficient number of individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
  - e. Transmit copies of the preliminary report for review to City Council, the Planning Commission, the Historic District Commission, the Michigan Department of History, Arts and Libraries, the Michigan Historical Commission and the State Historic Preservation Review Board.
  - f. Make copies of the preliminary report available to the public.
2. The City Council may prescribe the time for preparation and transmittal of the preliminary report if the Council deems it in the public interest to do so.
  3. Not less than sixty (60) calendar days after the transmittal of the preliminary report, the Study Committee shall hold a public hearing. Public notice of the time, date, and place of the hearing shall be given in the manner required by the Open Meetings Act, 1976 PA 267, MCL 15.261, et seq. Written notice shall be mailed by first class mail not less than fourteen (14) calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the City of Troy.
  4. The Committee shall have no other powers, express or implied, beyond those listed in this section, except as may be otherwise expressly authorized by ordinance or resolution of City Council.

### C. **Actions to be Taken by the Historic District Study Committee and City Council**

After the date of the public hearing, the Historic District Study Committee and City Council shall take the following actions:

1. The Committee shall prepare and submit a final report with its recommendation and the recommendation, if any, of the Planning Commission to the City Council. If the recommendation is to establish, modify or eliminate a historic district or districts, the final report shall include

a draft of a proposed ordinance or ordinances.

2. After receiving a final report that recommends the establishment, modification or elimination of a historic district or districts, the City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances establishing, modifying or eliminating one or more historic districts. If the City Council passes an ordinance or ordinances establishing, modifying or eliminating one or more historic districts, City Council shall file a copy of that ordinance or ordinances, including a legal description of the property or properties located within the historic district or districts, with the Register of Deeds. City Council shall not pass an ordinance establishing a contiguous historic district less than sixty days after a majority of the property owners within the proposed historic district, as listed on the City tax rolls, have approved the establishment of the historic district pursuant to a written petition.
3. At any time after expiration of the time limits set in or prescribed by City Council pursuant to this section for the Historic District Study Committee to act, the City Council may, in its discretion, proceed to introduce and pass or reject an ordinance as described in the immediately preceding paragraph 2.

**D. Elimination of Districts**

If considering elimination of a historic district, the Committee shall follow the procedures set forth for issuing a preliminary report, holding a public hearing and issuing a final report, but with the intent of showing one or more of the following:

1. The historic district has lost those physical characteristics that enabled establishment of the district.
2. The historic district was not significant in the way previously defined.
3. The historic district was established pursuant to defective procedures.

**E. Availability**

All writings prepared, owned, used, in possession of or retained by the Committee in the performance of any official function shall be made available to the public.

(Rev. 11/17/2003)

**15. ENFORCEMENT; VIOLATIONS**

- A. After issuance of a certificate of appropriateness or notice to proceed or if a violation of this article is suspected, the city's designated representative may from time to time inspect the exterior of properties covered by this article.
- B. The enforcement of this ordinance shall be the responsibility of this Historic District Commission, in conjunction with the ~~Director of Building and Zoning Planning~~ |

~~Director of the city.~~ A person, individual, partnership, firm, corporation, organization, institution or agency of government that violates this act is responsible for committing a Municipal Civil Infraction subject to the provisions of Chapter 100 of the Code for the City of Troy. Each day a violation continues is a separate Municipal Civil Infraction Violation. Sanctions for violation shall include a fine of not more than \$500, costs, damages and injunctive orders as authorized by Chapter 100.

(Rev. 03/01/2006)

- C. A person, individual, partnership, firm, corporation, organization, institution, or agency of government that violates this act may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.

(Rev. 11/17/2003)

## Chapter 27 – Parks and Recreation Board

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- 27.10 Creation. The Parks and Recreation Board shall consist of ~~ten-eight~~ members, who shall have the qualifications of electors. All members shall serve without compensation. A student representative may be appointed for a one (1) year term by City Council. The student representative shall serve as an ex-officio, non-voting member of the Board. The Parks and Recreation Director shall serve as an ex-officio, non-voting member of the Board and shall be responsible to the City Manager.
- 27.20 Membership and Terms. The Troy City Council shall appoint the following members to the Parks and Recreation Board:
- (1) Seven at-large representatives, who shall serve for three (3) year overlapping terms.
  - (2) One representative from the Troy School Board of Education, who shall be nominated by the Board of Education and who shall serve for a one (1) year term.
  - ~~(3) One representative from the Troy Daze Committee, who shall be nominated by the Troy Daze Committee, and who shall serve for a one (1) year term.~~
  - ~~(4) One representative from the Advisory Committee for Senior Citizens, who shall be nominated by the Advisory Committee, and who shall serve for a one (1) year term.~~
- 27.30 Removal and Vacancies. Board members may, after a public hearing, be removed by the City Council for neglect of duty or malfeasance in office. Vacancies occurring on the Board shall be filled in the same manner as the original appointment.
- 27.40 Organization. The Board shall elect its chairman from among its members. The Board may also elect members for any other offices that the Board deems necessary. The term of the chairman shall be one year, and the chairman shall be eligible for re-election. The Board shall hold at least one regular meeting every two months. It shall adopt rules for the transaction of business and shall keep a record of its actions, which record shall be public record.
- 27.50 Powers and Duties. The Board shall have the following powers and duties:
- (1) To recommend to the City Manager a budget providing for a parks and recreation program.
  - (2) To recommend to the City Council policies for operating a parks and recreation program.
  - (3) To recommend to the City Council a long-term capital improvements program for parks and recreational facilities, including the acquisition of park sites.
  - (4) To promote activities that will benefit the City parks and recreation program, including the encouragement of organized team athletic programs.

## Chapter 27 – Parks and Recreation Board

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27.60 Duties of Director. The Parks and Recreation Director shall have the following responsibilities to the Board:

- (1) To attend the meetings of the Parks and Recreation Board, to take part in discussions of the Board and to keep the Board informed of parks and recreation activities.
- (2) To inform the City Manager of the recommendations of the Board so that these recommendations can be acted upon by the City Council and/or the City Manager.

(Rev. 06/17/02)

Pastor A.C. Phipps from Evanswood Church of God gave the Invocation. The Pledge of Allegiance to the Flag was given.

#### **A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held Monday, September 12, 2011, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the meeting to order at 7:30 PM.

#### **B. ROLL CALL:**

Mayor Louise E. Schilling  
 Robin Beltramini  
 Wade Fleming  
 Martin Howrylak  
 Mayor Pro Tem Mary Kerwin  
 Maureen McGinnis  
 Dane Slater

#### **C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

##### **C-1 Certificates of Recognition and Special Presentations**

- a) Proclamation – Patriot Week September 11 – 17, 2011
- b) Proclamation in Recognition of James and Betty Savage on the Occasion of Their 60<sup>th</sup> Anniversary

#### **D. CARRYOVER ITEMS:**

##### **D-1 No Carryover Items**

#### **E. PUBLIC HEARINGS:**

##### **E-1 No Public Hearings**

#### **F. PUBLIC COMMENT:**

Peters, Richard	Spoke about various topics.
Henderson, Dave	Spoke about the City budget issues.
Bloomingtondale, Bruce	Spoke of his memory of 9/11/2001 and shared his appreciation of all first responders.
Kaszubski, Cheryl	Spoke about the Troy Family Daze Festival.
Bernardi, Mary Ann	Spoke about the snow removal policy.
Graczyk, Ed	Honored persons who lost their lives on 9/11/2011 and the police, fire, military personnel who served on that day and now; also, spoke against tax increase.
Hodorek, Ellen	Spoke about the City budget issues and the mistrust created by members of the community.
Arvant, Peter	Spoke on behalf of Troy Chamber of Commerce to express support of the Troy Multi-Modal Transit Facility.

**G. RESPONSE / REPLY TO PUBLIC COMMENT****H. POSTPONED ITEMS:**

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**H-1 No Postponed Items****I. REGULAR BUSINESS:**

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**I-1 Board and Committee Appointments: None Scheduled**

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**I-2 Board and Committee Nominations: None Scheduled**

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**I-3 Request for Closed Session – No Closed Session Requested**

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**I-4 Confirmation of Appointment of Aileen Bittner as City Clerk**

Resolution #2011-09-207

Moved by Schilling

Seconded by Howrylak

WHEREAS, Aileen Bittner has fulfilled all requirements of the Certified Municipal Clerk (CMC) program of the International Institute of Municipal Clerks (IIMC);

THEREFORE, BE IT RESOLVED, That Troy City Council **CONFIRMS** the City Manager's Appointment of Aileen Bittner as City Clerk.

Yes: All-7

No: None

**MOTION CARRIED**

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**I-5 Bid Waiver – Casualty and Property Insurance – Two (2) Year Renewal with the Michigan Municipal Risk Management Authority (MMRMA) for November 2011-2012 and November 2012-2013**

Resolution #2011-09-208

Moved by McGinnis

Seconded by Kerwin

WHEREAS, On April 18, 2011, City Council authorized City management to negotiate a new agreement for Casualty and Property Insurance with the Michigan Municipal Risk Management Authority (MMRMA) (Resolution #2011-04-085-J-5); and

WHEREAS, The MMRMA has provided an exceptional offer of a two-year agreement under the same terms and conditions as the previous agreement; and

WHEREAS, The agreement includes a 21.9% net decrease in the first year (2011/2012) and a not-to-exceed 5% premium increase in the second year (2012/2013) offset by any net asset distribution check received;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **EXERCISES** the new agreement with the MMRMA to provide Casualty and Property Insurance for a premium of \$333,347 in 2011/2012, and a not to exceed premium of \$350,014 in 2012/2013.

BE IT FINALLY RESOLVED, This contract also includes the maintenance of a positive loss fund balance of up to \$150,000 expiring November 7, 2013.

Yes: All-7  
No: None

### MOTION CARRIED

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#### I-6 Standard Purchasing Resolution 8: Best Value Award - Communications Strategy

Resolution #2011-09-209  
Moved by Kerwin  
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** a contract to develop a comprehensive communications strategy to Marketing Associates of Detroit, MI, the firm with the highest score as a result of a best value process from the formal solicitation identified as RFP-COT 11-13, as amended on June 20, 2011, which the Troy City Council determines to be in the public interest at an estimated total cost of \$100,000.00 including reimbursables not-to-exceed \$5,000.00, in accordance with the schedule of values attached as Appendix I.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the firm's submission of properly executed proposal and contract documents, including insurance certificates, and all other specified requirements; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** an Agreement when in acceptable form.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini  
No: Fleming, Howrylak

### MOTION CARRIED

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#### I-7 Approval of MDOT Capital Contract for the Troy Multi-Modal Transit Facility, MDOT Contract No. 2011-0231, Project No. 113143

Resolution #2011-09-210  
Moved by Schilling  
Seconded by Beltramini

WHEREAS, A 2.41 acre site was deeded to the City of Troy as part of a Consent Judgment, with the condition that it be developed as a transit facility;

WHEREAS, The City of Troy received a \$8,485,212 federal grant to fund the transit facility project through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), secured through a TIGER grant; and

WHEREAS, The City of Troy received a \$1,300,000 Federal Congressional Bus & Bus Facilities earmark to fund the project through the Federal Transit Administration (FTA), secured by Congressman Gary Peters; and

WHEREAS, The facility will be served by AMTRAK and the Suburban Mobility Authority for Regional Transportation (SMART), which will utilize the Troy Multi-Modal Transit Facility as a central hub for their bus network; and

WHEREAS, The Troy Multi-Modal Transit Facility complements transit oriented initiatives throughout southeast Michigan, including the Woodward Light Rail and Detroit Region Aerotropolis projects; and

WHEREAS, Studies show that investment in public transit yields economic benefit to the surrounding area; and

WHEREAS, Public transportation provides transportation options, allows for mobility for underserved populations, provides congestion mitigation, creates jobs, assists in retaining young talent and helps regions to be competitive in the global economy.

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** MDOT Capital Contract No. 2011-0231 between the City of Troy and the Michigan Department of Transportation for the final design and construction of the Troy Multi-Modal Transit Facility at an estimated cost to the City of Troy of \$0.00, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming  
No: Howrylak

## MOTION CARRIED

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### **I-8 Proposed Amendment to the Three Year Budget; Retention of Two Sergeants and Two Police Officers**

Resolution #2011-09-211  
Moved by Schilling  
Seconded by McGinnis

WHEREAS, The Early Retirement Incentive Program/Concession initiative not only reduced reliance on Fund Balance, but also created projected revenues exceeding projected expenditures for the first two years of the three year budget; and

WHEREAS, The International City/County Management Association (ICMA) in their organizational restructuring and economic sustainability study indicates that the police department will not be sustainable unless four of the thirty eight sworn positions slated for elimination are retained;

THEREFORE, BE IT RESOLVED, That Troy City Council **APPROVES** the City Manager’s recommendation to incorporate these four police department positions in the three year budget.

Yes: All-7  
No: None

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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**J-1a Approval of “J” Items NOT Removed for Discussion**

Resolution #2011-09-212  
Moved by Beltramini  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-7  
No: None

**MOTION CARRIED**

**J-1b Address of “J” Items Removed for Discussion by City Council**

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**J-2 Approval of City Council Minutes**

Resolution #2011-09-212-J-2a

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) Regular City Council Meeting of August 29, 2011

**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 11-3 – Section 35 Pavement Rehabilitation**

Resolution #2011-09-212-J-4a

RESOLVED, That contract No. 11-3, Section 35 Pavement Rehabilitation, be **AWARDED** to Ajax Paving Industries, Inc., 830 Kirts Blvd., Suite 100, Troy, MI 48084 for their low total bid amount of \$860,776.00; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 25% of the total project cost.

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**J-5 Request for Acceptance of a Sanitary Sewer Easement from Cornerstone Village 1, LLC – Sidwell #88-20-27-201-049**

Resolution #2011-09-212-J-5

RESOLVED, That Troy City Council hereby **ACCEPTS** the sanitary sewer easement from Cornerstone Village 1, LLC, owner of the property having Sidwell #88-20-27-201-049; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-6 Request to Temporarily Waive Parking Restrictions**

Resolution #2011-09-212-J-6

RESOLVED, That the City Council of the City of Troy does hereby **WAIVE** the No Parking restrictions on the East side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulan Park, on Wednesday, September 28, 2011, 7:00 pm – 11:00 pm, Thursday, September 29, 2011, 9:00 am – 5:00 pm, Friday, October 7, 2011, 7:00 pm – 11:00 pm, and Saturday, October 8, 2011, 9:00 am – 9:00 pm.

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**J-7 Request for Recognition as a Nonprofit Organization Status from Ann Walsh – Morse Elementary School PTO**

Resolution #2011-09-212-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the request from Morse Elementary School PTO asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**K-1 Announcement of Public Hearings: None Submitted**

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**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**

**L. COUNCIL REFERRALS:**

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

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**L-1 Council Referrals: None Submitted****M. COUNCIL COMMENTS**

Council Member Beltramini discussed the need for boards & committee appointments/re-appointments.

Mayor Schilling spoke about the late submittal regarding other communities and the status of their fund balances.

Council Member Kerwin spoke about developing "green" ordinances.

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**M-1 No Council Comments Advanced****N. REPORTS****N-1 Minutes – Boards and Committees:**

- a) Election Commission-Final-June 29, 2011
  - b) Planning Commission-Final-August 9, 2011
  - c) Election Commission-Draft-September 1, 2011  
Noted and Filed
- 

**N-2 Department Reports: None Submitted**  
Noted and Filed**N-3 Letters of Appreciation:**

- a) Letter of Appreciation from John Siedlik and Erin Whaley of Binson's Home Health Care Centers to the Troy Fire Department
  - b) Letter of Appreciation from John F. Myszak, III, of Somerset Collection to Chief Mayer, Thanking Sgt. Szuminski, Officer Morgan and Officer Bordo  
Noted and Filed
- 

**N-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**  
Noted and Filed**N-5 Notice of Hearing for the Gas Customers of Consumers Energy Company Case No. U-16149-R**  
Noted and Filed**N-6 Resolution #11097 – Oakland County Board of Commissioners – Support for Amending MCL 168-449(3) to Eliminate the Requirement that Local Clerks Send Corrected Voter Identification Cards Due to Redistricting Resulting from the Decennial Census**  
Noted and Filed

**O. STUDY ITEMS**

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**O-1** Study Item

**P. CLOSED SESSION:**

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**P-1** No Closed Session Requested

**Q. ADJOURNMENT**

The meeting **RECESSED** at 9:22 PM.

The meeting **RECONVENED** at 9:30 PM.

The meeting **ADJOURNED** at 10:30 PM.

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Mayor Louise E. Schilling

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M. Aileen Bittner  
City Clerk



## CITY COUNCIL AGENDA ITEM

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September 20, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic & Community Development  
Susan A. Leirstein, Purchasing Director  
Jeffrey J. Biegler, Recreation Director

Subject: Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirts

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### **Background**

On September 7, 2011, bids were received to provide one-year requirements of 50/50 and 100% cotton tee shirts with an option to renew for one additional year for the Troy Recreation Department. One hundred and thirty-six (136) companies were notified via the Michigan Intergovernmental Trade Network (MITN) website with five (5) bids received and one statement of no bid. Of the five bids received, three were disqualified for not submitting the proper bid surety as specified.

A detailed pricing list for each option was requested and received from the two responsible, responsive bidders. After performing reference checks and pricing analysis, staff recommends awarding the contract to the lowest total bidder, ITA Printing of Butler, Pennsylvania.

### **Recommendation**

City management and the Recreation department recommend awarding a one-year contract to provide various Tee Shirts for the Recreation department with an option to renew for one (1) additional year to the lowest total bidder, ITA Printing of Butler, Pennsylvania for an estimated total cost of \$28,124.00 at unit prices contained in the bid tabulation opened 9/7/2011.

### **Fund Availability**

Funding for the purchase of Tee Shirts is available in the Recreation, Community Center and Aquatic Center operating accounts. Cost of the Tee Shirts is built into registration and membership fees paid by participants in various programs.

VENDOR NAME:		**	ITA Printing	Impressive		
CHECK #			6810895	530601392-0		
CHECK AMOUNT			\$500.00	\$500.00		
EST QTY	DESCRIPTION		PRICE/EACH	PRICE/EACH	PRICE/EACH	PRICE/EACH
<b>ITEM #1-- 50/50 Short Sleeve Shirts</b>						
<b>(50% Cotton &amp; 50% Polyester w/One Color Imprint on Front)</b>						
1,200	Youth - Small, Med, Large		\$ 2.63	\$ 3.35		
1,800	Adult - Small, Med, Large, X-Large		\$ 2.63	\$ 3.35		
30	Adult - XX-Large, XXX-Large		\$ 4.47	\$ 4.95		
1,600	<b>COST PER DIGIT:</b> Single		\$ 1.30	\$ 0.50		
500	Double		\$ 2.60	\$ 0.90		
QUOTING ON STYLE:			<b>G8000M</b>	G800B & G800		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>35</b>	36		
<b>ESTIMATED TOTAL (ITEM#1):</b>			<b>\$ 11,404.10</b>	\$ 11,448.50		
<b>ITEM #2 -- 100% Cotton - Short Sleeve Shirts</b>						
<b>One (1) Color Imprint on Front</b>						
300	Adult - Med, Large, X-Large		\$ 2.84	\$ 3.95		
50	Adult - XX-Large		\$ 4.73	\$ 5.75		
QUOTING ON STYLE:			<b>G2000</b>	G200		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>62</b>	\$ 67.00		
<b>ESTIMATED TOTAL (ITEM#2):</b>			<b>\$ 1,088.50</b>	\$ 1,472.50		
<b>ITEM #3 -- 100% Cotton - Short Sleeve Shirts (No Imprinting)</b>						
175	Adult - Small, Med, Large, X-Large		\$ 2.24	\$ 3.65		
25	Adult - XX-Large		\$ 4.13	\$ 5.30		
QUOTING ON STYLE:			<b>G2000</b>	G200		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>62</b>	67		
<b>ESTIMATED TOTAL (ITEM#3):</b>			<b>\$ 495.25</b>	\$ 771.25		
<b>ITEM #4 -- 50% Cotton/50% Polyester Blend</b>						
<b>Short Sleeve Shirts w/Two Colors Front &amp; 1 Color Back</b>						
1,200	Youth - Small, Medium, Large		\$ 3.45	\$ 3.95		
800	Adult - Medium, Large, X-Large		\$ 3.45	\$ 3.95		
QUOTING ON STYLE:			<b>G8000M</b>	G800B & G800		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>35</b>	36		
<b>ESTIMATED TOTAL (ITEM#4):</b>			<b>\$ 6,900.00</b>	\$ 7,900.00		

VENDOR NAME:

		**	<b>ITA Printing</b>	Impressive		
				Promotional		
				Products, LLC		
EST QTY	DESCRIPTION		PRICE/ EACH	PRICE/ EACH	PRICE/ EACH	PRICE/ EACH
<b>ITEM #5 -- 100% Cotton - Two Color Imprint - Front &amp; Back</b>						
<b>Short Sleeve Shirts</b>						
1,700	Adult-Medium, Large, X-Large		\$ 3.49	\$ 4.95		
300	Adult - XX-Large		\$ 5.38	\$ 6.95		
QUOTING ON STYLE:			<b>G2000</b>	G200		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>62</b>	67		
<b>ESTIMATED TOTAL (ITEM#5):</b>			<b>\$ 7,547.00</b>	\$ 10,500.00		
<b>ITEM #6 -- 50% Cotton/50% Polyester Blend</b>						
<b>Short Sleeve Shirts w/Four Color Imprint Front</b>						
200	Youth- Small, Medium, Large		\$ 3.25	\$ 3.95		
12	Adult - Medium, Large, X-Large		\$ 3.25	\$ 3.95		
QUOTING ON STYLE:			<b>G800M</b>	G800B & G800		
MANUFACTURED BY:			<b>Gildan</b>	Gildan		
NUMBER OF COLORS AVAILABLE:			<b>35</b>	36		
<b>ESTIMATED TOTAL (ITEM#6):</b>			<b>\$ 689.00</b>	\$ 837.40		
<b>ESTIMATED GRAND TOTAL ALL ITEMS:</b>			<b>\$ 28,123.85</b>	\$ 32,929.65		
SAMPLES INCLUDED	Y or N		<b>N</b>	N		
CONTACT INFORMATION:	Hrs of Op Phone #		<b>7AM-3:30PM</b> <b>(724) 431-3060</b>	8AM-5:30PM (248) 589-3595		
PAYMENT TERMS			<b>Net 30</b>	Net 20		
GUARANTEED DELIVERY		<b>BIDDERS WILL BE NOTIFIED 2 WEEKS IN ADVANCE</b>				
WARRANTY			<b>Full Rplc on any defective goods</b>	Manufacturer		
EXCEPTIONS			<b>Blank</b>	Blank		
ALL OR NONE AWARD:	Y or N		<b>Y</b>	N		
ACKNOWLEDGEMENT:	Y or N		<b>Y</b>	Y		

DISQUALIFIED:

- Priority One Emergency, Inc. (Did not submit bid surety check with bid, as specified)
- World of Promotions (Did not submit bid surety check with bid, as specified)
- Active Embroidery & Silkscreen (Submitted company check not certified or cashiers check, as specified)

NO BIDS:

Positive Promotions

**\*\*BOLDFACE TYPE DENOTES LOW TOTAL BIDDER**

ATTEST:

Scott Mercer  
Cheryl A. Stewart  
Julie Hamilton

\_\_\_\_\_  
 Susan Leirstein CPPO CPPB  
 Purchasing Director



## CITY COUNCIL AGENDA ITEM

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Date: September 15, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic & Community Development  
R. Brent Savidant, Planning Director

Subject: Sustainable Development Checklist

### Background

The recently adopted Zoning Ordinance contains Sustainable Development provisions that promote environmentally sustainable and energy efficient design and development practices (see Section 12.01).

There are provisions identified throughout the Zoning Ordinance where sustainable design measures may be used to satisfy a specific requirement. For example, parking in the front yard is not permitted in the IB Integrated Industrial and Business District except in cases where a site plan has prequalified Sustainable Design Project (SDP) project status. A property owner wishing to use this development option would file an application seeking SDP status. Once prequalified as a SDP, the use of a sustainable design measure to satisfy a specific Ordinance requirement is authorized. Approval of the Final Site Plan is considered the formal approval of the SDP status of the project. The SDP Process Summary is included in section 3 of the Sustainable Development Checklist.

The process requires the creation of a Sustainable Development Checklist, separate from the Zoning Ordinance. The Planning Commission prepared the attached Sustainable Development Checklist and recommended approval of the document at the September 13, 2011 Regular meeting.

### Recommendation

City Management recommends approval of the Sustainable Development Checklist.

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City Attorney's Review as to Form and Legality

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Date

### Attachments:

1. Section 12.01 of the City of Troy Zoning Ordinance
2. Sustainable Development Checklist

## ARTICLE 12

### SUSTAINABLE DESIGN AND ENVIRONMENTAL STANDARDS

#### SECTION 12.01 SUSTAINABLE DESIGN OPTION

- A. Intent. It is the intent of this Section to promote environmentally sustainable and energy efficient design and development practices for the construction of new and the rehabilitation of existing buildings and sites within the City. Pursuant to the sustainability initiatives set forth in the [City of Troy Master Plan](#), the purpose of these regulations are to provide various incentives that will achieve the following:
1. Encourage the reuse of existing buildings and redevelopment of existing sites.
  2. Conserve natural resources.
  3. Reduce the use of energy in both construction and daily operations.
  4. Foster a mix of uses and pedestrian, bicycle, and public transit use.
- B. Eligibility. Any project for which site plan review is required, including subdivisions and site [condominiums](#), may apply for qualifications as a Sustainable Design Project (SDP).
- C. Effect of Qualifications as a Sustainable Design Project. There are provisions identified throughout the Zoning Ordinance where the use of sustainable design measures may be used to satisfy, modify, or replace a specific requirement. Once prequalified as a SDP, the use of a sustainable design measure to satisfy a specific Ordinance requirement is authorized. Approval of a site plan with a modification permitted under this Section shall be considered the formal approval of the SDP status of the project.
- D. Procedure.
1. An application for a SDP may be obtained from the [Zoning Administrator](#). An applicant seeking qualification as a SDP shall submit a complete SDP application, accompanied by a complete SDP checklist and supportive narrative which verifies how specific measures will be achieved, to the Zoning Administrator.
  2. Qualification as a SDP is based upon the use of specific measures to offset the potential impact of modifying specific areas of the Ordinance. The SDP checklist identifies potential sustainable design measures eligible to modify specific provisions of the Ordinance.

3. Applications for a SDP shall be reviewed by the Sustainable Design Review Committee, which shall consist of the [Planning Director](#), [City Engineer](#), [Building Official](#), and two (2) members of the [Planning Commission](#) designated by the City Manager. The Sustainable Design Review Committee may request the review of a SDP application by consultants with specific expertise in sustainable design.

4. Upon completion of the review, the Sustainable Design Review Committee shall make a determination whether a project meets the qualifications as a SDP. If the committee makes a positive determination, the project will have Prequalified SDP status, which will make the project automatically eligible for the requested modification during site plan review and approval. Approval of a site plan with a modification permitted under this Section shall be considered the formal approval of the SDP status of the project.

## SECTION 12.02 STORMWATER MANAGEMENT

A. Intent. The intent of this Section is to encourage the use of structural, vegetative or managerial practices, commonly referred to as best management practices (BMP's), designed to treat, prevent, or reduce degradation of water quality due to storm water runoff. All development projects subject to site plan review shall use best management practices (BMP's) to prevent flooding, protect water quality, reduce soil erosion, maintain and improve wildlife habitat, and contribute to the aesthetic values of the project. The particular facilities and measures required on-site shall reflect and incorporate existing grade, natural features, wetlands and watercourses on the site to the maximum extent feasible.

B. Sustainable Design. While stormwater management is required to meet the City Engineering Design Standards, certain BMP's may be used to satisfy qualification as a Sustainable Design Project, as set forth in [Section 12.01](#).

C. Stormwater Management. All stormwater management plans shall meet the Engineering Design Standards adopted by the City as determined by the City Engineer, and shall utilize nonstructural control techniques to the maximum extent feasible, including, but not limited to:

1. Limitation of land disturbance and grading.
2. Maintenance of vegetated buffers and natural vegetation.
3. Minimization of impervious surfaces.
4. Use of terraces, contoured landscapes, runoff spreaders, grass or rock-lined swales.
5. Use of infiltration devices.

# City of Troy

## Sustainable Development Checklist

Established by Section 12.01 of the City of Troy Zoning Ordinance

**DRAFT**

September 14, 2011

Adopted by the Troy Planning Commission on XXXXXX

## **TROY Sustainable Development Project Checklist**

### **1. Summary**

The purpose of the Sustainable Development Project (SDP) option is to encourage development and redevelopment in the City of Troy to incorporate features designed to minimize adverse impacts on the natural and built environment. The SDP option is established by Section 12.01 of the Zoning Ordinance. SDP status will empower applicants to seek a modification from certain elements of the Zoning Ordinance and receive benefits directly related to the sustainable features proposed for their project.

This SDP application includes a variety of areas within which a project can provide sustainable measures in exchange for regulatory flexibility. Once it has been determined that a project design has included measures which are directly related to and which mitigate for the modification sought by the applicant, Prequalified SDP status can be awarded by the Sustainable Development Review Committee (SDRC). There are 7 groups of potential measures provided which can be applied to a variety of areas within the Zoning Ordinance.

### **2. Zoning Ordinance Sections for which SDP status may be granted**

The SDP process is voluntary, and may be applied to any application requiring site plan review under Section 8.02 of the Zoning Ordinance. This includes conventional projects requiring site plan review or special use approval. SDP projects may receive modifications from the Zoning Ordinance in the following six areas:

- A. Lot Coverage: For projects having SDP status, maximum lot coverage may be reduced in the R1-A through R1-C Districts, RT, MF, UR, CF, IB, OM, and RC Districts (Sections 4.06.D.5, 4.07.D.5, 4.08.D.6, 4.09.D.6, 4.11.D.3, 4.15.D.4, 4.17.D.5, 4.18.D.6,).
- B. IB Front Yard Parking: For projects having SDP status, Front yard parking may be permitted in the IB District (Section 4.15.D.3.a).
- C. One Family Cluster Density Bonus: SDP Status may be used as a qualifying factor for a dwelling unit density bonus in projects utilizing the One-Family Cluster Option (Section 10.04.D.2.a).
- D. One Family Cluster Dimensional Modifications: SDP Status may be used as a qualifying factor for dimensional requirement flexibility in projects utilizing the One-Family Cluster Option (Section 10.04.E.2).
- E. Landscaping Flexibility: All landscaping requirements within Section 13.02, Landscaping, may be modified for projects having SDP status. This includes greenbelt landscaping, screening, parking lot landscaping, and general

landscaping requirements (Section 13.02).

- F. Parking Requirement Deviations: Projects with SDP status are automatically eligible for a parking deviation if the measures proposed and the Prequalified SDP status is granted for measures directly related to the requested change in parking (Section 13.06.F).

### 3. Application Requirements and Administration

**Figure 1: SDP Process Summary**

Steps	
1	Applicant files an application seeking Prequalified SDP status for one of the purposes identified herein.
2	Zoning Administrator reviews the application to ensure that measures intended to satisfy the Prerequisites are proposed for the area of relief being sought, and that at least one qualifying measure is proposed for the area of relief being sought (Table 1)
3	The Sustainable Design Review Committee meets and considers the application within 30 days of the Zoning Administrator's formal determination that the application is complete.
4	The Committee takes action on the request. If the Committee finds that the proposed measures will adequately offset the requested modification, the Committee shall grant the applicant Prequalified SDP status.
5	The project goes through the site plan approval process.
6	The SDP status is ratified by final site plan approval

Projects seeking SDP status shall meet the following criteria and prequalification:

- A. Application: The application for SDP status shall contain the following information:
  1. Applicant's name, address, and telephone number. Professional seals are not required at the SDP application stage.
  2. Common description of the property and complete legal description.
  3. Dimensions of land, including width, length, acreage, and frontage.
  4. Existing zoning and current land use of the property under consideration and zoning and current land use of all adjacent properties.
  5. General location of all existing structures, roadways, and natural features.
  6. The general location of all proposed buildings, roadways, parking areas, and any other changes proposed to be made on the subject property.
  7. A specific list of proposed sustainable design measures being proposed with the following supporting information:
    - a. Any manufacturer information, such as specifications or cut sheets that detail the technology, attributes, and anticipated benefits of the features or equipment.

- b. Identification on the drawings providing information about the location, general design, and application of the sustainable design features being proposed.
  - c. A specific list of the areas within the Ordinance for which benefits are being sought with the SDP application.
  - d. A long-term maintenance plan documenting the proposed method of care for the measures being proposed.
- B. Prerequisites and Qualifying Measures: The application will first be reviewed by the Zoning Administrator to ensure that it specifically lists the benefits for which the application is being filed and demonstrates that the areas of the Ordinance for which an application is seeking or benefits are proportionally related to the SDP measures being proposed. *Every area of the Ordinance for which modification can be sought has at least one category of potential measures from which the applicant MUST select and incorporate sustainable design measures. These required sustainable design measure categories are Prerequisites.*

For instance, if an applicant wishes to provide less open space (exceeding lot coverage) than is required by the Ordinance, the categories of measures identified as Prerequisites include measures that would mitigate the negative consequences of providing insufficient open space. In this example, the applicant would be required to provide measures in each of the following areas of stormwater quantity control, stormwater quality control and reduction of heat island effect.

*Every area of modification also has measure categories identified as Qualifying. Every project must, in addition to the Prerequisites, provide a measure in one Qualifying category. For instance, in the example above, in addition to providing measures in the Prerequisite categories (stormwater quantity control, stormwater quality control and reduction of heat island effect), they would also be required to provide a measure in one of the following Qualifying areas: redevelopment and reuse, brownfield redevelopment, light pollution reduction, or water recycling.*

- C. Sustainable Design Review Committee: Within 30 days of the Zoning Administrator's formal determination that the application is complete, the Committee shall review any application that has been determined to meet the minimum required criteria for application for SDP status and has met the prerequisite standard of proposing measures directly related to the area or areas from which the applicant is seeking modification. The Committee will review the proposal and each proposed measure and requested modification contained in the application. If the Committee finds that the proposed measures will adequately offset the requested modification, the Committee shall grant the application Prequalified SDP status.

- D. Compliance: Throughout the course of site plan or special use approval, the SDP application and findings of the Sustainable Design Review Committee shall be contained in the application. These materials will be reviewed throughout the process by the Zoning Administrator or designee for compliance to Prequalified SDP status. The applicant shall enjoy SDP benefits or modification as outlined in the Prequalified SDP application approved by the Committee. Once a project is complete, the Zoning Administrator shall make a determination that the Committee's findings are confirmed. If a change to the project affects the conditions spelled out in the Prequalified SDP findings, the applicant shall lose the benefits provided by the SDP status or shall reappear before the Committee to request a revised prequalification.
  
- E. Prequalified SDP status shall become permanent when the Zoning Administrator grants final site plan approval, at which time the project is determined to have achieved full SDP status. The measures and modifications approved as part of the full SDP status are, like any element contained within an approved site plan, a required element of that final site plan and must be adhered to.

#### **4. Sustainable Design Measures**

The SDP option provides for seven areas where an applicant can provide sustainable design measures to seek flexibility in the six areas noted in Section 2, above. It is incumbent upon the applicant to devise an application submission demonstrating that the measure is met. The measures may be applied to the area of regulatory flexibility as follows in Table 1.

##### **Table 1: Prerequisite and Qualifying Measures**

*P = Prerequisite. To obtain Prequalified SDP status, a project MUST include measures in the categories identified as a Prerequisite, below. (Example: Lot Coverage flexibility can only be granted if stormwater quality, stormwater quantity, heat island effect, and water efficient landscaping measures are proposed.)*

*Q = Qualifying. This measure will qualify as a supporting measure to achieve SDP status for the area under consideration for modification. These options help mitigate the potentially negative factors resulting from the requested modification. Every project qualifying for SDP status must provide at least one Qualifying measure in addition to the Prerequisites for the area of modification.*

*X = Indicates that this measure will not satisfy the requirements to achieve SDP status.*

	<b>A</b>		<b>B</b>		<b>C</b>		<b>D</b>	<b>E</b>	<b>F</b>			<b>G</b>			
Category	Stormwater		Site Selection		Transportation		Light Pollution	Heat Islands	Water Resources			Renewables			
	Quality	Quantity	Redevelopment and Reuse	Brownfields	Alternative Fuel Vehicle Facilities	Commuter			Water Efficient Landscaping	Water Use Reduction	Water Recycling	Solar	Wind	Geothermal	Other
Lot Coverage	P	P	Q	Q	X	X	Q	P	P	X	Q	X	X	X	X
IB District Front Yard Parking	P	P	Q	Q	Q	Q	P	Q	Q	X	Q	X	X	X	X
One Family Cluster Density Bonus	P	P	X	X	Q	Q	P	Q	Q	Q	Q	Q	Q	Q	Q
One Family Cluster Dimensional Flexibility	P	P	X	X	Q	Q	P	Q	Q	Q	Q	Q	Q	Q	Q
Landscaping Flexibility	P	P	X	X	X	X	X	Q	P	Q	Q	X	X	X	X
Parking Requirement Deviations	Q	Q	Q	Q	P	P	P	Q	X	X	X	X	X	X	X

## A. Stormwater

Urban development has complicated and, in many cases, impeded the natural cycle of our water resources. By introducing impervious surfaces on a large scale the recharging of groundwater, infiltration of stormwater into the landscape, and flow and volume of rivers and streams have been disrupted. Further, contaminants from automobiles, chemicals from industry, eroded soils, and other undesirable substances have become commonplace, and are frequently washed away with stormwater into the natural environment. By improving the way stormwater is managed on-site, development can mitigate these potentially negative consequences. Low Impact Design techniques reduce the quantity of stormwater leaving a site, and also improve the quality of that water.

### *Stormwater Quantity*

To receive Prequalified SDP status for stormwater quantity measures, an applicant may propose to do the following, or additional measures not specifically listed here, provided that the applicant can demonstrate that similar benefits will be realized:

- RAIN GARDENS.
- SWALES.
- MANUFACTURED WETLANDS.
- GREEN ROOF.
- CISTERNS.
- PERMEABLE PAVING.
- PRESERVATION OF NATURAL AREAS BEYOND WHAT IS REQUIRED.

### *Stormwater Quality*

To receive Prequalified SDP status for stormwater quality measures, an applicant may propose to do the following, or additional measures not specifically listed here, provided that the applicant can demonstrate that similar benefits will be realized:

- RAIN GARDENS.
- SWALES.
- MANUFACTURED WETLANDS.
- GREEN ROOF.
- CISTERNS.
- PERMEABLE PAVING.
- PRESERVATION OF NATURAL AREAS BEYOND WHAT IS REQUIRED.

## **B. Site Selection**

Renovation of an existing building or site is often more sustainable than new construction. The renovation of existing facilities reduces landfill waste and reduces the need for new materials. Also, the renovation of existing facilities often eliminates the need for changes to underground utilities, access and circulation, and open space, given that building footprints are often preserved. These advantages mean that redevelopment properties can often be revitalized more quickly, efficiently, and sustainably than new construction.

Brownfield projects are often situated in excellent, high-traffic or well developed areas, although in most brownfield cases, the site is environmentally contaminated. This is a disadvantage to the developer in that there is often costly mitigation that must occur in order to make the site useful. Using SDP, the City can incentivize brownfield redevelopment.

### *Redevelopment and Reuse*

To receive Prequalified SDP status for redevelopment and reuse measures, an applicant may propose to do the following:

- USE A SITE THAT IS PREVIOUSLY DEVELOPED AND VACANT.

### *Brownfield Site*

To receive Prequalified SDP status for brownfield site measures, an applicant may propose to do the following:

- USE A SITE ON WHICH CONTAMINATION EXISTS AT CONCENTRATIONS IN EXCESS OF THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY'S (MDEQ) REMEDIATION CRITERIA OF PART 201, ENVIRONMENTAL REMEDIATION, OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, AS AMENDED. THIS DETERMINATION MUST BE MADE IN WRITING BY THE MDEQ.

## **C. Transportation**

### *Purpose:*

Electric, hybrid, natural gas, fuel cell, or other alternative fuel vehicles help reduce greenhouse gas emission and fuel demands. Supporting these vehicles also encourages innovation and job creation in the automotive industry, thereby supporting job growth in Troy and Southeast Michigan. The infrastructure for alternative fuel vehicles is in its infancy, although a few simple elements can be incorporated into new development and redevelopment to empower adopters of new automotive technology to function in Troy. This approach will also help Troy compete for residents and companies that are attracted to this aggressive approach to promoting new technology.

Beyond alternative fuel vehicles, the community realizes even more benefit from those who choose transit or non-motorized means to get to the homes, jobs, and everyday activities. Successful regional transit will allow a wider range of people to choose Troy as a home or destination. Non-motorized transportation has both an environmental and overall community health benefit. Both options increase the number of pedestrians on the street, supporting the density in certain areas that are called for in the City of Troy Master Plan.

### *Alternative Fuel Vehicle Facilities*

To receive Prequalified SDP status for alternative fuel vehicle measures, an applicant may propose to do the following:

- INSTALL RECHARGING STATIONS FOR NOT LESS THAN 2.5% OF THE PROVIDED PARKING SPACES.
- INSTALL PRIORITY PARKING FOR HYBRID OR ALTERNATIVE FUEL VEHICLES FOR NOT LESS THAN 5% OF THE PROVIDED PARKING SPACES.

### *Commuter Accommodations*

To receive Prequalified SDP status for commuter measures, an applicant may propose to do the following:

- PROVIDE NON-MOTORIZED PATHWAYS AND BICYCLE AMENITIES THROUGHOUT THE PROJECT BEYOND THOSE REQUIRED BY THE ORDINANCE.
- PROVIDE COMMUTER LOCKERS AND SHOWERS AND SECURE, COVERED BICYCLE PARKING FOR NOT LESS THAN 10% OF THE ESTIMATED STAFF OR RESIDENTS AND 5% OF THE ANTICIPATED CUSTOMERS.
- PROVIDE COVERED SHELTER FOR TRANSIT PASSENGERS ON ESTABLISHED TRANSIT ROUTES.

## **D. Light Pollution**

### *Purpose:*

Light pollution takes many forms, and can have many negative consequences. Simple problems, like trespass of excess light from one property to another, can be a nuisance. Substantial light pollution can create glare that makes night visibility for drivers a challenge. Regional light pollution can limit the ability to see the night sky clearly, and inappropriate light levels have been shown to affect sleep behavior. Further, by reducing unnecessary lighting, there is an energy reduction benefit that, on a widespread scale, can significantly reduce energy demand.

### *Light Pollution Reduction Measures*

To receive Prequalified SDP status for light pollution reduction measures, an applicant may propose to do the following:

- REDUCE PROVIDED LIGHTING BY USING AUTOMATIC DEVICES FOR ALL NON EMERGENCY LIGHTING BY AT LEAST 50% BETWEEN 11 PM AND 5 AM AND HAVE FULL CUTOFF SHIELDING ON ALL FIXTURES TO PREVENT LIGHT TRESPASS.

## **E. Heat Islands**

### *Purpose:*

Heat island effect is when atmospheric temperatures, indoors or outdoors, are artificially increased by elements of the built environment. For instance, a large expanse of asphalt absorbs and slowly releases heat throughout a parking area, where an expanse of grass would have remained cooler and avoided such an “island” of increased heat.

Techniques such as a high-reflectivity roof, sun shades, increased landscaping over a large parking area, or the use of a light, highly reflective pavement material can reduce the heat island effect and help maintain more comfortable temperatures that are closer to the natural condition on a site. These techniques reduce energy demands and naturally preserve comfort for the people who visit or reside in such places.

### *Heat Island Effect Reduction*

To receive Prequalified SDP status for heat island effect measures, an applicant may propose to do the following:

- PLACE A MINIMUM OF 50% OF PARKING UNDERGROUND OR UNDER A STRUCTURE HAVING A ROOF SRI (SOLAR REFLECTANCE) OF AT LEAST 29 OR A STRUCTURE HAVING A GREEN ROOF.
- SHADE 50% OR MORE OF THE SITE HARDSCAPE (PARKING, DRIVES, WALKS, COURTS, ETC., NOT INCLUDING BUILDINGS) WITH ANY OF THE FOLLOWING ALONE OR IN COMBINATION:
  - USE AN OPEN GRID PAVEMENT SYSTEM.
  - LANDSCAPING CANOPY (WITHIN 5 YEARS OF PLANTING).
  - SOLAR ENERGY STRUCTURES.
  - USING A STRUCTURE HAVING A ROOF SRI OF AT LEAST 29 OR A STRUCTURE HAVING A GREEN ROOF.
  - USE HARDSCAPE MATERIALS WITH AN SRI OF AT LEAST 29.
- USE ROOFING MATERIALS WITH AN SRI OF AT LEAST 29 (FOR ROOFS WITH A STEEP SLOPE – GREATER THAN 2:12) OR AT LEAST 78 (FOR ROOFS WITH A LOW SLOPE – EQUAL TO OR LESS THAN 2:12) FOR AT LEAST 75% OF THE ROOF SURFACE AREA.
- USE A GREEN ROOF FOR AT LEAST 75% OF THE ROOF SURFACE AREA.
- USE A COMBINATION OF THE MINIMUM SRI ROOF MATERIALS AND GREEN ROOF MATERIALS FOR AT LEAST 75% OF THE ROOF SURFACE AREA.

## **F. Water Resources**

### *Purpose:*

While the State of Michigan is surrounded by the Great Lakes, most communities obtain their water from groundwater sources. Given the effect of urban development on the

natural recharging of groundwater, there is a benefit in many communities to reduce the amount of water used for everyday activities. Even in Troy, the cost of bringing water in through the regional water network is considerable in terms of the long-term demands placed on the network of underground utilities. By reducing the amount of water wasted in everyday use, the community will extend the useful life of its water resources and the water infrastructure.

Using water efficient landscaping, such as drought tolerant native species, reduces the need for water and maintenance costs. Reducing water use inside a building at the point of consumption is easily achieved through water efficient fixtures. Water recycling is often more involved, but has the added benefit of reducing stormwater quantity, in keeping with other measures within the SDP process.

#### *Water Efficient Landscaping*

To receive Prequalified SDP status for water efficient landscaping measures, an applicant may propose to do the following:

- REDUCE WATER CONSUMPTION DEMANDS FOR IRRIGATION BY MORE THAN 50% USING NATIVE SPECIES OVER CONVENTIONAL LANDSCAPING.
- INSTALL IRRIGATION SYSTEMS USING ONLY CAPTURED RAINWATER OR RECYCLED WASTEWATER.

#### *Water Use Reduction*

To receive Prequalified SDP status for water use reduction measures, an applicant may propose to do the following:

- REDUCE WATER CONSUMPTION BY 20% OR MORE OVER CONVENTIONAL DESIGN BY USING WATER EFFICIENT TOILETS (DUAL FLUSH, WATERLESS, LOW FLOW, ETC.), LOW FLOW FAUCETS, LOW FLOW SHOWERS, HIGH-EFFICIENCY WASHING MACHINES OR DISHWASHERS, ETC.

#### *Water Recycling*

To receive Prequalified SDP status for water recycling measures, an applicant may propose to do the following:

- CAPTURE MORE THAN 50% OF THE SITE'S WASTEWATER FOR NON-POTABLE USES.

## **G. Renewables**

### *Purpose:*

Renewable sources of energy, such as wind, solar, or geothermal, represent cleaner, reliable sources of energy that do not place the same kind of long-term demands on the natural environment that are characteristic of fossil fuels. While not always ideally suited to the climate or condition present in every region or even specific property, renewable sources of energy do represent inexhaustible sources of energy. Solar power, for instance, can generate electricity or provide thermal energy to heat water or even to warm the air inside a building. Geothermal energy takes advantage of the reliable consistent temperatures within the soil beneath our feet. Wind power can enhance the electrical supply without any need for fuel. Other forms of renewable energy production may be proposed, subject to approval by the Committee.

Renewable energy represents a large potential growth area in the economy. By incentivizing the installation of renewable capacity, the City of Troy is also supporting job creation in manufacturing, research and development.

### *Solar*

To receive Prequalified SDP status for solar energy measures, an applicant may propose to do the following:

- PROVIDE ON-SITE SOLAR ENERGY COLLECTORS OR SOLAR THERMAL SYSTEMS TO PRODUCE NOT LESS THAN 10% OF THE SITES ANTICIPATED ELECTRICITY USE AND/OR REDUCE THE LOAD FOR WATER HEATING BY NOT LESS THAN 50% FOR SOLAR THERMAL DEVICES.

### *Wind*

To receive Prequalified SDP status for wind energy measures, an applicant may propose to do the following:

- PROVIDE ON-SITE WIND ENERGY CONVERSION SYSTEMS TO PRODUCE NOT LESS THAN 10% OF THE ANTICIPATED ELECTRICITY USEAGE.

### *Geothermal*

To receive Prequalified SDP status for geothermal energy measures, an applicant may propose to do the following:

- PROVIDE ON-SITE GEOTHERMAL SYSTEM REDUCE THE LOAD FOR BUILDING HEATING AND COOLING BY NOT LESS THAN 50%.

## Other

To receive Prequalified SDP status for renewable energy measures not listed here, an applicant may propose to do the following:

- PROVIDE INSTALLED RENEWABLE ENERGY PRODUCTION CAPACITY NOT LESS THAN 10% OF THE ANTICIPATED ELECTRICITY USAGE OR TO REDUCE THE LOAD FOR BUILDING HEATING AND COOLING BY NOT LESS THAN 50%.

## 4. Definitions

- Alternative Fuel Vehicles - Motorized vehicles that use an energy source other than gasoline, or a combination of gasoline and another form of energy.
- Bicycle Amenities - Services provided that make the use of bicycles more use friendly, such as covered storage, bike racks, pathways etc.
- Brownfield - Abandoned, idle, or under-used industrial and commercial properties where expansion or redevelopment is hindered or complicated by real or perceived environmental conditions (SEMCOG 2008).
- Captured Rainwater - Rainwater collected in rain barrels or cisterns for later use.
- Cisterns - Containers that store large quantities of stormwater above or below ground (SEMCOG 2008).
- Contaminants - Pollutants which have negative effects the natural environment, sometimes being washed away by stormwater into the environment.
- Drought Tolerant - Plants that do not normally require artificial irrigation.
- Glare - An effect of light pollution which causes decreased visibility.
- Greenhouse Gas - A gas which is trapped within the atmosphere creating a heating effect on the environment, called the Greenhouse Effect.
- Green Roof - A rooftop system that may include vegetation, waterproofing, insulation, fabrics, growth media, and other synthetic components allowing the roof to slow the rate of stormwater runoff (SEMCOG 2008).
- Groundwater - Natural water bearing subsurface layers of porous stone, sand, gravel, silt or clay via infiltration (SEMCOG 2008).
- Full Cutoff Shielding - A buffer used to block light from an affected area.
- Hardscape - Paved surfaces such as parking lots, driveways, sidewalks, courts etc. not including buildings.
- Heat Island Effect - When atmospheric temperatures, indoors or outdoors, are artificially increased by elements of the built environment.
- High-Reflectivity Roof - A type of roofing used to decrease the effects of the urban heat island, by reflecting heat that would otherwise be absorbed.
- Impervious Surfaces - A surface that prevents the infiltration of water into the ground such as roofs, streets, sidewalks, driveways, parking lots, and highly compacted soils (SEMCOG 2008).
- Light Pollution - Pollution caused by light, in the form of excess light or the causation for a nuisance.
- Low Impact Design - Site design and stormwater management techniques that

infiltrate, filter, store, evaporate, and detain runoff close to its source, and that result in maintaining a site's pre-settlement hydrology (Troy Zoning Ordinance, 2011).

- Manufactured Wetlands - A man-made wetland used to create more efficient systems of water run-off and retention.
- Native Species - Plants that historically co-evolved with the local ecology, geology and climate (SEMCOG 2008).
- Permeable Paving – Paving that allows liquids to pass through (SEMCOG 2008).
- Prerequisites - The sustainable design measures that must be met before an application can be approved.
- Qualifying Measures - Measures that need to be met in addition to the prerequisites in order for a sustainable design project to be considered.
- Rain Gardens - Landscaping that provides on-site detention, filtering of rainwater, groundwater recharge, and helps reduce runoff volume (Troy Master Plan, 2008).
- Recharging Stations - Stations that can be used to recharge alternative fuel vehicles requiring electricity.
- Renewable Energy Installations – Equipment or structures that are designed to capture energy generated from natural resources such as sunlight, wind, rain, tides, and geothermal heat, which are renewable (naturally replenished).
- SRI (Solar Reflectance Index) - The amount of solar energy reflected off of a surface measured by the Solar Reflectance Index [http://eetd.lbl.gov/coolroof/ref\\_01.htm](http://eetd.lbl.gov/coolroof/ref_01.htm).
- Stormwater - Water consisting of precipitation runoff or snowmelt (SEMCOG 2008)
- Stormwater Quantity - The amount of stormwater runoff.
- Stormwater Quality - The condition of the stormwater, including the amount of contaminants.
- Swales - A shallow stormwater channel that can be vegetated with some combination of grasses, shrubs, and/or trees designed to slow, filter, and often infiltrate stormwater runoff (SEMCOG 2008).
- Water Efficient Landscaping - Landscaping which effectively processes water in the most efficient manner possible, reducing negative effects of poor stormwater management.
- Water Recycling – The reuse of water from common domestic applications.
- Watershed - The geographic area that drains to a specific watercourse outlet. The watershed for a major river may encompass a number of smaller sub-watersheds that ultimately contribute to their common outlet (SEMCOG 2008).



## CITY COUNCIL AGENDA ITEM

Date: September 20, 2011

To: John Szerlag, City Manager

From: Aileen Bittner, City Clerk

Subject: Request for Recognition as a Nonprofit Organization Status from Robert Ginther – South Oakland Chapter of Warthogs Motorcycle Club

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### Background

Attached is a request from Robert Ginther of the South Oakland Chapter of Warthogs Motorcycle Club seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license for fundraising purposes.

### Recommendation

It has been City Management's practice to support the approval of such requests.

### Fund Availability

There are no financial considerations associated with this item.

### City Attorney's Review as to Form and Legality

There are no legal considerations associated with this item.

Suggested Resolution

Resolution #2011-09-

RESOLVED, That Troy City Council hereby **APPROVES** the request from South Oakland Chapter of Warthogs Motorcycle Club, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

Yes:

No:



**South Oakland Warthogs**  
**6869 Houghten - Troy - MI - 48098**  
**[www.southoaklandwarthogs.com](http://www.southoaklandwarthogs.com)**

September 19, 2011

Honorable Louise Schilling and Members of Council  
City of Troy  
500 West Big Beaver Road  
Troy, MI 48084

Dear Mayor Schilling and Members of Council:

This correspondence is to request, through a resolution of council, that the South Oakland Warthogs be recognized as a not for profit organization operating within the City of Troy.

The South Oakland Warthogs is a charter chapter of the Warthogs Motorcycle Club which serves the purpose of creating a bond between Law Enforcement Officers, Officers of the Court and Firefighters as well as their families; and to assist them, their families, orphans and widows in their time of need. We are recognized as a non-profit corporation by the State of Michigan and have been determined to be Tax Exempt under section 501(c)3 of the Internal Revenue Code.

It is the intent of the organization to raise and disburse funds that are tax deductible to qualifying recipients through allowable fundraising approved by the Charitable Gaming Division of the State of Michigan Lottery Commission. This will be accomplished at the Big Beaver Tavern in cooperation with Bozin Productions, an existing and approved charitable fundraising vendor.

Please feel free to contact me via phone, 248-721-0758; or email, [rginther@beverlyhillspolice.com](mailto:rginther@beverlyhillspolice.com), with any questions that you may have. Thank you for your consideration in this matter.

Kindest Regards,

Robert Ginther, President  
South Oakland Chapter  
Warthogs Motorcycle Club



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
 (Required by MCL.432.103(9))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from \_\_\_\_\_ of \_\_\_\_\_,  
NAME OF ORGANIZATION CITY

county of \_\_\_\_\_, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_.  
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_.  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.  
 BSL-CG-1153(R10/06)

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAR 03 2011**

SOUTH OAKLAND WARTHOGS INC  
6869 HOUGHTEN  
TROY, MI 48098

Employer Identification Number:  
01-0871432  
DLN:  
300286111  
Contact Person:  
BENJAMIN L DAVIS ID# 31465  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
509(a) (2)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
August 29, 2006  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

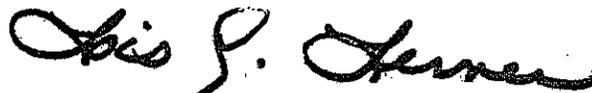
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner  
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

## Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code

*Note: If exempt status is approved, this application will be open for public inspection.*

Read the instructions for each Part carefully.

**A User Fee must be attached to this application.**

If the required information and appropriate documents are not submitted along with Form 8718 (with payment of the appropriate user fee), the application may be returned to you.

**Complete the Procedural Checklist on page 8 of the instructions.**

**Part I Identification of Applicant**

<p><b>1a</b> Full name of organization (as shown in organizing document)</p> <p style="text-align: center;"><b>South Oakland Warthogs, Inc.</b></p>	<p><b>2</b> Employer identification number (EIN)          (If none, see page 3 of the <b>Specific Instructions</b>.)</p> <p style="text-align: center;"><b>01 ; 0871432</b></p>
<p><b>1b</b> c/o Name (if applicable)</p> <p style="text-align: center;"><b>Robert Ginther</b></p>	<p><b>3</b> Name and telephone number of person to be contacted if additional information is needed</p> <p style="text-align: center;"><b>( 248 ) 721-0758</b></p>
<p><b>1c</b> Address (number and street) <span style="float: right;">Room/Suite</span></p> <p style="text-align: center;"><b>6869 Houghten</b></p>	
<p><b>1d</b> City, town, or post office, state, and ZIP + 4. If you have a foreign address, see <b>Specific Instructions</b> for Part I, page 3.</p> <p style="text-align: center;"><b>Troy, MI 48098</b></p>	<p><b>4</b> Month the annual accounting period ends</p> <p style="text-align: center;"><b>December</b></p>
<p><b>1e</b> Web site address</p> <p style="text-align: center;"><b>www.southoaklandwarthogs.com</b></p>	<p><b>5</b> Date incorporated or formed</p> <p style="text-align: center;"><b>July 8, 2006</b></p>
<p><b>6</b> Check here if applying under section:          a <input type="checkbox"/> 501(e) b <input type="checkbox"/> 501(f) c <input type="checkbox"/> 501(k) d <input type="checkbox"/> 501(n)</p>	
<p><b>7</b> Did the organization previously apply for recognition of exemption under this Code section or under any other section of the Code? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>          If "Yes," attach an explanation.</p>	
<p><b>8</b> Is the organization required to file Form 990 (or Form 990-EZ)? <span style="float: right;"><input type="checkbox"/> N/A <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>          If "No," attach an explanation (see page 3 of the <b>Specific Instructions</b>).</p>	
<p><b>9</b> Has the organization filed Federal income tax returns or exempt organization information returns? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>          If "Yes," state the form numbers, years filed, and Internal Revenue office where filed.</p>	

**10** Check the box for the type of organization. ATTACH A CONFORMED COPY OF THE CORRESPONDING ORGANIZING DOCUMENTS TO THE APPLICATION BEFORE MAILING. (See **Specific Instructions** for Part I, Line 10, on page 3.) See also Pub. 557 for examples of organizational documents.)

- a  Corporation—Attach a copy of the Articles of Incorporation (including amendments and restatements) showing approval by the appropriate state official; also include a copy of the bylaws.
- b  Trust— Attach a copy of the Trust Indenture or Agreement, including all appropriate signatures and dates.
- c  Association— Attach a copy of the Articles of Association, Constitution, or other creating document, with a declaration (see instructions) or other evidence the organization was formed by adoption of the document by more than one person; also include a copy of the bylaws.

If the organization is a corporation or an unincorporated association that has not yet adopted bylaws, check here

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

**Please Sign Here**

\_\_\_\_\_  
 (Signature)

**Robert Ginther, President**

(Type or print name and title or authority of signer)

FILE

(Date)

**Part II** Activities and Operational Information

- 1 Provide a detailed narrative description of all the activities of the organization—past, present, and planned. **Do not merely refer to or repeat the language in the organizational document.** List each activity separately in the order of importance based on the relative time and other resources devoted to the activity. Indicate the percentage of time for each activity. Each description should include, as a minimum, the following: **(a)** a detailed description of the activity including its purpose and how each activity furthers your exempt purpose; **(b)** when the activity was or will be initiated; and **(c)** where and by whom the activity will be conducted.

- 2 What are or will be the organization's sources of financial support? List in order of size.

**Dues**

**Contributions**

- 3 Describe the organization's fundraising program, both actual and planned, and explain to what extent it has been put into effect. Include details of fundraising activities such as selective mailings, formation of fundraising committees, use of volunteers or professional fundraisers, etc. Attach representative copies of solicitations for financial support.  
**The South Oakland Warthogs, Inc. supports it's efforts creating a bond between Law Enforcement Officers, Officers of the Court and Firefighters as well as their families and to assist them, their families, orphans and widows in their time of need by self imposed dues and contributions of it's membership. If approved for 501(c)3 status, we also intend to file for a raffle license with the State of Michigan Lottery Commission in order to hold raffles to augment our fundraising.**

**Part II** Activities and Operational Information (Continued)

4 Give the following information about the organization's governing body:

a Names, addresses, and titles of officers, directors, trustees, etc.	b Annual compensation
<b>Robert Ginther, President</b> 6869 Houghten, Troy, MI 48098	\$0.00
<b>Mitchell Namie, Vice-President</b> 627 Girard, Madison Heights, MI 48071	\$0.00
<b>Neil Gensler, Secretary</b> 21325 Avon Lane, Southfield, MI 48075	\$0.00
<b>Ronald Livingston, Treasurer</b> 1528 Robindale, Dearborn, MI 48128	\$0.00

c Do any of the above persons serve as members of the governing body by reason of being public officials or being appointed by public officials?  Yes  No  
 If "Yes," name those persons and explain the basis of their selection or appointment.

d Are any members of the organization's governing body "disqualified persons" with respect to the organization (other than by reason of being a member of the governing body) or do any of the members have either a business or family relationship with "disqualified persons"? (See **Specific Instructions** for Part II, Line 4d, on page 3.)  Yes  No  
 If "Yes," explain.

5 Does the organization control or is it controlled by any other organization?  Yes  No  
 Is the organization the outgrowth of (or successor to) another organization, or does it have a special relationship with another organization by reason of interlocking directorates or other factors?  Yes  No  
 If either of these questions is answered "Yes," explain.

6 Does or will the organization directly or indirectly engage in any of the following transactions with any political organization or other exempt organization (other than a 501(c)(3) organization): (a) grants; (b) purchases or sales of assets; (c) rental of facilities or equipment; (d) loans or loan guarantees; (e) reimbursement arrangements; (f) performance of services, membership, or fundraising solicitations; or (g) sharing of facilities, equipment, mailing lists or other assets, or paid employees?  Yes  No  
 If "Yes," explain fully and identify the other organizations involved.

7 Is the organization financially accountable to any other organization?  Yes  No  
 If "Yes," explain and identify the other organization. Include details concerning accountability or attach copies of reports if any have been submitted.

**Part II** Activities and Operational Information (Continued)

8 What assets does the organization have that are used in the performance of its exempt function? (Do not include property producing investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed, and when such final steps will be taken. If none, indicate "N/A."

N/A

9 Will the organization be the beneficiary of tax-exempt bond financing within the next 2 years? . . . .  Yes  No

10a Will any of the organization's facilities or operations be managed by another organization or individual under a contractual agreement? . . . . .  Yes  No

b Is the organization a party to any leases? . . . . .  Yes  No

If either of these questions is answered "Yes," attach a copy of the contracts and explain the relationship between the applicant and the other parties.

11 Is the organization a membership organization? . . . . .  Yes  No

If "Yes," complete the following:

a Describe the organization's membership requirements and attach a schedule of membership fees and dues.

See Application for Recognition of Exemption - ATTACHMENTS

b Describe the organization's present and proposed efforts to attract members and attach a copy of any descriptive literature or promotional material used for this purpose.

c What benefits do (or will) the members receive in exchange for their payment of dues?

None

12a If the organization provides benefits, services, or products, are the recipients required, or will they be required, to pay for them? . . . . .  N/A  Yes  No

If "Yes," explain how the charges are determined and attach a copy of the current fee schedule.

b Does or will the organization limit its benefits, services, or products to specific individuals or classes of individuals? . . . . .  N/A  Yes  No

If "Yes," explain how the recipients or beneficiaries are or will be selected.

13 Does or will the organization attempt to influence legislation? . . . . .  Yes  No

If "Yes," explain. Also, give an estimate of the percentage of the organization's time and funds that it devotes or plans to devote to this activity.

14 Does or will the organization intervene in any way in political campaigns, including the publication or distribution of statements? . . . . .  Yes  No

If "Yes," explain fully.

**Part III** Technical Requirements

1 Are you filing Form 1023 within 15 months from the end of the month in which your organization was created or formed? . . . . .  Yes  No  
If you answer "Yes," do not answer questions on lines 2 through 6 below.

2 If one of the exceptions to the 15-month filing requirement shown below applies, check the appropriate box and proceed to question 7.

**Exceptions**—You are not required to file an exemption application within 15 months if the organization:

- a Is a church, interchurch organization of local units of a church, a convention or association of churches, or an integrated auxiliary of a church. See **Specific Instructions**, Line 2a, on page 4;
- b Is not a private foundation and normally has gross receipts of not more than \$5,000 in each tax year; or
- c Is a subordinate organization covered by a group exemption letter, but only if the parent or supervisory organization timely submitted a notice covering the subordinate.

3 If the organization does not meet any of the exceptions on line 2 above, are you filing Form 1023 within 27 months from the end of the month in which the organization was created or formed?. . . . .  Yes  No

If "Yes," your organization qualifies under Regulation section 301.9100-2, for an automatic 12-month extension of the 15-month filing requirement. Do not answer questions 4 through 6.

If "No," answer question 4.

4 If you answer "No" to question 3, does the organization wish to request an extension of time to apply under the "reasonable action and good faith" and the "no prejudice to the interest of the government" requirements of Regulations section 301.9100-3? . . . . .  Yes  No

If "Yes," give the reasons for not filing this application within the 27-month period described in question 3. See **Specific Instructions**, Part III, Line 4, before completing this item. Do not answer questions 5 and 6.

If "No," answer questions 5 and 6.

5 If you answer "No" to question 4, your organization's qualification as a section 501(c)(3) organization can be recognized only from the date this application is filed. Therefore, do you want us to consider the application as a request for recognition of exemption as a section 501(c)(3) organization from the date the application is received and not retroactively to the date the organization was created or formed? . . .  Yes  No

6 If you answer "Yes" to question 5 above and wish to request recognition of section 501(c)(4) status for the period beginning with the date the organization was formed and ending with the date the Form 1023 application was received (the effective date of the organization's section 501(c)(3) status), check here  and attach a completed page 1 of Form 1024 to this application.

**Part III** Technical Requirements (Continued)

7 Is the organization a private foundation?

- Yes** (Answer question 8.)  
 **No** (Answer question 9 and proceed as instructed.)

8 If you answer "Yes" to question 7, does the organization claim to be a private operating foundation?

- Yes** (Complete Schedule E.)  
 **No**

After answering question 8 on this line, go to line 14 on page 7.

9 If you answer "No" to question 7, indicate the public charity classification the organization is requesting by checking the box below that most appropriately applies:

**THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUALIFIES:**

- |   |   |  |
|---|---|--|
| a | <input type="checkbox"/> As a church or a convention or association of churches<br>(CHURCHES MUST COMPLETE SCHEDULE A.)   | Sections 509(a)(1)<br>and 170(b)(1)(A)(i)                          |
| b | <input type="checkbox"/> As a school (MUST COMPLETE SCHEDULE B.)  | Sections 509(a)(1)<br>and 170(b)(1)(A)(ii)                         |
| c | <input type="checkbox"/> As a hospital or a cooperative hospital service organization, or a<br>medical research organization operated in conjunction with a<br>hospital (These organizations, except for hospital service<br>organizations, MUST COMPLETE SCHEDULE C.)                                      | Sections 509(a)(1)<br>and 170(b)(1)(A)(iii)                        |
| d | <input type="checkbox"/> As a governmental unit described in section 170(c)(1).   | Sections 509(a)(1)<br>and 170(b)(1)(A)(v)                          |
| e | <input type="checkbox"/> As being operated solely for the benefit of, or in connection with,<br>one or more of the organizations described in <b>a</b> through <b>d</b> , <b>g</b> , <b>h</b> , or <b>i</b><br>(MUST COMPLETE SCHEDULE D.)  | Section 509(a)(3)  |
| f | <input type="checkbox"/> As being organized and operated exclusively for testing for public<br>safety.  | Section 509(a)(4)  |
| g | <input type="checkbox"/> As being operated for the benefit of a college or university that is<br>owned or operated by a governmental unit.  | Sections 509(a)(1)<br>and 170(b)(1)(A)(iv)                         |
| h | <input type="checkbox"/> As receiving a substantial part of its support in the form of<br>contributions from publicly supported organizations, from a<br>governmental unit, or from the general public.   | Sections 509(a)(1)<br>and 170(b)(1)(A)(vi)                         |
| i | <input type="checkbox"/> As normally receiving not more than one-third of its support from<br>gross investment income and more than one-third of its support from<br>contributions, membership fees, and gross receipts from activities<br>related to its exempt functions (subject to certain exceptions). | Section 509(a)(2)  |
| j | <input type="checkbox"/> The organization is a publicly supported organization but is not sure<br>whether it meets the public support test of <b>h</b> or <b>i</b> . The organization<br>would like the IRS to decide the proper classification.  | Sections 509(a)(1)<br>and 170(b)(1)(A)(vi)<br>or Section 509(a)(2) |

**If you checked one of the boxes a through f in question 9, go to question 14. If you checked box g in question 9, go to questions 11 and 12. If you checked box h, i, or j, in question 9, go to question 10.**

**Part III** Technical Requirements (Continued)

- 10** If you checked box **h, i, or j** in question 9, has the organization completed a tax year of at least 8 months?  
 **Yes**—Indicate whether you are requesting:  
 A definitive ruling. (Answer questions 11 through 14.)  
 An advance ruling. (Answer questions 11 and 14 and attach two Forms 872-C completed and signed.)  
 **No**—You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the Form 1023.
- 11** If the organization received any unusual grants during any of the tax years shown in Part IV-A, **Statement of Revenue and Expenses**, attach a list for each year showing the name of the contributor; the date and the amount of the grant; and a brief description of the nature of the grant.

- 12** If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here  and:  
**a** Enter 2% of line 8, column (e), Total, of Part IV-A . . . . .  
**b** Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount entered on line **12a** above.

- 13** If you are requesting a definitive ruling under section 509(a)(2), check here  and:  
**a** For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person," see **Specific Instructions**, Part II, Line 4d, on page 3.)  
**b** For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any governmental agency or bureau.

<b>14</b> Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. <b>Do not submit blank schedules.</b> )	Yes	No	If "Yes," complete Schedule:
Is the organization a church? . . . . .		✓	A
Is the organization, or any part of it, a school? . . . . .		✓	B
Is the organization, or any part of it, a hospital or medical research organization? . . . . .		✓	C
Is the organization a section 509(a)(3) supporting organization? . . . . .		✓	D
Is the organization a private operating foundation?. . . . .		✓	E
Is the organization, or any part of it, a home for the aged or handicapped? . . . . .		✓	F
Is the organization, or any part of it, a child care organization?. . . . .		✓	G
Does the organization provide or administer any scholarship benefits, student aid, etc.? . . . .		✓	H
Has the organization taken over, or will it take over, the facilities of a "for profit" institution? . . . .		✓	I

FILED

AUG 29 2006

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES	
Date Received	(FOR BUREAU USE ONLY)
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name <b>Robert Ginther</b>	
Address <b>27253 Woodward Avenue, Suite 200</b>	
City <b>Berkley</b>	State <b>MI</b>
Zip Code <b>48072</b>	
EFFECTIVE DATE:	

Tran Info: 12077303-1 08/23/06  
 Chk#: 1002 Amt: \$20.00  
 ID: SOUTH OAKLAND WARTHOGS

Administrator  
 Bureau of Commercial Service

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

799780

**ARTICLES OF INCORPORATION**  
**For use by Domestic Nonprofit Corporations**  
 (Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

**ARTICLE I**

The name of the corporation is: **South Oakland Warthogs, Inc.**

**ARTICLE II**

The purpose or purposes for which the corporation is organized are:  
 To create a bond between Law Enforcement Officers, Officers of the Court and Firefighters as well as their families and to assist them, their families, orphans and widows in their time of need.

**ARTICLE III**

1. The corporation is organized upon a Non-Stock basis.  
 (Stock or Nonstock)

2. If organized on a stock basis, the total number of shares which the corporation has authority to issue is \_\_\_\_\_ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

10

**ARTICLE III (cont.)**

3. a. If organized on a nonstock basis, the description and value of its real property assets are: (if none, insert "none")

None

b. The description and value of its personal property assets are: (if none, insert "none")

None

c. The corporation is to be financed under the following general plan:

Fundraisers, Dues & Contributions

d. The corporation is organized on a Membership basis.  
(Membership or Directorship)

**ARTICLE IV**

1. The address of the registered office is:

27253 Woodward Avenue, Suite 200 Berkley, Michigan 48072  
(StreetAddress) (City) (ZIP Code)

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

\_\_\_\_\_, Michigan \_\_\_\_\_  
(Street Address or P.O. Box) (City) (ZIP Code)

3. The name of the resident agent at the registered office is:

Robert Ginther

**ARTICLE V**

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name

Residence or Business Address

Robert Ginther

6869 Houghten, Troy, MI 48098

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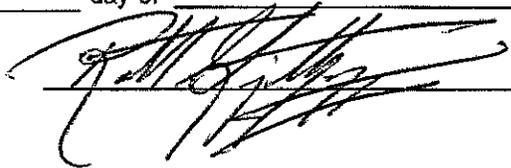
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Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this 8 day of July, 2006.

Robert Ginther, President

A handwritten signature in black ink, appearing to read "Robert Ginther", is written over a horizontal line. The signature is stylized and cursive.

Name of person or organization  
remitting fees:

South Oakland Warthogs, Inc.

Preparer's name and business  
telephone number:

Robert Ginther

248-721-0758

### INFORMATION AND INSTRUCTIONS

1. This form may be used to draft your Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
2. Submit one original of this document. Upon filing, the document will be added to the records of the Bureau of Commercial Services. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.  
  
Since this document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This document is to be used pursuant to the provisions of Act 162, P.A. of 1982, by one or more persons for the purpose of forming a domestic nonprofit corporation.
4. Article II - The purpose for which the corporation is organized must be included. It is not sufficient to state that the corporation may engage in any activity within the purposes for which corporations may be organized under the Act.
5. Article III - The corporation must be organized on a stock or nonstock basis. Complete Article III(2) or III(3) as appropriate, but not both. Real property assets are items such as land and buildings. Personal property assets are items such as cash, equipment, fixtures, etc. The dollar value and description must be included. If there is no real and/or personal property, write in "none".
6. A domestic nonprofit corporation may be formed on either a membership or directorship basis. A membership corporation entitles the members to vote in determining corporate action. If organized on a directorship basis the corporation may have members but they may not vote and corporate action is determined by the Board of Directors.
7. Article IV - A post office box may not be designated as the address of the registered office.
8. Article V - The Act requires one or more incorporators. Educational corporations are required to have at least three (3) incorporators. The address(es) should include a street number and name (or other designation), city and state.
9. This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
10. The Articles must be signed in ink by each incorporator listed in Article V. However, if there are 3 or more incorporators, they may, by resolution adopted at the organizational meeting by a written instrument, designate one of them to sign the Articles of Incorporation on behalf of all of them. In such event, these Articles of Incorporation must be accompanied by a copy of the resolution duly certified by the acting secretary at the organizational meeting and a statement must be placed in the articles incorporating that resolution into them.
11. FEES: Make remittance payable to the State of Michigan. Include corporation name on check or money order.

FILING AND FRANCHISE FEE ..... \$20.00

**To submit by mail:**

Michigan Department of Labor & Economic Growth  
Bureau of Commercial Services  
Corporation Division  
7150 Harris Drive  
P.O. Box 30054  
Lansing, MI 48909

**To submit in person:**

2501 Woodlake Circle Drive  
Okemos, MI  
Telephone: (517) 241-6470

Fees may be paid by VISA or Mastercard when delivered in person to our office.

**MICH-ELF (Michigan Electronic Filing System):**

First Time Users: Call (517) 241-6420, or visit our website at <http://www.cis.state.mi.us/bcs/corp/>  
Customer with MICH-ELF Filer Account: Send document to (517) 241-9845

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

8100 J.C.P.

**MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
BUREAU OF COMMERCIAL SERVICES**

Date Received  
**FEB 10 2011**

ADJUSTED PURSUANT TO  
REGISTRATION

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

**FILED**

FEB 10 2011

Administrator  
BUREAU OF COMMERCIAL SERVICES

EFFECTIVE DATE:

Name Robert Ginther		
Address 6869 Houghten		
City Troy	State MI	ZIP Code 48098

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

**CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION**

For use by Domestic Profit and Nonprofit Corporations  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is:

South Oakland Warthogs, Inc.

2. The identification number assigned by the Bureau is:

799780

3. Article VI of the Articles of Incorporation is hereby amended to read as follows:

The South Oakland Warthogs, Inc. is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**COMPLETE ONLY ONE OF THE FOLLOWING:**

**4. Profit or Nonprofit Corporations: For amendments adopted by unanimous consent of incorporators before the first meeting of the board of directors or trustees.**

The foregoing amendment to the Articles of Incorporation was duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in accordance with the provisions of the Act by the unanimous consent of the incorporator(s) before the first meeting of the Board of Directors or Trustees.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Type or Print Name)

**5. Profit Corporation Only: Shareholder or Board Approval**

The foregoing amendment to the Articles of Incorporation proposed by the board was was duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the: (check one of the following)

- shareholders at a meeting in accordance with Section 611(3) of the Act.
- written consent of the shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) of the Act. Written notice to shareholders who have not consented in writing has been given. (Note: Written consent by less than all of the shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the shareholders entitled to vote in accordance with Section 407(2) of the Act.
- board of a profit corporation pursuant to section 611(2) of the Act.

**Profit Corporations and Professional Service Corporations**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_  
(Signature of an authorized officer or agent)

\_\_\_\_\_  
(Type or Print Name)

**6. Nonprofit corporation only: Member, shareholder, or board approval**

The foregoing amendment to the Articles of Incorporation was duly adopted on the 26th day of January, 2011 by the (check one of the following)

**Member or shareholder approval for nonprofit corporations organized on a membership or share basis**

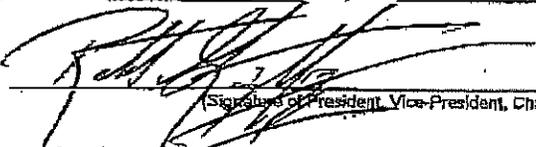
- members or shareholders at a meeting in accordance with Section 611(2) of the Act.
- written consent of the members or shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to members or shareholders who have consented in writing has been given. (Note: Written consent by less than all of the members or shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the members or shareholders entitled to vote in accordance with section 407(3) of the Act.

**Directors (Only if the Articles state that the corporation is organized on a directorship basis)**

- directors at a meeting in accordance with Section 611(2) of the Act.
- written consent of all directors pursuant to Section 525 of the Act.

**Nonprofit Corporations**

Signed this 10th day of February, 2011

By   
(Signature of President, Vice-President, Chairperson or Vice-Chairperson)

Robert Glinther  
(Type or Print Name)

President  
(Type or Print Title)

BCS/CD-515 (Rev. 08/10)

MICHIGAN DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES		
Date Received		
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name Robert Ginther		
Address 6869 Houghten		
City Troy	State MI	ZIP Code 48098
		EFFECTIVE DATE:

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

### CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

For use by Domestic Profit and Nonprofit Corporations  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is: South Oakland Warthogs, Inc.
2. The identification number assigned by the Bureau is: <div style="border: 1px solid black; padding: 5px; display: inline-block;">799780</div>

3. Article VII of the Articles of Incorporation is hereby amended to read as follows:

Upon the dissolution of the South Oakland Warthogs, Inc., assets shall be distributed for one or more exempt purposes within the meaning of section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed off shall be disposed of by the Court of Competent Jurisdiction of the county in which the principal office of the organization is located, exclusively for such purposes or to such organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

**6. Nonprofit corporation only: Member, shareholder, or board approval**

The foregoing amendment to the Articles of Incorporation was duly adopted on the 23rd day of February, 2011 by the (check one of the following)

**Member or shareholder approval for nonprofit corporations organized on a membership or share basis**

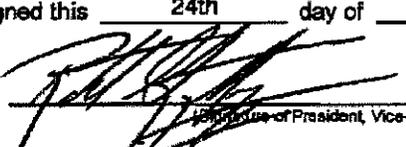
- members or shareholders at a meeting in accordance with Section 611(2) of the Act.
- written consent of the members or shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to members or shareholders who have consented in writing has been given. (Note: Written consent by less than all of the members or shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the members or shareholders entitled to vote in accordance with section 407(3) of the Act.

**Directors (Only if the Articles state that the corporation is organized on a directorship basis)**

- directors at a meeting in accordance with Section 611(2) of the Act.
- written consent of all directors pursuant to Section 525 of the Act.

Nonprofit Corporations

Signed this 24th day of February, 2011

By   
(Type or Print Name of President, Vice-President, Chairperson or Vice-Chairperson)

Robert Ginther President  
(Type or Print Name) (Type or Print Title)

***Michigan Department of Energy, Labor & Economic Growth***

***Filing Endorsement***

***This is to Certify that the CERTIFICATE OF AMENDMENT - CORPORATION***

***for***

***SOUTH OAKLAND WARTHOGS, INC.***

***ID NUMBER: 799780***

***received by facsimile transmission on February 24, 2011 is hereby endorsed***

***Filed on February 24, 2011 by the Administrator.***

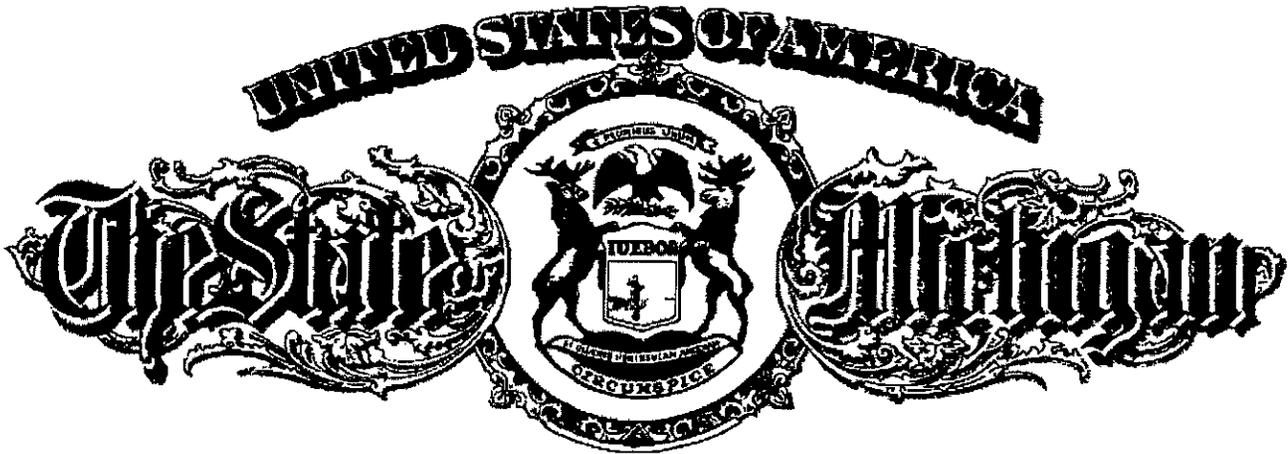
***The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.***



***In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 24TH day of February, 2011.***

***Director***

***Bureau of Commercial Services***



Lansing, Michigan

*This is to Certify That*

**SOUTH OAKLAND WARTHOGS, INC.**

*was validly incorporated on August 29, 2006, as a Michigan nonprofit corporation, and said corporation is validly in existence under the laws of this state.*

*This certificate is issued pursuant to the provisions of 1982 PA 162, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to conduct affairs in Michigan and for no other purpose.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.*



Sent by Facsimile Transmission  
799780

*In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 24th day of February, 2011.*

*[Signature]* Director

Bureau of Commercial Services



South Oakland Warthogs, Inc.  
(South Oakland Chapter of the Warthogs Motorcycle Club)

## BY-LAWS

ADOPTED  
March 2, 2010

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**Article 1**  
**Name**

- I. The name of this organization shall be "South Oakland Warthogs, Inc."
- II. South Oakland Warthogs, Inc, South Oakland Warthogs Motorcycle Club, South Oakland Warthogs M/C, South Oakland Warthogs, South Oakland WMC, SOWMC and WMC South Oakland will be synonymous.

**Article 2**  
**Purpose**

- I. The South Oakland Warthogs is formed as a public safety motorcycle club for charitable and other non-profit purposes, including the development and furthering of a fraternal bond between law enforcement officers, firefighters, court and correctional officers, and other justice system professionals, and to assist others, especially officers and firefighters and their families in time of need.
- II. The South Oakland Warthogs shall be a non-profit, tax-exempt corporation. Neither the General Membership of the club nor the Executive Board shall take any action, nor willingly fail to take any action that will intentionally violate the non-profit, tax-exempt status of the South Oakland Warthogs.

**Article 3**  
**Charter Chapter Recognition**

- I. The South Oakland Warthogs is a charter chapter that has been duly approved by the International Board of Presidents and inducted into the Warthogs Motorcycle Club.

**Article 4**  
**Chapter Membership**

- I. Membership in the South Oakland Warthogs is open to anyone who meets the eligibility requirements as mandated by Article 7 of the Warthogs Motorcycle Club Constitution and defined by the Warthogs Motorcycle Club International Board of Presidents.

**Article 5**  
**Chapter Meetings**

- I. The South Oakland Warthogs shall hold regular General Membership meetings on the First Tuesday of each month at a place and time determined by the President.
- II. A quorum of fifty one percent of the General Membership, one of whom must be the President or Vice-President, shall be necessary for the transaction of business. In the event that business is not transacted by the General Membership due only to a lack of quorum, the meeting requirements in Section D, Sub-Section I shall be considered satisfied.
- III. In order to maintain continued membership in the South Oakland Warthogs, each member shall attend a minimum of two (2) General Membership meetings and two (2) scheduled chapter runs/events, or any combination of both that equals four (4) annually.
- IV. The South Oakland Warthogs may hold additional General Membership meetings, Executive Board meetings and emergency meetings of the General Membership on an as needed basis. These additional meetings shall not be incorporated for the purpose of maintaining membership as referenced in Section D, Sub-Section III.

**Article 6**  
**Chapter Dues, Fees and Assessments**

- I. All members and Prospective Members shall pay annual dues and other assessments the Executive Board and General Membership of the South Oakland Warthogs deems necessary for the good of the organization.
  - a. \$100.00 – General Membership Dues – This shall be paid semi-annually in the amount of \$50.00 at the January and July General Membership meeting.
  - b. \$200.00 – Prospective Member Initiation Fee – This shall be paid at the time a Prospective Member is sponsored and will be used for all rockers, patches and administrative fees necessary to process the Prospective Member. The General Membership Dues will also have to be paid in addition to the Prospective Member Initiation Fee upon the next semi annual due date if the Prospective Member joins in months other than January or July.
- II. All dues, fees and assessments shall be paid in a timely manner, and in no event later than 30 days after the date due, except otherwise specifically provided for in the Warthogs Motorcycle Club Constitution and South Oakland Warthogs By-Laws.
- III. The President, Executive Board or the General Membership may establish fees and assessments, outside of regular Membership Dues, to promote the good order of the organization as a whole.
- IV. All dues, fees and assessments are non-refundable

**Article 7**  
**Prospective Members**

- I. A Prospective Member shall meet the requirements set forth in Article 4, Section I of the South Oakland Warthogs By-Laws.
- II. A Prospective Member's term of probation shall be six (6) month's.
- III. During a Prospective Member's probation they must attend seventy five percent (75%) of the General Membership meetings and chapter events. Failure to comply with this requirement may result in the Prospective Member's probation being extended or not granted full membership.
- IV. A Prospective Member may have their length of probation reduced to a period determined by the General Membership of the South Oakland Warthogs on a case by case basis.
- V. At the end of the Prospective Member's probation period, a vote shall take place by the General Membership at a regular monthly meeting to grant full membership status to the individual. If the Prospective Member does not receive an affirmative vote of one hundred percent (100%) of the members present at the General Membership Meeting that their full member status is being voted upon, then membership in the South Oakland Warthogs shall not be granted. At this time the Prospective Member will no longer be considered for full membership status unless a motion is made, supported and affirmed by majority vote (50% plus 1) to continue their probation period.
- VI. In the event that a Prospective Member is not given the status of a General Member they shall immediately turn over all club property including but not limited to Rockers, patches or any property bearing any font or insignia of the Warthogs Motorcycle Club and/or the South Oakland Warthogs.
- VII. A Prospective Member shall not be considered a General Member under any circumstances. Any procedures or processes outlined and referenced in these By-Laws shall not apply to a Prospective Member unless implicitly addressed to a Prospective Member.

**Article 8**  
**Suspensions and Expulsions**

- I. The Executive Board or the President will have the authority to suspend, expel, and terminate the membership of any member, for reasons set forth in Article 8, Section I, Sub-Section a through d. The suspended, expelled, or terminated member will be advised that he may request a hearing with the General Membership to be held at the first scheduled General Membership meeting following the action.
  - a. For conduct which, in the opinion of the President or Elected Officers of the Executive Board, disturbs the order, dignity, business, and harmony, or impairs the good name, or popularity of the South Oakland Warhogs or the Warhogs Motorcycle Club as a whole.
  - b. The President or Elected Officers of the Executive Board may, at its sole discretion and without a vote by the General Membership, suspend any member for failure to pay annual dues, fees or assessments.
  - c. Any member deemed unfit to ride will forfeit his or her keys and right to ride. Refusal to forfeit their keys is considered an automatic suspension.
  - d. The President shall have the authority to immediately suspend a member for any of the reasons set forth in subsections a or b listed above. Said suspensions shall remain in effect until the hearing is set forth in accordance with the above mentioned subsections. Fines may also be imposed at the said hearing.
- II. Any member suspended or fined for any reason set forth in Article 8, Section I, Sub-Section a through d, has the right to appeal to the General Membership at the first scheduled General Membership meeting following the suspension or expulsion. The decision must be overturned by a two-thirds (2/3) majority vote of the General Membership.

**Article 9**  
**Leave of Absence**

- I. Any member in good standing may request a leave of absence by submitting for review any such request to the President or Elected Officers of the Executive Board. Each outcome of an individual request will be determined on an individual basis. No leave of absence granted may exceed six (6) months, provided, however, that a member may apply to the Board for an extension of the leave period.

**Article 10**  
**Reinstatement**

- I. Any member, whose membership is suspended as provided for in Article 8, may have their membership reinstated on such terms, as the Executive Board deems appropriate. Members must pay a fee for suspension reinstatement to the Board plus any other administrative fees or fines owed.

**Article 11**  
**Non-Transferability of Membership**

- I. Membership in the South Oakland Warhogs of the Warhogs Motorcycle Club is non-transferable and non-assignable. This also applies to any South Oakland Warhogs or Warhogs Motorcycle Club property, name, logos, challenge coins and WMC patches excluding specific supporter merchandise.

**Article 12**  
**Governing Body**

- I. An Executive Board shall govern the day to day operations of the South Oakland Warthogs.
- II. The Executive Board shall maintain the quality and integrity of the South Oakland Warthogs.
- III. The Executive Board shall be composed of Elected and Appointed Officers. To be eligible for the Executive Board, the nominated member for elected office or appointed member must be in good standing.
  - a. Elected Officers:
    - i. The Elected Officers of the Executive Board shall consist of the following officials, in successive order, who will be elected by a majority vote (50% plus 1) of all members eligible to vote.
      1. President
      2. Vice-President
      3. Treasurer
      4. Secretary
      5. Sergeant-at-Arms
    - ii. The term of office for Elected Officers shall be two (2) years.
    - iii. The offices of President and Vice-President shall be limited to active or retired public service personnel as defined and mandated by Article 7 of the Warthogs Motorcycle Club Constitution and defined by the Warthogs Motorcycle Club International Board of Presidents.
  - b. Appointed Officers:
    - i. The President shall be able to make the optional appointment of the following support officers.
      1. Road Captain (in the occurrence that there is more than one Road Captain, a senior Road Captain shall be designated)
      2. Member-at-Large (Article 15, Section II, Sub-Section b)
      3. Webmaster/Information Officer
      4. Chaplin
    - ii. The term of office for Appointed Officers shall be continuous at the discretion of the President.

**Article 13**  
**Executive Board Meetings**

- I. The Elected Officers of the Executive Board shall meet at least once monthly.
  - a. Additional meetings may be called upon petition of three (3) Board members.
  - b. A quorum of three (3) members, one of whom must be the President or Vice President, shall be necessary for the transaction of business.
  - c. All Elected Officers of the Executive Board shall have one vote during Elected Officer Executive Board Meetings.
  - d. Elected Officers of the Executive Board may vote by proxy at any such meeting provided said proxy is submitted to Secretary prior to the meeting being called to order.

Article 14  
Executive Board Functions

- I. The Executive Board of the South Oakland Warthogs shall perform the following functions
  - a. Be responsible for the daily operations of the South Oakland Warthogs
  - b. Report to the General Membership monthly on all operations of the South Oakland Warthogs
  - c. Maintain a roster of all members.
  - d. Maintain control over the usage of the Warthogs Motorcycle Club and South Oakland Warthogs insignias and logos.
  - e. Maintain a Treasury; which will be used to provide charitable emergency benefits to eligible beneficiaries, pay for chapter expenses and promote the continued growth of the WMC.
  - f. Issue written or electronic communications to the South Oakland Warthogs membership, which will provide updates on events, and developments of interest to the membership as a whole.
  - g. Oversee the management of assets and property owned by the South Oakland Warthogs, and report to the membership monthly.
  - h. Oversee the South Oakland Warthogs financial books; which may be reviewed by a C.P.A. annually. The Executive Board may, at the direction of the majority of the General Membership, call for an audit of the financial records.
  - i. Appoint as necessary, all agents and employees of the South Oakland Warthogs and shall fix and determine any salaries, stipends and duties, and shall have the power, except as otherwise provided for, to regulate the same at it's pleasure.
  - j. Perform all other such assignments as may be ordered by the Membership, or as may be in the best interests of the South Oakland Warthogs.

Article 15  
Duties of Executive Board Members

- I. The duties of the elected officers of the Executive Board members are:
  - a. The **President** is the Chief Executive Officer of the South Oakland Warthogs. The President shall preside over all meetings of the Executive Board and General Membership. At all such meetings, he shall maintain order and require strict compliance with the WMC Constitution and these By-Laws, as well as any such rules and regulations that may be adopted pursuant hereto. While occupying the chair, he shall not participate in debate without relinquishing the chair. He shall appoint all non-elected officers, members of all standing and special committees as well as designate the chairman of any committee, and shall serve as an ex-officio member on all committees. He shall, with the Treasurer, issue all checks duly authorized by the Executive Board or the General Membership of the South Oakland Warthogs for the disbursement of funds. He shall, with the Secretary, sign all contracts and other official documents authorized by the Executive Board or General Membership. He shall perform any other such executive duties as may be prescribed of him by the General Membership.

- c. The **Treasurer** shall be the custodian of all funds of the South Oakland Warthogs. He shall issue all checks duly authorized by the President, Executive Board or the General Membership of the South Oakland Warthogs for the disbursement of funds. He will keep an itemized record of all receipts and disbursements. He shall deposit all funds collected in a financial institution approved by the Executive Board. He shall set up special accounts for special funds and allocate to each, respectively, the amounts allocated or collected thereof. He shall make monthly reports to the membership as to the conditions of the funds. At the expiration of his term of office, he shall deliver to his successor all monies, securities, books, and records in his possession. He shall execute all other such assignments as may be ordered by the President, Executive Board or the General Membership.
- d. The **Secretary** shall be responsible for all books, documents, papers, and records of the South Oakland Warthogs not otherwise entrusted, temporarily or permanently, to other officers or to standing/special committees. He shall transcribe all minutes of meetings of the South Oakland Warthogs and the Executive Board, and shall submit it for approval or amendment at the next meeting thereof. When so required, he shall conduct the general correspondence of the South Oakland Warthogs. He shall, with the President, attest and seal all duly authorized and approved contracts of the South Oakland Warthogs, and keep copies thereof in his files. He shall maintain rosters for meeting, each ride and event. At the expiration of his term of office, he shall deliver to his successor, the seal and all books, papers, documents, and records in his possession. He shall execute all other such assignments as may be ordered by the President, Executive Board or the General Membership.
- e. The **Sergeant-at-Arms** shall attend the door and shall not permit entrance to any person who is not properly qualified by membership or a duly invited guest, unless otherwise ordered by the President. He shall maintain a roster of attendees, upon whose admittance, shall sign the register at the meetings and shall insure that said register is provided to the Secretary for the records the meeting is concluded. The Sergeant-at-Arms will keep order and dignity during all South Oakland Warthogs rides, meetings, and functions. The Sergeant-at-Arms shall also collect all patches and membership cards upon the termination of membership as provided for in Articles 7 & 9, collect all levied fines as directed by the President, Executive Board or the General Membership, and report all fines levied to the Treasurer by the next General Membership meeting. He shall execute all other such assignments as may be ordered by the President, Executive Board or the General Membership.

II. The duties of the Appointed Officers of the Executive Board are:

- a. The **Road Captain** shall gather information on upcoming rides and events, and shall obtain advanced approval from the President for any rides or events. Upon direction or approval of the President, the Road Captain shall organize and plan the rides and events. He or she will coordinate, preside over, and maintain order (with the assistance of the Sergeant-at-Arms) during the rides and events, and will perform such other ride/event-related duties as may be necessary. More than one (1) Road Captain may be appointed and in such circumstance the President shall designate a Senior Road Captain to ensure that duties are properly delegated and overseen.

- b. The **Member-at-Large** shall act as the quartermaster for the South Oakland Warthogs and perform all duties as may be directed by the President, Executive Board or the General Membership. In the absence of the elected Sergeant-at-Arms the Member-at-Large shall further act as such at General Membership Meetings.
- c. The **Webmaster/Information Officer** shall have duties determined by the South Oakland Warthogs Executive Board.
- d. The **Chaplin** shall perform all spiritual duties of the chapter to the best of their ability favoring no denomination over another.

**Article 16**  
**Term of Office and Elections**

- I. The Elected Officers of the Executive Board shall be elected for a term of two (2) years, with their term commencing on January 1<sup>st</sup> of the year following their election.
  - a. The five (5) Elected Officers of the Executive Board shall be elected by the General Membership in alternating years. The President, Treasurer and Sergeant-at-Arms shall be elected on odd number years and the Vice President and Secretary be elected on even number years.
  - b. Nominations and elections shall be held at the General Membership in November which is held on the first Tuesday.
  - c. The Executive Board shall be elected from the General Membership of the South Oakland Warthogs by majority vote (50% plus 1).
  - d. Members nominated for an elected office on the Executive Board, who accept their nomination, by so doing acknowledge their candidacy for that office.
  - e. If more than two (2) people are running for the same office a primary will be held. The two people that receive the most votes in the primary will then run for the office.
  - f. If so elected, there is no limit to the number of terms a member may serve in office.
  - g. Appointed Officers serve at the pleasure of the President.

**Article 17**  
**Removal from Elected Office of the Executive Board**

- I. The entire Executive Board or any individual Board officer may be removed from office at any time by a vote of two-thirds (2/3) of the voting membership of the South Oakland Warthogs. If any or all officers are so removed, then new officers shall be elected at the same meeting and will hold office for the remainder of the term.
- II. In the event of death, resignation, or termination of any member of the Board, the President shall call a special Board meeting. At this time, the Board will appoint an individual to replace the departed member, until which time the membership can vote at the next regular meeting. If the individual in question should be the President, the Vice-President shall fulfill the President's duties for the remainder for his or her term of office and a new Vice-President shall be elected.

**Article 18**  
**Spending Limits**

- I. The Treasurer as specified in Article 15, Section I, Sub-Section c, shall not disburse funds in excess of \$250.00 without a vote of the General Membership.
- II. Funds may be approved for disbursement by the President and Treasurer as specified in Article 15, Section I, Sub-Section a and c without a vote of the General Membership if the amount does not exceed \$250.00.
- III. Funds may be approved for disbursement by the President and Treasurer as specified in Article 15, Section I, Sub-Section a and c without a vote of the General Membership if the amount exceeds \$250.00 but has previously been submitted through a budget process and approved by the General Membership.

**Article 19**  
**Parliamentary Procedure**

- I. The Warthogs Motorcycle Club Constitution and these By-Laws shall be the governing documents of this organization.
- II. In the event that a procedural ruling is needed which is not addressed in the Warthogs Motorcycle Club Constitution or the South Oakland Warthogs By-Laws, the most current edition of Robert's Rules of Order Modern Edition shall be used, and will prevail in all cases not in conflict with these By-Laws.

**Article 20**  
**Amendments**

- I. These Chapter Operating Policies may be amended by the members in the following manner.
  - a. The motion or resolution made proposing such amendments, must be moved and supported at a regularly scheduled General Membership meeting of the South Oakland Warthogs.
  - b. The resolution for amendment shall be published in the minutes of the meeting and distributed to members prior to the next General Membership meeting.
  - c. The amendment shall be discussed and considered at the next regularly scheduled General Membership Meeting. For the amendment to be adopted, it must be affirmed by a supporting vote of at least two-thirds (2/3) of the members in attendance. Proxy votes of members unable to attend must be submitted to the President or Secretary prior to the meeting.
- II. Amendments to these By-Laws shall not replace, supersede, or conflict with the philosophy of the Warthogs Motorcycle Club Constitution; or the policies of International Board of President's, which is the duly recognized Executive Body of the Warthogs Motorcycle Club.

Article 21  
Existence

- I. The South Oakland Warthogs shall have a perpetual existence.
- II. The South Oakland Warthogs may be dissolved by a majority vote of no less than seventy five percent (75%) of the membership. Proxy votes of members unable to attend may be submitted to the President or Secretary prior to the meeting.
- III. The South Oakland Warthogs is organized for the purpose of creating a bond between law enforcement officers, fire fighters and officers of the court as well as their families and to assist them, their orphans and widows in their time of need. In keeping with this purpose, upon any such dissolution of this organization, all assets shall be distributed to another tax-exempt organization with like or similar purpose that is recognized under section 501(c) by the Internal Revenue Service of the United States Treasury Department. The organization receiving the assets of the South Oakland Warthogs shall be selected at the time of dissolution by a motion, support and affirmed by a supporting of no less than seventy five percent (75%) of the members in attendance. Proxy votes of members unable to attend may be submitted to the President or Secretary prior to the meeting.

**SOUTH OAKLAND WARTHOGS, INC.**  
**(South Oakland Chapter of the Warthogs Motorcycle Club)**  
**By-Laws**  
**Adopted March 2, 2010**

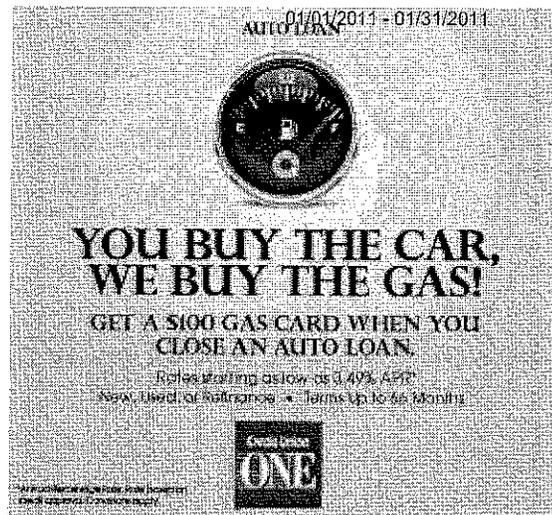
X   
Robert Ginther  
President

X   
Mitchell Name  
Vice-President

X   
Ronald Livingston  
Treasurer

X   
Michael Chitham  
Secretary

X   
Louis Tanghe  
Sergeant-at-Arms



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 01/01/2011 thru 01/31/2011

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Acct #: XXXXXX8172

Account Balances at a Glance

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	1,522.80

S22 SHARE A/C - BUSINESS SHARE ACCOUNT

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.08
01/31		Ending Balance .....		\$5.08
		Dividend Rate as of 01/31/2011 was 0.050% .....		

S22.1 SHARE A/C - SPECIAL PROJECTS

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.43
01/31		Ending Balance .....		\$5.43
		Dividend Rate as of 01/31/2011 was 0.050% .....		

S22.2 SHARE A/C - CHARITIES

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.20
01/31		Ending Balance .....		\$5.20
		Dividend Rate as of 01/31/2011 was 0.050% .....		

S80 SHARE A/C - Totally Free Business

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$1,963.78
01/05		DEPOSIT TR#3582 stonycreek .....	125.00	2,088.78



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/05		DEPOSIT TR#3586 Stony creek .....	125.00	2,213.78
01/05		DEPOSIT TR#3594 Stony creek .....	125.00	2,338.78
01/05		TRANSFER TR#3608.....	-387.50	1,951.28
01/05		CHECK 1127 .....	-500.00	1,451.28
01/07		DEBIT PURCHASE AMERICAN LEGION POST 3 BERKELY MI 98711322124 90182765 Jan 5 .....	-50.00	1,401.28
01/07		CHECK 1125 .....	-250.00	1,151.28
01/10		DEBIT PURCHASE ONLINE STORE PURCHASES DEARBORN MI 45789820004 001 Jan 7 .....	-95.18	1,056.10
01/12		DEBIT PURCHASE Amazon.com AMZN.COM/BILL WA 00046078047 361000 Jan 11 .....	-140.97	915.13
01/13		DEPOSIT TR#3323 .....	700.00	1,615.13
01/13		DEPOSIT TR#3331 .....	100.00	1,715.13
01/18		DEBIT PURCHASE CAUSEWAY BAY RESTAURAN LANSING MI 12450601003 0010 Jan 16 .....	-57.89	1,657.24
01/25		DEPOSIT TR#785.....	125.00	1,782.24
01/29		DEBIT PURCHASE SPEEDWAY 02238 M-5 ROCHESTER HIL MI 10102336919 LK654315 Jan 28 .....	-75.00	1,707.24
01/31		DEBIT PURCHASE KWIK FILL 150 ERIE PA 00058552738 361000 Jan 28 .....	-66.50	1,640.74
01/31		DEBIT PURCHASE SOHO PIZZA ALBANY NY 10101791522 LK636492 Jan 29 .....	-55.12	1,585.62
01/31		DEBIT PURCHASE SUNOCO 0214365900 ELMIRA NY 00096659696 361000 Jan 29 .....	-62.82	1,522.80
01/31		Ending Balance .....		\$1,522.80

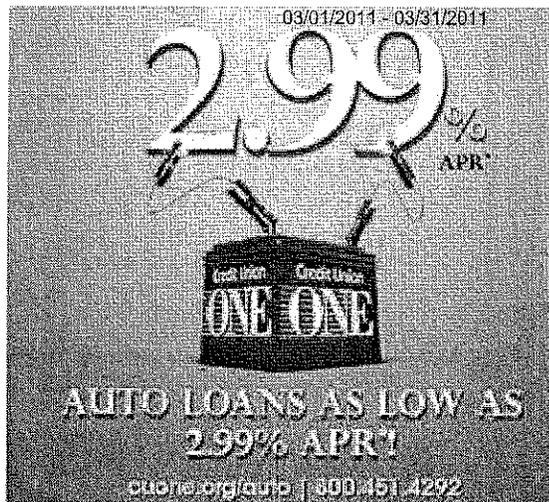
**Check Summary**

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1125	01/07	250.00	1127*	01/05	500.00			

Total Overdraft Fees	\$0.00
Total Overdraft Fees-Year to Date	\$0.00
Total Return Item Fees	\$0.00
Total Return Item Fees-Year to Date	\$0.00

**SUMMARY**

Previous Balance as of 01/01/11	1,963.78
Total of 2 checks cleared	750.00
Total of 9 Debits	990.98
Total of 6 Deposits	1,300.00
Total of 0 Other Credits	0.00
Ending Balance as of 01/31/11	1,522.80
Minimum Balance	915.13
Average Balance	1,596.17



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 03/01/2011 thru 03/31/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	492.05

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
03/01		Previous Balance .....		\$5.08
03/31		Ending Balance .....		\$5.08
		Dividend Rate as of 03/31/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
03/01		Previous Balance .....		\$5.43
03/31		Ending Balance .....		\$5.43
		Dividend Rate as of 03/31/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
03/01		Previous Balance .....		\$5.20
03/31		Ending Balance .....		\$5.20
		Dividend Rate as of 03/31/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
03/01		Previous Balance .....		\$835.05
03/01		DEPOSIT TR#1018 .....	150.00	985.05



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
03/01		DEPOSIT TR#1029 .....	164.00	1,149.05
03/01		DEPOSIT TR#1037 .....	76.00	1,225.05
03/04		CHECK 1139 Trace # 82541936 04 .....	-125.00	1,100.05
03/07		DEPOSIT TR#2243 .....	75.00	1,175.05
03/07		DEPOSIT TR#2260 .....	224.00	1,399.05
03/07		CHECK 1137 Trace # 07 .....	-125.00	1,274.05
03/14		CHECK 1135 Trace # 14 .....	-50.00	1,224.05
03/21		CHECK 1140 Trace # 99646172 21 .....	-125.00	1,099.05
03/22		CHECK 1138 Trace # 22844874 22 .....	-125.00	974.05
03/24		DEBIT PURCHASE EDIBLE ARRANGEMENTS463 SHELBY TOWNSH15817605801 30020576 Mar 22 .....	-97.00	877.05
03/28		CHECK 1141 Trace # 01796810 28 .....	-385.00	492.05
03/31		Ending Balance .....		\$492.05

**Cleared Check Summary**

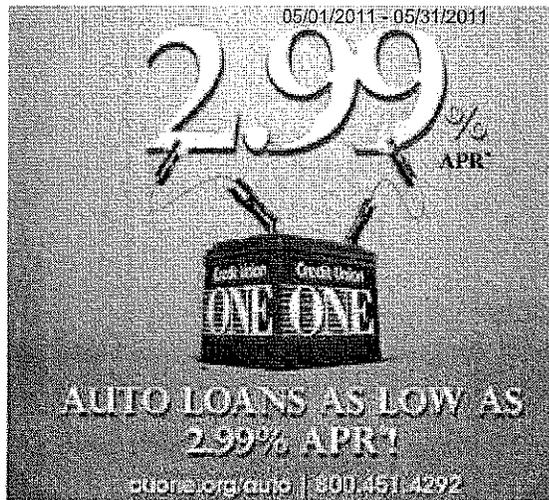
Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1135	03/14	50.00	1138	03/22	125.00	1140	03/21	125.00
1137*	03/07	125.00	1139	03/04	125.00	1141	03/28	385.00

**Checking Account Summary**

Previous Balance as of 03/01/11	835.05
Total of 6 checks cleared	935.00
Total of 1 Debits	97.00
Total of 5 Deposits	689.00
Total of 0 Other Credits	0.00
Ending Balance as of 03/31/11	492.05
Minimum Balance	492.05
Average Balance	1,064.05

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 05/01/2011 thru 05/31/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	1,754.90

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
05/01		Previous Balance .....		\$5.08
05/31		Ending Balance .....		\$5.08
		Dividend Rate as of 05/31/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
05/01		Previous Balance .....		\$5.43
05/31		Ending Balance .....		\$5.43
		Dividend Rate as of 05/31/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
05/01		Previous Balance .....		\$5.20
05/31		Ending Balance .....		\$5.20
		Dividend Rate as of 05/31/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
05/01		Previous Balance .....		\$1,410.55



**S80 SHARE A/C - Totally Free Business (Continued)**

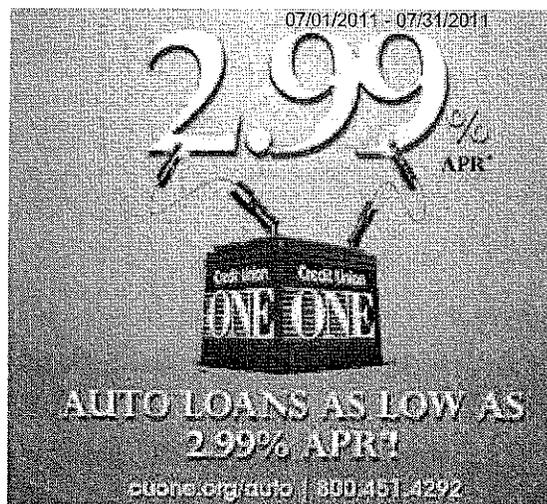
Trans. Date	Eff. Date	Transaction Description	Amount	Balance
05/03		DEBIT PURCHASE USPS 25315009034303461 FARMINGTON MI41817464815 094 May 2 .....	-5.65	1,404.90
05/12		DEPOSIT TR#2960 - CASH DEPOSIT .....	100.00	1,504.90
05/12		DEPOSIT TR#2974 - CHECK DEPOSIT PI.....	250.00	1,754.90
05/31		Ending Balance .....		\$1,754.90

**Checking Account Summary**

Previous Balance as of 05/01/11	1,410.55
Total of 0 checks cleared	0.00
Total of 1 Debits	5.65
Total of 2 Deposits	350.00
Total of 0 Other Credits	0.00
Ending Balance as of 05/31/11	1,754.90
Minimum Balance	1,404.90
Average Balance	1,631.07

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 07/01/2011 thru 07/31/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	292.81

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
07/01		Previous Balance .....		\$5.08
07/31		Ending Balance .....		\$5.08
Dividend Rate as of 07/31/2011 was 0.050% .....				

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
07/01		Previous Balance .....		\$5.43
07/31		Ending Balance .....		\$5.43
Dividend Rate as of 07/31/2011 was 0.050% .....				

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
07/01		Previous Balance .....		\$5.20
07/31		Ending Balance .....		\$5.20
Dividend Rate as of 07/31/2011 was 0.050% .....				

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
07/01		Previous Balance .....		\$59.15
07/08		DEPOSIT TR#5102 - CHECK DEPOSIT PI.....	250.00	309.15



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
07/08		DEPOSIT TR#5126 - CHECK DEPOSIT PI.....	360.00	669.15
07/08		DEPOSIT TR#5126 - CASH DEPOSIT .....	350.00	1,019.15
07/14		DEBIT PURCHASE ONLINE STORE PURCHASES DEARBORN MI 45789820006 001 Jul 12 .....	-63.38	955.77
07/14		CHECK 1145 Trace # 62089582 14 .....	-95.00	860.77
07/18		CHECK 1146 .....	-130.00	730.77
07/22		DEBIT PURCHASE STATE ANNUAL REPORTS 517-2416470 MI 64203041166 10082421 Jul 21 .....	-20.00	710.77
07/29		DEBIT PURCHASE TUBBY'S - BEVERLY HILL BEVERLY HILLS01000085066 0000 Jul 27 .....	-89.04	621.73
07/29		DEBIT PURCHASE SPEEDWAY 03998 WILLOUGHBY OH 10105187925 LK858036 Jul 28 .....	-38.31	583.42
07/30		DEBIT PURCHASE WYANDOT GENOA OH 000000261867 361000 Jul 28 .....	-40.02	543.40
07/30		DEBIT PURCHASE SUNOCO 0329432900 CORNING NY 00020491172 361000 Jul 28 .....	-90.29	453.11
07/30		DEBIT PURCHASE BUSCH'S #1044 FARMINGTON H MI 000000076896 361000 Jul 28.....	-113.38	339.73
07/30		DEBIT PURCHASE EXXONMOBIL 97413496 LIBERTY NY 37800898449 MGR Jul 29 .....	-46.92	292.81
07/31		Ending Balance .....		\$292.81

**Cleared Check Summary**

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1145	07/14	95.00	1146	07/18	130.00			

**Checking Account Summary**

Previous Balance as of 07/01/11	59.15
Total of 2 checks cleared	225.00
Total of 8 Debits	501.34
Total of 3 Deposits	960.00
Total of 0 Other Credits	0.00
Ending Balance as of 07/31/11	292.81
Minimum Balance	59.15
Average Balance	614.17

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



01/01/2011 - 01/31/2011  
**AUTO LOAN**

**YOU BUY THE CAR,  
 WE BUY THE GAS!**

GET A \$100 GAS CARD WHEN YOU  
 CLOSE AN AUTO LOAN.

Rates starting as low as 1.49% APR  
 New Used or Refinance • Terms Up to 66 Months

\*Annual Percentage Rate (APR) does not include other charges. See your loan agreement for details.

SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 01/01/2011 thru 01/31/2011      Page 1 of 3      Br 5      Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	1,522.80

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.08
01/31		Ending Balance .....		\$5.08
		Dividend Rate as of 01/31/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.43
01/31		Ending Balance .....		\$5.43
		Dividend Rate as of 01/31/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$5.20
01/31		Ending Balance .....		\$5.20
		Dividend Rate as of 01/31/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/01		Previous Balance .....		\$1,963.78
01/05		DEPOSIT TR#3582 stonycreek .....	125.00	2,088.78



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
01/05		DEPOSIT TR#3586 Stony creek .....	125.00	2,213.78
01/05		DEPOSIT TR#3594 Stony creek .....	125.00	2,338.78
01/05		TRANSFER TR#3608 .....	-387.50	1,951.28
01/05		CHECK 1127 .....	-500.00	1,451.28
01/07		DEBIT PURCHASE AMERICAN LEGION POST 3 BERKELY MI 98711322124 90182765 Jan 5 .....	-50.00	1,401.28
01/07		CHECK 1125 .....	-250.00	1,151.28
01/10		DEBIT PURCHASE ONLINE STORE PURCHASES DEARBORN MI 45789820004 001 Jan 7 .....	-95.18	1,056.10
01/12		DEBIT PURCHASE Amazon.com AMZN.COM/BILL WA 00046078047 361000 Jan 11 .....	-140.97	915.13
01/13		DEPOSIT TR#3323 .....	700.00	1,615.13
01/13		DEPOSIT TR#3331 .....	100.00	1,715.13
01/18		DEBIT PURCHASE CAUSEWAY BAY RESTAURAN LANSING MI 12450601003 0010 Jan 16 .....	-57.89	1,657.24
01/25		DEPOSIT TR#785.....	125.00	1,782.24
01/29		DEBIT PURCHASE SPEEDWAY 02238 M-5 ROCHESTER HIL MI 10102336919 LK654315 Jan 28 .....	-75.00	1,707.24
01/31		DEBIT PURCHASE KWIK FILL 150 ERIE PA 00058552738 361000 Jan 28 .....	-66.50	1,640.74
01/31		DEBIT PURCHASE SOHO PIZZA ALBANY NY 10101791522 LK636492 Jan 29 .....	-55.12	1,585.62
01/31		DEBIT PURCHASE SUNOCO 0214365900 ELMIRA NY 00096659696 361000 Jan 29 .....	-62.82	1,522.80
01/31		Ending Balance .....		\$1,522.80

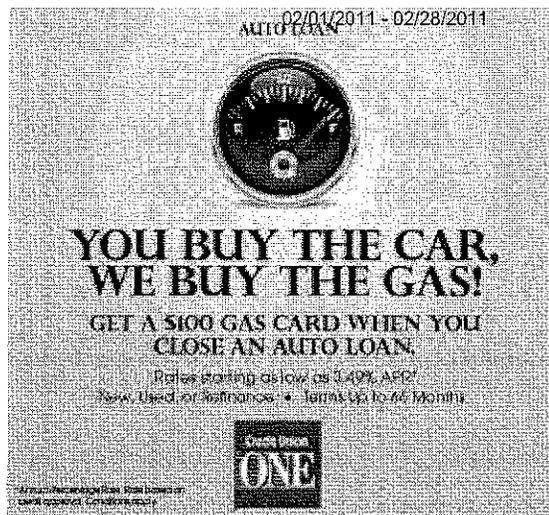
**Check Summary**

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1125	01/07	250.00	1127*	01/05	500.00			

Total Overdraft Fees	\$0.00
Total Overdraft Fees-Year to Date	\$0.00
Total Return Item Fees	\$0.00
Total Return Item Fees-Year to Date	\$0.00

**SUMMARY**

Previous Balance as of 01/01/11	1,963.78
Total of 2 checks cleared	750.00
Total of 9 Debits	990.98
Total of 6 Deposits	1,300.00
Total of 0 Other Credits	0.00
Ending Balance as of 01/31/11	1,522.80
Minimum Balance	915.13
Average Balance	1,596.17



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 02/01/2011 thru 02/28/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	835.05

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
02/01		Previous Balance .....		\$5.08
02/28		Ending Balance .....		\$5.08
		Dividend Rate as of 02/28/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
02/01		Previous Balance .....		\$5.43
02/28		Ending Balance .....		\$5.43
		Dividend Rate as of 02/28/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
02/01		Previous Balance .....		\$5.20
02/28		Ending Balance .....		\$5.20
		Dividend Rate as of 02/28/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
02/01		Previous Balance .....		\$1,522.80



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
02/01		DEBIT PURCHASE SUNOCO 0388257800 MANCHESTER NY 00013843322 361000 Jan 30 .....	-87.88	1,434.92
02/01		DEBIT PURCHASE KWIK FILL 150 ERIE PA 00062937842 361000 Jan 30 .....	-47.05	1,387.87
02/02	02/01	CHECK 1131 .....	-225.00	1,162.87
02/04		CHECK 1132 .....	-100.00	1,062.87
02/09		CHECK 1129 .....	-100.00	962.87
02/14		DEPOSIT TR#3184 Correction-addl \$5.00cash .....	424.00	1,386.87
02/23		DEBIT PURCHASE USPS 25938000934301630 TROY MI 41821632345 092 Feb 22 .....	-44.32	1,342.55
02/24		CHECK 1133 .....	-250.00	1,092.55
02/24		CHECK 1134 .....	-135.00	957.55
02/25		DEBIT PURCHASE STATE DLEG COMM SERV 517-2416470 MI 64056052908 10082538 Feb 24 .....	-122.50	835.05
02/28		Ending Balance .....		\$835.05

**Check Summary**

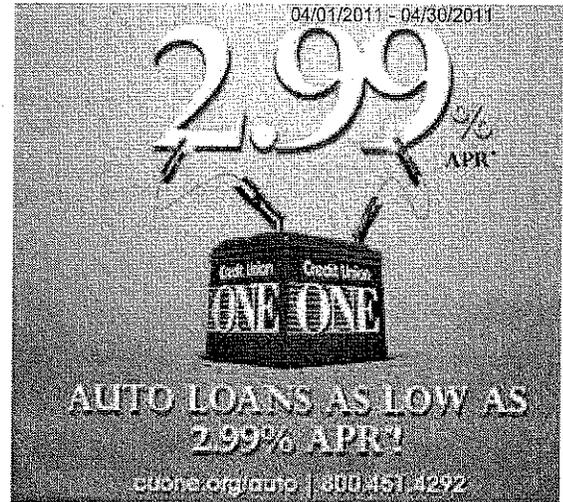
Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1129	02/09	100.00	1132	02/04	100.00	1134	02/24	135.00
1131*	02/02	225.00	1133	02/24	250.00			

Total Overdraft Fees	\$0.00
Total Overdraft Fees-Year to Date	\$0.00
Total Return Item Fees	\$0.00
Total Return Item Fees-Year to Date	\$0.00

**SUMMARY**

Previous Balance as of 02/01/11	1,522.80
Total of 5 checks cleared	810.00
Total of 4 Debits	301.75
Total of 1 Deposits	424.00
Total of 0 Other Credits	0.00
Ending Balance as of 02/28/11	835.05
Minimum Balance	835.05
Average Balance	1,133.55

**Year To Date Summary**



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 04/01/2011 thru 04/30/2011      Page 1 of 3      Br 5      Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	1,410.55

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
04/01		Previous Balance .....		\$5.08
04/30		Ending Balance .....		\$5.08
		Dividend Rate as of 04/30/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
04/01		Previous Balance .....		\$5.43
04/30		Ending Balance .....		\$5.43
		Dividend Rate as of 04/30/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
04/01		Previous Balance .....		\$5.20
04/30		Ending Balance .....		\$5.20
		Dividend Rate as of 04/30/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
04/01		Previous Balance .....		\$492.05
04/07		DEPOSIT TR#3416 .....	650.00	1,142.05



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
04/08		CHECK 1142 Trace # 99786366 08 .....	-318.00	824.05
04/14		DEPOSIT TR#803 - CHECK DEPOSIT PI .....	210.00	1,034.05
04/14		DEPOSIT TR#803 - CASH DEPOSIT.....	120.00	1,154.05
04/14		DEPOSIT TR#814 - CHECK DEPOSIT PI .....	156.00	1,310.05
04/14		DEPOSIT TR#814 - CASH DEPOSIT.....	180.00	1,490.05
04/16		DEBIT PURCHASE OXFORD RESTAURANT ROYAL OAK MI 64105174703 08347604 Apr 14.....	-70.00	1,420.05
04/21		DEPOSIT TR#1743 - CHECK DEPOSIT PI.....	70.00	1,490.05
04/25		CHECK 1143 Trace # 99552236 25 .....	-79.50	1,410.55
04/30		Ending Balance .....		\$1,410.55

**Cleared Check Summary**

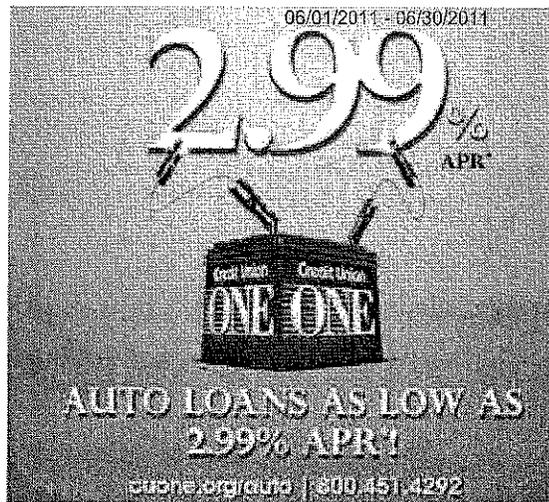
Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1142	04/08	318.00	1143	04/25	79.50			

**Checking Account Summary**

Previous Balance as of 04/01/11	492.05
Total of 2 checks cleared	397.50
Total of 1 Debits	70.00
Total of 6 Deposits	1,386.00
Total of 0 Other Credits	0.00
Ending Balance as of 04/30/11	1,410.55
Minimum Balance	492.05
Average Balance	1,118.08

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 06/01/2011 thru 06/30/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	59.15

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
06/01		Previous Balance.....		\$5.08
06/30		Ending Balance .....		\$5.08
		Dividend Rate as of 06/30/2011 was 0.050%.....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
06/01		Previous Balance.....		\$5.43
06/30		Ending Balance .....		\$5.43
		Dividend Rate as of 06/30/2011 was 0.050%.....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
06/01		Previous Balance.....		\$5.20
06/30		Ending Balance .....		\$5.20
		Dividend Rate as of 06/30/2011 was 0.050%.....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
06/01		Previous Balance.....		\$1,754.90
06/02		DEPOSIT TR#2541 - CHECK DEPOSIT PI .....	282.00	2,036.90



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
06/16		CHECK 1144 Trace # 61805652 16 .....	-1,977.75	59.15
06/30		Ending Balance .....		\$59.15

**Cleared Check Summary**

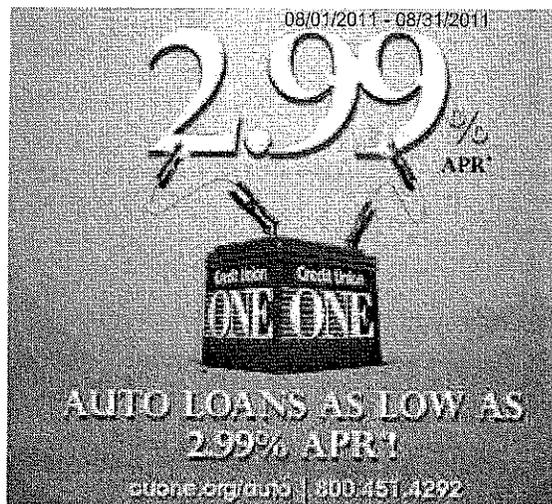
Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
1144	06/16	1,977.75						

**Checking Account Summary**

Previous Balance as of 06/01/11	1,754.90
Total of 1 checks cleared	1,977.75
Total of 0 Debits	0.00
Total of 1 Deposits	282.00
Total of 0 Other Credits	0.00
Ending Balance as of 06/30/11	59.15
Minimum Balance	59.15
Average Balance	1,038.62

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



SOUTH OAKLAND WARTHOGS, INC.

Statement Period: 08/01/2011 thru 08/31/2011

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Acct #: XXXXXX8172

**Account Balances at a Glance**

S22 SHARE A/C - BUSINESS SHARE ACCOUNT	5.08	S22.2 SHARE A/C - CHARITIES	5.20
S22.1 SHARE A/C - SPECIAL PROJECTS	5.43	S80 SHARE A/C - Totally Free Business	483.46

**S22 SHARE A/C - BUSINESS SHARE ACCOUNT**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
08/01		Previous Balance .....		\$5.08
08/31		Ending Balance .....		\$5.08
		Dividend Rate as of 08/31/2011 was 0.050% .....		

**S22.1 SHARE A/C - SPECIAL PROJECTS**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
08/01		Previous Balance .....		\$5.43
08/31		Ending Balance .....		\$5.43
		Dividend Rate as of 08/31/2011 was 0.050% .....		

**S22.2 SHARE A/C - CHARITIES**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
08/01		Previous Balance .....		\$5.20
08/31		Ending Balance .....		\$5.20
		Dividend Rate as of 08/31/2011 was 0.050% .....		

**S80 SHARE A/C - Totally Free Business**

Joint Owner: ROBERT C GINTHER II, RONALD G LIVINGSTON, SHANE WASH

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
08/01		Previous Balance .....		\$292.81



**S80 SHARE A/C - Totally Free Business (Continued)**

Trans. Date	Eff. Date	Transaction Description	Amount	Balance
08/03		DEBIT PURCHASE EXXONMOBIL 96621727 MONTGOMERY NY 37800580329 VE1 Aug 2 .....	-34.47	258.34
08/03		DEPOSIT TR#3364 .....	200.00	458.34
08/03		DEPOSIT TR#3373 .....	50.00	508.34
08/04		DEBIT PURCHASE SNOW SHOE TRUCK STOQ39 SNOW SHOE PA 00407138052 0001 Aug 2.....	-93.02	415.32
08/05		DEBIT PURCHASE PILOT 00001305 RICHFIELD OH 21000069193 P05 Aug 3 .....	-82.36	332.96
08/16		DEPOSIT TR#2504 .....	150.00	482.96
08/27		DEBIT PURCHASE AMHOSTING RENO NV 47153405814 001 Aug 25	-49.50	433.46
08/30		DEPOSIT TR#647 - CHECK DEPOSIT PI .....	50.00	483.46
08/31		Ending Balance .....		\$483.46

**Checking Account Summary**

Previous Balance as of 08/01/11	292.81
Total of 0 checks cleared	0.00
Total of 4 Debits	259.35
Total of 4 Deposits	450.00
Total of 0 Other Credits	0.00
Ending Balance as of 08/31/11	483.46
Minimum Balance	292.81
Average Balance	411.34

**Year To Date Summary**

Account	Div/Int
S22	0.00
S22.1	0.00
S22.2	0.00
S80	0.00
Total	\$0.00



## CITY COUNCIL AGENDA ITEM

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Date: September 15, 2011

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic and Community Development  
Steven J. Vandette, City Engineer  
Patricia A. Petitto, Real Estate Consultant, Greenstar & Associates, LLC

Subject: Request for Approval of Relocation Claim  
John R Road Improvement Project, Square Lake to South Boulevard  
Project No. 02.204.5 – Parcel 44 – Sidwell #88-20-02-230-011

---

### Background

As part of the proposed John R Road Improvement Project – Square Lake to South Boulevard, City Council previously authorized the purchase of the property at 6695 John R from Elizabeth Strichick. This parcel is located on the west side of John R Road, between Lyster Lane and Chancery Avenue in the northeast  $\frac{1}{4}$  of Section 2. Ms. Strichick has completed her move to another house in the city of Troy. In accordance with Michigan Laws and Federal Regulations, she is eligible for reimbursement of moving costs. She has chosen to be paid for moving costs from a fixed rate schedule and is eligible to claim \$1,850 based on the number of rooms in her house.

### Recommendation

City Management recommends that City Council approve the attached Relocation Claim and authorize payment for reimbursement of moving expenses in the amount of \$1,850.

### Fund Availability

Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are available in the Major Roads Fund.

# RELOCATION CLAIM

## RESIDENTIAL

Information required by Act 31, P.A. 1970 as amended, and Act 277  
P.A. of 1972, to process payment.

DISPLACEE'S NAME <b>ELIZABETH STRICHICK</b>	
ACQUIRED PROPERTY ADDRESS AND PHONE <b>6695 JOHN R TROY, MI 48085</b>	REPLACEMENT PROPERTY ADDRESS AND PHONE <b>6705 JOHN R TROY, MI 48085</b>

### CONTROLLING DATES

DATE OF MOVE <b>8-29-11</b>	DATE OF FINAL PAYMENT <b>8-29-11</b>	DATE OF ESTIMATED JUST COMPENSATION DEPOSIT _____
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### MUST OCCUPY REPLACEMENT PROPERTY BY:

If Tenant, 12 months after date of move	DATE _____
If Secured Owner, 12 months after date of final payment	DATE <b>8/30/12</b>
If Unsecured Owner, 12 months after date of estimated just compensation deposit	DATE _____

### MUST FILE CLAIM FOR PAYMENT BY:

If Tenant, 18 months after date of move	DATE _____
If Owner, 18 months after date of move or final payment, whichever is later	DATE <b>3/1/13</b>

### RELOCATION PAYMENTS

Replacement Housing Supplement	- 0 -
Incidental Closing Costs	- 0 -
Increased Interest Differential	- 0 -
Replacement Rental Supplement/Purchase Down Payment	- 0 -
Moving Expenses	<b>\$1,850</b>
<b>AMOUNT DUE:</b>	<b>\$1,850</b>

MOVE VERIFIED BY **MCOT CITY OF TROY**

### I/WE AGREE PAYMENT WILL BE SENT TO

**6705 JOHN R, TROY, MI 48085**

### I/WE CERTIFY THAT:

1. All information submitted is true and correct.
2. I/We have purchased or rented and occupied, or will purchase or rent and occupy, a replacement dwelling which is decent, safe, and sanitary within the standards prescribed by the Michigan Department of Transportation.
3. I/We have vacated or will vacate the state acquired property.
4. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
5. I/We agree if the amount of compensation is increased in an administrative settlement or condemnation action, the Housing Supplement shall be recalculated based upon the increased compensation award, and any overpayment in the Housing Supplement shall be deducted by the department from the final payment.
6. I/We are a legal resident of the United States.

DISPLACEE'S SIGNATURE <b>Elizabeth Strichick</b>	DATE <b>8/29/11</b>	DISPLACEE'S SIGNATURE	DATE
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I/We certify that I/we have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal laws and the operating procedures of the Michigan Department of Transportation.

RECOMMENDED BY: <b>Patricia A. Petels</b>	DATE <b>8/29/11</b>	APPROVED BY: <b>William Strichick</b>	DATE <b>09/01/2011</b>
CONTROL SECTION <b>EDCF 63544</b>	JOB NO. <b>56247C</b>	PARCEL <b>44</b>	NAME <b>STRICHICK</b>



## CITY COUNCIL AGENDA ITEM

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Date: September 14, 2011

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager  
Mark F. Miller, Director of Economic & Community Development  
Cindy Stewart, Community Affairs Director

Subject: Announcement of Public Hearing for October 3, 2011 -  
Community Development Block Grant (CDBG) 2012 Application

### Background

The City of Troy is required by the Oakland County Division of Community & Home Improvement to advertise and conduct a Public Hearing for the Program Year 2012 CDBG application.

### Recommendation

It is recommended that Council authorize a public hearing for October 3, 2011 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the adoption of the Community Development Block Grant (CDBG) 2011 application in the approximate amount of \$143,525.00 to fund eligible projects.



## CITY COUNCIL AGENDA ITEM

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Date: 09/26/11

To: John Szerlag, City Manager

From: Nino Licari, City Assessor

Subject: Announcement of Public Hearings for Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing at 300 E. Big Beaver

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### Background

Dialogue Marketing, has submitted an application for tax abatement for their expansion at 300 E. Big Beaver. They intend to spend \$2,843,362 and add 150 new jobs to the 330 they currently have in Troy.

### Recommendation

State law dictates that City Council hold a public hearing for the IDD and one for the IFEC. This memo is the formal notification of the setting of the Public Hearings.

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, October 17, 2011 at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD), the granting of an Industrial Facilities Exemption Certificate (IFEC) for US Farathane Corporation, at the following location:

88-20-27-126-027 300 E. Big Beaver, Troy, MI. 48083  
T2N, R11E, Section 27 part of NE 1/4

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

---

M. Aileen Bittner, City Clerk

**NOTICE:** *People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@ci.troy.mi.us](mailto:clerk@ci.troy.mi.us) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*

TROY SCHOOL DISTRICT  
MARK RAJTER  
4400 LIVERNOIS  
TROY MI 48098-4799

OAKLAND COUNTY PTA  
1200 N TELEGRAPH Dept 479  
PONTIAC MI 48341-0479

PLANTE MORAN CRESA  
Attn: BENJAMIN R SMITH  
26300 NORTHWESTERN HWY  
SOUTHFIELD MI 48076

OAKLAND COMMUNITY COLLEGE  
CLARENCE E BRANTLEY  
2480 OPDYKE  
BLOOMFIELD HILLS MI 48304-2266

OAKLAND COUNTY EQUALIZATION  
DAVID HIEBER  
250 ELIZABETH LAKE RD 1000 W  
PONTIAC MI 48341

OAKLAND INTERMEDIATE  
SCHOOLS  
2111 PONTIAC LAKE  
WATERFORD MI 48328

DIALOGUE MARKETING  
Attn: PATRICK MURPHY  
3252 UNIVERSITY  
AUBURN HILLS MI 48326

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on August 16, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik  
Kenneth Courtney  
Thomas Strat  
Allen Kneale  
William Fisher  
David Lambert  
Glenn Clark

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Susan Lancaster, Assistant City Attorney

2. APPROVAL OF MINUTES – July 19, 2011

Moved by Courtney  
Seconded by Fisher

RESOLVED, to approve the July 19, 2011 meeting minutes with corrections as presented tonight.

Yes: All present

MOTION PASSED

3. POSTPONED ITEMS

- A. VARIANCE REQUEST, JEFF GLASER, OUR CREDIT UNION, 6693 ROCHESTER – A variance from the requirement that a 6 foot high obscuring wall be provided adjacent to the residentially zoned property north of the subject location.

**SECTION: 39.10.01**

Moved by Bartnik  
Seconded by Courtney

RESOLVED to grant the request, subject to installation of a 4 foot high opaque wall or evergreen/cedar plantings along a portion of the north property line between a point even with the front of the building and a point even with the northeast corner of the paved parking area.

Yes: All present

MOTION PASSED

- B. **VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS**  
 In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels.

**SECTION: 30.10.02**

Citing a conflict of interest, Board Member Strat recused himself and left the room.

Moved by Clark  
Seconded by Bartnik

RESOLVED, to postpone the request to the regularly scheduled November 15, 2011 ZBA meeting.

YES: All present (6)  
RECUSED: Strat

MOTION PASSED

Board Member Strat returned to the room.

- C. **VARIANCE REQUEST, AIDA AND SARMAH HERMIZ, 6763 DONALDSON ROAD** – In order to construct a 2965 square foot garage addition to the existing house, a 1685 square foot variance to the requirement that the area of an attached accessory building (garage) shall not exceed 75 percent of the ground floor footprint of the living area of the dwelling. 75 percent of the ground floor footprint of the living area is 1952 square feet.

**SECTION: 7.03 (B) (b)**

Moved by Bartnik  
Seconded by Strat

RESOLVED, to grant a 1026 square foot variance.

YES: All present

MOTION PASSED

4. HEARING OF CASES

- A. **VARIANCE REQUEST, ANGELINA AND BESNIK GOJKA, 2420 W. SQUARE LAKE ROAD** – In order to allow 10 adult foster care residents, a 27 square foot variance to the requirement that the land parcel be at least 40,000 square feet in area. Adult foster care small group homes are required to have at least 4,000 square feet of lot area per adult, excluding employees and/or caregivers. The subject property measures 39,973 square feet.

**SECTION: 6.02 (B) (2)**

Moved by Bartnik  
Seconded by Kneale

RESOLVED, to grant the request.

YES: All present

MOTION PASSED

- 5. COMMUNICATIONS - There were no communications.

- 6. PUBLIC COMMENT - No one was present to speak.

7. MISCELLANEOUS BUSINESS

Draft Rules of Procedure:

Moved by Courtney  
Seconded by Kneale

RESOLVED to approve the revised Rules of Procedure subject to the modifications discussed tonight.

YES: All present

MOTION PASSED

City Attorney comments on variance standards:

There was general agreement that the comments were acceptable for public distribution. Mr. Evans indicated he would integrate them into the ZBA Application.

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 10:05 p.m.

Respectfully submitted,

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David Lambert, Chair

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Paul Evans, Zoning and Compliance Specialist

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The Special/Study Meeting of the Troy City Planning Commission was called to order by Vice Chair Maxwell at 7:30 p.m. on August 23, 2011 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds  
Tom Krent  
Mark Maxwell  
\* Philip Sanzica  
Robert M. Schultz  
Thomas Strat  
John J. Tagle

Absent:

Michael W. Hutson  
Lon M. Ullmann

Also Present:

R. Brent Savidant, Planning Director  
Allan Motzny, Assistant City Attorney  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Paul Evans, Zoning & Compliance Specialist

2. APPROVAL OF AGENDA

**Resolution # PC-2011-08-052**

Moved by: Sanzica  
Seconded by: Edmunds

**RESOLVED**, To approve the Agenda as prepared.

Yes: All (7)  
Absent: Hutson, Ullmann

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2011-08-053**

Moved by: Edmunds  
Seconded by: Sanzica

**RESOLVED**, To approve the minutes of the August 9, 2011 Regular meeting as prepared.

Yes: All (7)  
Absent: Hutson, Ullmann

**MOTION CARRIED**

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4. PUBLIC COMMENT

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Strat presented the ZBA report.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant presented the DDA report.

7. PLANNING AND ZONING REPORT

Mr. Savidant presented the Planning and Zoning report.

**OTHER ITEMS**

8. REVISIONS TO CHAPTER 85 – SIGNS

There was general discussion on this item.

9. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENT

There was general Planning Commission discussion.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 9:05 p.m.

Respectfully submitted,

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Mark Maxwell, Vice Chair

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R. Brent Savidant, Planning Director

The Special/Study Meeting of the Troy City Planning Commission was called to order by Vice Chair Maxwell at 7:30 p.m. on August 23, 2011 in the Council Board Room of the Troy City Hall.

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Present:

Donald Edmunds  
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Absent:

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Also Present:

R. Brent Savidant, Planning Director  
Allan Motzny, Assistant City Attorney  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Paul Evans, Zoning & Compliance Specialist

2. APPROVAL OF AGENDA

**Resolution # PC-2011-08-052**

Moved by: Sanzica  
Seconded by: Edmunds

**RESOLVED**, To approve the Agenda as prepared.

Yes: All (7)  
Absent: Hutson, Ullmann

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2011-08-053**

Moved by: Edmunds  
Seconded by: Sanzica

**RESOLVED**, To approve the minutes of the August 9, 2011 Regular meeting as prepared.

Yes: All (7)  
Absent: Hutson, Ullmann

**MOTION CARRIED**

4. PUBLIC COMMENT

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

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OTHER ITEMS

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There was general discussion on this item.

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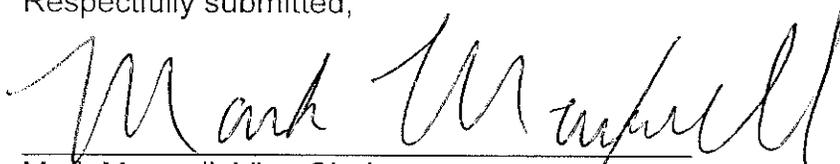
10. PLANNING COMMISSION COMMENT

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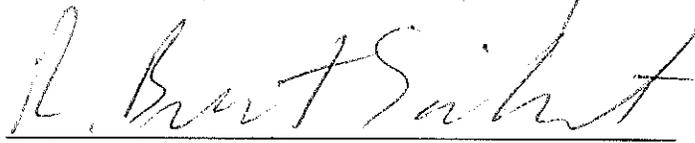
ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 9:05 p.m.

Respectfully submitted,



Mark Maxwell, Vice Chair



R. Brent Savidant, Planning Director

A regular meeting of the Liquor Advisory Committee was held on Monday, September 12, 2011 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Committee member Timothy P. Payne called the meeting to order at 7:03 p.m.

**ROLL CALL:**

**PRESENT:** W. Stan Godlewski  
Andrew Kaltsounis  
David S. Ogg  
Timothy P. Payne  
Bohdan L. Ukraineec

**ABSENT:** Max K. Ehlert, Chairman  
Patrick C. Hall

**ALSO PRESENT:** Officer James Feld  
Susan Lancaster, Assistant City Attorney  
Pat Gladysz

**Resolution to Excuse Committee Members Ehlert & Hall**

Resolution #LC2011-09-26  
Moved by Kaltsounis  
Seconded by Ukraineec

RESOLVED, That the absence of Committee members Ehlert and Hall at the Liquor Advisory Committee meeting of September 12, 2011 be **EXCUSED**.

Yes: 5  
No: 2  
Absent: Ehlert, Hall

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**Resolution to Approve Minutes of August 8, 2011 Meeting**

Resolution #LC2011-09-27  
Moved by Ukraineec  
Seconded by Godlewski

RESOLVED, That the Minutes of the August 8, 2011 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 5  
No: 2  
Absent: Ehlert, Hall

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### Agenda Items

1. **Kamel Management, Inc.** requests new SDM License to be located at 186 West Maple, Troy, MI 48084, Oakland County {MLCC Req. #614894}. *This is Troy Smokers on Maple Road.*

Present to answer questions from the Committee was business owner Wassim Kamel.

Mr. Kamel advised the Committee that he has been in business at this location for two years and owns a liquor store in New Baltimore. He is requesting SDM license in order to sell beer and wine. He is aware that TIPS/TAMS training is required.

There were no issues from either the Police Department or the City Attorney's Office.

Resolution #LC2011-09-28  
Moved by Ukrainec  
Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of Kamel Management, Inc. for a new SDM License to be located at 186 West Maple, Troy, MI 48084, Oakland County be **APPROVED**.

Yes: 5  
No: 2  
Absent: Ehlert, Hall

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2. **Troy Sports Restaurant, LLC** requests to Transfer Ownership of 2011 Class C License with Entertainment Permit, Outdoor Service (2 Areas) and Official Permit (Food) located at 1835 E. Big Beaver, Troy, MI 48083, Oakland County, from Joseph Koolisky's LLC {MLCC Req. #620592}. *This is currently Joe Kool's Bar and Grill.*

Present to answer questions from the Committee were Ronald and Dennis Bostick.

The owners advised the Committee that they have owned the restaurant building for years and have acted as landlord. Now they are purchasing the business. The name and staff will remain the same.

Officer Feld informed the Committee that the Police Department has no objections to this license transfer. They have received Building Department approval. Approval is pending from the Fire Department and the Health Department.

Resolution #LC2011-09-29

Moved by Kaltsunis

Seconded by Ukrainec

RESOLVED, That the Liquor Advisory Committee recommends that the request of **Troy Sports Restaurant, LLC** to Transfer Ownership of 2011 Class C License with Entertainment Permit, Outdoor Service (2 Areas) and Official Permit (Food) located at 1835 E. Big Beaver, Troy, MI 48083, Oakland County, from Joseph Koolisky's LLC be **APPROVED**.

Yes: 5  
No: 2  
Absent: Ehlert, Hall

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Assistant City Attorney Lancaster advised the Committee that her office will be reviewing the City Ordinance regarding smoke shops and researching possible amendments.

Ms. Lancaster also advised the Committee that another Class C quota liquor license may be available in view of the 2010 Census.

The meeting adjourned at 7:40 p.m.

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Timothy P. Payne

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Patricia A. Gladysz, Secretary II