



# TROY CITY COUNCIL

## REGULAR MEETING AGENDA

JANUARY 23, 2012  
CONVENING AT 7:30 P.M.

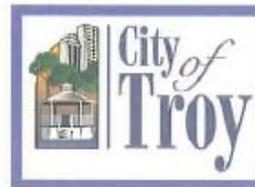
Submitted By  
The City Manager

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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".

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
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**CITY COUNCIL  
AGENDA**

January 23, 2012 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**INVOCATION: Pastor Bob Cholette – Troy Assembly of God** **1**

**PLEDGE OF ALLEGIANCE:** **1**

**A. CALL TO ORDER:** **1**

**B. ROLL CALL:** **1**

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**INVOCATION: Pastor Bob Cholette – Troy Assembly of God**

**PLEDGE OF ALLEGIANCE:**

**A. CALL TO ORDER:**

**B. ROLL CALL:**

- a) Mayor Janice Daniels  
Jim Campbell  
Wade Fleming  
Dave Henderson  
Maureen McGinnis  
Dane Slater  
Doug Tietz

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of \_\_\_\_\_ at the Regular City Council Meeting of January 23, 2012, due to \_\_\_\_\_

Yes:

No:

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

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

- a) Service Commendation for Jay Reynolds, Retired Police Officer

**D. CARRYOVER ITEMS:**

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**D-1 No Carryover Items**

**E. PUBLIC HEARINGS:**

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**E-1 Public Hearing for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., 1725 John R**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on September 22, 2008, established an Industrial Development District (IDD) for property known as 1725 John R, Troy, MI. 48083, Parcel # 88-20-26-479-040; and

WHEREAS, An Application has been submitted by Tepel Brothers Printing, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1725 John R, Troy, MI. 48083 for seven (7) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on January 9, 2012, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., at 1725 John R, Troy, MI. 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

WHEREAS, The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Troy, after granting this certificate will not exceed 5% of an amount equal to the sum of the SEV of the City of Troy, plus the SEV of real and personal property thus exempted;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., at 1725 John R, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., at 1725 John R, Troy, MI. 48083, Parcel # 88-20-26-479-040, for personal property for a term of seven (7) years, after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Tepel Brothers Printing, Inc., and the payment of the fees in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Tepel Brothers Printing, Inc., a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No:

## 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 Hearing for the Revocation of a Massage Facility License – Recovery Spa, Inc. – 1975 E. Maple Rd. (Postponed from January 9, 2012)**

#### Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **REVOKES** the Massage Facility License issued to Recovery Spa, Inc. located at 1975 E. Maple Rd.

Yes:

No:

## **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: Mayoral Nominations: Downtown Development Authority, Planning Commission; City Council Nominations: Historic District Study Committee, Election Commission, Zoning Board of Appeals**

a) **Mayoral Nominations**Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That the Mayor of the City of Troy hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

**Downtown Development Authority**

Appointed by Mayor (13-Regular) – 4 Year Term

**Current Members:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Appointment Expire</u>	<u>Notes 1</u>	<u>Notes 3</u>
Daniels	Janice				9/30/2012	At large	
Frankel	Stuart			1/23/2012	9/30/2011	In district	NO Reappointment
Hay	David	R	11/16/2013	1/23/2012	9/30/2011	In District	Requests Reappointment
Hodges	Michele		8/13/2011	1/23/2012	9/30/2012	In District	
Keisling	Laurence	G	12/15/2013	1/23/2012	9/30/2012	At large	Requests Reappointment
Kiriluk	Alan	M	11/18/2013	1/23/2012	9/30/2012	In District	
Knight	P.	Terry	1/4/2014	1/23/2012	9/30/2011	At Large	Requests Reappointment
MacLeish	Daniel		11/14/2013	1/23/2012	9/30/2012	In District	
Randol	Ward	Jr.	10/12/2013	1/23/2012	9/30/2014	In District	
Reschke	Ernest	C	9/21/2012	1/23/2012	9/30/2014	At large	
Schroeder	Douglas	J.	9/30/2012	1/23/2012	9/30/2014	At large	
Weiss	Harvey		8/6/2011	1/23/2012	9/30/2012	In district	
York	G.Thomas		9/8/2010	1/23/2012	9/30/2012	In district	

**Nominations for Downtown Development Authority****Term Expires: 09/30/2015**

Term currently held by: Stuart Frankel

**Term Expires: 09/30/2015**

Term currently held by: David Hay

**Term Expires: 09/30/2015**

Term currently held by: P. Terry Knight

**Interested Applicants:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Currently Serving on B&amp;C</u>
Beck	Paul	R	10/10/2011	1/23/2012	
Campbell	James	K	3/9/2013	1/23/2012	City Council & SEMCOG
Chambers	Barbara	A	2/9/2013	1/23/2012	Historic District Comm. Exp 03/1/2011
Gallardo	Rosemary		3/6/2011	1/23/2012	
Hoef	Paul	V.	11/21/2013	1/23/2012	Economic Dev. Corp. exp 04/30/2015
Knight	Barbara		1/4/2014	1/23/2012	Economic Dev. Corp. exp 04/30/2015
Kornacki	Rosemary		11/15/2013	1/23/2012	
Mallin	Aaron		10/10/2013	1/23/2012	
Sawyer Jr.	Thomas	G.	12/5/2011	1/23/2012	Municipal Bldg. Authority exp. 01/31/2013
Scott	Bradley	R	1/19/2011	1/23/2012	
Spillers	Edmund		2/5/2011	1/23/2012	
Swartz	Robert	D	7/25/2013	1/23/2012	Brownfield Redev. Auth. Exp 04/30/2014
Vassallo	Joseph	J	12/6/2013	1/23/2012	Brownfield Redev. Auth. Exp 04/30/2012
Wilberding	Bruce		3/29/2012	1/23/2012	Brownfield Redev. Auth. Exp. 04/30/2013

**Planning Commission**

Appointed by Mayor (9-Regular) – 3 Year Term

**Current Members:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Appointment Expire</u>	<u>Notes 1</u>	<u>Notes 3</u>
Edmunds	Donald	L	11/15/2012	1/23/2012	12/31/2013		
Hutson	Michael	W	11/15/2013	1/23/2012	12/31/2012		
Krent	Thomas	G	2/23/2013	1/23/2012	12/31/2013		
Maxwell	Mark		12/1/2012	1/23/2012	12/31/2013		
Sanzica	Philip		12/10/2011	1/23/2012	12/31/2012	Alt. PC Rep on BZA	
Schultz	Robert	M	11/19/2010	1/23/2012	12/31/2011		Requests Reappointment
Strat	Thomas		11/16/2013	1/23/2012	12/31/2011	PC Rep on ZBA	Requests Reappointment
Tagle	John	J	11/20/2013	1/23/2012	12/31/2012		
Ullmann	Lon	M	12/2/2013	1/23/2012	12/31/2011	PC rep on ZBA	Requests Reappointment

**Nominations for Planning Commission**

**Term Expires: 04/30/2014**

Term currently held by: Robert Schultz

**Term Expires: 04/30/2014**

Term currently held by: Thomas Strat

**Term Expires: 04/30/2014**

Term currently held by: Lon Ullmann

**NOTE: City of Troy Zoning Ordinance, Section 3.10, states, "No member of the Planning Commission shall hold any other municipal office except that one (1) of such members may be a member of the Zoning Board of Appeals."**

**Interested Applicants:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Currently Serving on B&amp;C</u>
Freliga	Victor	P	12/13/2012	1/23/2012	Municipal Bldg. Authority exp. 01/31/2014
Kaltsounis	Andrew		12/1/2011	1/23/2012	Liquor Advisory Comm. Exp. 01/31/2013
Kaltsounis	Orestis	Rusty	01/20/2014	1/23/2012	Parks & Recreation Bd. Exp 09/30/2012
Lambert	Dave		2/16/2013	1/23/2012	Zoning Bd. Of Appeal exp. 04/30/2014
Schepke	Gordon		11/16/2013	1/23/2012	Traffic Comm. Exp. 01/31/2012
Ziegenfelder	Peter	F	12/14/2012	1/23/2012	Traffic Comm. Exp. 01/31/2014

Yes:

No:

**b) City Council Nominations****Establishment of Historic District Study Committee**Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

WHEREAS, The Planning Department received a request from a resident to de-list a historic property; and

WHEREAS, Chapter 13 Historic Preservation requires City Council to establish and appoint an ad-hoc Historic District Study Committee to process applications to de-list historic properties.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an ad-hoc Historic District Study Committee of not less than three (3) members, in accordance with the provisions of Chapter 13 of the Troy City Code and MCL 399.214(1), which shall be dissolved after all pending applications are finalized.

Yes:

No:

**City Council Nominations**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

**Historic District Study Committee**

Appointed by Council (3- Ad-Hoc Members)

**Nominations for Historic District Study Committee:**

**Term Expires: Ad-Hoc** \_\_\_\_\_

**Term Expires: Ad-Hoc** \_\_\_\_\_

**Term Expires: Ad-Hoc** \_\_\_\_\_

**Interested Applicants:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Currently Serving on B&amp;C</u>
Bloomingtondale	Bruce		1/20/2014	1/23/2012	
Campbell	Lorraine		1/18/2014	1/23/2012	
Chambers	Barbara		1/18/2014	1/23/2012	Historic District Comm. exp 03/01/2011
Edmunds	Donald	L.	1/18/2014	1/23/2012	Planning Comm exp 2013/Economic Dev Corp exp 2014

**Election Commission**

Appointed by Council (2 Regular Members and 1 Charter Member) – 1-Year Term

**Current Members:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Appointmen t Expire</u>	<u>Notes 1</u>	<u>Notes 3</u>
Anderson	David	C	12/16/2011	1/23/2012	1/31/2012	Republican (Recommended by GOP)	Requests Reappointment
Bittner	M.	Aileen			12/31/2099	City Clerk	
Dewan	Timothy		10/3/2013	1/23/2012	1/31/2012	Democrat	Requests

							Reappointment
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**Nominations for Election Commission:**

**Term Expires: 01/31/2013** \_\_\_\_\_  
 Term currently held by: David C. Anderson

**Term Expires: 01/31/2013** \_\_\_\_\_  
 Term currently held by: Timothy Dewan

**Interested Applicants:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Currently Serving on B&amp;C</u>
Harrell	David	J	2/7/2013	1/23/2012	
Ziegenfelder	Peter	F	12/14/2012	1/23/2012	Traffic Committee exp 1/31/2014

**Zoning Board of Appeals**

Appointed by Council (7-Regular) - 3-Year Term

**Current Members:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Appointment Expire</u>	<u>Notes 1</u>	<u>Currently Serving on B&amp;C</u>
Bartnik	Michael	W	2/18/2011	1/23/2012	4/30/2012		
Clark	Glenn		3/24/2011	1/23/2012	4/30/2012		
Courtney	Kenneth		3/22/2012	1/23/2012	4/30/2013		
Fisher	William		6/16/2012	1/23/2012	4/30/2013		
Kneale	A.	Allen	3/9/2013	1/23/2012	4/30/2014		Brownfield Redev. Auth. Exp. 4/30/2013
Lambert	Dave		2/16/2013	1/23/2012	4/30/2014		
Sanzica	Philip		12/10/2011	1/23/2012	1/31/2012	PC Alt. Rep.	
Strat	Thomas		11/16/2011	1/23/2012	1/31/2012	PC Rep	

**Nominations for Zoning Board of Appeals:**

**Term Expires: 04/30/2014** \_\_\_\_\_ **(PC Rep)**  
 Term currently held by: Thomas Strat

**Term Expires: 04/30/2014** \_\_\_\_\_ **(Alternate)**  
**(See NOTE)**  
 Term currently held by:

**Term Expires: 04/30/2014**

**(Alternate)  
(See NOTE)**

Term currently held by:

**NOTE: Planning Commission Members cannot be considered for appointment to the Zoning Board of Appeals according to the Michigan Zoning Enabling Act (Act 110 of 2006) and the City of Troy Zoning Ordinance, Section 3.10 and Section 15.02.**

**Interested Applicants:**

<u>Last Name</u>	<u>First Name</u>	<u>M I or Nickname</u>	<u>App Resume Expire</u>	<u>Date to Council</u>	<u>Currently Serving on B&amp;C</u>
Bloomingdale	Bruce		1/20/2014	1/23/2012	
Eisenbacher	David		11/14/2013	1/23/2012	
Kaltsounis	Orestis	Rusty	1/20/2014	1/23/2012	P&R Bd. Exp. 09/30/2012
Krent	Thomas	G	2/23/2013	1/23/2012	Planning Comm. Exp. 12/31/2013 (Cannot be appointed as an Alternate while serving on Planning Commission)

Yes:

No:

**I-3 Closed Session**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268(h) (MCL15.243(g)).

Yes:

No:

**I-4 2012 Poverty Exemption Guidelines (Changes From Previous Year)**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That pursuant to MCL 211.7u, the City Council of the City of Troy hereby **APPROVES** the proposed "Poverty Exemption Guidelines" for 2012, as presented by the City Assessor in a memorandum dated December 28, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

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**I-5 Special Use Request and Preliminary Site Plan Review (File Number SU 391) – Proposed Kroger Retail Fuel Center D-464, Southwest Corner of South Boulevard and Crooks (2105 W. South Blvd.), Section 5, Currently Zoned NN (Neighborhood Node) District (Controlled by Consent Judgment)**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That the Troy City Council hereby **GRANTS** Special Use Approval and **APPROVES** the Preliminary Site Plan for the addition of a Kroger Fuel Center, including other site improvements, located at the southwest corner of South Boulevard and Crooks Road, Section 5, as indicated on a Site Plan prepared by Landplan Engineering, P.A. This site plan revises and updates the exhibits to the Consent Judgment in the *Northfield Commons Associates L.L.C. et al v. City of Troy* lawsuit, Case Number 1990-389364-NZ, and reflects the parties' agreement as to the proposed development on the property.

BE IT FURTHER RESOLVED, That the Troy City Council also **APPROVES** a Second Order Amending Consent Judgment to facilitate the development as proposed, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document which incorporates the updated and revised Preliminary Site Plan, after all other necessary parties have executed it. A copy of the executed document shall be **ATTACHED** to the original Minutes of this meeting

Yes:

No:

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**I-6 Addendum No. 1: Contract 10-5 – Tallman and Eckford Water Main Replacement**

Suggested Resolution

Resolution #2012-01-

Moved by

Seconded by

RESOLVED, That Addendum No. 1 to Contract No. 10-5, Tallman and Eckford Water Main Replacement, is hereby **APPROVED** to Pamar Enterprises, Inc, 58021 Gratiot, New Haven, MI 48048 at unit prices contained in the contract. The total amount authorized is \$769,485.50 and includes the previous authorized amount of \$641,805.00, 10% contingency as per the contract award resolution and the estimated \$63,500.00 amount for which Addendum No. 1 exceeds the 10% contingency.

Yes:

No:

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**J. CONSENT AGENDA:**

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

Resolution #2012-01-

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**

---

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

Resolution #2012-01-

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

- a) Regular City Council Meeting of January 9, 2012
- b) Special City Council Meeting of January 17, 2012

---

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

---

**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution #1: Award to Low Bidder – Purchase of Fire Hose**

Suggested Resolution

Resolution #2012-01-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish one-year requirements of fire hose and couplings for the Troy Fire Department to the low total bidder, Apollo Fire Equipment of Romeo, MI, at an estimated total cost of \$13,525.00, at unit prices contained in the bid tabulation opened January 4, 2012, a copy of which shall be **ATTACHED** to the original Minutes of this meeting to expire January 31, 2013.

BE IT FURTHER RESOLVED, That Apollo Fire Equipment has agreed to **EXTEND THE CONTRACT** to other MITN Purchasing Cooperative members and associated entities under the same prices, terms and conditions.

**J-5 Addendum No. 1: Contract 10-1 – Section 35 Water Main Replacement**Suggested Resolution

Resolution #2012-01-

RESOLVED, That Addendum No. 1 to Contract No. 10-1, Section 35 Water Main Replacement, is hereby **APPROVED** to Bricco Excavating Company, LLC, 21201 Meyers Road, Oak Park, MI 48237 at unit prices contained in the contract. The total amount authorized is the amount of \$1,850,992.95 and includes the previous authorized amount of \$1,549,084.50, 10% contingency as per the contract award resolution and the estimated \$147,000.00 amount for which Addendum No. 1 exceeds the 10% contingency.

**J-6 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County**Suggested Resolution

Resolution #2012-01-

RESOLVED, That approval is **GRANTED** to pay the renewal of the City of Troy's membership in the Traffic Improvement Association for the year 2012, in the amount of \$23,600. The fee is to be divided equally between the Traffic Engineering and Police Departments. Funds are available in the 2011-2012 Traffic Engineering's Membership and Dues Fund and the 2011-2012 Police Department's Contractual Services General Fund.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:****K-1 Announcement of Public Hearings: None Submitted****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

**L-1 No Council Referrals Advanced****M. COUNCIL COMMENTS****M-1 No Council Comments Advanced**

**N. REPORTS**

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

- a) Liquor Advisory Committee-Final-November 14, 2011
  - b) Zoning Board of Appeals-Draft-November 15, 2011
  - c) Zoning Board of Appeals-Final-November 15, 2011
  - d) Planning Commission-Draft-December 13, 2011
  - e) Planning Commission-Final-December 13, 2011
  - f) Liquor Advisory Committee-Draft-January 9, 2012
- 

**N-2 Department Reports:**

- a) Building Department Activity Report – December, 2011
  - b) Procedures for Conducting a Public Hearing
- 

**N-3 Letters of Appreciation:**

- a) Letter of Appreciation to Chief Mayer from Samuel Lamerato on Behalf of the American Public Works Association, Thanking Officer Stansbury and Officer Linton
  - b) Letter of Appreciation to Chief Nelson from Mike Witoszynski, General Manager of MET Hotel, Thanking Lieutenant Perry
- 

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

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**O. STUDY ITEMS**

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**O-1 Publicly Funded Health Insurance Contributions Act (Public Act 152 of 2011)**

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**P. CLOSED SESSION:**

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**P-1 Closed Session**

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**Q. ADJOURNMENT**

Respectfully submitted,



John Szerlag, City Manager

**FUTURE CITY COUNCIL PUBLIC HEARINGS:**

**SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

Monday, February 6, 2012 .....	Regular Meeting
Monday, February 20, 2012 .....	Regular Meeting
Monday, March 5, 2012 .....	Regular Meeting
Monday, March 19, 2012.....	Regular Meeting
Monday, April 2, 2012 .....	Regular Meeting
Monday, April 16, 2012 .....	Regular Meeting
Monday, May 7, 2012.....	Regular Meeting
Monday, May 14, 2012.....	Regular Meeting
Monday, June 4, 2012.....	Regular Meeting
Monday, June 18, 2012.....	Regular Meeting
Monday, July 9, 2012 .....	Regular Meeting
Monday, July 23, 2012 .....	Regular Meeting
Monday, August 13, 2012 .....	Regular Meeting
Monday, August 27, 2012 .....	Regular Meeting
Monday, September 10, 2012 .....	Regular Meeting
Monday, September 24, 2012 .....	Regular Meeting
Monday, October 8, 2012.....	Regular Meeting
Monday, October 22, 2012.....	Regular Meeting
Monday, November 12, 2012 .....	Regular Meeting
Monday, November 26, 2012 .....	Regular Meeting
Monday, December 3, 2012.....	Regular Meeting
Monday, December 17, 2012.....	Regular Meeting

**SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**

Monday, April 23, 2012 .....	Special Budget Study Session
Monday, April 30, 2012 .....	Special Budget Study Session

## SERVICE COMMENDATION JAY REYNOLDS

**WHEREAS, Police Officer Jay Reynolds** began his career with the Troy Police Department on March 6, 1978. He served the Troy community in many areas including Patrol, Juvenile Unit, Tactical Support Unit, Directed Patrol Unit, Investigations, Court Officer, and Communications; and

**WHEREAS, Officer Jay Reynolds** served as Community Services Retail Liaison, FTO, Precision Driving Instructor, Firearms Instructor and on the Bike Patrol. He was a founding member of the SRU, an Oakland County Hazardous Materials Response Team member and emergency vehicle operations instructor; and

**WHEREAS, Officer Reynolds** also taught Basic Detective/Investigator Program and Identity Theft Investigation classes. He joined the Troy Fire Department as a volunteer Firefighter at Station 5 on May 15, 1980 and retired on August 19, 2011 with 31 years of service; and

**WHEREAS, Officer Reynolds** was recognized in 1988 and 1991 with Life Saving Awards, received one Unit Citation, over 100 letters of appreciation and commendations, and received six consecutive Safe Driving Awards – accident free with both the Police Department and the Fire Department; and

**WHEREAS, In 1988 Officer Reynolds** received the M.A.C.P Top Traffic Award – Most Improved in the Tactical Support Unit. During his career in Troy, he received a Certificate of Appreciation from the United States Secret Service and Recognition for Excellent Customer Service by the International Association of Financial Crimes Investigators; and

**WHEREAS, Officer Reynolds** worked tirelessly each year with Shop with a Hero, the annual Holiday Food & Gift Drive, National Night Out and the Troy Daze Festival, and also never called in sick during his career; and

**WHEREAS, Officer Reynolds retired from the City of Troy on August 19, 2011 after 33 years of dedicated service** and the utmost respect from his peers, the Troy employees, and countless members of the community he serves; and

**WHEREAS, Jay** will now enjoy more time with his wife, **Kelly**; and son **Jay**, daughter-in-law **Stephanie** and grandkids **Aidan and Delanie**; daughter **Natalie**, son-in-law **Dave** and grandkids **Lucas and Griffin**; daughter **Gina**, son-in-law **Chris**, and grandkids **Ryder and Faith**; and daughter **Madison**; and

**NOW, THEREFORE, BE IT KNOWN**, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Officer Jay Reynolds** for his many contributions to the betterment of the City; and

**BE IT FURTHER KNOWN**, That the City Council of the City of Troy, on behalf of themselves, City Management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Jay** during his retirement years.

Presented the 23<sup>rd</sup> day of January 2012.



## CITY COUNCIL AGENDA ITEM

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Date: January 23, 2012

To: John Szerlag, City Manager

From: Nino Licari, City Assessor

Subject: Public Hearing for the granting of an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., 1725 John R

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### Background:

Tepel Brothers Printing, Inc. is expanding its operations at the building they own in Troy. They are applying for an additional IFEC at 1725 John R. The IFEC application qualifies for a seven (7) year abatement under Council's Policy Resolution #2010-08-173.

### Financial Considerations:

The initial amount of the investment is \$2,400,000.00. They intend to add 10 new jobs to the 96 currently at this location. Over the seven (7) year life of the abatement, the estimated total taxes would be \$128,302.72, of which \$42,149.01 would be City Taxes.

A 50% abatement amounts to a total savings to the taxpayer of \$64,151.36, of which \$21,074.50 would be abated City taxes.

### Legal Considerations:

The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

### Policy Considerations:

The application is in compliance with City Council Tax Abatement Policy Resolution #2010-08-173. Additionally, the following Council Outputs/Outcomes are met;

H. Recruit and retain new businesses that enhance the community and that meet the goals of the City's Master Plan, as well as the key concepts of the Big Beaver Corridor Study

U. Utilize available economic development tools and partnerships in order to compete for quality businesses



## CITY COUNCIL AGENDA ITEM

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### Recommendation:

Since both legal and policy considerations are met, staff would recommend granting the tax abatement.

### Options:

City Council may approve the tax abatement. Or, City Council may choose not to grant the abatement. In which case, the Petitioner may appeal that decision to the State Tax Commission (STC).

NI/nl H:IFT\Tepel Bros 2\Memo IFEC 01.23.12

# Application for Industrial Facilities Tax Exemption Certificate

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

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

**RECEIVED**

<b>To be completed by Clerk of Local Government Unit</b>	
Signature of Clerk	Date received by Local Unit <b>DEC 20 2011</b>
<b>STC Use Only</b>	
Application Number	Date Received by STC <b>CITY OF TROY ASSESSING DEPT.</b>

**APPLICANT INFORMATION**  
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Teipel Brothers Printing, Inc.</b>	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>323100</b>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>1725 John R Road, Troy, MI 48083</b>	1d. City/Township/Village (indicate which) <b>City of Troy</b>	1e. County <b>Oakland</b>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	3a. School District where facility is located <b>Warren</b>	3b. School Code <b>50230</b>
	4. Amount of years requested for exemption (1-12 Years) <b>7</b>	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.  
**Purchase and installation of new printing press and other equipment to improve capacity and productivity.**  
**See attached list for planned equipment purchases.**

6a. Cost of land and building improvements (excluding cost of land) ..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs <b>\$2,400,000.00</b>
6b. Cost of machinery, equipment, furniture and fixtures ..... * Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs <b>\$2,400,000.00</b>
6c. Total Project Costs ..... * Round Costs to Nearest Dollar	Total of Real & Personal Costs

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

<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements ▶ <u>12/20/11</u>	<u>12/31/2012</u>	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶ <u>12/20/11</u>	<u>12/31/2012</u>	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

9. No. of existing jobs at this facility that will be retained as a result of this project. <b>96 (includes temporary/contract employees)</b>	10. No. of new jobs at this facility expected to create within 2 years of completion. <b>10</b>
--------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------

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

a. TV of Real Property (excluding land) .....	_____
b. TV of Personal Property (excluding inventory) .....	_____
c. Total TV .....	_____

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

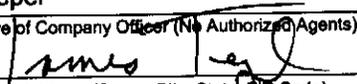
Industrial Development District       Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) <b>9/22/2008</b>	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

**APPLICANT CERTIFICATION - complete all boxes.**

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name <b>Robert F. Fuchs</b>	13b. Telephone Number <b>(810)844-0922</b>	13c. Fax Number <b>(810)844-0069</b>	13d. E-mail Address <b>bfuchs@paradigmtax.com</b>
14a. Name of Contact Person <b>James Tepel</b>	14b. Telephone Number <b>(248)786-0330</b>	14c. Fax Number <b>(248) 743-2907</b>	14d. E-mail Address <b>jtepel@tepelbrothers.com</b>
▶ 15a. Name of Company Officer (No Authorized Agents) <b>James Tepel</b>			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number <b>(248) 743-2907</b>	15d. Date <b>12-20-2011</b>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <b>1725 John R. Road, Troy, MI 48083</b>		15f. Telephone Number <b>2487860330</b>	15g. E-mail Address <b>jtepel@tepelbrothers.com</b>

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16d. School Code
16c. LUCI Code	▶ 18. Date of Resolution Approving/Denying this Application
17. Name of Local Government Body	

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

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

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

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

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

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

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Applicant Name Tepel Brothers Printing, Inc.
-------------------------------------------------

## Fiscal Statement (to be completed by local unit)

	<u>YES</u>	<u>NO</u>
Is this project:		
Real Property?	<input type="checkbox"/>	<input type="checkbox"/>
Personal Property?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - New Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - Rehabilitation Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both New and Replacement Facility?	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Project Investment (not assessed value):

Real Property	Personal Property	Total
---------------	-------------------	-------

	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input type="checkbox"/>	_____

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

### LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official
-----------	----------------------------------------------------



December 20, 2011

Mr. Leger A. Licari  
City of Troy  
500 West Big Beaver  
Troy, Michigan 48084

In regards to: Tepel Brothers Printing, Inc. Request for Property Tax Abatement

Dear Mr. Licari:

This letter serves as a request to the City of Troy on behalf of Tepel Brothers Printing, Inc. (Tepel). Tepel respectfully requests that the City Council grant an Industrial Facilities Tax Exemption Certificate for an investment in personal property that will occur in 2011 and 2012. Granting the Exemption is a key factor in Tepel's ability to make the investment in the new equipment, the installation of which has not commenced as of the date of this letter.

We are located on an existing Industrial Development District (IDD) that was established by City Council on September 22, 2008.

Enclosed is the completed Application for Industrial Facilities Tax Exemption Certificate, Form 1012. It is our understanding that the City Council will consider the application at a future City Council meeting.

Please calculate the application fee and let me know the amount, so that we may send a check.

If you have any questions or require additional information please call me at . 248-786-0330.

Thank you for your attention to this matter.

Respectfully,

  
James Tepel  
President

**RECEIVED**

DEC 20 2011

CITY OF TROY  
ASSESSING DEPT.

Tepel Brothers Printing, Inc.

Application for Industrial Facilities Exemption Certificate

Equipment List

Troy, Michigan

<b><u>Description</u></b>	<b><u>Installation Date</u></b>	<b><u>Cost</u></b>
Xerox 1000	January 2012	\$200,000
Kirk Rudy - Video Jet Imager	January 2012	\$200,000
Heidelberg XL 75 6 Color UV	February 2012	<u>\$2,000,000</u>
	Total	<u>\$2,400,000</u>

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363 373

416 20-26-479-039

362 374

415 426

361 375

414 427

20-26-477-042

376

413 20-26-479-038

359 376

412 428

358 377

411 429

20-26-477-046

357 378

410 430

WOODSLEE

1930

1904

1938

1775

893

1919

1725

JOHN R

BIRCHWOOD

**Tepel Brothers Printing, Inc.  
1725 John R  
Troy, MI., 48083**

**IFEC  
Legal Description**

**T2N, R11E, SEC 26  
JOHN R GARDEN SUB  
N 15 FT OF LOT 25, ALSO  
LOTS 26 TO 35 INCL, ALSO  
S 12 FT OF LOT 36 EXC  
E 27 FT OF ALL SD LOTS  
TAKEN FOR JOHN R RD, ALSO  
LOTS 422 TO 426 INCL EXC  
S 5.00 OF LOTS 422 TO 426 INCL  
TAKEN FOR BIRCHWOOD AVE ALSO  
ALL OF LOT 417,  
W 19 FT OF LOT 418, ALSO  
S 1/2 OF VAC VERMONT AVE  
ADJ TO SD LOTS 417 & 418, ALSO  
S 112 FT OF E 21 FT  
OF LOT 418, ALSO  
S 112 FT OF LOTS 419 TO 421 INCL, ALSO  
ALL OF VAC ALLEY  
LYING ADJ TO SD LOTS 421 & 422  
12/29/88 FR 477-040**

**City of Troy - Assessing Department**  
**Tepel Brothers Printing, Inc.**  
**Estimate of Total Taxes and Tax Savings for IFEC Application**

<b>Market Value</b>	2,400,000	2,136,000	1,623,360	1,233,754	937,653	712,616	541,588	1,087,651
<b>50% of Value</b>	1,200,000	1,068,000	811,680	616,877	468,826	356,308	270,794	543,826
<b>Year</b>		<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Depreciation</b>		0.8900	0.7600	0.7600	0.7600	0.7600	0.7600	0.6700
<b>Taxable Value</b>		1,068,000	811,680	616,877	468,826	356,308	270,794	543,826

<b>Taxes</b>	<b>100% of Millage</b>	<b>Taxes</b>						
<b>Trans</b>	0.59000	\$630.12	\$478.89	\$363.96	\$276.61	\$210.22	\$159.77	\$320.86
<b>County</b>	4.64610	\$4,962.03	\$3,771.15	\$2,866.07	\$2,178.21	\$1,655.44	\$1,258.14	\$2,526.67
<b>Zoo</b>	0.10000	\$106.80	\$81.17	\$61.69	\$46.88	\$35.63	\$27.08	\$54.38
<b>Int Schools</b>	2.94300	\$3,143.12	\$2,388.77	\$1,815.47	\$1,379.76	\$1,048.61	\$796.95	\$1,600.48
<b>Comm Coll</b>	1.58440	\$1,692.14	\$1,286.03	\$977.38	\$742.81	\$564.53	\$429.05	\$861.64
<b>State Ed</b>	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>School Op</b>	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sch Debt</b>	2.44000	\$2,605.92	\$1,980.50	\$1,505.18	\$1,143.94	\$869.39	\$660.74	\$1,326.93
<b>Hold Harmless</b>	8.40210	\$8,973.44	\$6,819.82	\$5,183.06	\$3,939.13	\$2,993.74	\$2,275.24	\$4,569.28
<b>Admin</b>	0.12304	\$131.40	\$99.87	\$75.90	\$57.68	\$43.84	\$33.32	\$66.91
<b>City</b>	10.19000	\$10,882.92	\$8,271.02	\$6,285.97	\$4,777.34	\$3,630.78	\$2,759.39	\$5,541.58
<b>Total</b>	31.01864	\$33,127.90	\$25,177.21	\$19,134.68	\$14,542.35	\$11,052.19	\$8,399.66	\$16,868.73

**Total Taxes 7 Yrs** \$128,302.72

**Total City Taxes 7 Yrs** \$42,149.01

<b>50% Total Taxes 7 Yrs</b>	\$64,151.36	<b>Net Total Taxes Abated</b>
<b>50% Total City Taxes 7 yrs</b>	\$21,074.50	<b>Net Total City Taxes Abated</b>
<b>2% Total City 7 Yrs</b>	\$421.49	<b>Application Fee (2% total city)</b>

**I-4 Amending the Personal Property Tax Abatement Policy**

Resolution #2010-08-173

Moved by Beltramini

Seconded by Kerwin

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the tax base of the community, (c) reducing economic obsolescence, (d) providing homogenous industrial areas, (e) encouraging expansion, (f) providing for improved public facilities, and (g) encouraging attractive, viable building sites and (h) enhancing our economic development tools to attract and retain businesses; and

WHEREAS, The Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax abatements for eligible properties established by the Act;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the following minimum criteria, as authorized by the Industrial Facilities Tax Act (P.A. 1974 No. 198):

1. An Industrial Facilities Exemption Certificate (IFEC) tax abatement shall not be granted until there is compliance with MCL 207.559; and
2. Any real and/or personal property tax abatement at a minimum must be revenue neutral to the City of Troy.
3. Leasehold property shall not qualify for an IFEC tax abatement unless applicant is responsible for payment of the property taxes, and can demonstrate timely payment of property taxes upon the City's request; and
4. An IFEC tax abatement shall not be issued for a period or term exceeding 12 years; and
5. An IFEC tax abatement shall not be issued unless an Applicant will create more than 10 jobs and/or has a personal property investment of at least \$750,000.00, and/or owns the underlying real property or has a lease for the underlying property for a minimum term of 5 years, as long as two of the three criteria are satisfied.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the use of the following matrix to calculate the length of an IFEC tax abatement, where the increase in the number of jobs created will increase the term of the IFEC abatement, and similarly the increase in the personal property investment and the ownership/lease conditions on the real property will increase the term of the IFEC abatement:

Tax Abatement Matrix for Real and Personal Property					
Job Creation		Building Terms		RP and/or PP Investment	
10 - 24	1 year	Own	4 years	\$ 750,000	1 year
25 - 49	2 years	Lease		\$ 2,000,000	2 years
50 - 99	3 years	5 year	1 Year	\$ 5,000,000	3 years
100 - 149	4 years	6 - 9 year	2 years	\$ 10,000,000	4 years
150 - 199	5 years	10 + year	4 years	\$ 20,000,000	5 years
200 +	6 years				

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the implementation of an application fee equal to 2% of the estimated personal property taxes abated under the terms of the IFEC tax abatement, or the actual costs of processing the application, whichever is less, and the City of Troy will not charge or collect any other fees for the application, in keeping with MCL 207.555 (3).

Yes: Schilling, Beltramini, Fleming, Kerwin, McGinnis, Slater

No: Howrylak

**MOTION CARRIED**

December 21, 2012

To: State Tax Commission  
P. O. Box 30471  
Lansing, MI 48909-7971

From: Leger A. (Nino) Licari, City Assessor

Re: Affidavit of Application Fees For IFEC

This affidavit attests to the fact that the City of Troy has charged an application fee in the amount of \$421.49, equal to 2% of the estimated abated City taxes for the life of the exemption for Tepel Brothers Printing, Inc., 1725 John R Troy MI. 48083.

Further, no other fee or concession has been charged or accepted in regards to this application, or consideration thereof.

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Signed: Leger A. (Nino) Licari, City Assessor

---

Dated:

**CITY OF TROY  
INDUSTRIAL FACILITIES EXEMPTION  
CERTIFICATE LETTER OF AGREEMENT**

This agreement between **Tepel Brothers Printing, Inc.**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Tepel Brothers Printing, Inc.**, understands that through its investment of **\$2,400,000.00**, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is **7** years after either completion of construction of the facilities, or December 31, 2021, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2014, **Tepel Brothers Printing, Inc.**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Tepel Brothers Printing, Inc.**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

**Tepel Brothers Printing, Inc.**, further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **Tepel Brothers Printing, Inc.**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **Tepel Brothers Printing, Inc.**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of any Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

**CITY OF TROY**  
**INDUSTRIAL FACILITIES EXEMPTION**  
**CERTIFICATE LETTER OF AGREEMENT**  
(Signature page)

Signed: \_\_\_\_\_ (date) \_\_\_\_\_

Name:

Title:

Signed: \_\_\_\_\_ (date) \_\_\_\_\_  
Janice Daniels , Mayor  
City of Troy  
500 W Big Beaver  
Troy, MI 48084-5285

Signed: \_\_\_\_\_ (date) \_\_\_\_\_  
M. Aileen Bittner  
City Clerk

**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, January 23, 2012 at 7:30 P.M. to consider the granting of an Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc., at the following location:

88-20-26-479-040 1725 John R, Troy, MI. 48083  
T2N, R11E, Section 26 part of John R Gardens Subdivision

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

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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.*

WARREN CONSOL'D SCHOOLS  
Attn: TOM WALL  
31300 ANITA  
WARREN MI 48093-1697

OAKLAND COMMUNITY COLLEGE  
CLARENCE E BRANTLEY  
2480 OPDYKE  
BLOOMFIELD HILLS MI 48304-2266

MACOMB INTERMEDIATE SCHLS  
44001 GARFIELD  
CLINTON TWP MI 48038-1100

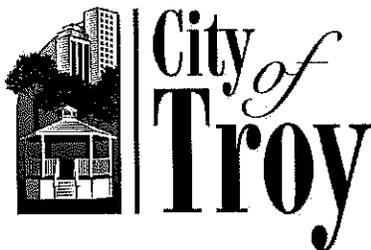
OAKLAND COUNTY PTA  
1200 N TELEGRAPH Dept 479  
PONTIAC MI 48341-0479

OAKLAND CO EQUALIZATION  
Attn: DAVID HIEBER  
250 ELIZABETH LAKE RD 1000 W  
PONTIAC MI 48341

OAKLAND COUNTY ZOO AUTH'Y  
1200 N TELEGRAPH Dept 479  
PONTIAC MI 48341-0479

TEPEL BROTHERS PRINTING  
Attn: JAMES TEPEL  
1725 JOHN R  
TROY MI 48083

PARADIGM TAX GROUP  
Attn: ROBERT F FUCHS  
10327 GRAND RIVER STE 403  
BRIGHTON MI 48116



## CITY COUNCIL ACTION ITEM

Date January 6, 2012

TO: Mayor Daniels and City Council

FROM: John Szerlag, City Manager  
 Gary G. Mayer, Chief of Police  
 Keith Frye, Captain  
 Aileen Bittner, City Clerk

SUBJECT: Hearing for the Revocation of a Massage Facility License – Recovery Spa, Inc. – 1975 E. Maple Rd.

### Background:

Recovery Spa, Inc. was issued a Massage Facility License on September 27, 2011, with Ms. Ok Suk An listed as the applicant owner. On or about October 24, 2011, the Troy Police Department received a tip indicating that employees at the Recovery Spa were performing sexual acts for money during business hours at that location. Further investigation substantiated this information.

A covert investigation was initiated. The investigation revealed that illegal acts were committed by employees of The Recovery Spa. Investigators executed a search warrant on November 14<sup>th</sup>, 2011, and found numerous ordinance violations pertaining to the licensed establishment. Appropriate citations were issued and warrants were sought. Three people await the outcome of the judicial process.

In addition to the charges listed on the Notice of Suspension and Hearing, the Recovery Spa, Inc. also violated Chapter 98-A *Massage Facility* by employing at least two unlicensed massage therapists.

Pursuant to Paragraph 11.b) – *Suspension or Revocation of License; Notice of Hearing of Chapter 98-A Massage Facility License*, the City Manager authorized the immediate suspension of the Massage Facility License for Recovery Spa, Inc. on December 19, 2011, based on the findings of the Police Department's investigation. The Notice of Suspension and Hearing is attached.

Section 11.c - *Suspension or Revocation of License; Notice of Hearing of Chapter 98-A Massage Facility License* entitles the applicant to a due process hearing before City Council in order for the applicant to offer testimony and show cause why the City Manager's suspension should be reversed or Massage Facility License not revoked.

The Massage Facility License for Recovery Spa, Inc. expired December 31, 2011. The outcome of the due process hearing, and the decision of City Council, will affect possible future renewals of the license.

Recommendation:

City Administration recommends the immediate revocation of the Massage Facility License issued to Recovery Spa, Inc.

# NOTICE OF SUSPENSION AND HEARING

Pursuant to Paragraph 11.b) – *Suspension or Revocation of License; Notice of Hearing* of Chapter 98-A *Massage Facility License*, the City Manager has authorized the immediate suspension of the Massage Facility License for **Recovery Spa, Inc.** located at **1975 E. Maple Rd.**

This suspension is based on violations of Chapter 98-A *Massage Facility License*, including but not limited to, those detailed below:

- Paragraph 9 – *Posting of License*: Every Massage Facility Licensed under this Chapter shall be displayed in a prominent place at the Massage Facility.
- Paragraph 14.b) – *Operating Requirements*: The price rates for all services at the Massage Facility shall be prominently posted in the reception area in a location available to all prospective customers.
- Paragraph 18.a) – *Unlawful Acts*: It shall be unlawful for any person in a Massage Facility to expose his or her sexual or genital parts, or any portion thereof, to any other person. It shall also be unlawful for any person in a Massage Facility to expose the sexual or genital parts, or any portions thereof, of any other person.
- Paragraph 18.d) – *Unlawful Acts*: It shall be unlawful for any person owning, operating or managing a Massage Facility, or any agent, employee, or any other person under his or her control or supervision to perform such acts or allow the performance of such acts that are prohibited in subsections 19 (a), (b) or (c).

Pursuant to Section 11.c - *Suspension or Revocation of License; Notice of Hearing* of Chapter 98-A *Massage Facility License*, you are entitled to a due process hearing before Troy City Council at which time you may give testimony and show cause why the City Manager's suspension should be reversed or Massage Facility License not revoked.

This hearing is set for the Regular City Council Meeting on **January 9, 2012, at 7:30 PM**. The City Council meetings are held inside the Council Chambers on the second floor of City Hall – 500 W. Big Beaver Rd.

**THIS NOTICE POSTED AT 1975 E. MAPLE RD. ON DECEMBER 19, 2011**

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DL SUK AN  
 42354 Parkside Circle  
 #206  
 Sterling Heights MI  
 48314

COMPLETE THIS SECTION ON DELIVERY

A. Signature  X *DL SUK AN*  Agent

B. Received by (Printed Name)  Addressee  
 DL SUK AN 12/21/11

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number 7009 3410 0002 1727 9415  
 (Transfer from service label)  
 PS Form 3811, August 2001 Domestic Return Receipt 102585-02-M-1540

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information, visit our website at www.usps.com®

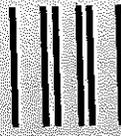
**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

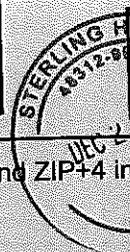
Sent To **OK SUK AN**  
 Street, Apt. No., or PO Box No. **42354 Parkside Circle #206**  
 City, State, ZIP+4 **Sterling Heights MI 48314**  
 PS Form 3800, August 2006 See Reverse for Instructions

5CH6 22LT 2000 OTH6 600L

UNITED STATES POSTAL SERVICE



First Class Mail  
 Postage & Fees Paid  
 USPS  
 Permit No. G-10



• Sender: Please print your name, address, and ZIP+4 in this box •

City Clerk's Office  
 500 W. Big Beaver Rd  
 Troy, MI 48084



City of Troy  
City Clerk's Office  
500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3331

License Expires: December 31, 2011

Ok Suk An  
42354 Parkside Cir. Apt. 206  
Sterling Heights, MI 48314

Facility Location:  
Recovery Spa Inc.  
1975 E. Maple Rd.  
Troy, MI 48083

## Massage Facility License 2011-005

(This License is Not Transferable)

This permit does not constitute an endorsement by the  
City of Troy

Date of Issue: September 7, 2011

This is to certify that the facility listed is registered  
as a Massage Facility in the City of Troy during the  
current year.



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M. Aileen Bittner, Acting City Clerk

DATE: January 18, 2012

TO: John Szerlag, City Manager

FROM: Mark F. Miller, Director of Economic & Development Services  
Aileen Bittner, City Clerk  
R. Brent Savidant, Planning Director

SUBJECT: ESTABLISHMENT OF HISTORIC DISTRICT STUDY COMMITTEE

### Background

The Planning Department is responsible for administering Chapter 13 Historic Preservation. The Planning Department received a request from a resident to de-list his historic property located at 4820 Livernois. Section 14.A of Chapter 13 requires the following:

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.

The Historic District Study Committee is an ad hoc committee that is appointed on an as-needed basis. It was dissolved on June 21, 2010 because there were no pending applications to de-list. Because there is now a pending application to de-list 4820 Livernois, City Council is required to appoint members to the Historic District Study Committee. The minimum number of Committee members is not stipulated in Chapter 13. Therefore a Committee made up of as few as three (3) members would be acceptable.

### Recommendation

A resident submitted an application to de-list a historic property. Chapter 13 requires that a Historic District Study Committee be appointed by City Council to process the application to de-list.

City Management recommends appointing a Historic District Study Committee as soon as possible.

Approved as to form and legality:

---

Lori Grigg Bluhm, City Attorney

Attachments:

1. Item H-05 from June 21, 2010 City Council Regular meeting.
2. Resolution #2010-06-139 from June 21, 2010 City Council Regular meeting.

cc: File/Historic Preservation

G:\Historic Preservation\HDSC Memo 01 23 2012.docx



**TO:** Mayor and City Council Members  
**FROM:** Lori Grigg Bluhm , City Attorney  
Allan T. Motzny, Assistant City Attorney  
**DATE:** June 15, 2010  
**SUBJECT:** Dissolution of Historic District Study Committee.

---

Chapter 13 of the Troy City Ordinances allows for the creation of local historic districts within the community. Under the law, once a property has been designated as a local historic district, there are applicable regulations that are designed to preserve these significant historic resources in the community. Troy's ordinance was amended on November 17, 2003 to mirror changes in state law. At that time, the amended ordinance provided for the creation of an ad hoc Historic District Study Committee (HDSC), which was charged with the responsibility of shepherding the de-listing requests. The HDSC Committee was appointed in February 2004, based on a de-listing request. Since that time, the HDSC has continued its work on all pending de-listing requests. Since the committee is ad hoc, it was anticipated that the committee would handle only the initial pending matter. However, the existing HDSC has also graciously accepted responsibility for additional de-listing requests which were submitted before the conclusion of the HDSC's pending matters. The last pending de-listing request is now complete, and the HDSC has submitted its recommendation for City Council action.

Section 14 (A) of Chapter 13 provides that 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."

At its May 18, 2010 meeting, the Historic District Commission recognized that the HDSC work was complete, and therefore recommended dissolution (attached). In the future, if and when additional de-listing requests are filed, then a new ad hoc HDSC would need to be appointed. Members serving on the current HDSC y Committee are eligible for appointment to any future Study Committee(s).

Please let us know if you should have any questions.

**TROY HISTORIC DISTRICT COMMISSION MINUTES – DRAFT**

**May 18, 2010**

A regular meeting of the Troy Historic District Commission was held Tuesday, May 18, 2010 at the Troy Museum. Barbara Chambers called the meeting to order at 7:04 p.m.

<b>ROLL CALL</b>	<b>PRESENT</b>	Barbara Chambers Anne Partlan Kent Voigt Doris Schuchter Muriel Rounds Loraine Campbell, Museum Manager
	<b>ABSENT</b>	Sabah Jihad
	<b>GUESTS</b>	Connie and Michael Kelemen 1767 Three Lakes Troy, MI 48085

**Resolution #HDC-2010-05-001**

**Moved by Partlan**

**Seconded by Voigt**

**RESOLVED, That the minutes of the March 16, 2010 meeting be approved.**

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

**MOTION CARRIED**

**OLD BUSINESS**

**A. Recommendation of the Final Report to delist 4800 Beach**

The commission reviewed the final revised report provided by the Historic District Study Committee.

**Resolution #HDC-2010-05-002**

**Moved by Partlan**

**Seconded by Voigt**

**RESOLVED, That the Historic District Commission supports the findings provided in the final report by the Historic District Study Committee regarding the resource identified as 4800 Beach Road (88-20-18-203-011) and further supports the recommendation to City Council to eliminate the local historic designation of this resource.**

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED

NEW BUSINESS

**B. 54 E. Square Lake Road**

Connie and Michael Kelemen propose to acquire the historic resource at 54 E. Square Lake Road (88-20-10-101-003) through a lease agreement for use as an old world style café. They will retain the exterior appearance of the building but seek to remove large coniferous trees that are extremely close to the building. They also plan to offer outdoor seating in the area behind the house and to develop parking in the area east of the building.

Resolution #HDC-2010-05-003

Moved by Schuchter

Seconded by Rounds

**RESOLVED, That the Historic District Commission supports concepts presented by Connie and Michael Kelemen regarding the use of the historic resource at 54 E Square Lake Road (88-20-10-101-003) that will:**

- **Preserve and retain the historic integrity of the structure and the site,**
- **Remove trees encroaching on the building foundation,**
- **Provide an outdoor café at the rear (south side) of the property, and**
- **Provide an appropriate parking area with a surface that retains the historic integrity of the site, is ADA compliant, and that provides appropriate stormwater management.**

The Historic District Commission would support use of an appropriate material such as:

- **Crushed limestone (slag)**
- **Parking pavers**
- **A porous surface including but not limited to Permeable Interlocking Concrete Pavers or Permeable Pavers**

As a "last resort" the commission would support the use of dyed, stamped concrete.

Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds

No: 0

MOTION CARRIED

**C. Historic District Study Committee**

The commission discussed the charge of the Historic District Study Committee as an ad hoc committee appointed by City Council in accordance with Chapter 13, Sec. 14(A).

**Resolution #HDC-2010-05-004**

**Moved by Partlan**

**Seconded by Schuchter**

**RESOLVED, as the Historic District Study Committee has completed their work in the modification and elimination of historic resources, that the Historic District Commission recommends that City Council dissolve the Historic District Study Committee in accordance with Chapter 13, Sec 14(A).**

**Yes: 5— Chambers, Partlan, Voigt, Schuchter and Rounds**

**No: 0**

**MOTION CARRIED**

**D. Commission Comments**

Muriel Rounds suggested that the commission revisit the following items of unfinished business:

- The placement of an historic marker adjacent to the parking lot of John's party Store on the northwest corner of Square lake Road at Livernois. This marker, identifying the site of the Krell Farm was to be placed following completion of the expanded parking facility following the recommendations of the ad hoc Heritage Committee, 2003.
- Fabrication and placement of markers at the local historic resources.

The regular Troy Historic District Commission meeting was adjourned at 8:20 p.m. The next regular meeting will be held Tues, June 15, 2010 at 7:00 p.m. at the Troy Museum.

---

Barbara Chambers  
Chairperson

---

Loraine Campbell  
Recording Secretary

**H-5 Dissolution of Historic District Study Committee**

Resolution #2010-06-139

Moved by Fleming

Seconded by Beltramini

WHEREAS, The Historic District Study Committee appointed in February 2004 has completed work on all pending requests to de-list properties;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DISSOLVES** the Historic District Study Committee, in accordance with the provisions of Chapter 13 of the Troy City Code and MCL 399.214(1).

Yes: Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin, McGinnis

No: None

**MOTION CARRIED**



## CITY COUNCIL ACTION REPORT

December 28, 2011

TO: John Szerlag, City Manager

FROM: Nino Licari, City Assessor

SUBJECT: Agenda Item – 2012 Poverty Exemption Guidelines (changes from previous year)

### Background:

MCL 211.7u states: *"The real property of persons who in the opinion of the Supervisor (read Assessor for Cities) and Board of Review by reason of poverty are unable to contribute toward the public charges is exempt from taxation under this act."*

In order to grant a Poverty Exemption, the Michigan Tax Tribunal (MTT) has ordered that each community develop a set of guidelines to determine whether the applicant qualifies for a one (1) year exemption from property taxes. (The exemption may be re-applied for each year)

The State Tax Commission (STC) has ruled that the Income Guidelines that are used as a portion of the guidelines may not be less than the Federal Poverty Guidelines established each year.

As the guidelines include an Assessed Value limit, a Total Asset limit, and possible changes to the Income Guidelines, Council is presented with updated guidelines each year for approval.

The total asset limit, which includes the value of the home, is \$200,000, the same as 2011, based on the flat residential value we expect to see this year in Troy.

### Financial Considerations:

- There were 15 exemptions applied for in 2011 at the March Board of Review. Of these, 5 were granted exemptions totaling \$194,390 in Taxable Value (T/V). This amounts to \$1,980.83 in exempted City taxes.

Since 2002, residents have been allowed to apply for Poverty Exemptions at the July and December Boards of Review.

This year, there were 12 exemptions granted at the July Board (\$691,330 T/V), and 1 at the December Board (\$79,590 T/V). These additional exemptions accounted for exempted Taxable Value of \$770,920, and exempted City taxes of \$7,855.67.

The total loss of City taxes for Poverty Exemptions in 2011 was \$9,836.50.

Legal Considerations:

- The guidelines are required by the MTT and STC. The attached guidelines meet the requirements of these rulings.

Policy Considerations:

- The guidelines are a State mandated requirement. They do not conform to current Council goals.

Options:

- Council must adopt Poverty Guidelines. Council may adopt the guidelines as presented, or modify them

**POVERTY EXEMPTION GUIDELINES  
INCOME STANDARDS 2012**

The following are the Poverty thresholds as of 12-31-11 for use in setting Poverty Exemption Guidelines for 2012 assessments:

Number of Persons Residing in Homestead	Poverty Threshold
1 person	\$10,900
2 persons	14,700
3 persons	18,500
4 persons	22,400
5 persons	26,200
6 persons	30,000
7 persons	33,800
8 persons	\$ 37,600
9 persons (or more) add \$3,800 for each additional person	

**CITY OF TROY**  
**POVERTY EXEMPTION GUIDELINES – 2012**

**MCL 211.7u** *The real property of persons who in the judgment of the Supervisor and Board of Review by reason of poverty are unable to contribute toward the public charges is exempt from taxation under this Act.*

The City of Troy's standard for approving an exemption under the statute is based on an individual determination of hardship.

This is an exemption from taxes. If you claim poverty under the statute, you must file your claim with a Poverty Exemption Affidavit. This exemption is good for one year.

- STANDARD #1** Applicants must file a Poverty Exemption Affidavit in order to be considered for any exemption. Documentation such as, Federal/State Income Tax Forms, Homestead Property Tax Credit, W-2 Forms, Deeds or Land Contracts and personal identification is **mandatory**, and must be attached to the Affidavit.
- STANDARD #2** A Poverty Exemption will not be granted if the household income is greater than the Income Standards Guideline.
- STANDARD #3** A Poverty Exemption will not be granted if the Assessed Value of the home exceeds \$94,800.
- STANDARD #4** Applicants total assets cannot exceed \$200,000. This includes the value of your home.

\*The Board of Review may require a home audit and inspection, done by the Assessing Department, as part of the exemption process.

\* **The income of every person residing at the home must be reported.**

**POVERTY EXEMPTION AFFIDAVIT (for 2012 A/V Year)**

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Sidwell #)

**1. Household Income:** List all prior year income from:

- a) Wages/Tips \_\_\_\_\_
- b) Social Security \_\_\_\_\_
- c) Soc. Sec. for resident minors \_\_\_\_\_
- d) Pensions \_\_\_\_\_
- e) Interest/Dividends \_\_\_\_\_
- f) Unemployment Compensation \_\_\_\_\_
- g) Sub-Pay \_\_\_\_\_
- h) Workman's Compensation \_\_\_\_\_
- i) Aid to Dependent Children \_\_\_\_\_
- j) Medical Disability Benefits \_\_\_\_\_
- k) Lottery/Contest/Raffle \_\_\_\_\_
- l) Annuities \_\_\_\_\_
- m) Governmental Assistance \_\_\_\_\_
- n) Insurance/Lawsuit Payouts \_\_\_\_\_
- o) Alimony/Child Support \_\_\_\_\_
- p) Rental Income \_\_\_\_\_

**2. Supplemental Assistance:** List monthly amount of:

- a) Food Stamps \_\_\_\_\_
- b) Surplus Food \_\_\_\_\_
- c) Transportation \_\_\_\_\_

**3. Residence Information:**

- Is your home paid for? Yes \_\_\_ No \_\_\_  
If No:  
What is your mortgage/land contract balance? \_\_\_\_\_  
What is your monthly payment? \_\_\_\_\_  
Who holds your mortgage/land contract? \_\_\_\_\_  
Do you own any other property? Yes \_\_\_ No \_\_\_  
If Yes: Attach a copy of your last tax bill.

**4. Employment information:**

- Are you or your spouse currently employed?  
Self: Yes \_\_\_ No \_\_\_ Spouse: Yes \_\_\_ No \_\_\_  
Are you or your spouse unable to work (disability, etc.) ?  
Self: Yes \_\_\_ No \_\_\_ Spouse: Yes \_\_\_ No \_\_\_  
If Yes: Is this condition permanent?  
Self: Yes \_\_\_ No \_\_\_ Spouse: Yes \_\_\_ No \_\_\_  
Provide medical documentation of the disability.

**5. Children/Relatives/Boarders:**

How many children, relatives, or non-related boarders share your home? \_\_\_\_\_

Do any of the above, or anyone outside of your home, contribute Financially to your living expenses? Yes \_\_\_ No \_\_\_

If Yes: How much: per month \_\_\_\_\_ year \_\_\_\_\_

**6. Transportation:**

Do you own any automobiles? Yes \_\_\_ No \_\_\_

If Yes: Please provide the following information:

Year & Make	Price to you	Balance	Monthly payment
_____	_____	_____	_____
_____	_____	_____	_____

**7. Additional Assets:**

Please provide information about any additional assets listed.

Checking Account: Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Savings Account: Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

I.R.A. Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Keogh Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Deferred Comp Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Annuities Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Stocks/Bonds/Funds Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Money Market Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Treasury Bills Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

Savings Bonds Yes \_\_\_ No \_\_\_ Current Balance \_\_\_\_\_

**8. Attach copies of the following:**

- a) Federal Income Form
- b) State Income Tax Form
- c) Homestead Property Tax Credit form
- d) Property Tax Credit Form
- e) W-2 Forms
- f) Copy of Deed or Land Contract
- g) Identification: Driver's License
- h) A listing of your household living expenses for the prior year. (examples: heat, electric, insurance, etc.)

**You must provide proof of income and other records of all residents of the dwelling to be considered for an exemption.**

I (We), \_\_\_\_\_ [print name(s)]  
the undersigned, do hereby affirm that the above information is,  
to the best of my (our) knowledge, true.

\_\_\_\_\_  
(Signed) Phone Number

\_\_\_\_\_  
(Signed) Phone Number

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
My commission expires \_\_\_\_\_  
Notary Public \_\_\_\_\_

APPROVED:	NOT APPROVED:
Assessor: _____	Assessor: _____
Board Chairperson _____	Board Chairperson _____
Board Member _____	Board Member _____
Board Member _____	Board Member _____

Year \_\_\_\_\_ Assessment \_\_\_\_\_ Board of Review A/V \_\_\_\_\_

**For a March Board of Review Appeal, please submit by March 13**  
**For a July Board of Review Appeal, please submit by July 16**  
**For a December Board of Review Appeal, please submit by**  
**December 10.**

# Procedural Changes for the 2012 Assessment Year

Bulletin 12 of 2011

October 31, 2011

TO: Assessors/Equalization Directors

FROM: State Tax Commission (STC)

## Procedural Changes For The 2012 Assessment Year

The purpose of this Bulletin to provide information on statutory changes or procedural changes for the 2012 assessment year.

### A. Inflation Rate Used in the 2012 Capped Value Formula.

The inflation rate, expressed as a multiplier, to be used in the 2012 Capped Value formula is 1.027. The 2012 Capped Value Formula is as follows:

$$\text{2012 CAPPED VALUE} = (\text{2011 TAXABLE VALUE} - \text{LOSSES}) \times 1.027 + \text{ADDITIONS}$$

The preceding formula does not include 1.05 because the inflation rate multiplier of 1.027 is lower than 1.05.

### B. Klooster v. City of Charlevoix

On March 10, 2011, the Michigan Supreme Court issued a decision in the case of Klooster v City of Charlevoix which reversed the decision previously made in that case by the Michigan Court of Appeals. The decision will significantly affect the analysis used by Michigan assessors in determining whether a "transfer of ownership" of property has occurred, as that phrase is defined in Michigan Compiled Laws 211.27a(6), in cases involving the creation, modification or termination of joint tenancy ownerships.

A memo detailing the decision and offering several examples was posted by the Commission on June 2, 2011 and that memo is posted on the STC website.

General questions regarding transfers of ownership are addressed in the State Tax Commission's Transfers of Ownership publication, available on the Commission's

website under the Publications link. Specific questions regarding the Klooster case and transfers of ownership may be directed to Heather Frick or Tim Schnelle at 517-335-3429

### C. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2012.

MCL 211.7u, which deals with poverty exemptions, was significantly altered by PA 390 of 1994 and was further amended by PA 620 of 2002.

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels shall not be set lower by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons shall not be set lower than \$18,500 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than \$18,500. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2012 assessments.

Size of Family Unit	Poverty Guidelines
1	\$ 10,900
2	\$ 14,700
3	\$ 18,500
4	\$ 22,400
5	\$ 26,200
6	\$ 30,000
7	\$ 33,800
8	\$ 37,600
For each additional person	\$3,800

Note: PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that

could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 7 of 2010 for more information on poverty exemptions.

### D. Multipliers for the Valuation of Free-Standing Communication Towers.

The State Tax Commission recommends that, subject to the qualifications stated below, communication towers should be valued for the 2012 assessment year using the table of historical (original cost when the tower was new) cost valuation multipliers set forth in the multiplier table below. These multipliers have been developed in a manner such that they account for the typical depreciation which is expected for a tower of the indicated age and also account for changes in the cost of the tower and erecting it that have occurred since the time the tower was constructed. On this basis, the multiplier table which is shown below is intended to predict the current true cash value of a tower of the vintage year in which the tower was constructed. An important component

in determining the current value of a tower built in a given year is the change in the cost of materials, particularly changes in the cost of steel, between the time of construction and the current Tax Day. Since the table considers both depreciation and changes in construction costs, and

since changes in construction cost have not always occurred at a constant rate, the multiplier table does not always evidence a decline in the rate by which the historical cost must be adjusted in order to determine current value. This



## CITY COUNCIL AGENDA ITEM

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Date: December 27, 2011

To: John Szerlag, City Manager

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

Subject: SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 391) – Proposed Kroger Retail Fuel Center D-464, Southwest Corner of South Boulevard and Crooks (2105 W. South Blvd), Section 5, Currently Zoned NN (Neighborhood Node) District (Controlled by Consent Judgment)

### Background

The applicant, Landplan Engineering, proposes a Kroger Retail Fuel Center in the northeast corner of the subject parcel, which is presently a paved parking area. A commercial development, including a Kroger grocery store, presently sits on the property.

The site is controlled by consent judgment; therefore the Planning Commission is a recommending body only. City Council is responsible for Preliminary Site Plan Approval and Special Use Approval.

The attached report prepared by Carlisle/Wortman Associates, Inc. summarizes the application.

The Planning Commission held a public hearing on this item at the August 9, 2011 Regular meeting and recommended approval of the Kroger Retail Fuel Center, with the following conditions:

1. If fire suppression is required, demonstrate that the fire protection devices under the canopy are architecturally screened so that the tanks are not directly visible from the street.
2. Demonstrate compliance with light levels along the South Boulevard and Crooks Road rights-of-way.

The site plan was revised to address the Planning Commission recommendation conditions, as follows:

1. The Troy Fire Department determined that fire suppression was not required for the canopy area. A note was added to Sheet A201 stating same.
2. Sheet C-201 was revised to show clearly that light levels at the South Boulevard and Crooks Road rights-of-way will be 0.0 foot candles, as per the City of Troy Zoning Ordinance.



## CITY COUNCIL AGENDA ITEM

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### Recommendation

City Management recommends approval of the Preliminary Site Plan, the Special Use application and the Second Order Amending Consent Judgment for the proposed Kroger Retail Fuel Center.

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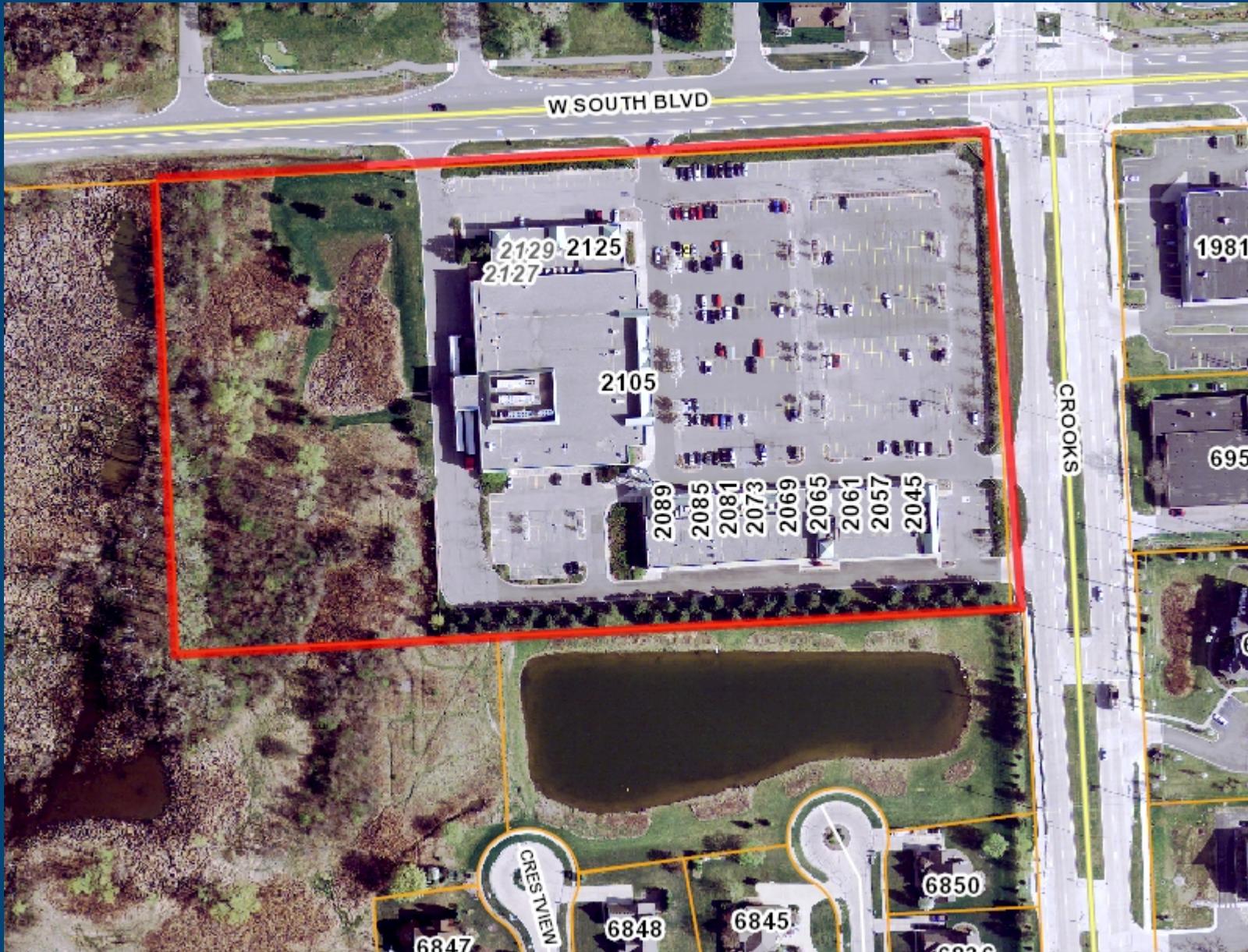
City Attorney's Review as to Form and Legality

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Date

### Attachments:

1. Maps
2. Report prepared by Carlisle/Wortman Associates, Inc.
3. Minutes from August 9, 2011 Planning Commission Regular meeting (excerpt)
4. Letters of opposition
5. Second Order Amending Consent Judgment



### Legend

- Road Centerline**
- Major Road
  - Industrial Road
  - Local Road

- Ponds and Basins
- Streams and Creeks
- Parcels

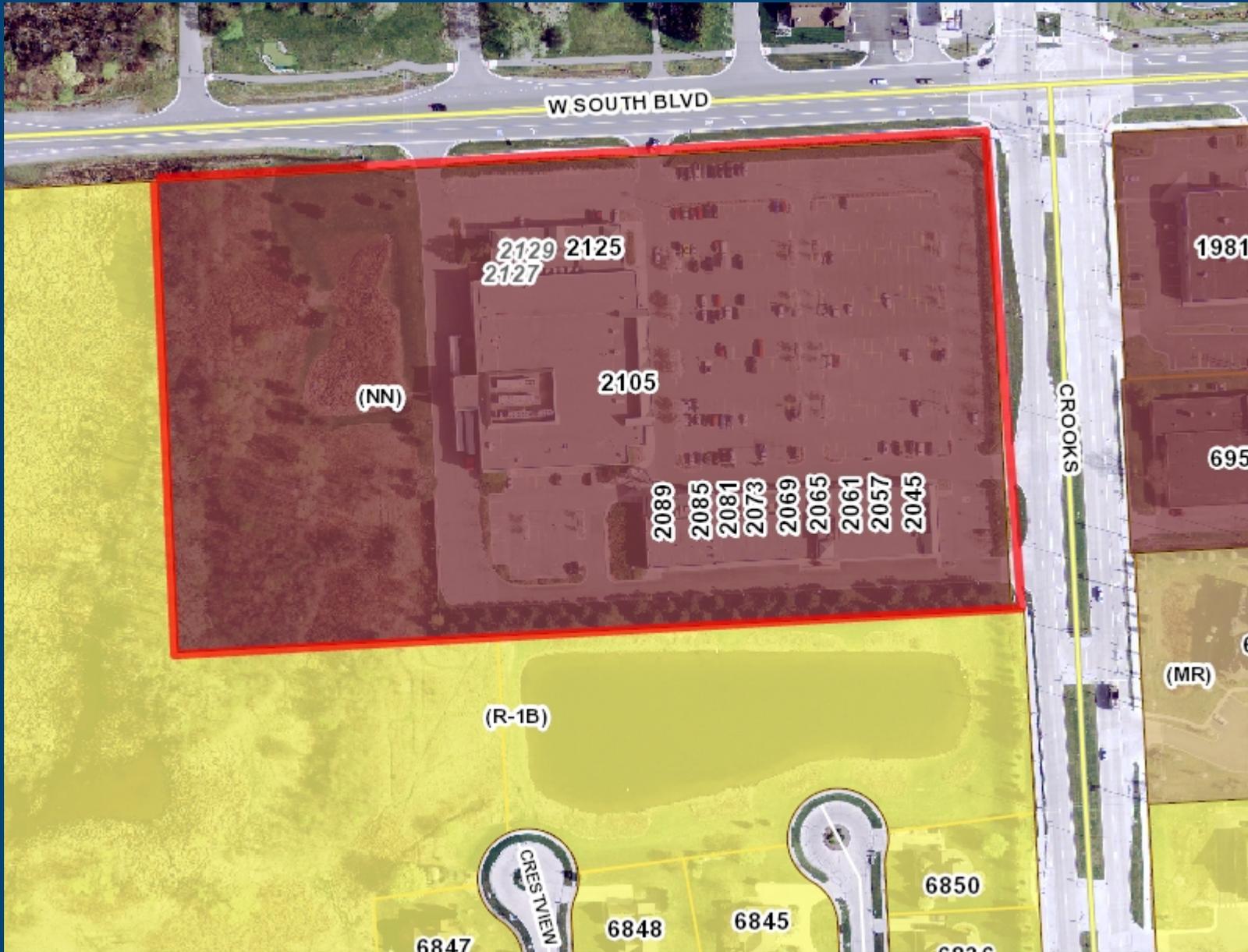
**Aerial Photos - 2010**

- Red:Band\_1
- Green:Band\_2
- Blue:Band\_3

356 0 178 356Feet

Scale 1: 2,136





### Legend

#### Road Centerline

- Major Road
- Industrial Road
- Local Road

#### Form Based Zoning (Current)

- (PUD) Planned Unit Development
- (CF) Community Facilities District
- (EP) Environmental Protection District
- (BB) Big Beaver Road (Form Based)
- (MRF) Maple Road (Form Based)
- (NN) Neighborhood Nodes (A-U)
- (CB) Community Business
- (GB) General Business
- (IB) Integrated Industrial Business District
- (O) Office Building District
- (OM) Office Mixed Use
- (P) Vehicular Parking District
- (R-1A) One Family Residential District
- (R-1B) One Family Residential District
- (R-1C) One Family Residential District
- (R-1D) One Family Residential District
- (R-1E) One Family Residential District
- (RT) One Family Attached Residential District
- (MR) Multi-Family Residential
- (MHP) Manufactured Housing
- (UR) Urban Residential
- (RC) Research Center District
- (PV) Planned Vehicle Sales

#### ■ Ponds and Basins

#### — Streams and Creeks

#### □ Parcels

#### Aerial Photos - 2010

- Red:Band\_1
- Green:Band\_2
- Blue:Band\_3

356 0 178 356Feet

Scale 1: 2,136





**CARLISLE/WORTMAN ASSOCIATES, INC.**

*Community Planners /Landscape Architects*

605 S. Main, Suite 1  
Ann Arbor, MI 48104  
734-662-2200  
fax 734-662-1935

6401 Citation Drive, Suite E  
Clarkston, MI 48346  
248-625-8480  
fax 248-625-8455

**MEMORANDUM**

**TO:** Brent Savidant  
**FROM:** Zachary Branigan  
**DATE:** August 5, 2011  
**RE:** Kroger Vehicle Fueling Station

We are in receipt of a submittal for an amendment to a consent judgment to allow the addition of a vehicle fueling/multi-use station in a new outlot located within the existing parking lot of the Northfield Commons retail center at 2105 West South Boulevard at the southwest corner of South Boulevard and Crooks Road. Given the nature of the project as one regulated by consent judgment, we are providing a more focused review in a memorandum format. The Planning Commission is a recommending body to the City Council for this application.

The existing retail center is controlled by consent judgment, but has the underlying zoning classification of Neighborhood Node (NN) District and is located with Node U. In the Neighborhood Node Form-Based District, vehicle fueling/multi-use stations are permitted in Use Group 6 under special use permit when the site is classified as Site Type A, Street Type A. Consequently, this use would be permitted under conventional zoning after going through the special use process.

As a single-story building within a new permanent outlot of an existing larger retail center, the project would be regulated as a "Building Form A." Building Form A is permitted by right in NN District sites that are classified Site Type A, Street Type A, regardless of whether they are stand-alone or are within an outlot of a larger development (unlike the MR and BB Districts where Building Form A is permitted only when secondary to Forms D, E, or F on major sites like this one). However, the project would be required to adhere to the form-based regulations of the Ordinance. Given the status of this project as a part of a consent judgment, the Planning Commission is only obligated to make a recommendation to City Council with regard to the project and variations from the conventional underlying zoning are possible, including dimensional, form-based code variations.

We have reviewed the plan with regard to the circulation, parking, landscaping, lighting, general site design, and the general provisions of the Ordinance. We have also reviewed the proposed use against the specific use provisions that would traditionally be applied to vehicle refueling stations. The applicant has utilized, for purposes of comparison, the dimensional regulations for

the GB District, given the former underlying zoning category of this center and the language of the consent judgment, which predates the new Ordinance and relied on the underlying commercial zoning category present at the time of the original approval. Given the flexibility of interpretation and the status of this project as an amendment to that consent judgment, we have no objection to the approach of referencing the GB regulations for comparative purposes.

### **Circulation and Parking**

No new curb cuts are proposed as part of this project. The new facility will be located in a visible spot at the extreme corner of the site, but will not have new exclusive curb cuts. The access to the facility will be provided solely by the existing maneuvering lanes for the main shopping center. We accept and support this approach as it puts no new access management burden on the intersection while still providing sufficient safe access to the facility, especially for the shopping center patrons. The facility is designed with a north-south orientation and relies on three main points of access from the parking area. The area containing the proposed facility is contained by two landscape islands that separate the main parking area from the facility and direct traffic flow. Customers will be able to access the refueling center from the southeast or two spots along the west boundary of the proposed improvement area. The location and arrangement of these access drives is suitable to permit efficient access to the four pump stations and the kiosk.

Parking for the retail center is required at a rate of one space for every 300 square feet of gross floor area. This center is 76,512 square feet, requiring 255 spaces (the cover sheet mistakenly states that 256 would be required, however, fractions of less than 0.5 spaces are rounded down, in accordance with Section 13.06.D.4). The refueling facility would require 16 spaces for the pump islands and 2 for the 125 square feet of retail area within the kiosk. Consequently, a total of 273 spaces are required for the site overall after the addition of the refueling facility. There are currently 465 spaces on site, and 54 would be lost to the new facility. The remaining 411 spaces exceed minimum requirements. While the remaining parking would exceed required parking by more than 20 percent, a condition prohibited without special consideration by Section 13.06.F.3, this is an existing condition and is part of a consent judgment. The reduction in spaces and increase in intensity actually brings the number of excess spaces down, and thereby closer to conformance with the Ordinance.

### **Vehicle Refueling Station Standards**

Section 6.28 establishes a series of requirements for all vehicle refueling facilities. It requires the following:

A. The minimum lot area shall be one (1) acre. *The site is 8.74 acres in area. The specific area set aside for the refueling center is not defined as a separate parcel, but it is integrated with the overall project, does not have its own exclusive access, and relies on its relationship with the overall site. This criterion is met.*

The following minimum setbacks shall apply to canopies and pump facilities constructed in conjunction with Fueling / Multi-Use: *The applicant has provided setback calculation from the*

*GB District and for this set of regulations, and has also provided calculations for the project from the outer boundary of the entire retail facility. Given that this project is part of the overall center and integrated with the center, this is an acceptable approach. We have included the required and provided setbacks in the following table:*

Setback	Canopy Support Required	Canopy Support Provided	Pump Islands Required	Pump Islands Provided	Canopy Edge Required	Canopy Edge Provided
Front	35 feet	59.5 feet (South Blvd.) and 86.02 feet (Crooks)	30 feet	63 feet (South Blvd.) and 85.52 feet (Crooks)	25 feet	53.5 feet (South Blvd.) and 75.02 feet (Crooks)
Side	20 feet	489.14 feet	20 feet	487.64 feet	10 feet	478.14 feet
Rear	30 feet	491.5 feet	20 feet	495 feet	20 feet	485.5 feet

*The kiosk building, which will serve walk-up customers but will not have interior retail space, is wholly under the canopy and meets all dimensional requirements. Dimensional requirements are satisfied.*

1. All fueling areas shall be arranged so that motor vehicles do not park on or extend over abutting landscaped areas, sidewalks, streets, buildings, or adjoining property while being served. *Satisfied.*
- B. Canopy structures shall be designed and constructed in a manner which is architecturally compatible with the principal building. The canopy structure shall be attached to and made an integral part of the principal building unless can be demonstrated that the design of the building and canopy in combination would be more functional and aesthetically pleasing if the canopy was not physically attached to the principal building. *The canopy covers the kiosk and essentially is the main building proposed for this site. Proposed materials appear to be brick for the canopy support sand kiosk building. Materials and colors for the canopy edges have been provided on Sheet A201 and appear to be common materials and colors for other similar structures.*

Required fire protection devices under the canopy shall be architecturally screened so that the tanks are not directly visible from the street. The screens shall be compatible with the design and color of the canopy. *This condition appears to be satisfied, however the limited information provided on the façade elevations do not make it clear. It does appear on Sheet A201 that the canopy edge does provide screening, but it is unclear what equipment will be mounted and how large the equipment will be. The applicant should be prepared to demonstrate compliance with this issue.*

- C. Pedestrian Circulation. *Given the isolated nature of this station with regard to vehicular and pedestrian circulation, we do not perceive there to be any new conflicts created by this project. Existing pedestrian access to the site and around the site is not impacted, and there is no need for additional pedestrian access to this new facility beyond that from the*

*customers of the refueling center itself to the kiosk, which is suitable and typical for a center of this type.*

1. Vehicle Fueling / multi-use stations shall be designed in a manner which promotes pedestrian and vehicular safety. *Satisfied.*
2. The parking and circulation system within each development shall accommodate the safe movement of vehicles, bicycles, pedestrians and refueling activities throughout the proposed development and to and from surrounding areas in a safe and convenient manner. *Satisfied.*

D. Where repair and servicing of vehicles is performed, all repair and maintenance shall be performed entirely within an enclosed building. Dismantled, wrecked, or immobile vehicles shall not be permitted to be stored on site. *Not applicable.*

E. If a vehicle wash is proposed, it must comply with the standards set forth in Section 6.29. *Not applicable.*

### **Landscaping and Lighting**

Existing perimeter shrubs and trees are not proposed for removal. Five trees, 9 shrubs, and 39 ornamentals will be relocated around the revised site, and places in new landscape islands and bumpouts. The site itself is currently screened by a grade separation (the refueling station area is three feet below the level of the sidewalk) and existing shrubs along both frontages. There are also mature street trees along Crooks Road and a pedestrian plaza that is located at the corner. These features will not be altered by this project and will continue to adequately screen and landscape the frontage. On site landscaping is being preserved and overall site landscaping area for the retail site as a whole is not being affected. Any existing nonconformities with regard to overall site landscaping that would have been created by the new Zoning Ordinance are previously existing legal nonconformities. Also, the status of this project as one regulated by consent judgment permits the existing condition to continue. Regardless, the new project does not significantly alter landscaping requirements, given its small impact on the site as a whole, and we are satisfied that the existing grade change and landscaping are satisfactory for screening.

The provided photometric plan shows proposed light levels that exceed those permitted under the new Ordinance for light poles, although we recognize that these proposed levels are beneath a canopy. Section 13.05.C.2.a limits light levels to no more than 20 footcandles during business hours and 10 after hours. The proposed lighting levels are close to meeting this requirement; the brightest spots are between 22 and 26 footcandles, although most of the under-canopy area would be between approximately 18 and 22 footcandles. We recommend that the proposed lighting levels be reduced to 20 footcandles or less throughout the majority of the under-canopy area.

We cannot make a final determination with regard to encroachment of light levels off-site, given that the property boundary is not shown on the photometric plan, however, light levels at the project limits are, in most cases around 1-3 footcandles, with some exceptions. We have no

concern with regard to the levels to the south and west, into the adjacent parking area. Levels in these locations are acceptable and are within the 20 footcandle requirement. We also suspect that the levels at the property boundary will be impacted by the grade changes there. We suggest the applicant provide additional information showing that proposed levels will not exceed 1 footcandle at the property boundary along the South Boulevard and Crooks Road rights-of-way.

### **Recommendation**

We support the proposed vehicle refueling station at this location. It has been designed with minimal impact with regard to access management conflicts, makes use of an underutilized parking area, respects existing development, and would be permissible under conventional zoning with consideration given to the special use process. We recommend the Planning Commission recommend to the City Council that the proposed amendment to the consent judgment be approved to allow the vehicle refueling station, provided the following conditions are satisfied prior to final approval:

1. Demonstrate that the required fire protection devices under the canopy are architecturally screened so that the tanks are not directly visible from the street.
2. Demonstrate compliance with light levels along the South Boulevard and Crooks Road rights-of-way.

Please do not hesitate to contact us with any questions, comments, or concerns.

Sincerely,



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**CARLISLE/WORTMAN ASSOCIATES, INC.**  
**Zachary G. Branigan, LEED AP, AICP**  
**Associate**

**SPECIAL USE REQUESTS**

6. **PUBLIC HEARING – SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW (File Number SU 391)** – Proposed Kroger Retail Fuel Center D-464, Southwest Corner of South Boulevard and Crooks (2105 W. South Boulevard), Section 5, Currently Zoned NN (Neighborhood Node) District (Controlled by Consent Judgment)

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED****Resolution # PC-2011-08-051**

Moved by: Edmunds

Seconded by: Krent

**RESOLVED**, The Planning Commission hereby recommends to City Council that Special Use Approval and Preliminary Site Plan Approval for the proposed Kroger Retail Fuel Center, located at the southwest corner of South Boulevard and Crooks Road, Section 5, within the NN (Neighborhood Node) zoning district, controlled by Consent Judgment, be granted, subject to the following:

1. If fire suppression is required, demonstrate that the fire protection devices under the canopy are architecturally screened so that the tanks are not directly visible from the street.
2. Demonstrate compliance with light levels along the South Boulevard and Crooks Road rights-of-way.

Yes: All present (7)

Absent: Hutson, Schultz

**MOTION CARRIED**

**From:** [chester.coccia](#)  
**To:** [Planning](#)  
**Subject:** Allowing gas pumps at the southwest corner of crooks and south blvd.  
**Date:** Tuesday, November 08, 2011 9:51:34 AM

---

Sir: I am adamantly opposed to the placement of gas pumps at this shopping center at the request of Krogers.. It just doesn't make any sense. A new Shell gas station will be opening on the northwest corner of crooks and south blvd. Krogers already has a deal with Shell with their gas bonus points. Please do not allow this to happen. The corner looks good and the current merchants have maintained this corner.

Thank you Dr. Chester T. Coccia

**From:** [Kathe Ross](#)  
**To:** [Planning](#)  
**Subject:** RE: Kroger gas station @ Crooks/South Blvd  
**Date:** Friday, December 02, 2011 12:03:28 PM

---

City Council Members,

I remember back when the board members of Crescent Ridge/Parc Homeowner's Association and concerned neighbors met with Troy city planners to protest the corner strip mall. We were assured that the development would be an asset to the neighborhood with its decorative clock tower, beautifully landscaped berms to separate the congestion from our residential area and additional landscaping at the corner signage and adjacent to the main roads. Up to now, I think the corner has been convenient and well-kempt with the exception of blowing paper trash and dumped shopping carts in to the retaining pond. These problems are a nuisance and additional expense to our homeowners as our landscapers charge us for their removal: discarded errant shopping carts is a frequent occurrence.

With the addition of the gas station (or the sugar-coated Retail Fuel Center), the corner appearance to Troy will suffer in appearance. Will additional entrances cut through the present landscaped areas? At busy times, the congestion of cars turning into the parking area impedes traffic flow especially on South. Turning into this entrance is dangerous at times due to the 'shared' turn lane for cars turning north into the wine store and now the re-opened gas station on the NW corner. Using the Crooks U-turn directly south of South Blvd. is a problem presently with traffic not yielding to right-turns from South Blvd. Drivers do not know which car has the right-of-way and I personally have narrowly avoided an accident there. Adding to the congestion and confusion with perhaps another entrance will not help matters. During busy hours, the portion of the parking lot east of the 'landscape pods' is used, albeit only 4-6 spaces eastward. BUT those spaces will become more necessary with the full occupancy of the vacant stores as the economy improves. More trash will be strewn about the area.

We as a subdivision/board succumbed and approved the shopping center as a strip of up-scale and convenient stores for our residents. This corner stands as a WELCOME to Troy from our northern edge. The neighborhood will not be improved by yet another gas station. There are handfuls of options to fuel our cars without constructing yet another unsightly fueling tankyard in our backyard.

PLEASE reconsider your approval of this proposed eyesore. I believe that it is NOT in our subdivision's nor our community's best interest.

Sincerely,  
Kathe Ross, Lot #347 of Crescent Ridge/Parc Homeowner's Association  
Secretary of the Board

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

NORTHFIELD COMMONS ASSOCIATES  
L.L.C., a Michigan limited liability company,  
as Successor –In-Interest to CROOKS ROAD  
JOINT VENTURE, a Michigan partnership,  
which was previously Successor-In-Interest to  
MCDONALD-HALLIDAY ENTERPRISES #2,  
a Washinton Corporation,

Plaintiffs,

v

Case No. 1990-389364-NZ

HON. Colleen A. O'Brien

CITY OF TROY, a Michigan  
Municipal Corporation,

Defendant.

---

Mark D. Rubenfire (P40460)  
Attorney for Plaintiffs  
27777 Franklin Rd., Ste 2500  
Southfield, MI 48034  
(248) 351-3000  
[mrubenfire@jaffelaw.com](mailto:mrubenfire@jaffelaw.com)

City of Troy City Attorney's Office  
Lori Grigg Bluhm (P46908)  
Allan T. Motzny (P37580)  
Attorneys for Defendant City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084  
[motznyat@troymi.gov](mailto:motznyat@troymi.gov)

---

**SECOND ORDER AMENDING CONSENT JUDGMENT**

At a session of said Court held in the  
Courthouse in the City of Troy,  
Oakland County, Michigan  
on \_\_\_\_\_, 2011

PRESENT: HONORABLE COLLEEN A. O'BRIEN, CIRCUIT COURT JUDGE

The parties to this action have stipulated to the entry of this Second Order Amending the Consent Judgment entered in this action on April 2, 1993 to allow for the construction of a retail fuel center on the subject property described as:

A parcel of land located in the Northeast ¼ of Section 5, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, described as: Beginning at the Northeast corner of said Section 5 and extending South 3 degrees 01 minutes 10 seconds East 623.00 feet along the East section line in Crooks Road; thence South 87 degrees 01 minutes 30 seconds West 1063.69 feet; thence North 2 degrees 27 minutes 25 seconds West 623.00 feet to the North section line; thence North 87 degrees 01 minutes 30 seconds East 1063.69 feet along the North section line in South Boulevard to the point of beginning. 20-05-200-005.

NOW THEREFORE,

IT IS ORDERED that the consent judgment entered on April 2, 1993 (original consent judgment) is amended and the caption changed to reflect the substitution of “Northfield Commons Associates, L.L.C., a Michigan limited liability company as Successor-In-Interest to Crooks Road Joint Venture, a Michigan partnership, which was previously Successor-In-Interest to McDonald-Halliday Enterprises #2, a Washington Corporation” as Plaintiffs in this case.

IT IS FURTHER ORDERED that the original consent judgment is amended to modify paragraphs 2, 3A, 3D, and by adding new paragraphs 21, 22, 23, 24, and 25 to read as follows:

2. That portion of the land depicted as Parcel B in the parcel Map legally described in Exhibit E attached to the original consent judgment may be developed, used and occupied for the purposes set forth in Article XXI, “B-2” (Community Business District) within the meaning of Chapter 39, Section 21.00.00, *et seq.*

of Troy's zoning ordinance that was in effect at the time of the entry of the original consent judgment and/or for purposes allowed for properties in the "NN" (Neighborhood Node) classification located in Node U and as regulated under the City of Troy zoning ordinance in effect at the time of entry of this Second Order Amending Consent Judgment.

3A. The maximum gross floor area of commercial building space shall not exceed 80,100 square feet, excluding the canopy for the retail fuel center as depicted in the site plan referenced below in paragraph 21.

3D. The buildings on Parcel B shall be set back a minimum of 67 feet from the south property line of Parcel B and 53.5 feet from the new Crooks Road right-of-way line and 52 feet from the new South Boulevard right-of-way line after the conveyances set forth in paragraph 10 of the original consent judgment.

21. Special Use Approval and Preliminary Site Plan Approval for a Retail Fuel Center as depicted in the site plan recommended for approval by the City of Troy Planning Commission at its meeting on August 9, 2011 (new site plan) is deemed granted and the Plaintiffs, their successors and assigns hereby have the right to construct the improvements set forth in said site plan, a copy of which is attached as Exhibit K, and complying to the elevation

plans, attached as Exhibit L, subject to obtaining all applicable building and engineering permits required for such construction.

22. The new site plan attached hereto as Exhibit K supersedes and replaces that portion of the original site plan attached to the original consent judgment to which the new site plan applies. The original site plan shall remain in full force and effect as amended by the new site plan and to the extent there is any inconsistency between the original and the new site plan, the new site plan shall control.
23. Except as herein expressly amended, the original consent judgment as amended by the First Order Amending Judgment is hereby ratified and confirmed, and continues in full force and effect.
24. A certified copy of this Second Order Amending Consent Judgment shall be recorded in the office of the Oakland County Register of Deeds with respect to the property, and the Oakland County Register of Deeds is directed to accept the same for recordation.
25. This Court shall retain jurisdiction in all matters concerning the development and use of the property and the implementation of the orders of this Court related to such property and such matters covered by the original consent judgment, the first order amending judgment, and this Second Order Amending Consent Judgment.

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Circuit Court Judge

[Signatures Follow on Next Page]

The Undersigned hereby approve and to stipulate to entry of the above Second Order Amending Consent Judgment.

Plaintiffs Northfield Commons Associates, L.L.C., a Michigan Limited liability company as Successor-In- Interest to Crooks Road Joint Venture, a Michigan Partnership, which was previously Successor-In-Interest to McDonald-Halliday Enterprises #2, a Washington Corporation,

By \_\_\_\_\_  
David Robert Nelson  
Its President

\_\_\_\_\_  
Mark D. Rubenfire (P40460)  
Attorney for Plaintiffs  
2777 Franklin Rd., Ste 2500  
Southfield, MI 48034  
(248)351-3100  
[mrubenfire@jaffelaw.com](mailto:mrubenfire@jaffelaw.com)

Defendant, City of Troy, a Michigan municipal corporation

By \_\_\_\_\_  
Janice L. Daniels, Mayor

By \_\_\_\_\_  
Aileen Bittner, Deputy Clerk/Acting City Clerk

\_\_\_\_\_  
Lori Grigg Bluhm (P46908)  
Allan T. Motzny (P37580)  
Attorneys for Defendant City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084  
[motznyat@troymi.gov](mailto:motznyat@troymi.gov)

FILE NAME: C:\Documents and Settings\Mike Vanderbeke\My Documents\20101174\CAD\Const\Site\G-001\Cover\_Sht.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 11/16/2011 2:45 PM

**DESIGN CRITERIA:**

**ZONING ORDINANCE REVIEW:**

ZONING ORDINANCE: CITY OF TROY, MICHIGAN ZONING ORDINANCE, EFFECTIVE DATE: APRIL 28, 2011

ZONING MAP: CITY OF TROY, MICHIGAN ZONING MAP ADOPTED DATE: APRIL 18, 2011

SITE ZONING: CJ-23: CONTROLLED BY CONSENT JUDGMENT (UTILIZING GB - GENERAL BUSINESS DISTRICT (SECTION 4.14))

PERMITTED USE: CONTROLLED BY CONSENT JUDGMENT.

**BULK REGULATIONS:**

LOT AREA: MINIMUM: NOT APPLICABLE (SECTION 4.14) 380,531 SF (8.74 ACRES)

LOT WIDTH: MINIMUM: NOT APPLICABLE (SECTION 4.14) 673.16 FEET

LOT DEPTH: MINIMUM: NOT APPLICABLE (SECTION 4.14) 562.99 FEET

LOT COVERAGE: EXISTING: GROSS AREA: 380,531 SF BUILDINGS: 79,512 SF PAVEMENT: 250,180 SF NET AREA: 50,839 SF (LANDSCAPE AREA) EXISTING LOT COVERAGE: 87%

PROPOSED: GROSS AREA: 380,531 SF BUILDINGS: 79,512 SF DISPENSER MAT: 2,994 SF PAVEMENT: 245,275 SF NET AREA: 52,750 SF (LANDSCAPE AREA) PROPOSED LOT COVERAGE: 86%

BUILDING HEIGHT: MAXIMUM: 5 STORY: 75.00' (SECTION 4.14C) ACTUAL: 1 STORY: 19.00'

BUILDING AREA: MINIMUM: 500 SF ACTUAL: 131 SF TRANSACTION KIOSK 2,880 SF DISPENSER CANOPY

**SETBACKS:**

FRONT: MINIMUM: 10.00' (SECTION 4.14C) ACTUAL: 63.00' (W. SOUTH BLVD.) 132.13' (CROOKS ROAD)

MINIMUM: 10.00' (SECTION 4.14C) ACTUAL: 535.22'

MINIMUM: 10.00' (SECTION 4.14C) ACTUAL: 472.58'

CANOPY EDGE: FRONT: MINIMUM: 25.00' (SECTION 6.28A) ACTUAL: 53.50' (W. SOUTH BLVD.) 75.02' (CROOKS ROAD)

MINIMUM: 10.00' (SECTION 6.28A) ACTUAL: 478.14'

MINIMUM: 20.00' (SECTION 6.28A) ACTUAL: 485.50'

CANOPY SUPPORT: FRONT: MINIMUM: 35.00' (SECTION 6.28A) ACTUAL: 59.50' (W. SOUTH BLVD.) 86.02' (CROOKS ROAD)

MINIMUM: 20.00' (SECTION 6.28A) ACTUAL: 489.14'

MINIMUM: 30.00' (SECTION 6.28A) ACTUAL: 491.50'

DISPENSER ISLAND: FRONT: MINIMUM: 30.00' (SECTION 6.28A) ACTUAL: 63.00' (W. SOUTH BLVD.) 85.52' (CROOKS ROAD)

MINIMUM: 20.00' (SECTION 6.28A) ACTUAL: 487.64'

MINIMUM: 20.00' (SECTION 6.28A) ACTUAL: 495.00'

**OFF-STREET PARKING:**

PARKING DIMENSIONS: MINIMUM: 9.50' STALL WIDTH x 19.00' STALL LENGTH x 24.00' DRIVE AISLE WIDTH (TABLE 13.06-B) 9.50' STALL WIDTH x 19.00' STALL LENGTH x 24.00' DRIVE AISLE

PARKING REQUIRED: RETAIL: 256; 76,512 SF / 300 SF = 255.04 (TABLE 13.06-A) 16; 2 / FUEL POSITION = 2 x 8 = 16 (TABLE 13.06-A) 2; 1 / 125 SF = 198 SF / 125 SF = 1.58 274 PARKING STALLS REQUIRED

ACCESSIBLE: 7; PER MBC (TABLE 1106.1)

PARKING PROVIDED: EXISTING: 465 PARKING STALLS (15 ACCESSIBLE) PROPOSED: 411 PARKING STALLS (15 ACCESSIBLE) 54 PARKING STALL LOSS

SIGNAGE:

FREESTANDING: SITE ID SIGN: NO FUEL CENTER FREESTANDING SITE ID SIGN IS BEING PROPOSED.

WALL SIGNAGE: CANOPY: NORTH: LOGO SIGN: 6.70 SF LETTER SIGN: 10.32 SF PRICE SIGN: 45.50 SF SOUTH: LOGO SIGN: 6.70 SF LETTER SIGN: 10.32 SF EAST: PRICE SIGN: 45.50 SF WEST: PRICE SIGN: 45.50 SF KIOSK: NORTH: LOGO SIGN: 6.70 SF SOUTH: LOGO SIGN: 6.70 SF EAST: LOGO SIGN: 0.00 SF WEST: LOGO SIGN: 0.00 SF

**BUILDING CODE REVIEW:**

ACCESSIBILITY CODE: ANSI/ICC A117.1 - 2003

BUILDING CODE: MICHIGAN BUILDING CODE (MBC) - 2009

ELECTRICAL CODE: NATIONAL ELECTRICAL CODE (NEC) - 2008

MICHIGAN ELECTRICAL CODE (MEC), PART 8 - 2008

ENERGY CODE: MICHIGAN UNIFORM ENERGY CODE (MUEC) - 2009

MECHANICAL CODE: MICHIGAN MECHANICAL CODE (MMC) - 2009

PLUMBING CODE: MICHIGAN PLUMBING CODE (MPC) - 2009



Kroger D-464: Retail Fuel Center  
2105 West South Blvd., Troy, Michigan 48098

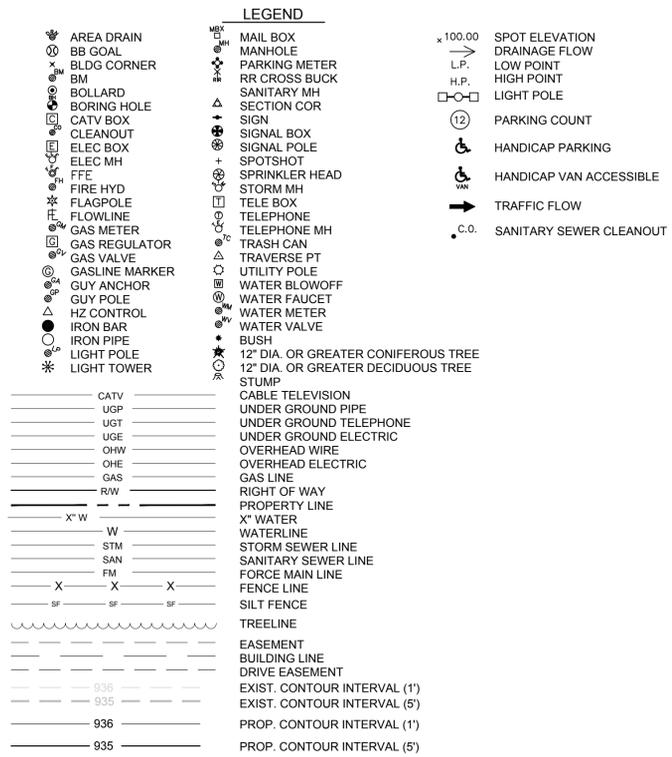
Developer:  
The Kroger Co. of Michigan  
40393 Grand River Avenue, Suite 110  
Novi, Michigan 48375  
Contact: Mark Millerwise  
Telephone: 248.957.2254  
Facsimile: 248.957.2255

Engineer:  
Landplan Engineering, P.A.  
37740 Hills Tech Drive  
Farmington Hills, Michigan 48331  
Contact: John Damrath, P.E.  
Telephone: 248.987.4011  
jd@landplan-pa.com



**SCOPE OF WORK:**

CONSTRUCTION OF A RETAIL FUEL CENTER CONSISTING OF ONE (1) FUEL DISPENSER CANOPY, ONE (1) 131 S.F. KIOSK, AND FOUR (4) DISPENSER ISLANDS WITHIN AN EXISTING COMMERCIAL DEVELOPMENT.



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G-002 GENERAL NOTES											
SURVEY - PEA											
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SURVEY - DAVID C. ADAMS AND SONS											
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CIVIL - LANDPLAN ENGINEERING, P.A.											
C-001 COMPOSITE SITE PLAN EXISTING CONDITIONS											
C-002 COMPOSITE SITE PLAN PROPOSED CONSTRU.											
C-100 DEMOLITION AND EROSION CONTROL PLAN											
C-200 DIMENSION CONTROL SITE PLAN											
C-201 PHOTOMETRIC SITE PLAN											
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C-400 UTILITY PLAN											
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A-201 EXTERIOR ELEVATIONS											
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A1.0 CONSTRUCTION & FOUNDATION PLANS											
A1.1 CONSTRUCTION & FOUNDATION DETAILS											
A2.0 EXTERIOR ELEVATIONS AND SIGNAGE											
A3.0 YARD DETAILS											
E1.0 ELECTRICAL PLANS AND DETAILS											
E2.0 ELECTRICAL PLANS AND DETAILS											
E3.0 DISPENSER AND LEAK DETECTION WIRING											
TANK AND PIPING - GALLOWAY & COMPANY, INC.											
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T-2.0 TANK AND PIPING MATERIALS LIST (1 OF 2)											
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T-3.0 20,000 GALLON TANK PLAN AND SECTION INSTALLATION DETAILS											
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T-4.0 TANK SLAB, ANCHORING AND MISCELLANEOUS INSTALLATION DETAILS											
T-5.0 TANK TURBINE/FILL SUMP AND STATIC GROUNDING INSTALLATION DETAILS											
T-6.0 TANK TURBINE SUMP AND MISCELLANEOUS INSTALLATION DETAILS (ALL CONFIGURATIONS)											
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M-1 MECHANICAL PLAN											
S-1 FRAMING PLAN											
SP-1 SPECIFICATION SHEET											
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E2 OF 2 ELEVATIONS											
F1 OF 1 FOUNDATION PLAN											
L1 OF 1 LIGHT LAYOUT											



NOTE: ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

Civil Engineering  
Landscape Architecture  
Community Planning  
Surveying

37740 Hills Tech Dr. #4331  
Farmington Hills, MI 48331  
Tel: (248)987-4011  
Email: info@landplan-pa.com  
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Landplan Engineering, P.A.  
Lawrence, KS • Kansas City, MO • Columbus, OH  
The Woodlands, TX • Farmington Hills, MI

The Kroger Co.  
1025 East 14th Street, Suite A  
Farmington Hills, MI 48331  
Phone: (248) 987-4011

KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. at CROOKS ROAD  
TROY, MI 48098  
COVER SHEET

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.08.2011	PLAN COMM./L COMMENTS
3	11.15.2011	PLAN COMM./L COMMENTS

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**G-001**

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

**GENERAL NOTES:**

- IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO KNOW ALL OBSERVABLE CONDITIONS AND TO CONFORM TO ALL APPLICABLE CODES. THE GENERAL CONTRACTOR SHALL INFORM THE OWNER'S REPRESENTATIVE OF ANY NECESSARY OR APPROPRIATE QUESTIONS OR CLARIFICATIONS. THE GENERAL CONTRACTOR SHALL INCORPORATE ALL FEDERAL, STATE, AND LOCAL CODES AND STANDARDS, INCLUDING FEDERAL ADA REQUIREMENTS.
- THE DRAWINGS AND PROJECT MANUAL (INCLUDING ASSOCIATED STUDIES, DRAWINGS, SHOP DRAWINGS AND SIMILAR INSTRUMENTS AS APPLICABLE) CONSTITUTE THE GUIDELINES FOR THE PROJECT AND SHALL BE USED IN CONJUNCTION WITH THE AFOREMENTIONED ENTIRE BODY OF PROJECT INFORMATION. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE COMPLETE INFORMATION TO ALL JURISDICTIONAL AUTHORITIES, SUBCONTRACTORS, ALLIED CONSULTANTS, HIRES, AND ASSIGNS.
- ALL CONSTRUCTION SHALL COMPLY WITH THE DRAWINGS, PROJECT MANUAL, CODES AND STANDARDS OF THE JURISDICTIONAL AUTHORITY OR AUTHORITIES. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE OSHA, FEDERAL, STATE AND LOCAL REGULATIONS. IN CASE OF DISCREPANCIES, THE MORE STRINGENT REQUIREMENT SHALL APPLY.
- THE GENERAL CONTRACTOR PERFORMING THE WORK SHALL MAINTAIN A GENERAL "A" LICENSE WITH HAZ MAT CERTIFICATION FROM THE CONTRACTOR'S STATE LICENSE BOARD AND/OR OTHER JURISDICTIONAL AUTHORITY.
- THE GENERAL CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES FOUND DURING THE INVESTIGATION OF EXISTING UTILITIES AND TOPOGRAPHY AND/OR DURING THE CONSTRUCTION PHASE.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, PERMIT FEES, LICENSES AND LICENSE FEES. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY CONSTRUCTION PERMITS REQUIRED TO PERFORM ALL REQUIRED WORK. THE CONTRACTOR SHALL POST ALL BONDS, PAY ALL FEES, PROVIDE PROOF OF INSURANCE AND PROVIDE ALL TRAFFIC CONTROL NECESSARY FOR THIS WORK.
- WORK SHALL CONFORM TO THE REQUIREMENTS OF THE GOVERNING AGENCY OR AGENCIES HAVING JURISDICTION. GRADING, PAVING, AND MATERIALS SHALL COMPLY WITH THE JURISDICTIONAL ROADWAY AUTHORITY OR AUTHORITIES (E.G., DEPARTMENT OF TRANSPORTATION) STANDARD SPECIFICATIONS FOR CONSTRUCTION AS WELL AS PROJECT SPECIFICATIONS AND DRAWINGS. IN CASE OF DISCREPANCIES BETWEEN REQUIREMENTS, ATTAIN CLARIFICATION FROM THE OWNER'S REPRESENTATIVE.
- THE GENERAL CONTRACTOR SHALL ENSURE ALL SITE INSPECTIONS REQUIRED BY CITY AND/OR STATE AGENCIES, AND/OR OTHER JURISDICTIONAL AUTHORITY ARE TO BE SCHEDULED A MINIMUM OF FIVE WORKING DAYS IN ADVANCE OF REQUESTED INSPECTION DATE.
- THE GENERAL CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND CONTACT THE OWNER'S REPRESENTATIVE IF THERE ARE ANY QUESTIONS OR CONFLICTS REGARDING THE DRAWINGS, PROJECT MANUAL AND/OR FIELD CONDITIONS SO THAT APPROPRIATE ADJUSTMENTS AND/OR REVISIONS CAN BE MADE PRIOR TO CONSTRUCTION. ANY CONFLICTS BETWEEN THE DRAWINGS AND PROJECT MANUAL SHALL BE IDENTIFIED BY THE GENERAL CONTRACTOR AND CONFIRMED WITH THE OWNER'S REPRESENTATIVE PRIOR TO BIDDING.
- MATERIAL TESTING SHALL BE SUPPLIED BY THE OWNER'S REPRESENTATIVE. THE GENERAL CONTRACTOR SHALL COORDINATE WITH TESTING FIRM. ALL RE-TESTING IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- SOIL SAMPLES MAY BE REQUIRED TO BE TAKEN FOR TESTING AT THE DIRECTION OF HAZ MAT, OTHER JURISDICTIONAL AUTHORITY, OR THE OWNER'S REPRESENTATIVE.
- THE GENERAL CONTRACTOR SHALL MAINTAIN A CLEAN WORK AREA. TRASH AND WASTE MATERIALS SHALL BE COLLECTED AT A SAFE POINT, AWAY FROM FLAMES OR OTHER FIRE SOURCES. THE GENERAL CONTRACTOR SHALL PREVENT ANY LEAKS OR DRIPS OF HYDRAULIC FLUID, MOTOR OIL, MOTOR FUELS, SOLVENTS, AND OTHER HYDROCARBONS FROM CONTAMINATING THE GROUND. SUCH SPILLS SHALL BE IMMEDIATELY COVERED WITH AN OIL ABSORBING MEDIUM (E.G. "OIL DRY") AND REMOVED FROM THE SITE IN A LEGAL AND ENVIRONMENTALLY SOUND MANNER. TRASH SHALL BE PROPERLY DISPOSED OF DAILY, UNLESS A COVERED DUMPSTER IS PROVIDED AND ITS LOCATION APPROVED BY THE OWNER'S REPRESENTATIVE.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL RUBBISH, TRASH, DEBRIS AND ORGANIC MATERIAL IN A LAWFUL MANNER.
- PROVIDE ADEQUATE BARRICADES AT DRIVES, ENTRANCES, EXCAVATIONS, OTHER OPENINGS, AND HAZARDOUS AREAS TO KEEP OUT UNAUTHORIZED PERSONS, FOR PUBLIC SAFETY, AND TRAFFIC CONTROL. SAFETY PROVISIONS OF APPLICABLE LAWS SHALL BE OBSERVED AT ALL TIMES. BARRICADES LEFT IN PLACE AT NIGHT SHALL BE LIGHTED.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SHORING AND FOR WATERING TO OCCUR ON ALL WORK INDICATED ON PLANS AND TO PERFORM REQUIRED COMPACTION OPERATIONS. DEWATERING SHALL NOT DISCHARGE TO ANY SANITARY SEWER SYSTEM OR BE PUMPED ONTO ANY PUBLIC ROADWAY.
- PROMPTLY REMOVE ALL DEMOLITIONS, PROJECT DISCARDS, RUBBISH, AND DEBRIS FROM THE LIMITS OF THE OWNER'S PROPERTY AND/OR EFFECTIVE PROJECT LIMITS, AND DISPOSE IN A LEGAL MANNER.
- ALL EQUIPMENT TO BE INSTALLED SHALL BE UL APPROVED.
- THE GENERAL CONTRACTOR SHALL PROVIDE A TRAFFIC SEQUENCING AND SCHEDULING PLAN AT THE ON-SITE PRE-CONSTRUCTION MEETING WITH THE OWNER'S REPRESENTATIVES AND APPLICABLE LANDLORD'S REPRESENTATIVE(S).
- THE GENERAL CONTRACTOR'S MANNER AND METHOD OF INGRESS AND EGRESS WITH RESPECT TO THE PROJECT AREA SHALL IN NO WAY PROHIBIT OR DISTURB NORMAL PEDESTRIAN OR VEHICULAR TRAFFIC IN THE VICINITY AND IS SUBJECT TO REGULATION AND WRITTEN APPROVAL OF AFFECTED OWNER(S), JURISDICTIONAL AUTHORITY, AND/OR AUTHORITIES, AS APPLICABLE.
- ALL CONSTRUCTION SHALL BE CONDUCTED TO CAUSE MINIMAL INTERFERENCE WITH STREETS, DRIVES OR WALKS. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE OF TRAFFIC AND SHALL NOT CAUSE THE CLOSURE OR OBSTRUCTION OF STREETS, DRIVES, WALKS OR USER FACILITIES WITHOUT PERMISSION FROM THE OWNER'S REPRESENTATIVE.
- THE GENERAL CONTRACTOR SHALL PHASE CONSTRUCTION IN SUCH A WAY AS TO MAINTAIN AN ACCESS ROUTE FROM AN ENTRANCE DRIVE TO TRUCK DOCKS AND/OR LOADING AREA(S) AT ALL TIMES.
- CONTRACTOR SHALL KEEP EXISTING STREETS, ROADS AND DRIVES CLEAR OF DIRT, DEBRIS AND EQUIPMENT.
- THE GENERAL CONTRACTOR SHALL OBTAIN APPROVAL FROM THE OWNER'S REPRESENTATIVE FOR PARKING AND STORAGE OF EQUIPMENT. THIS AREA, AS WELL AS THE JOB SITE, SHALL BE ENCLOSED IN CHAIN LINK FENCING. A TRAFFIC LANE SHALL BE DESIGNATED FOR INGRESS AND EGRESS FROM THE WORK AREA. IF REQUIRED, FLAG MEN SHALL BE PROVIDED TO PROVIDE FOR SAFE AND EFFICIENT MOVEMENT OF VEHICLES. NO CHANGES TO THE WORK AREA OR TO THE AGREED TRAFFIC PATTERN SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE OWNER'S REPRESENTATIVE. THE OWNER'S REPRESENTATIVE WILL SECURE APPROVAL FOR SUCH CHANGES, IF APPLICABLE.
- NO EQUIPMENT OR MATERIAL STORAGE IS PERMITTED WITHIN THE ROAD RIGHT-OF-WAY.

- FOR THE DURATION OF CONSTRUCTION OPERATIONS, EMPLOYEE(S) WILL PARK IN A LOCATION DESIGNATED BY THE OWNER'S REPRESENTATIVE.
- RESTORE ALL STREET SURFACES, DRIVEWAYS, CULVERTS, ROADSIDE DRAINAGE DITCHES, AND OTHER PUBLIC OR PRIVATE STRUCTURES THAT ARE DISTURBED OR DAMAGED AS A RESULT OF CONSTRUCTION ACTIVITIES TO A CONDITION EQUAL TO OR BETTER THAN EXISTING CONDITIONS AND TO THE SATISFACTION OF AFFECTED OWNER(S), JURISDICTIONAL AUTHORITY, AND/OR AUTHORITIES, AS APPLICABLE.
- PROTECT EXISTING TREES TO REMAIN WITH TEMPORARY FENCING PLACED AT THE DRIP LINE. NO GROUND DISTURBANCE OR STORAGE OF MATERIAL SHALL OCCUR WITHIN THE DRIP LINE LIMITS, UNLESS HEREON EXPRESSLY INDICATED OTHERWISE.
- WRITTEN DIMENSIONS SHALL PREVAIL. NO DIMENSION MAY BE SCALED. REFER ANY UNCLEAR ITEMS TO THE OWNER'S REPRESENTATIVE FOR INTERPRETATION.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PROPOSED DIMENSIONS FOR BUILDINGS, WALLS, CONCRETE SLABS, UTILITY SERVICE POINT CONNECTIONS, ETC., AND SHALL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO CONSTRUCTION.
- COORDINATES AND/OR DIMENSIONS SHOWN ON THESE DRAWINGS ARE TO BACK OF CURB, OUTSIDE FACE OF BUILDING FOUNDATIONS, EDGE OF PAVEMENT, OR CENTER OF STRUCTURE OR SIGN UNLESS NOTED OTHERWISE.
- ANY BEARINGS USED HEREON ARE FOR THE PURPOSE OF ANGULAR MEASUREMENT ONLY AND ARE NOT NECESSARILY REFERENCED TO TRUE OR MAGNETIC NORTH.
- UNDERGROUND UTILITIES MUST BE MARKED, AS REQUIRED BY PUBLIC ACT 53 OF 1974. TELEPHONE THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE BEFORE ANY DIGGING.
- THE GENERAL CONTRACTOR AT ALL TIMES SHALL ABIDE BY ALL OSHA, FEDERAL, STATE AND LOCAL REGULATIONS WHEN OPERATING CRANES, BOOMS, HOISTS, ETC. IN CLOSE PROXIMITY TO OVERHEAD LINES. IF THE GENERAL CONTRACTOR MUST OPERATE EQUIPMENT CLOSE TO UNDERGROUND AND/OR OVERHEAD ELECTRIC LINES, CONTACT THE AFFECTED UTILITY COMPANY AND MAKE ARRANGEMENTS FOR PROPER SAFEGUARDS, PRIOR TO OPERATION.
- THE GENERAL CONTRACTOR SHALL, AT HIS OR HER EXPENSE, RESTORE ANY AND ALL STRUCTURES, PIPE, UTILITY, PAVEMENT, CURB, SIDEWALK, LANDSCAPED AREA, ETC. DISTURBED WITHIN THE SITE AND/OR ADJOINING PROPERTIES DURING DEMOLITION OR CONSTRUCTION. SUCH FACILITIES SHALL BE RESTORED TO THEIR ORIGINAL CONDITION OR BETTER, TO THE SATISFACTION OF THE AFFECTED OWNER(S).
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.
- IN ALL CASES THE LOCATION OF EXISTING UTILITIES SHOWN ON THESE PLANS IS ASSUMED TO BE APPROXIMATE. LOCATIONS ARE BASED ON THE BEST AVAILABLE REFERENCE PLANS AND AN ACTUAL FIELD SURVEY OF VISIBLE STRUCTURES. CONTACT THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE BEFORE DIGGING.
- THE GENERAL CONTRACTOR SHALL NOT INTERRUPT EXISTING UTILITIES AND/OR SERVICING FACILITIES OCCUPIED AND USED BY THE OWNER, LANDLORD, OR OTHERS DURING OCCUPIED HOURS EXCEPT WHEN SUCH INTERRUPTIONS HAVE BEEN AUTHORIZED IN WRITING BY THE AFFECTED OWNER, LANDLORD, JURISDICTIONAL AUTHORITY, AND/OR UTILITY COMPANY. INTERRUPTIONS SHALL OCCUR ONLY AFTER ACCEPTABLE TEMPORARY OR PERMANENT SERVICE HAS BEEN PROVIDED.
- ELECTRICAL WORK IN OR AFFECTING THE MAIN STORE TO OCCUR AFTER BUSINESS HOURS AND AFTER STORE EMPLOYEES HAVE LEFT THE BUILDING.
- THE CONTRACTOR SHALL MAINTAIN, AT THE JOB SITE, A COMPLETE SET OF CONSTRUCTION DOCUMENTS AND SPECIFICATIONS AND MAKE THEM AVAILABLE TO THE OWNER'S REPRESENTATIVE, SUBCONTRACTORS, AND/OR ALLIED CONSULTANTS THROUGHOUT THE CONSTRUCTION PROCESS.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE TIMELY COMPLETION OF ALL PHASES OF CONSTRUCTION. CONSTRUCTION PROJECT TO BE COMPLETED IN ACCORDANCE WITH ALL DRAWINGS AND PROJECT MANUAL, AND TURNED OVER TO THE OWNER'S REPRESENTATIVE IN FULLY OPERATIONAL CONDITION.
- UPON COMPLETION OF THE WORK, THERE SHALL BE A FINAL INSPECTION OF THE PROJECT BY THE OWNER'S REPRESENTATIVE. ALL EQUIPMENT SHALL BE TESTED UNDER NORMAL OPERATING CONDITIONS. THE GENERAL CONTRACTOR SHALL HAVE AN ELECTRICIAN AVAILABLE DURING THE OPENING TO IMPLEMENT ANY APPROPRIATE OR REQUIRED ADJUSTMENTS TO THE EQUIPMENT.
- AFTER ALL WORK HAS BEEN COMPLETED AND THE PROJECT HAS BEEN TESTED AND ACCEPTED, THE GENERAL CONTRACTOR SHALL SWEEP THE ENTIRE WORK AREA CLEAN AND REMOVE ALL DIRT, MUD, TRASH, WASTE MATERIAL, CONSTRUCTION EQUIPMENT, AND VEHICLES. DAMAGED PARKING STRIPES OR STAINED PAVEMENT SHALL BE REFINISHED TO ITS ORIGINAL CONDITION BY THE GENERAL CONTRACTOR.
- SPECIAL CARE SHALL BE TAKEN DURING ALL TRENCHING OPERATIONS. SHEETING AND BRACING, CRIBBING, ETC. MUST BE INSTALLED AS NECESSARY OR APPROPRIATE TO PROVIDE MAXIMUM SAFETY TO THE GENERAL CONTRACTOR'S WORKERS, AND SHALL BE IN FULL COMPLIANCE WITH OSHA REGULATIONS.
- SAWCUT AND REMOVE EXISTING ASPHALT PAVEMENT AS NEEDED TO INSTALL NEW CONCRETE CURBING, WALKS, UNDERGROUND UTILITIES AND/OR NEW BUILDING(S) OR STRUCTURE(S). SAWCUTS SHALL BE MADE A MINIMUM OF 1' BEYOND THE ACTUAL NEW CURB OR WALK LIMITS.
- REMOVE AND REPLACE EXISTING PAVEMENT AS NEEDED TO MATCH EXISTING AND PROPOSED GRADES.
- PRIOR TO PROCEEDING FURTHER WITH THE AFFECTED WORK, THE GENERAL CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCY REGARDING THE PROPOSED WORK OR UNFORESEEN CONDITIONS.
- ALL PAVEMENTS ASSOCIATED AGGREGATE MATERIALS AND WORK COMPLETED SHALL BE IN STRICT ACCORDANCE WITH THE STATE DOT OR OTHER JURISDICTIONAL AUTHORITY SPECIFICATIONS AND STANDARD DETAILS UNLESS OTHERWISE EXPRESSLY SPECIFIED IN THE DRAWINGS AND PROJECT MANUAL.
- PIPE BOLLARDS SHALL BE INSTALLED IN TRAFFIC AND LOADING AREAS AS REQUIRED TO PROTECT BUILDING CORNERS, RECEIVING AREAS, HYDRANTS, TRANSFORMERS, METERS, GENERATORS, COMPACTORS, STEPS AND RAILINGS AS NECESSARY. SEE DETAIL 3/C-500.
- WHENEVER REQUIRED OR APPROPRIATE, THE GENERAL CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL PRODUCTS AND MATERIALS TO THE OWNER'S REPRESENTATIVE, ENGINEER AND JURISDICTIONAL AUTHORITY OR AUTHORITIES, AND SHALL ACQUIRE SHOP DRAWING APPROVAL PRIOR TO FABRICATION AND/OR DELIVERY TO THE SITE. ALLOW A MINIMUM OF 14 WORKING DAYS FOR REVIEW AND APPROVAL.
- THE GENERAL CONTRACTOR SHALL REFERENCE ARCHITECTURAL PLANS FOR EXACT DIMENSIONS AND CONSTRUCTION DETAILS OF BUILDING(S), ROOF DRAINS, RAISED CONCRETE SIDEWALKS, RAMPS, STAIRWAYS, ETC.

- TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO THE STATE DOT AND/OR OTHER JURISDICTIONAL AUTHORITY STANDARDS, AND TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
- FIRE LANES SHALL BE ESTABLISHED AND PROPERLY DESIGNATED IN ACCORDANCE WITH THE LOCAL MUNICIPALITY, FIRE DEPARTMENT AND OTHER JURISDICTIONAL AUTHORITY REQUIREMENTS.
- IF APPLICABLE, THE GENERAL CONTRACTOR SHALL REMOVE ON-SITE CONFLICTING PAVEMENT MARKINGS IN A METHOD APPROVED BY THE OWNER'S REPRESENTATIVE. STATE DOT AND OTHER JURISDICTIONAL AUTHORITY. THE GENERAL CONTRACTOR SHALL EXERCISE CARE TO AVOID INSTALLATION OF CONFLICTING SIGNS AND MARKINGS.
- AGGREGATE AND BITUMINOUS PAVEMENT MATERIALS AND INSTALLATION SHALL BE IN ACCORDANCE WITH STATE DOT AND/OR OTHER JURISDICTIONAL AUTHORITY STANDARDS. THE GENERAL CONTRACTOR SHALL SUBMIT AGGREGATE SIEVE ANALYSES AND A JOB-MIX FORMULAS FOR AGGREGATE AND BITUMINOUS PAVEMENT TO THE OWNER'S REPRESENTATIVE FOR REVIEW AND APPROVAL AT LEAST 14 DAYS PRIOR TO PAVEMENT INSTALLATION.
- ALTERNATIVE METHODS AND PRODUCTS OTHER THAN THOSE SPECIFIED IN THE DRAWINGS AND PROJECT MANUAL MAY BE USED IF REVIEWED AND APPROVED BY THE OWNER'S REPRESENTATIVE AND OTHER AFFECTED JURISDICTIONAL AUTHORITY PRIOR TO INSTALLATION.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSTRUCTION PLANS, SHOP DRAWINGS, LAYOUTS AND SURVEY INFORMATION, AND FOR EXECUTING ALL SURVEY FIELD WORK REQUIRED, TO PERFORM CONSTRUCTION IN ACCORDANCE WITH THE DRAWINGS AND PROJECT MANUAL.
- THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO MODIFY THE DETAILS AND STANDARDS OF CONSTRUCTION FOR ALL PRIVATE FACILITIES FROM THOSE INDICATED IN THE DRAWINGS AND PROJECT MANUAL, PROVIDED THAT ANY ALTERNATE STANDARD COMPLIES WITH ALL JURISDICTIONAL AUTHORITY REQUIREMENTS, AND THAT THE GENERAL DESIGN INTENT OF THE PROJECT IS NOT COMPROMISED.

**BID NOTES:**

- THE GENERAL CONTRACTOR SHALL REFER TO GEOTECHNICAL ENGINEERING REPORT, PROJECT No. \_\_\_\_\_, DATED \_\_\_\_\_, PREPARED BY \_\_\_\_\_.
- THE GENERAL CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CALCULATING ALL QUANTITIES.

**DISCLAIMERS:**

- THIS SET OF DRAWINGS IS INTENDED AS A SET OF GUIDELINES FOR THE PROJECT AND ARE TO BE USED IN CONJUNCTION WITH THE PROJECT MANUAL AND/OR SUPPLEMENTAL DATA TO BE PROVIDED BY THE OWNER'S REPRESENTATIVE. THEY MUST BE READ TO INCORPORATE ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES, INCLUDING FEDERAL A.D.A. REQUIREMENTS.
- EXISTING SITE INFORMATION HEREON IS PROVIDED BY THE OWNER, SURVEYOR, PLANS PREPARED BY OTHERS, AND/OR FIELD SURFACE EVIDENCE. ALL LOCATIONS ARE PRESUMED TO BE APPROXIMATE. LANDPLAN ENGINEERING, P.A. ASSUMES NO LIABILITY FOR INFORMATION REPRESENTING EXISTING CONDITIONS HEREON. IT IS THE GENERAL CONTRACTOR RESPONSIBILITY TO THOROUGHLY REVIEW THESE DRAWINGS AND SUPPLEMENTAL OWNER PROVIDED DATA WITH ACTUAL SITE CONDITIONS. THE GENERAL CONTRACTOR SHALL NOTE ANY DISCREPANCIES IN THE DRAWINGS AND ACTUAL SITE CONDITIONS, WHETHER SHOWN ON THE PLANS OR NOT, WITH THE OWNER'S REPRESENTATIVE PRIOR TO BIDDING AND CONSTRUCTION.
- THE DRAWINGS AND PROJECT MANUAL ASSUME THERE ARE NO UNUSUAL SOIL CONDITIONS, UNKNOWN UNDERGROUND STRUCTURES OR IMPEDIMENTS, WIND LOADS, AND/OR SIMILAR UNFORESEEN CIRCUMSTANCES. UNUSUAL CONDITIONS DETECTED BY THE GENERAL CONTRACTOR SHALL BE IMMEDIATELY REPORTED TO THE OWNER'S REPRESENTATIVE AND MAY REQUIRE SIGNIFICANT CHANGES TO THESE DRAWINGS.
- THE DRAWINGS AND PROJECT MANUAL ARE AND SHALL REMAIN THE PROPERTY OF THE KROGER CO. REPRODUCTION OR ALTERATION WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE KROGER CO. IS PROHIBITED. (NOT PUBLISHED: ALL RIGHTS RESERVED).

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The Kroger Co.  
Attention: Surveying  
10251 East 41st Street, Suite A  
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Fax: (313) 751-9006

**KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. & CROOKS ROAD  
TROY, MI 48098  
GENERAL NOTES**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.08.2011	PLAN CORR./ALL COMMENTS
3	11.15.2011	PLAN CORR./ALL COMMENTS

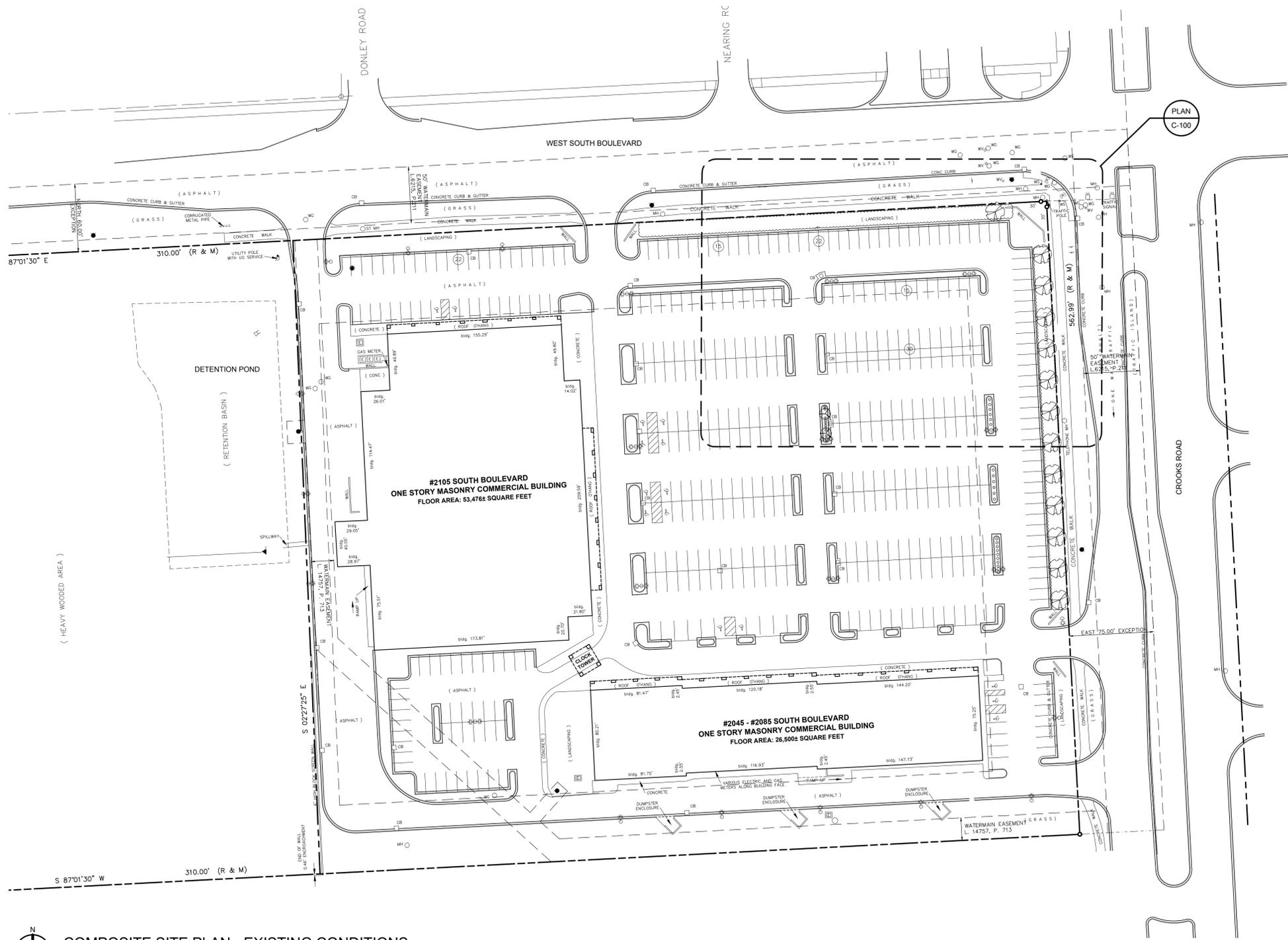
STATE OF MICHIGAN  
LICENSED PROFESSIONAL ENGINEER  
JOHN G. DAMRATH III  
ENGINEER  
No. 38510

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

NOTE:  
ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

SHEET NO.  
**G-002**



**COMPOSITE SITE PLAN - EXISTING CONDITIONS**  
SCALE: 1" = 50'-0"

**PROPERTY DESCRIPTION:**

**SHOPPING CENTER PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E., AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) WITH THE WEST LINE OF CROOKS ROAD (WIDTH VARIES), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, ALONG THE WEST LINE OF SAID CROOKS ROAD, SAID LINE BEING 75.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 562.97 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 678.89 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH BOULEVARD; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 673.16 FEET TO THE POINT OF BEGINNING, CONTAINING 8.736 ACRES, MORE OR LESS, OF LAND IN AREA.

**FUELING CENTER PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E., AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 131.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 74.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 130.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 156.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTES 10 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 22.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTE 10 SECONDS WEST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 178.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.476 ACRES, MORE OR LESS, OF LAND IN AREA.

**REMAINDER SHOPPING CENTER PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E., AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) WITH THE WEST LINE OF CROOKS ROAD (WIDTH VARIES), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, ALONG THE WEST LINE OF SAID CROOKS ROAD, SAID LINE BEING 75.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 562.97 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 678.89 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH BOULEVARD; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 673.16 FEET TO THE POINT OF BEGINNING, EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND, COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E., AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 131.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 74.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 130.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 156.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTES 10 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 22.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTE 10 SECONDS WEST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 178.00 FEET TO THE POINT OF BEGINNING, CONTAINING 8.260 ACRES, MORE OR LESS, OF LAND IN AREA.

**RETENTION BASIN PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E., AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 1057.57 FEET TO A POINT; THENCE SOUTH 02 DEGREES 27 MINUTES 25 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT ON THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A MEASURED DISTANCE OF 310.00 FEET TO A POINT; THENCE SOUTH 02 DEGREES 27 MINUTES 25 SECONDS EAST, A DISTANCE OF 563.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 310.00 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.006 ACRES, MORE OR LESS, OF LAND IN AREA.

**LOCATION MAP:**



**PROJECT DESCRIPTION:**

**DEVELOPMENT NAME:** KROGER D-464 - RETAIL FUEL CENTER  
**DEVELOPER:** THE KROGER CO. OF MICHIGAN  
 40399 GRAND RIVER AVENUE, SUITE 110  
 NOVI, MICHIGAN 48375  
**OWNER:** NORTHFIELD COMMONS ASSOCIATES, LLC  
 6960 ORCHARD LAKE ROAD, SUITE 307  
 WEST BLOOMFIELD, MI 48332

Civil Engineering  
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**Landplan Engineering, P.A.**  
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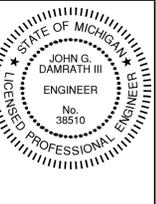
**KROGER D-464  
 RETAIL FUEL CENTER  
 2105 W. SOUTH BLVD. & CROOKS ROAD  
 TROY, MI 48098  
 COMPOSITE SITE PLAN - EXISTING CONDITIONS**

**SITE PLAN REVIEW  
 NOT FOR CONSTRUCTION**

**NOTES TO GENERAL CONTRACTOR:**

- UNDERGROUND UTILITIES MUST BE MARKED, AS REQUIRED BY PUBLIC ACT 53 OF 1974. TELEPHONE THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE A MINIMUM OF THREE (3) WORKING DAYS BEFORE ANY DIGGING.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CALCULATING ALL MATERIAL QUANTITIES.
- SEE SHEET G-002 FOR OTHER IMPORTANT GENERAL NOTES.

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.09.2011	PLAN CORN/ALL COMMENTS
3	11.15.2011	PLAN CORN/ALL COMMENTS

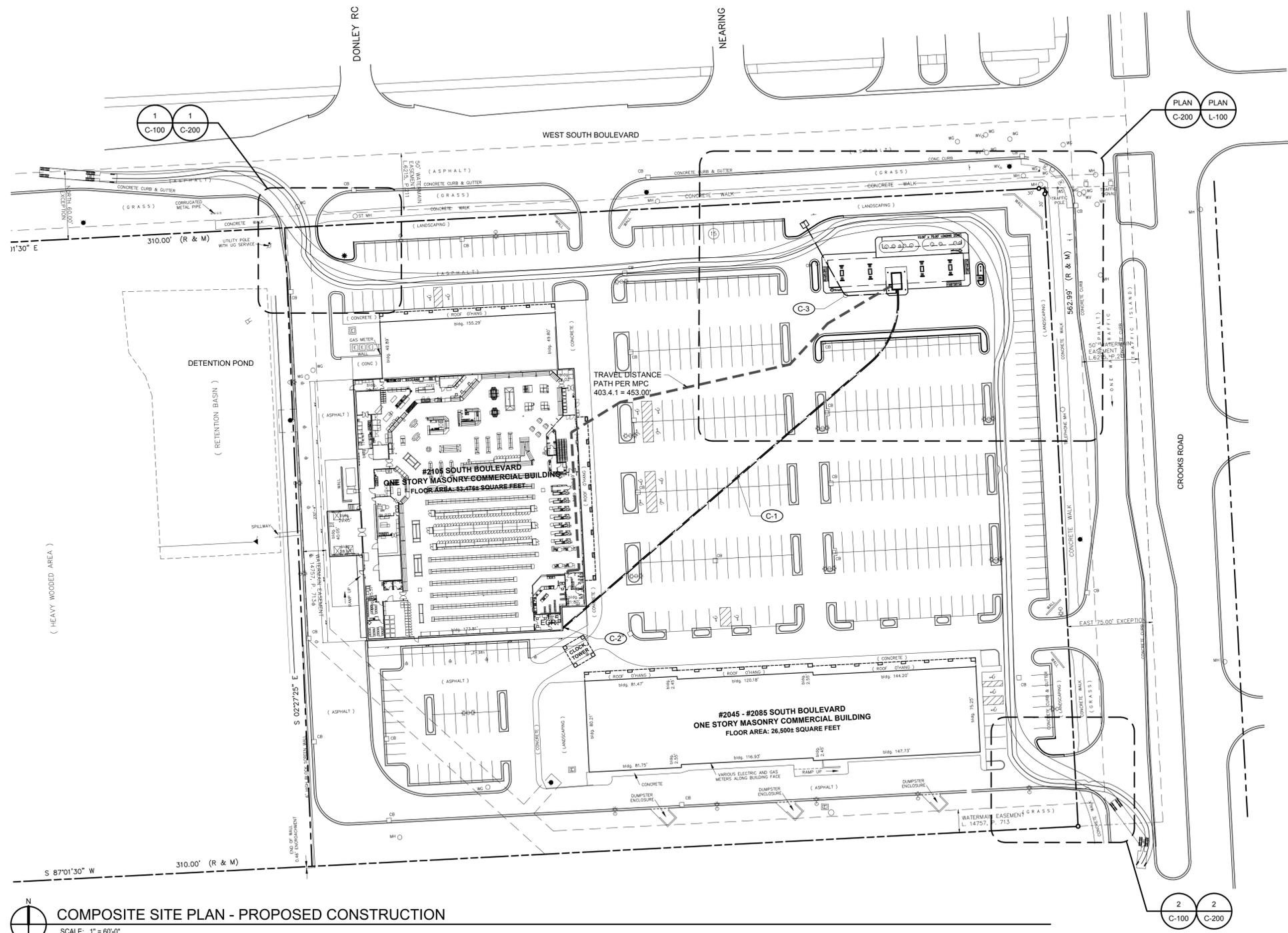


**DATE:** 01.01.2011  
**PROJECT NO.:** 2010.1174  
**DESIGNED BY:** LPE  
**DRAWN BY:** LPE  
**CHECKED BY:** JGD

SHEET NO.  
**C-001**

**NOTE:**  
 ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

FILE NAME: C:\Documents and Settings\Mikev\Desktop\20101174\CAD\Const\_Docs\Site\C-002\_Comp\_Site\_Plan\_Prop\_Conditions.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 11/16/2011 2:53 PM PLOTTED: 11/16/2011 2:54 PM



**COMPOSITE SITE PLAN - PROPOSED CONSTRUCTION**  
SCALE: 1" = 60'-0"

**SCOPE OF WORK:**

- C-1** INSTALL COMMUNICATION CONDUITS FROM KROGER STORE TO FUEL CENTER KIOSK. SAWCUT, REMOVE AND DISPOSE OF SITE PAVEMENT ONLY AS REQUIRED TO ALLOW FOR DIRECTIONAL BORING TO KROGER STORE. REPLACE SIDEWALK, PAVED AND UNPAVED AREAS TO MATCH EXISTING ADJACENT GROUND UNLESS EXPRESSLY STATED OTHERWISE IN PLANS. REVIEW AND COORDINATE WITH THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING. SEE UTILITY PLAN, SHEET C-400.
- C-2** ROUTE COMMUNICATION CONDUITS UP EXTERIOR FACE OF KROGER STORE AS REQUIRED TO PENETRATE WALL ABOVE FINISHED CEILING. PROVIDE AND INSTALL WEATHERPROOF JUNCTION BOXES AS REQUIRED BY CODE. PAINT ALL EXPOSED CONDUITS AND JUNCTION BOXES TO MATCH EXISTING ADJACENT SURFACES.
- C-3** INSTALL ELECTRICAL CONDUITS FROM FUEL CENTER KIOSK TO TRANSFORMER. SEE UTILITY PLAN, SHEET C-400.

**PROPERTY DESCRIPTION:**

**SHOPPING CENTER PARCEL**  
PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E. AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) WITH THE WEST LINE OF CROOKS ROAD (WIDTH VARIES), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, ALONG THE WEST LINE OF SAID CROOKS ROAD, SAID LINE BEING 75.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 562.97 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 678.69 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH BOULEVARD; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 673.16 FEET TO THE POINT OF BEGINNING. CONTAINING 8.736 ACRES, MORE OR LESS, OF LAND IN AREA.

**FUELING CENTER PARCEL**  
PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E. AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 131.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 74.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 130.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 156.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTES 10 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 22.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 178.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.476 ACRES, MORE OR LESS, OF LAND IN AREA.

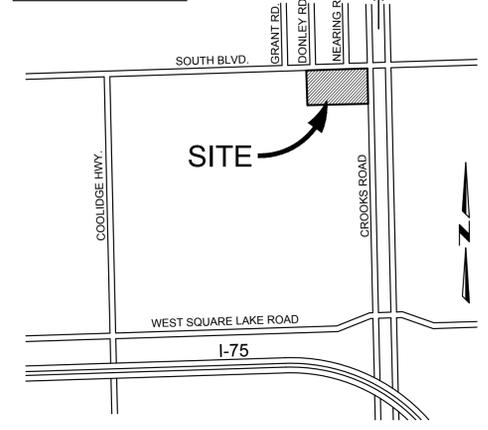
**REMAINDER SHOPPING CENTER PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E. AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) WITH THE WEST LINE OF CROOKS ROAD (WIDTH VARIES), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, ALONG THE WEST LINE OF SAID CROOKS ROAD, SAID LINE BEING 75.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 562.97 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 678.69 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH BOULEVARD; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 673.16 FEET TO THE POINT OF BEGINNING. EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E. AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 131.00 FEET TO A POINT; THENCE SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 74.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 03 DEGREES 01 MINUTE 10 SECONDS EAST, A DISTANCE OF 130.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 156.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 01 MINUTES 10 SECONDS WEST, A DISTANCE OF 110.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 22.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, A DISTANCE OF 178.00 FEET TO THE POINT OF BEGINNING. CONTAINING 8.260 ACRES, MORE OR LESS, OF LAND IN AREA.

**RETENTION BASIN PARCEL**

PART OF THE NORTHEAST 1/4 OF SECTION 5, T. 2 N., R. 11 E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 5, T. 2 N., R. 11 E. AND RUNNING THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 107.57 FEET TO A POINT; THENCE SOUTH 02 DEGREES 27 MINUTES 25 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT ON THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE), SAID POINT BEING ALSO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING NORTH 87 DEGREES 01 MINUTE 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTH BOULEVARD, SAID LINE BEING 60.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 5, A MEASURED DISTANCE OF 310.00 FEET TO A POINT; THENCE SOUTH 02 DEGREES 27 MINUTES 25 SECONDS EAST, A DISTANCE OF 563.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 01 MINUTE 30 SECONDS WEST, A DISTANCE OF 310.00 FEET TO A POINT; THENCE NORTH 02 DEGREES 27 MINUTES 25 SECONDS WEST, A DISTANCE OF 563.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.006 ACRES, MORE OR LESS, OF LAND IN AREA.

**LOCATION MAP:**



**PROJECT NARRATIVE:**

CONSTRUCTION OF A RETAIL FUEL CENTER CONSISTING OF ONE (1) CANOPY, ONE (1) 198 S.F. TRANSACTION KIOSK, AND FOUR (4) DISPENSER ISLANDS WITHIN AN EXISTING COMMERCIAL DEVELOPMENT.

**PROJECT DESCRIPTION:**

**DEVELOPER NAME:** KROGER D-464 - RETAIL FUEL CENTER  
**DEVELOPER:** THE KROGER CO. OF MICHIGAN  
40399 GRAND RIVER AVENUE, SUITE 110  
NOVI, MICHIGAN 48375  
**OWNER:** NORTHFIELD COMMONS ASSOCIATES, LLC  
6960 ORCHARD LAKE ROAD, SUITE 307  
WEST BLOOMFIELD, MI 48332

**NOTES TO GENERAL CONTRACTOR:**

1. UNDERGROUND UTILITIES MUST BE MARKED, AS REQUIRED BY PUBLIC ACT 53 OF 1974. TELEPHONE THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE A MINIMUM OF THREE (3) WORKING DAYS BEFORE ANY DIGGING.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CONFIRMING THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.
3. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CALCULATING ALL MATERIAL QUANTITIES.
4. SEE SHEET G-002 FOR OTHER IMPORTANT GENERAL NOTES.

**NOTE:**  
ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SONS NOVEMBER 1, 2011.

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

Civil Engineering  
Landscape Architecture  
Community Planning  
Surveying

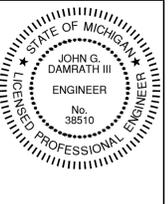
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**KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. at CROOKS ROAD  
TROY, MI 48098  
COMPOSITE SITE PLAN PROPOSED CONSTRU.**

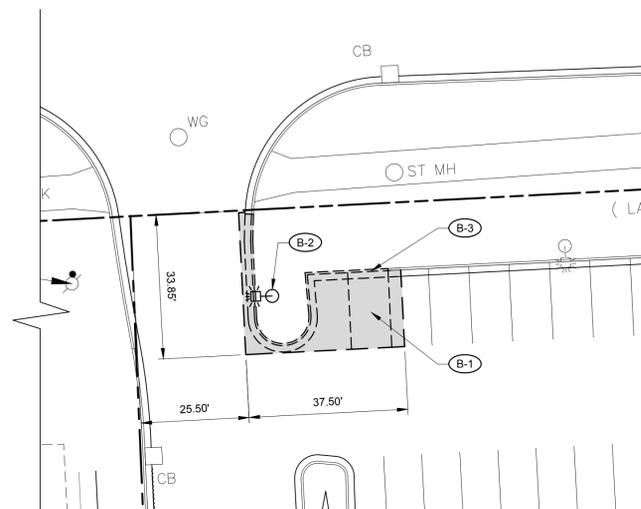
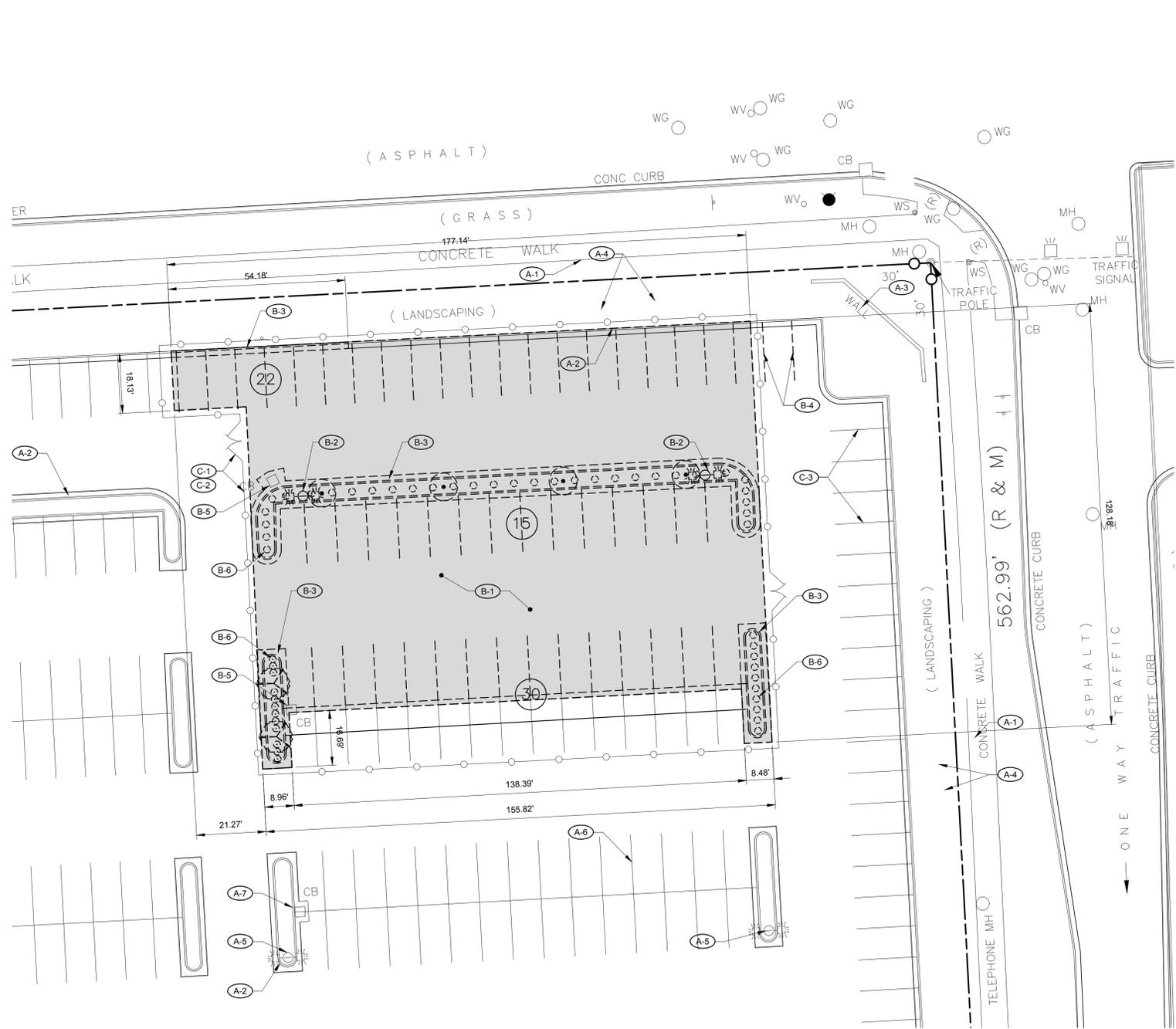
REV	DATE	DESCRIPTION
0	05/18/2011	OWNER REVIEW
1	07/11/2011	SITE PLAN REVIEW
2	11/09/2011	PLAN COR./ALL COMMENTS
3	11/15/2011	PLAN COR./ALL COMMENTS



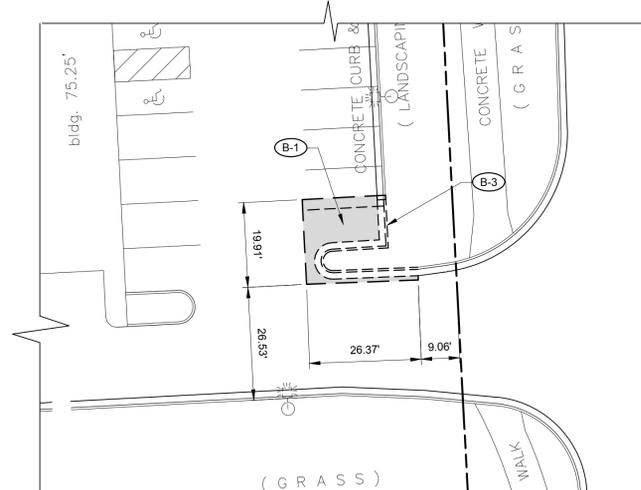
**DATE:** 01.01.2011  
**PROJECT NO.:** 2010.1174  
**DESIGNED BY:** LPE  
**DRAWN BY:** LPE  
**CHECKED BY:** JGD

SHEET NO.  
**C-002**

FILE NAME: C:\Documents and Settings\Mikev\Desktop\20101174\CAD\Const\_Docs\Site\Site\C-100 Demo & Erosion Control Plan.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 11/16/2011 1:50 PM



1 DEMOLITION PLAN AT NORTHWEST APPROACH  
SCALE: 1" = 20'-0"



2 DEMOLITION PLAN AT NORTHWEST APPROACH  
SCALE: 1" = 20'-0"

**DEMOLITION NOTES:**

1. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES MUST BE IN PLACE PRIOR TO ANY SITE DEMOLITION, EXCAVATION OR GRADING.
2. PERFORM CLEARING, STRUCTURE REMOVAL, PAVEMENT REMOVAL AND APPLICABLE STOCKPILING IN ACCORDANCE WITH THE PROJECT DRAWINGS AND PROJECT MANUAL. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE LAWFUL REMOVAL AND DISPOSAL OF ALL RUBBISH, TRASH, DEBRIS, ORGANIC MATERIAL, ETC.
3. NO ATTEMPT IS MADE TO STIPULATE EACH ITEM TO BE REMOVED AND/OR DEMOLISHED, EITHER ON THE DRAWINGS OR IN THE PROJECT MANUAL. THE CONTRACTOR MUST VISIT THE SITE TO ASSESS EXISTING PHYSICAL CONDITIONS, AS WELL AS REVIEW THE DRAWINGS, AND ULTIMATELY DETERMINE WORK NECESSARY TO ACCOMPLISH INTENDED RESULTS DESCRIBED BY THE PROJECT DRAWINGS AND PROJECT MANUAL.
4. COMPLETELY RESTORE ALL DISTURBED AREAS TO CONDITION EQUAL TO OR BETTER THAN EXISTING CONDITION AND TO THE SATISFACTION OF AFFECTED OWNER(S) AND/OR GOVERNING AUTHORITY. ALL COSTS FOR CLEAN-UP, RESTORATION WORK AND OTHER RESTORATION OPERATIONS SUCH AS, BUT NOT LIMITED TO, CONSTRUCTION SIGNAGE, STREET SWEEPING AND MAINTAINING EXISTING UTILITIES SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY. RESTORATION WORK SHALL BE PERFORMED WITHIN FIVE (5) WORKING DAYS AFTER COMPLETION OF FINAL GRADING.
5. WHERE EXISTING PAVEMENT IS TO BE PARTIALLY REMOVED, SAWCUT PAVEMENT TO FULL DEPTH TO PROVIDE A SMOOTH JOINT WITH PROPOSED PAVEMENT.
6. ALL DEMOLITION WORK SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE JURISDICTIONAL AUTHORITY.
7. IF APPROPRIATE, RETAIN SOIL SPOILS FROM CONSTRUCTION EXCAVATION AND STORE AT DESIGNATED LOCATION FOR RE-USE, IN ACCORDANCE WITH THE GEOTECHNICAL REPORT, PROJECT DRAWINGS, AND OWNER'S REPRESENTATIVE APPROVAL(S).

NOTE:  
AREA OF DEMOLITION: 17,782 SQUARE FEET.

**DEMOLITION AND EROSION CONTROL PLAN**  
SCALE: 1" = 20'-0"

**SCOPE OF WORK:**

**A - EXISTING SITE FEATURES TO REMAIN:**

- (A-1) CONCRETE SIDEWALK
- (A-2) CONCRETE CURB AND GUTTER
- (A-3) SHOPPING CENTER I.D. SIGN
- (A-4) LANDSCAPING
- (A-5) SITE LIGHTING
- (A-6) PARKING STRIPE
- (A-7) CATCH BASIN

**B - SITE FEATURES TO BE REMOVED: (ALSO SEE DEMOLITION PLAN)**

- (B-1) SAWCUT, REMOVE AND DISPOSE OF SITE PAVEMENT AS REQUIRED TO ALLOW FOR NEW CONSTRUCTION.
- (B-2) DISCONNECT AND REMOVE INDICATED SITE LIGHTING AND FOUNDATION(S). DISPOSE OR RE-USE AS DIRECTED IN PLANS AND/OR BY OWNER'S REPRESENTATIVE. REROUTE AND/OR TERMINATE EXISTING UTILITIES AS REQUIRED BY CODE TO MAINTAIN OPERATION OF REMAINING LOT LIGHTS.
- (B-3) SAWCUT, REMOVE AND DISPOSE OF CONCRETE CURB AS REQUIRED TO ALLOW FOR NEW CONSTRUCTION. PRIOR TO DEMOLITION, REMOVE AND RELOCATE TREES AND/OR SHRUBS. SEE LANDSCAPE PLAN, SHEET L-100.
- (B-4) EXISTING PARKING LOT STRIPING TO BE COATED AS INDICATED TO OBSCURE VISIBILITY.
- (B-5) SAWCUT, REMOVE, AND DISPOSE OF CATCH BASIN. PROTECT EXISTING STORM PIPE FROM SILT AND DEBRIS RUNOFF AND MAKE READY FOR REUSE IN NEW CONSTRUCTION.
- (B-6) REMOVE, STORE, AND RELOCATE LANDSCAPE PLANT MATERIAL PER LANDSCAPE PLAN ON SHEET L-100.

**C - NEW SITE FEATURES**

- (C-1) INSTALL CONSTRUCTION FENCE. CONTRACTOR TO FIELD VERIFY AND COORDINATE LOCATION(S) OF CONSTRUCTION ACCESS GATE(S) WITH OWNER'S REPRESENTATIVE.
- (C-2) INSTALL SILT FENCE. SEE DETAIL 7, SHEET C-500.
- (C-3) TEMPORARY CONSTRUCTION CREWS PARKING AREA.

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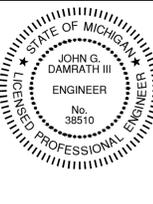
37740 Hills Tech Dr. 48331  
New (248)937-7411  
Email: info@landplan-engineering-pa.com  
Web: www.landplan-engineering-pa.com

**Kroger**

The Kroger Co.  
1025 East 14th Street, Suite A  
Troy, MI 48067  
Phone: (313) 252-9307  
Fax: (313) 252-9307

**KROGER D-464**  
**RETAIL FUEL CENTER**  
**2105 W. SOUTH BLVD. at CROOKS ROAD**  
**TROY, MI 48098**  
**DEMOLITION AND EROSION CONTROL PLAN**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.08.2011	PLAN CORR./ALL COMMENTS
3	11.15.2011	PLAN CORR./ALL COMMENTS



**NOTES TO GENERAL CONTRACTOR:**

1. UNDERGROUND UTILITIES MUST BE MARKED, AS REQUIRED BY PUBLIC ACT 53 OF 1974. TELEPHONE THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE A MINIMUM OF THREE (3) WORKING DAYS BEFORE ANY DIGGING.
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3. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR CALCULATING ALL MATERIAL QUANTITIES.
4. SEE SHEET G-002 FOR OTHER IMPORTANT GENERAL NOTES.

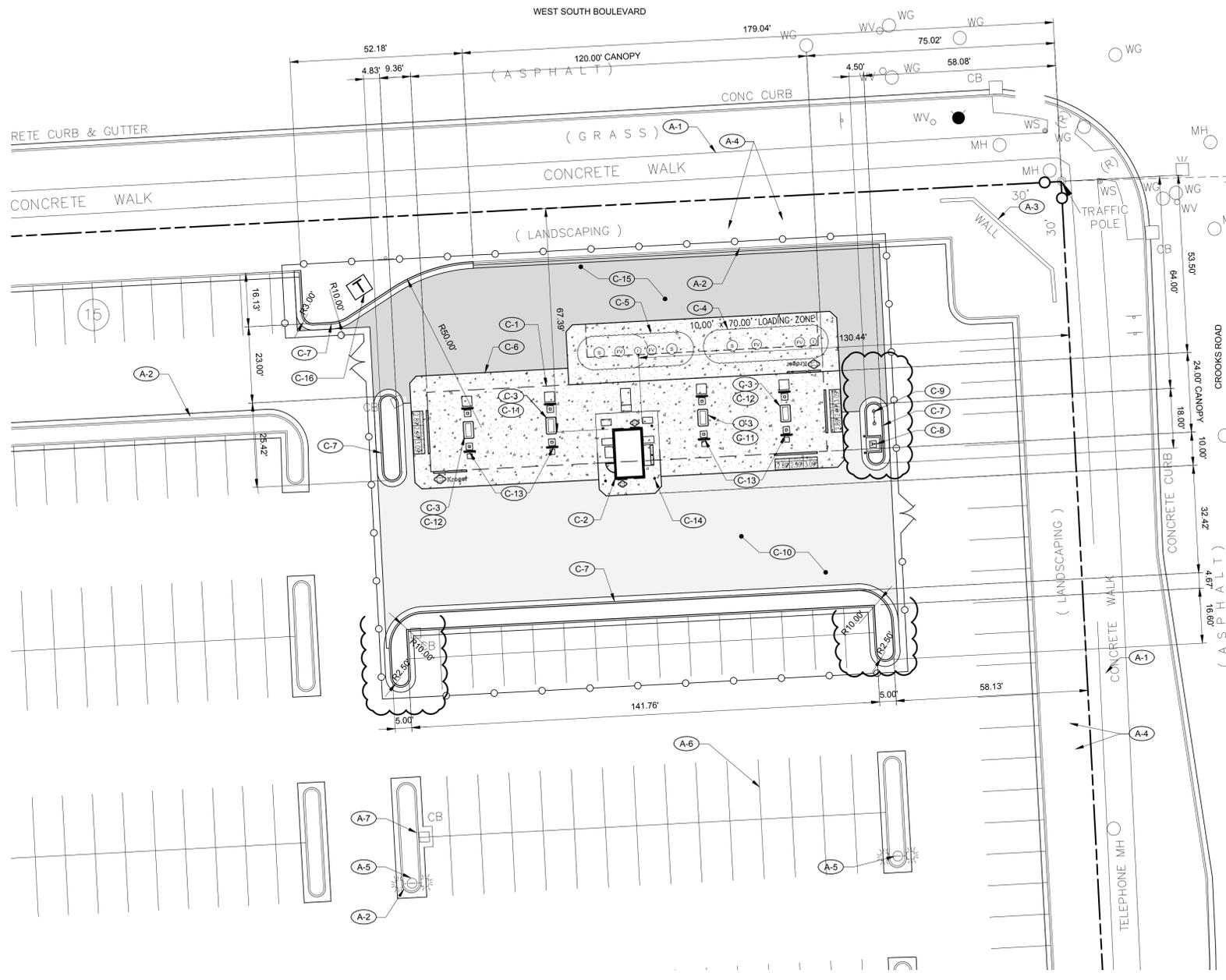
**SITE PLAN REVIEW**  
**NOT FOR CONSTRUCTION**

NOTE:  
ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**C-100**

FILE NAME: C:\Documents and Settings\Mikev\Desktop\20101174\CAD\Const Docs\Site\C-200 Site Plan.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 11/16/2011 1:52 PM PLOTTED: 11/16/2011 2:59



**DIMENSION CONTROL SITE PLAN**  
SCALE: 1" = 20'-0"

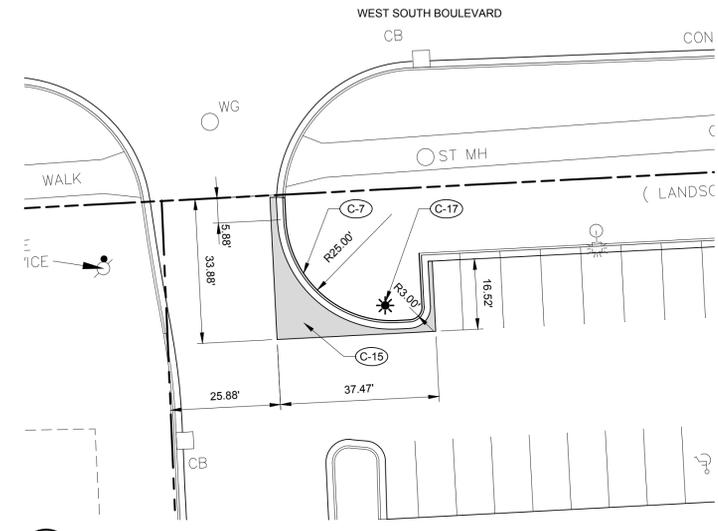
**SCOPE OF WORK:**

- A - EXISTING SITE FEATURES TO REMAIN:**
- A-1 CONCRETE SIDEWALK
  - A-2 CONCRETE CURB AND GUTTER
  - A-3 SHOPPING CENTER I.D. SIGN
  - A-4 LANDSCAPING
  - A-5 SITE LIGHTING
  - A-6 PARKING STRIPE
  - A-7 CATCH BASIN

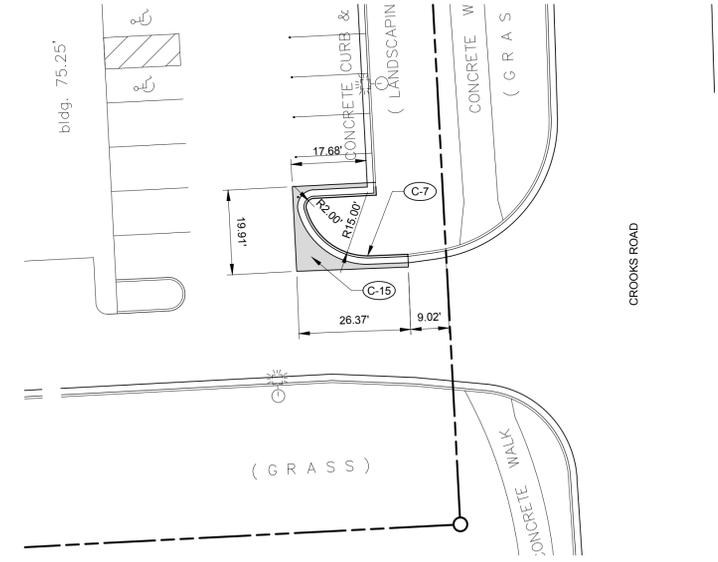
**C - PROPOSED SITE IMPROVEMENTS:**

- C-1 120.00' x 24.00' DISPENSER CANOPY (2,880 S.F.), CANOPY COLUMNS AND FOOTINGS. SEE CONSTRUCTION IMPROVEMENT PLAN ON SHEET A101.
- C-2 8.83' x 22.42' TRANSACTION KIOSK (198 S.F.) SEE CONSTRUCTION IMPROVEMENT PLAN ON SHEET A101.
- C-3 3.00' x 5.00' DISPENSER ISLAND.
- C-4 20,000 GALLON DOUBLE-WALL UNDERGROUND STORAGE TANK (UNLEADED).
- C-5 18,000 GALLON DOUBLE-WALL SPLIT UNDERGROUND STORAGE TANK 8,000 GALLONS PREMIUM/10,000 GALLONS DIESEL.
- C-6 CONCRETE TANK/DISPENSER MAT. SEE CONSTRUCTION IMPROVEMENT PLAN ON SHEET A101.
- C-7 CONCRETE CURB AND GUTTER.
- C-8 AIR TOWER, ALL ASSOCIATED EQUIPMENT, AND UTILITIES REQUIRED TO PROVIDE PROPER SERVICE.
- C-9 TANK VENT RISER.
- C-10 LIGHT DUTY BITUMINOUS PAVEMENT.
- C-11 GASOLINE DISPENSER WITH CARD READER.
- C-12 AUTOMOBILE MULTI-PRODUCT DISPENSER (3+1 GASOLINE/DIESEL).
- C-13 U-SHAPED BOLLARD AT CANOPY COLUMNS.
- C-14 KIOSK BOLLARD. SEE SHEET KIOSK EQUIPMENT PLAN ON SHEET A101.
- C-14 HEAVY DUTY BITUMINOUS PAVEMENT.
- C-15 PER UTILITY COMPANY TEMPLATE, PROVIDE AND INSTALL 6'-2" WIDE X 5'-2" DEEP X 6 1/2" THICK CONCRETE TRANSFORMER PAD. CONCRETE MIX SHALL BE 6-BAG WITH MINIMUM COMPRESSIVE STRENGTH OF 3,500 PSI AT 28 DAYS.
- C-16 RELOCATED LOT LIGHT.

**NOTES:**  
FIRE SUPPRESSION NOT REQUIRED OR PROPOSED FOR CANOPY PER TROY FIRE DEPARTMENT.



**1 PARTIAL SITE PLAN AT NORTHWEST APPROACH**  
SCALE: 1" = 20'-0"



**2 PARTIAL SITE PLAN AT NORTHWEST APPROACH**  
SCALE: 1" = 20'-0"

**NOTES TO GENERAL CONTRACTOR:**

1. UNDERGROUND UTILITIES MUST BE MARKED, AS REQUIRED BY PUBLIC ACT 53 OF 1974. TELEPHONE THE REGIONAL UTILITY LOCATOR/ONE-CALL SYSTEM OFFICE A MINIMUM OF THREE (3) WORKING DAYS BEFORE ANY DIGGING.
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4. SEE SHEET G-002 FOR OTHER IMPORTANT GENERAL NOTES.

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

**NOTE:**  
ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

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Web: www.landplan-pe.com

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**Kroger**

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1001 Towne Centre Drive  
Cincinnati, OH 45226  
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Fax: (513) 752-9978

**KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. at CROOKS ROAD  
TROY, MI 48098  
DIMENSION CONTROL SITE PLAN**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.06.2011	PLAN COM/ALL COMMENTS
3	11.15.2011	PLAN COM/ALL COMMENTS

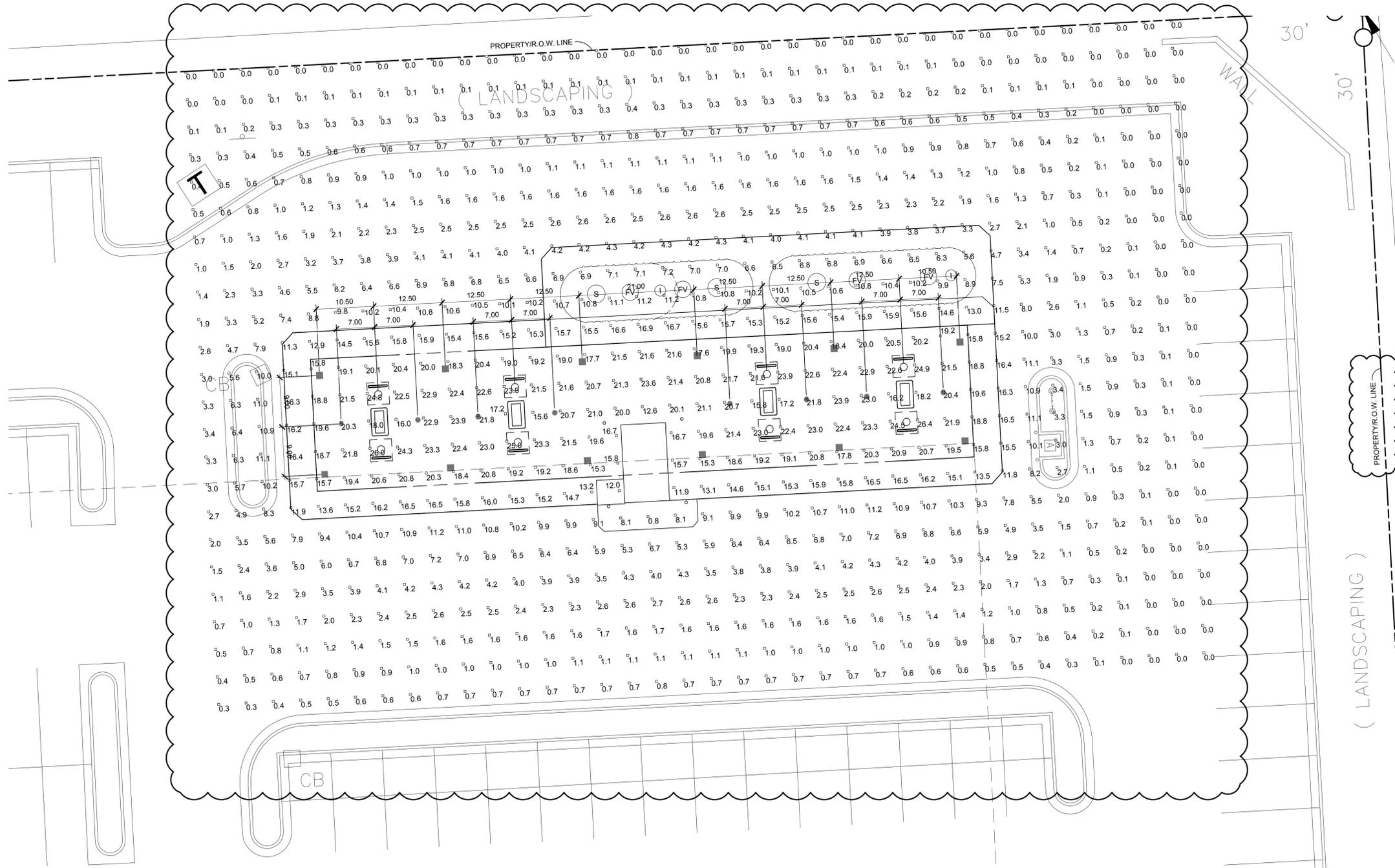
STATE OF MICHIGAN

JOHN G. DAMRATH III  
ENGINEER  
No. 38510

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**C-200**

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**PHOTOMETRIC SITE PLAN**  
SCALE: 1" = 10'-0"



STATISTICAL AREA SUMMARY					
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
CANOPY	20.45	28.4	12.6	1.62	2.10

LUMINAIRE SCHEDULE						
SYMBOL	QTY	LABEL	DESCRIPTION	LUMENS	LLF	MODEL #
●	8	FOCUS	70 WATT, CERAMIC METAL HALIDE	6600	0.720	ECTA-SP-70-16MH-F
■	12	ENCORE	250 WATT, PULSE START METAL HALIDE	23000	0.720	ECTA-S-250-PSMV-F

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

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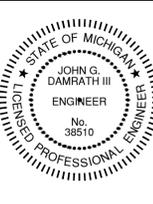
37740 Hills Tech Dr. #4331  
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**KROGER D-464  
RETAIL FUEL CENTER  
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PHOTOMETRIC SITE PLAN**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.08.2011	PLAN CORR./L COMMENTS
3	11.15.2011	PLAN CORR./L COMMENTS

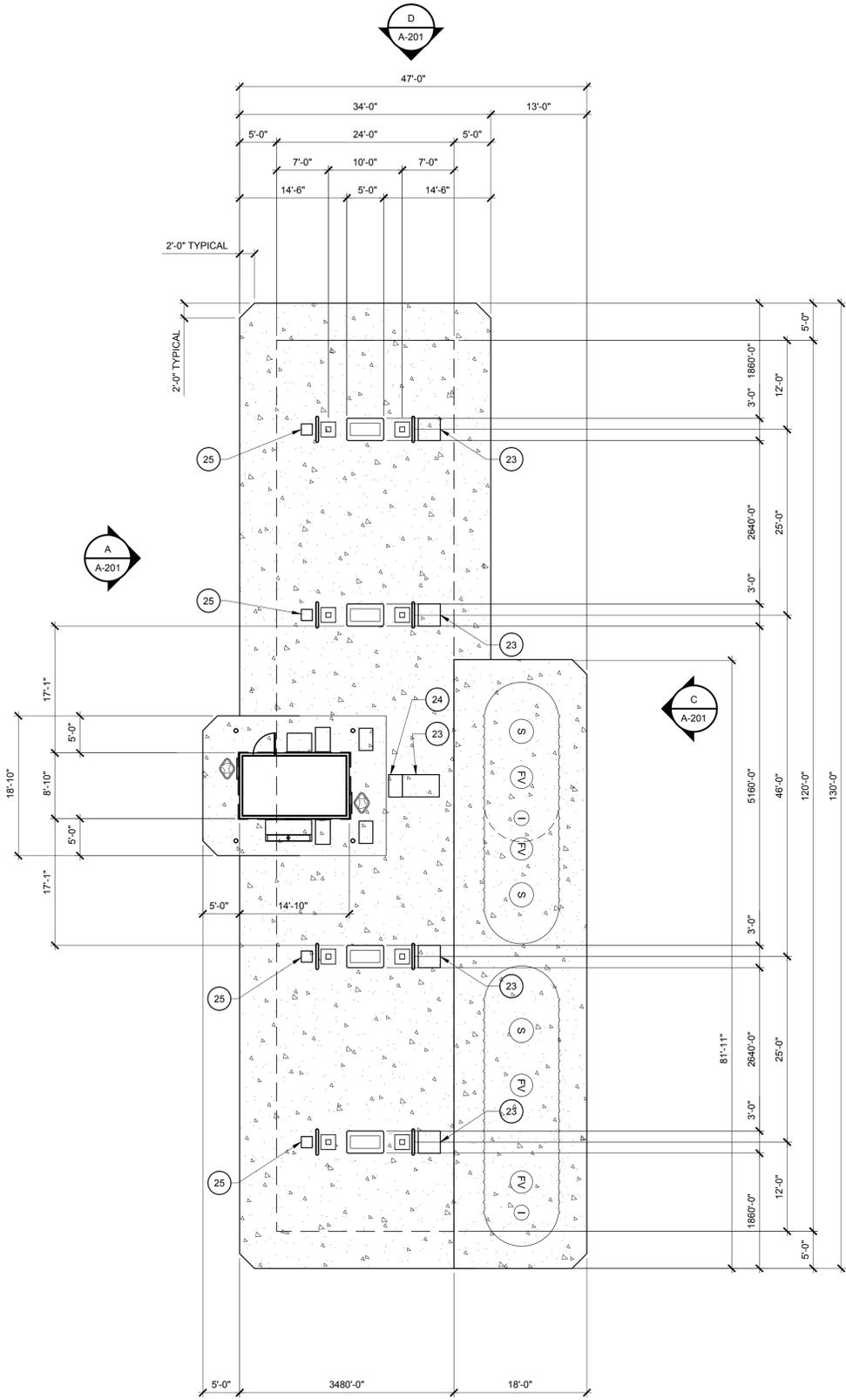


DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**C-201**

NOTE: ALL INFORMATION RELATED TO THIS SITE HAS BEEN TAKEN FROM ALTA/ACSM SURVEY PREPARED BY DAVID C. ADAMS & SON NOVEMBER 1, 2011.

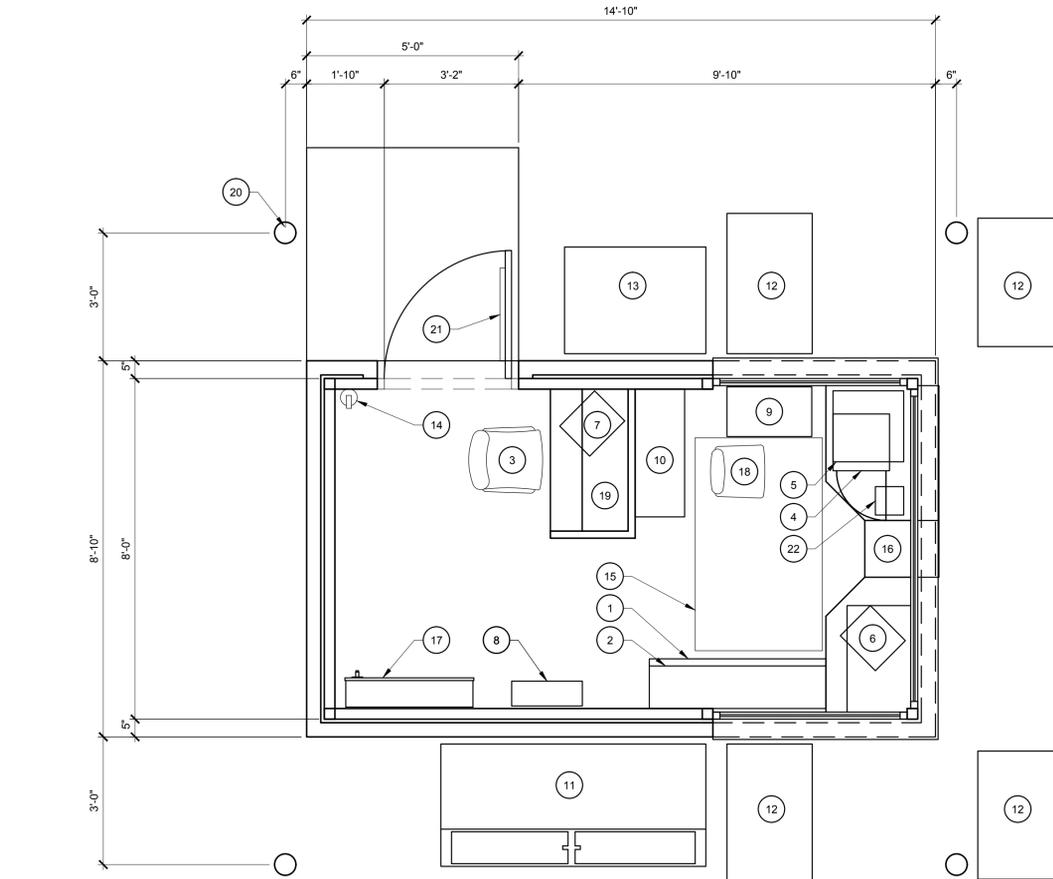




**CONSTRUCTION IMPROVEMENT PLAN**  
SCALE: 1" = 10'-0"

**EQUIPMENT LEGEND**  
(ALL EQUIPMENT FURNISHED BY OWNER UNLESS OTHERWISE NOTED.)

- |    |                                                                                                       |    |           |
|----|-------------------------------------------------------------------------------------------------------|----|-----------|
| 1  | 4' STORAGE RACK (BY GENERAL CONTRACTOR.)                                                              | 27 | NOT USED. |
| 2  | CANDY RACK.                                                                                           | 28 | NOT USED. |
| 3  | CHAIR.                                                                                                | 29 | NOT USED. |
| 4  | LOTTO MACHINE.                                                                                        | 30 | NOT USED. |
| 5  | SAFE.                                                                                                 | 31 | NOT USED. |
| 6  | P.O.S. REGISTER.                                                                                      | 32 | NOT USED. |
| 7  | P.O.S. - BACK OFFICE UNIT.                                                                            | 33 | NOT USED. |
| 8  | TANK MONITOR.                                                                                         | 34 | NOT USED. |
| 9  | CIGARETTE CARTON MERCHANDISER.                                                                        | 35 | NOT USED. |
| 10 | CIGARETTE PACK MERCHANDISER.                                                                          | 36 | NOT USED. |
| 11 | 46 CUBIC FOOT ICE MERCHANDISER.                                                                       | 37 | NOT USED. |
| 12 | SODA REACH-IN COOLER (BY VENDOR.)                                                                     | 38 | NOT USED. |
| 13 | SODA VENDING MACHINE (BY VENDOR.)                                                                     | 39 | NOT USED. |
| 14 | 2A:20BC FIRE EXTINGUISHER (BY GENERAL CONTRACTOR. QUANTITIES AND LOCATIONS INSTALLED PER LOCAL CODE.) | 40 | NOT USED. |
| 15 | ANTI-FATIGUE MAT.                                                                                     | 41 | NOT USED. |
| 16 | DEAL TRAY / MERCHANDISE DRAWER.                                                                       |    |           |
| 17 | PANELBOARD.                                                                                           |    |           |
| 18 | STOOL.                                                                                                |    |           |
| 19 | SHELF ABOVE.                                                                                          |    |           |
| 20 | 6"Ø PIPE BOLLARD (TYPICAL 4, BY GENERAL CONTRACTOR.)                                                  |    |           |
| 21 | BULLETIN BOARD (GENERAL CONTRACTOR TO MOUNT ABOVE PEEP-HOLE.)                                         |    |           |
| 22 | INTERCOM MASTER STATION.                                                                              |    |           |
| 23 | 4 TEIR AUTOMOTIVE FLUID (WASHER, OIL, ANTI-FREEZE, ETC.)                                              |    |           |
| 24 | CHIPS DISPLAY CABINET.                                                                                |    |           |
| 25 | WASTE RECEPTACLE/WINDSHIELD SERVICE CENTER.                                                           |    |           |
| 26 | NOT USED.                                                                                             |    |           |



**KIOSK EQUIPMENT PLAN**  
SCALE: 1/2" = 1'-0"

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

**Civil Engineering**  
**Landscaping Architecture**  
**Community Planning**  
**Surveying**

37924 Hill, Suite 10  
Farmington Hills, MI 48331  
Tel: (248) 981-4411  
Fax: (248) 981-4411  
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**Kroger**

The Kroger Co.  
10051 East at CO, Suite 800  
Phone: (800) 755-9977  
Fax: (202) 715-2828

**KROGER D-464**  
**RETAIL FUEL CENTER**  
**2105 W. SOUTH BLVD. at CROOKS ROAD**  
**TROY MI 48098**  
**CONSTRUCTION AND EQUIPMENT PLANS**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
3	11.15.2011	PLAN COM/ALL COMMENTS

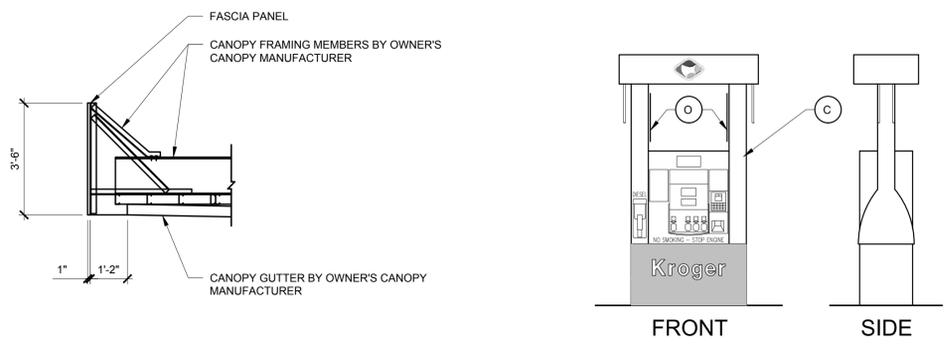
STATE OF MICHIGAN  
JOHN E. DAMBRATH III  
ENGINEER  
No. 38510  
LICENSED PROFESSIONAL ENGINEER

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**A101**

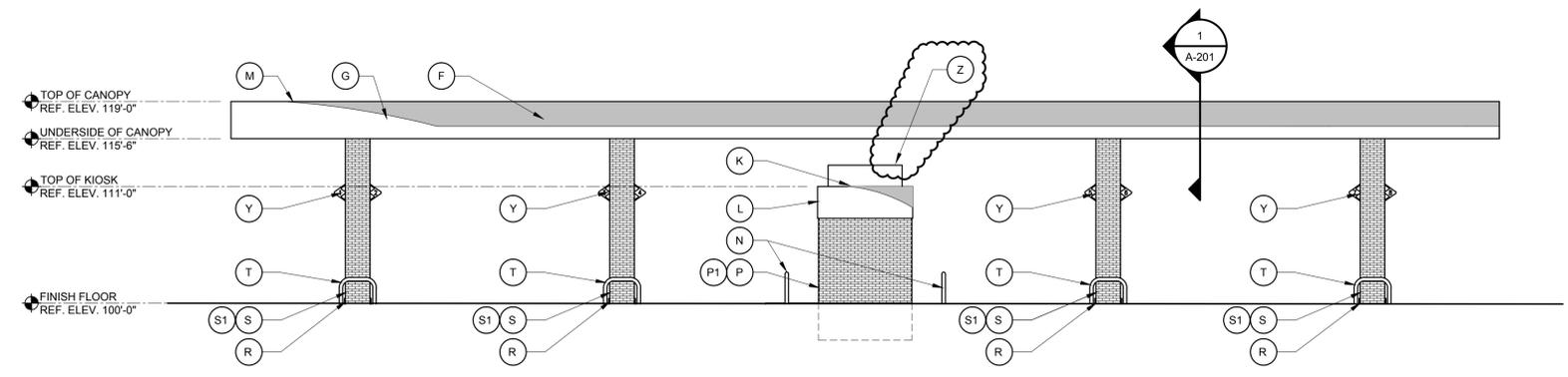
FILE NAME: C:\Documents and Settings\Wikev\Desktop\20101174\CAD\Const Docs\Architectural\101174\_A\_201.dwg LAST SAVED BY: Mike Vanderbeke SAVED DATE: 11/16/2011 2:40 PM

**NOTES:**  
FIRE SUPPRESSION NOT REQUIRED OR PROPOSED FOR CANOPY PER TROY FIRE DEPARTMENT.

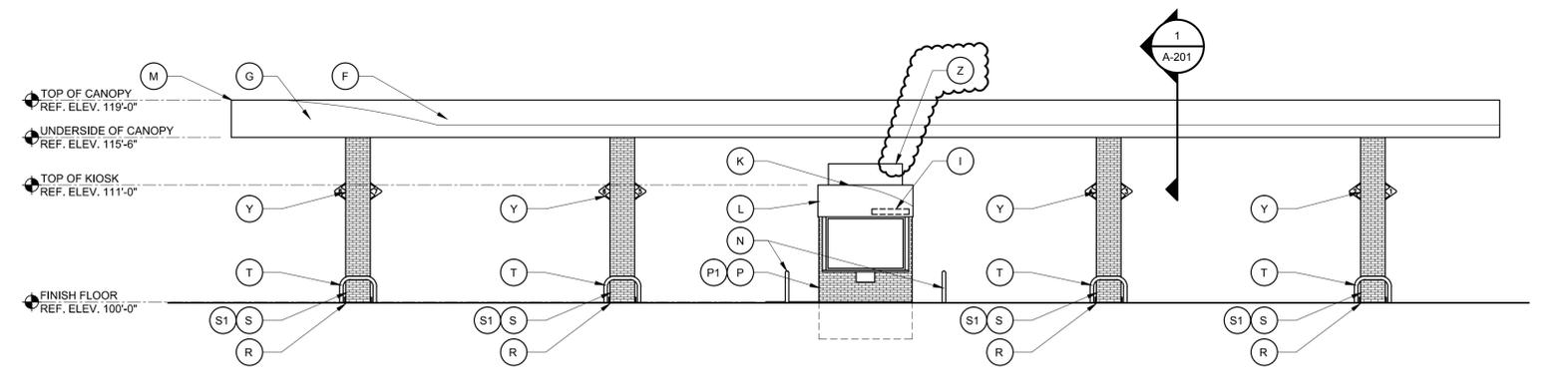


1 SECTION AT CANOPY FASCIA  
A-201 SCALE: 3/8" = 1'-0"

2 DISPENSER ELEVATIONS  
A-201 SCALE: 3/8" = 1'-0"

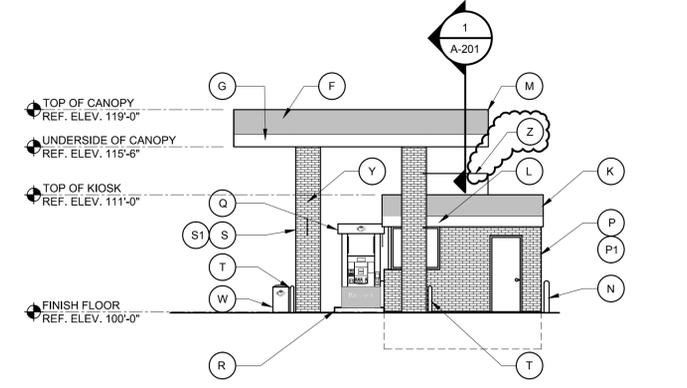


C NORTH CANOPY SIGNAGE ELEVATION  
A-101 SCALE: 1/8" = 1'-0"

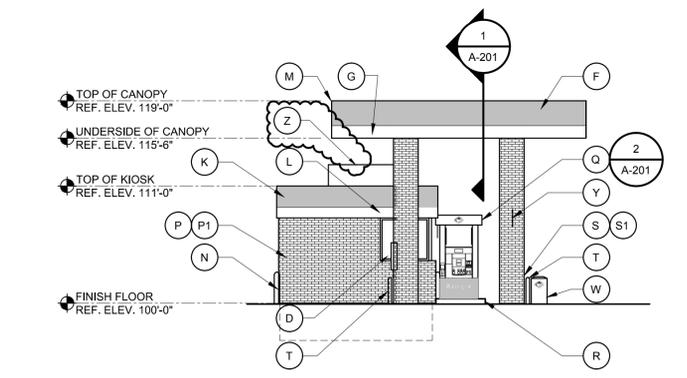


A SOUTH CANOPY SIGNAGE ELEVATION  
A-101 SCALE: 1/8" = 1'-0"

MARK	DESCRIPTION	COLOR	MANUFACTURER	MODEL	FURNISHED BY	INSTALLED BY
A	NOT USED	-	-	-	-	-
B	NOT USED	-	-	-	-	-
C	STATIC WARNING DECAL	-	WAYNE	-	DISPENSER MANUFACTURER	DISPENSER MANUFACTURER
D	REMOTE PRICE SIGN CONTROL BOX	-	SKYLINE PRODUCTS, INC.	-	KROGER	SIGN INSTALLER
E	NOT USED	-	-	-	-	-
F	CANOPY FASCIA	SANDSTONE	-	-	CANOPY FABRICATOR	CANOPY FABRICATOR
G	CANOPY FASCIA	OYSTER	-	-	CANOPY FABRICATOR	CANOPY FABRICATOR
H	NOT USED	-	-	-	-	-
I	PRE-CUT VINYL ADDRESS DECAL (PER LOCAL ORDINANCE IF REQUIRED)	BLACK	-	-	GENERAL CONTRACTOR	GENERAL CONTRACTOR
J	NOT USED	-	-	-	-	-
K	KIOSK FASCIA	SANDSTONE	-	-	KIOSK FABRICATOR	KIOSK FABRICATOR
L	KIOSK FASCIA	OYSTER	-	-	KIOSK FABRICATOR	KIOSK FABRICATOR
M	CANOPY	-	FASHION, INC.	-	CANOPY FABRICATOR	CANOPY FABRICATOR
N	6"Ø BOLLARD	SAFETY RED (G.C. TO PAINT)	-	-	GENERAL CONTRACTOR	-
O	HEALTH AND SAFETY DECAL	-	WAYNE	-	WAYNE	-
P	KIOSK - PREFABRICATED	ESSENTIAL GRAY - SW6002	SAGEBRUSH	-	KIOSK FABRICATOR	GENERAL CONTRACTOR
P1	KIOSK FACE BRICK VENEER	SPECIFICATION BY LANDLORD	-	-	GENERAL CONTRACTOR	GENERAL CONTRACTOR
-	NOT USED	-	-	-	-	-
Q	DISPENSER	-	WAYNE	-	KROGER	GENERAL CONTRACTOR
R	ISLAND FORMS	GRAPHITE - SW4017 (G.C. TO PAINT)	OPW	-	KROGER	GENERAL CONTRACTOR
S	CANOPY COLUMNS (G.C. TO PAINT)	ESSENTIAL GRAY - SW6002 (G.C. TO PAINT)	FASHION, INC.	-	CANOPY FABRICATOR	CANOPY FABRICATOR
S1	CANOPY COLUMN WRAP	SPECIFICATION BY LANDLORD	-	-	GENERAL CONTRACTOR	GENERAL CONTRACTOR
S2	NOT USED	-	-	-	-	-
T	4"Ø U-SHAPED BOLLARD (G.C. TO PAINT)	SAFETY RED (G.C. TO PAINT)	RIVERSIDE	-	KROGER	GENERAL CONTRACTOR
U	NOT USED	-	-	-	-	-
V	NOT USED	-	-	-	-	-
W	WASTE RECEPTACLE / WINDSHIELD SERVICE CENTER	-	DCI MARKETING	-	KROGER	GENERAL CONTRACTOR
X	NOT USED	-	-	-	-	-
Y	DISPENSER NUMBER FLAG	-	-	-	CANOPY FABRICATOR	GENERAL CONTRACTOR
Z	ROOF TOP SCREENING	OYSTER	-	-	KIOSK FABRICATOR	GENERAL CONTRACTOR
-	NOT USED	-	-	-	-	-



D WEST CANOPY SIGNAGE ELEVATION  
A-101 SCALE: 1/8" = 1'-0"



B EAST CANOPY SIGNAGE ELEVATION  
A-101 SCALE: 1/8" = 1'-0"

**SITE PLAN REVIEW NOT FOR CONSTRUCTION**

Civil Engineering  
Landscape Architecture  
Community Planning  
Surveying

37740 Hills Tech Dr. 48331  
Lawrence, MI (248)987-4411  
www.landplan-engineering-pa.com

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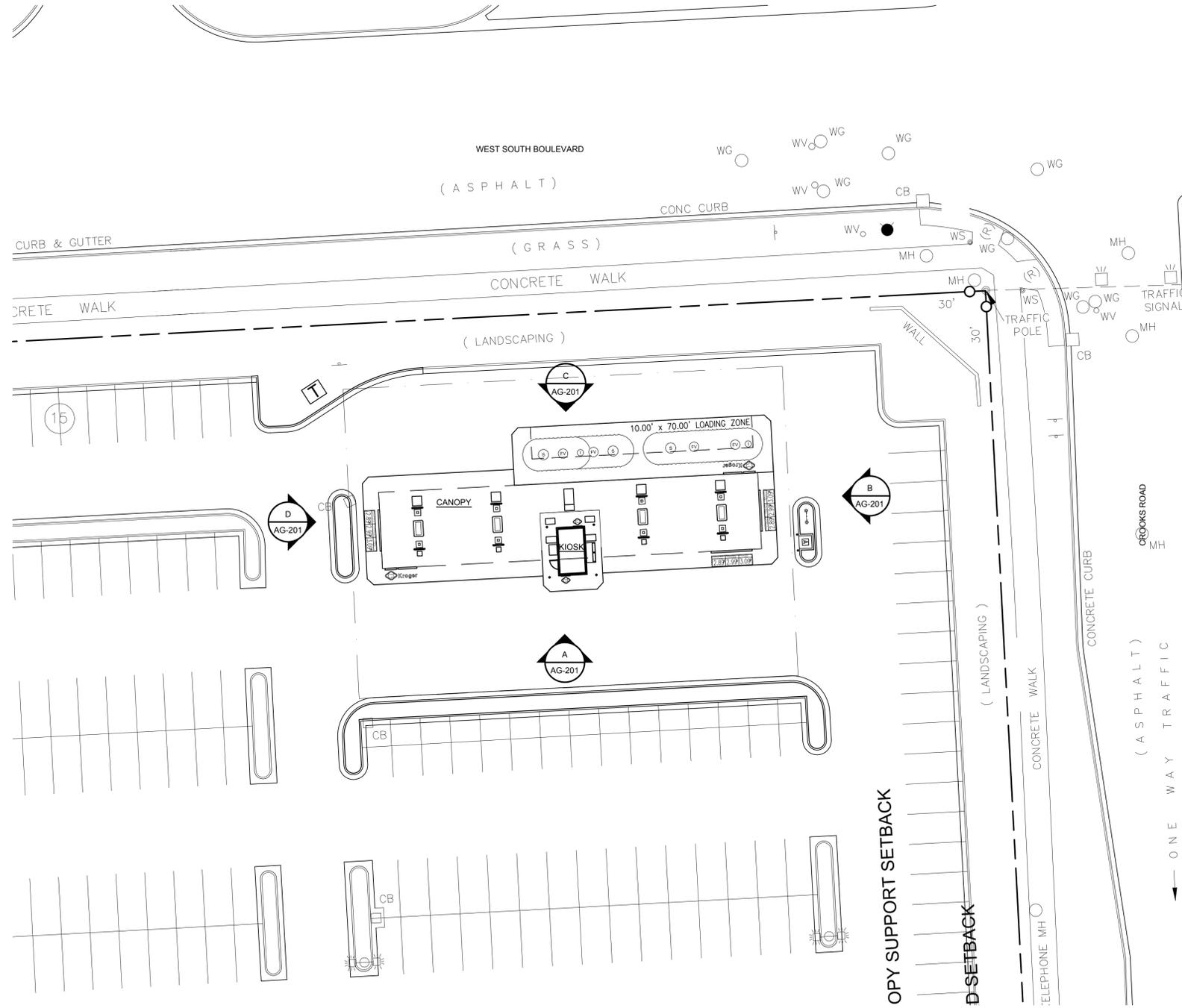
The Kroger Co.  
1025 East 54th Street, Suite A  
Lawrence, KS 66044  
Phone: (785) 843-2007  
Fax: (785) 843-2008

**KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. at CROOKS ROAD  
TROY, MI 48098  
EXTERIOR ELEVATIONS**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.09.2011	PLAN COM. / ALL COMMENTS
3	11.15.2011	PLAN COM. / ALL COMMENTS

DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

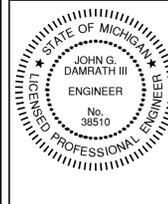
SHEET NO.  
**A201**



**SIGNAGE PLAN - SIGN**  
SCALE: 1" = 20'-0"

**SITE PLAN REVIEW  
NOT FOR CONSTRUCTION**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
3	11.15.2011	PLAN CORR./ALL COMMENTS



DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**AG-101**

**KROGER D-464  
RETAIL FUEL CENTER  
2105 W. SOUTH BLVD. at CROOKS ROAD  
TROY, MI 48098  
SIGNAGE PLAN - SITE**



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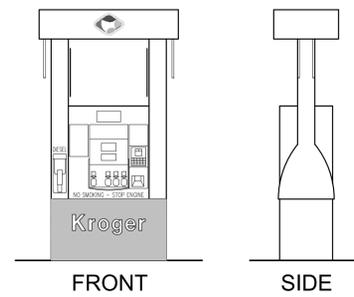
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Web: www.landplan-pa.com

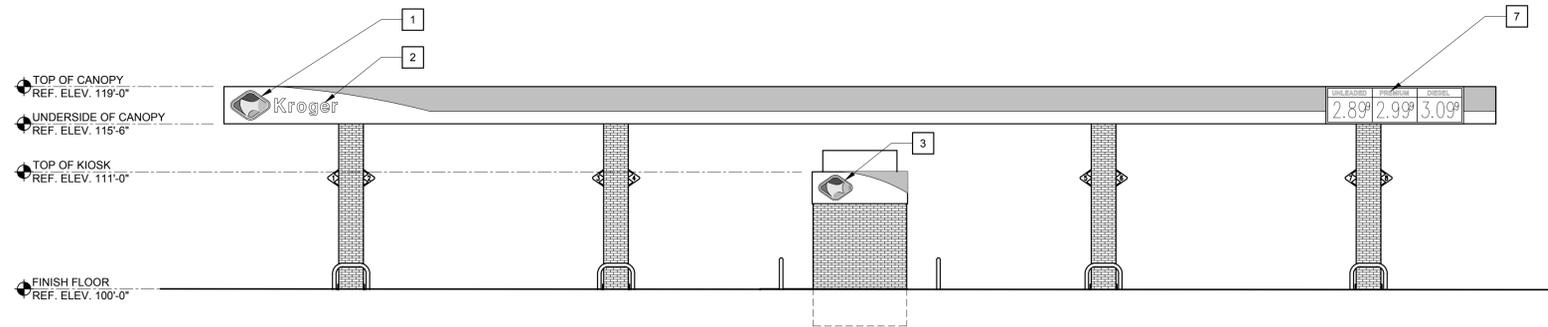
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ARCHITECTURAL GRAPHICS SCHEDULE			
MARK	DESCRIPTION	MANUFACTURER / MATERIAL	NOTES
1	ILLUMINATED LOGO SIGN	CUMMINGS SIGNS	SEE DRAWINGS 53154.07C AND 53154.07C1 ON SHEET AG-501.
2	ILLUMINATED CHANNEL LETTER SIGN	CUMMINGS SIGNS	SEE DRAWINGS 53154.07C AND KR20302 ON SHEET AG-501.
3	NON-ILLUMINATED LOGO SIGN	CUMMINGS SIGNS	SEE DRAWING 53154.54 ON SHEET AG-501
4	MULTI-PRODUCT DISPENSER GRAPHICS	DRESSER, INC. DRESSER WAYNE "OVATION" FUEL DISPENSER	DOOR AND VALANCE GRAPHICS BY DISPENSER MANUFACTURER. SEE DETAIL F ON SHEET AG-201.
5	NOT USED	-	-
6	NOT USED	-	-
7	ILLUMINATED SCROLLING PRICE SIGN	SKYLINE PRODUCTS, INC.	SEE DRAWING KROGER-14STPSF-ST ON SHEET AG-501.

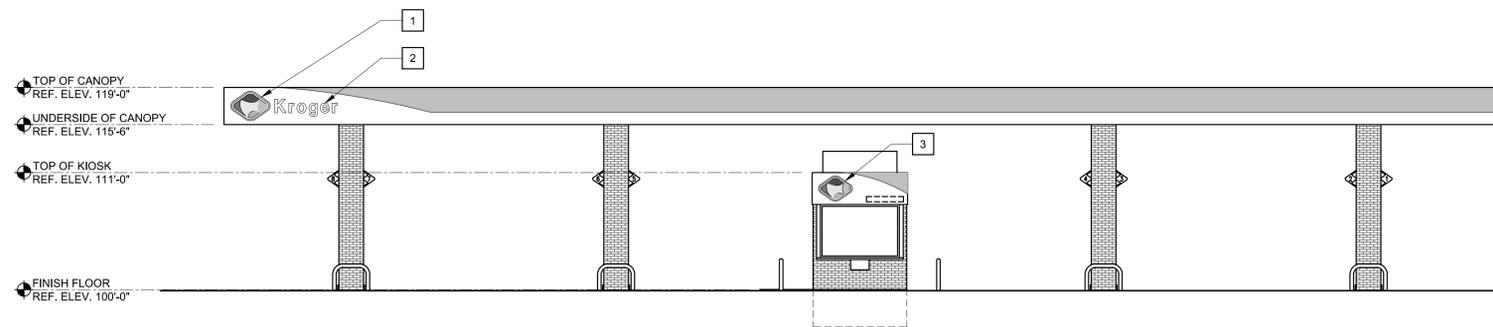


F DISPENSER ELEVATIONS  
AG-201 SCALE: 3/8" = 1'-0"

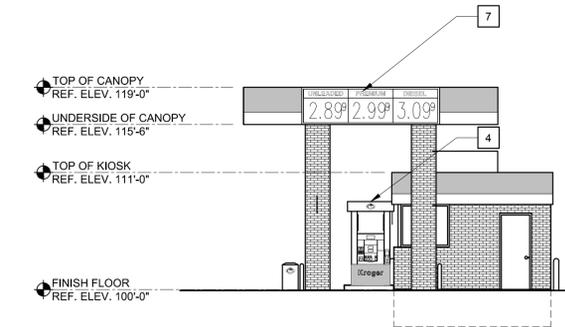
E NOT USED  
AG-101 SCALE: 3/8" = 1'-0"



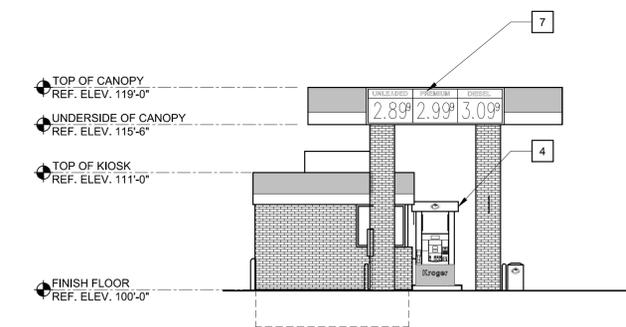
C NORTH CANOPY SIGNAGE ELEVATION  
AG-101 SCALE: 1/8" = 1'-0"



A SOUTH CANOPY SIGNAGE ELEVATION  
AG-101 SCALE: 1/8" = 1'-0"



D WEST CANOPY SIGNAGE ELEVATION  
AG-101 SCALE: 1/8" = 1'-0"



B EAST CANOPY SIGNAGE ELEVATION  
AG-101 SCALE: 1/8" = 1'-0"

SITE PLAN REVIEW  
NOT FOR CONSTRUCTION

**Civil Engineering**  
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**Community Planning**  
**Surveying**

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Lawrence, KS 66044-4331  
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**KROGER D-464**  
**RETAIL FUEL CENTER**  
**2105 W. SOUTH BLVD. at CROOKS ROAD**  
**TROY, MI 48098**  
**SIGNAGE ELEVATIONS - EXTERIOR**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
3	11.15.2011	PLAN COR/ALL COMMENTS



DATE: 01.01.2011  
PROJECT NO.: 2010.1174  
DESIGNED BY: LPE  
DRAWN BY: LPE  
CHECKED BY: JGD

SHEET NO.  
**AG-201**

### 33.5" LOGO & LETTER SET

COMP	KROGER ITEM #	CUMMINGS PART #
CityMarket	060-0000519	KR203300MT120
Dillons	060-0000520	KR203300MT120
Food4Less	060-0000521	KR203300MT120
FoodCity	060-0000522	KR203300MT120
FredMeyer	060-0000523	KR203300MT120
Fry's	060-0000524	KR203300MT120
Hilander	060-0000525	KR203300MT120
JayC	060-0000526	KR203300MT120
KingSooopers	060-0001001	KR203300MT120
Kroger	060-0000527	KR203300MT120
Lowes	060-0000528	KR203300MT120
PayLess	060-0000529	KR203300MT120
QFC	060-0000530	KR203300MT120
Ralphs	060-0000531	KR203300MT120
Smith's	060-0000532	KR203300MT120
TomThumb	060-0000533	KR203300MT120
TurkeyHill	060-0000534	KR203300MT120
Wal-Mart	060-0000535	KR203300MT120
Winn-Dixie	060-0000536	KR203300MT120
Winn-Dixie	060-0000537	KR203300MT120
Winn-Dixie	060-0000538	KR203300MT120

**TomThumb** 33.5" x 10.32" (Actual)

**TurkeyHill** 33.5" x 10.32" (Actual)

**KwikShop** 33.5" x 10.32" (Actual)

**Scott's** 33.5" x 10.32" (Actual)

**QuikStop** 33.5" x 10.32" (Actual)

**Loaf Jug** 33.5" x 10.32" (Actual)

**MiniMart** 33.5" x 10.32" (Actual)

**PayLess** 33.5" x 10.32" (Actual)

**FredMeyer** 33.5" x 10.32" (Actual)

**Fry's** 33.5" x 10.32" (Actual)

**JayC** 33.5" x 10.32" (Actual)

**Food4Less** 33.5" x 10.32" (Actual)

**QFC** 33.5" x 10.32" (Actual)

**Smith's** 33.5" x 10.32" (Actual)

**Ralphs** 33.5" x 10.32" (Actual)

**CityMarket** 33.5" x 10.32" (Actual)

**Owen's** 33.5" x 10.32" (Actual)

**Hilander** 33.5" x 10.32" (Actual)

**KingSooopers** 33.5" x 10.32" (Actual)

**Dillons** 33.5" x 10.32" (Actual)

**Kroger** 33.5" x 10.32" (Actual)

**FoodsCo.** 33.5" x 10.32" (Actual)

**COLORS:** PANTONE 285C (Blue), PANTONE 485C (Red), PANTONE 350C (Yellow), PANTONE 295C (Green), PANTONE 690C (White)

**CUSTOMER APPROVAL:** DATE: 2-6-09 BY: S. HANKE

**DRAWING NO:** 53154.07C1 **DATE:** 2-6-09 **BY:** S. HANKE

### 060-0000518 WALL LOGO

**NON-ILLUMINATED LOGO ICON WALL MOUNT**

FORMED POLYCARBONATE FACE WITH EMBOSSED GRAPHICS.

MOUNTING HARDWARE TO BE INCLUDED.

THIS SIGN TO BE USED ON KIOSK.

**COLORS:** PANTONE 285C (Blue), PANTONE 485C (Red), PANTONE 350C (Yellow), PANTONE 295C (Green), PANTONE 690C (White)

**CUSTOMER APPROVAL:** DATE: 2-6-09 BY: S. HANKE

**DRAWING NO:** 53154.54 **DATE:** 2-6-09 **BY:** S. HANKE

### 060-0000517 (120v) 33.5" LOGO

**LOGO DETAIL**

**COLORS:** PANTONE 285C (Blue), PANTONE 485C (Red), PANTONE 350C (Yellow), PANTONE 295C (Green), PANTONE 690C (White)

**CUSTOMER APPROVAL:** DATE: 12-14-09 BY: S.H.

**DRAWING NO:** 53154.07C1 **DATE:** 8-28-09 **BY:** S. HANKE

**LAMP BRACKET (\$ REQUIRED)**

**PREFORMER: KR203901 JOB LG1 = "20"**

**INSTALL PATTERN: KR20321.DXF/PLT**

**BOXED SQ. FT.: 10.47 ACTUAL SQ. FT.: 6.70**

**(3) F30-T19 D/HO LAMP (1) ESD-424-13L BALAST @ 120V = 1.10A**

**KROGER**

**CUMMINGS SIGNAGE**

**DESCRIPTION:** 33.5" x 45" LOGO LETTER SET

**QUANTITY:** 1

**DATE:** 8-28-09

### KROGER LETTER SET

**INSTALL PATTERN: KR20321.DXF/PLT**

**BOXED SQ. FT.: 10.32 ACTUAL SQ. FT.: 4.12**

LED MODULE	PERMILIGHT TWISER 752-R630-B RED
LETTERS	K R O G E R
LED COUNT	9 4 6 10 8 4
LED TOTAL	41
POWER SUPPLIES	(1) PERMILIGHT 60-12D 0.65 AMPS

**CUSTOMER APPROVAL:** DATE: 11/13/2010 BY: JMS

**DRAWING NO:** KR203202

### "SIGN SPECIFICATION & CUT-SHEET"

**UNLEADED** 1.25" x 1.37" x 1.42"

**MID-GRADE** 1.25" x 1.37" x 1.42"

**DIESEL** 1.25" x 1.37" x 1.42"

**PREMIUM** 1.25" x 1.37" x 1.42"

**BACK VIEW**

**DRAWING SPECIFICATIONS:** DRAWING NUMBER: KR203202, REVISION DATE: 8/15/2010

**SIGN SPECIFICATIONS:** NUMERAL DETAILS: BACKGROUND: BLACK, COPY: WHITE; CABINET DETAILS: HEIGHT: 2'-0", WIDTH: 10'-0", DEPTH: 12"; MOUNTING DETAILS: CANOPY/BILLBOARD: YES; LIGHTING: T-12-800 H.O. FLUOR LAMPS

**BULK ORDER RELEASE APPROVAL:** DATE:

**SITE PLAN REVIEW NOT FOR CONSTRUCTION**

**Civil Engineering**  
**Landscaping Architecture**  
**Community Planning**  
**Surveying**

37924 Hill, Hill, IL  
 Farmington, IL, IL 62431  
 Tel: (248) 987-4411  
 Fax: (248) 987-4411  
 Web: www.landplan-pe.com

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 10051 East 10th Street, Suite 400  
 Cincinnati, OH 45240  
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 Fax: (513) 752-5928

**KROGER D-464**  
**RETAIL FUEL CENTER**  
**2105 W. SOUTH BLVD. at CROOKS ROAD**  
**TROY, MI 48098**  
**SIGNAGE DETAILS**

REV	DATE	DESCRIPTION
1	07.11.2011	SITE PLAN REVIEW
2	11.08.2011	PLAN COM./I. COMMENTS
3	11.15.2011	PLAN COM./I. COMMENTS

STATE OF MICHIGAN  
 JOHN DAMRATH III  
 ENGINEER  
 No. 38510

**DATE:** 01.01.2011  
**PROJECT NO.:** 2010.1174  
**DESIGNED BY:** LPE  
**DRAWN BY:** LPE  
**CHECKED BY:** JGD

**SHEET NO. AG-501**



## CITY COUNCIL AGENDA ITEM

---

Date: January 17, 2012

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic and Community Development  
Steven J. Vandette, City Engineer

Subject: Addendum No. 1: Contract 10-5 – Tallman and Eckford Water Main Replacement

---

### Background

Pamar Enterprises, Inc. was awarded the Tallman and Eckford Water Main Replacement contract in February 2011 by Resolution No. 2011-02-051-J-4a for a total estimated cost of \$641,805.00. The project provided for a 10% contingency which is standard for City water main projects.

The project called for pavement replacement on Tallman Street limited to narrow pavement removals at water main crossings. As construction progressed, it became apparent that the pavement surrounding the water main crossing areas was disintegrating due to a concrete condition known as Alkali-Silica Reactivity (ASR). ASR is a pervasive concrete durability problem responsible for premature deterioration of pavement and structures in the United States and around the world. ASR propagates many small cracks in the concrete that join to create a map-like pattern and ultimately reduces the concrete to gravel. Pavement areas that were not intended to be replaced disintegrated due to ASR and incidental construction traffic during the course of construction.

We expect streets within water main construction zones will become damaged during the course of a water main construction project and for this reason, we typically plan for a pavement rehabilitation project one year after water main construction is completed. Due to the immediate attention that was required for these damaged pavement areas and the obvious benefit to the local residents and Leonard Elementary School by getting the water main and pavement work completed at one time, we moved forward with rehabilitating Tallman Street pavement, as part of the water main project, instead of waiting a year. The result was more pavement replacement on this project than was originally planned.

Since it is not practical or cost effective to stop construction for days or weeks until a change order can be processed for minor increases in contract quantities, construction continues until final completion of the project. If the contract contingency is sufficient to cover added costs, as is usually the case, final payment to the contractor is made and the project is closed out. If, as in this case, the project cost exceeds the contract contingency, City Council approval is required prior to making the final payment to the contractor and closing out the contract, which is scheduled for this spring following final completion of all remaining landscape restoration.

The amount exceeding the 10% contingency on the water main project is an estimated \$63,500.00 or 9.9%. Due to all necessary pavement repair on Tallman being done with the water main project, there will be no need for a follow up pavement rehabilitation project



## CITY COUNCIL AGENDA ITEM

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### Recommendation

It is recommended that City Council approve Addendum No. 1 in the estimated amount of \$63,500.00 for the Tallman and Eckford Water Main Replacement project to Pamar Enterprises, Inc, 58021 Gratiot, New Haven, MI 48048.

### Fund Availability

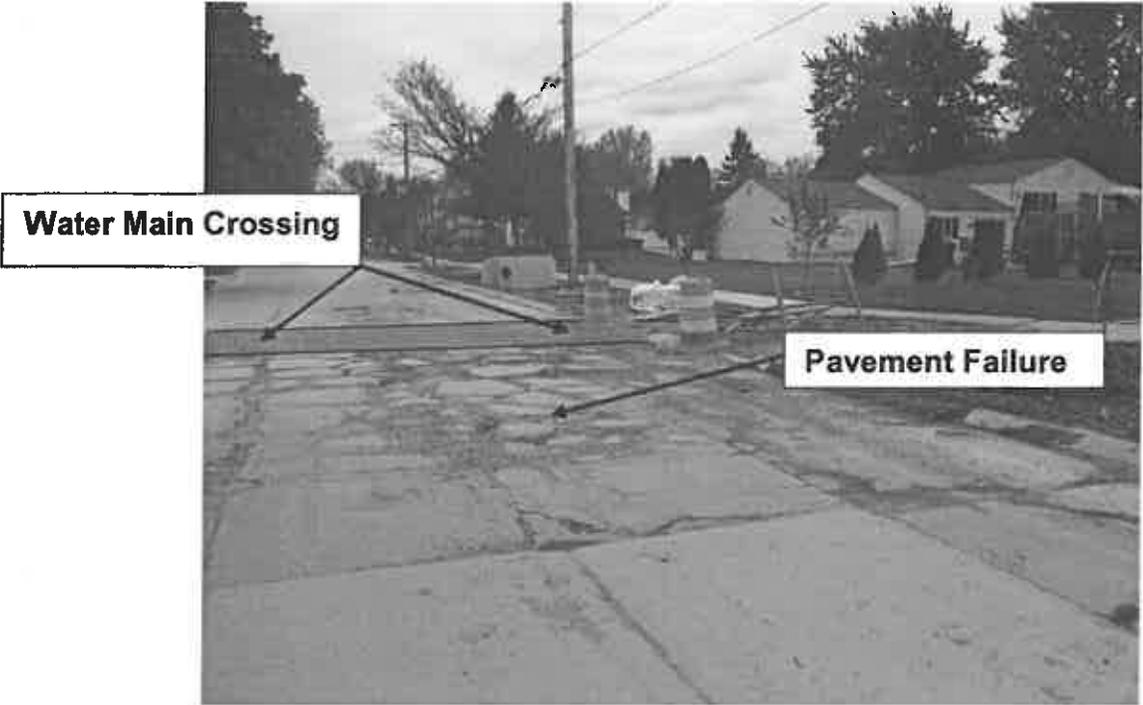
Funds for this work are included in the 2010/11 Water Fund. The budgeted amount includes funds for construction, inspection and contingencies.

### Legal Considerations

N/A

G:\Contracts\Contracts - 2010\10-5 - Tallman and Eckford Water Main Replacement\Correspondence\Council\_Agenda\_Over 10%.doc

# Typical Tallman Street Pavement Failure Areas



Pastor Steve Husava from Northfield Hills Baptist Church performed the Invocation. The Pledge of Allegiance was given.

### A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held Monday, January 9, 2012, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:32 PM.

### B. ROLL CALL:

- a) Mayor Janice Daniels  
Jim Campbell  
Dave Henderson  
Maureen McGinnis  
Dane Slater  
Doug Tietz
- b) Excuse Absent Council Members:

Resolution #2012-01-001  
Moved by Slater  
Seconded by Tietz

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Fleming at the Regular City Council Meeting of January 9, 2012, due to a family emergency.

Yes: Daniels, Campbell, Henderson, McGinnis, Slater, Tietz  
No: None  
Absent: Fleming

### MOTION CARRIED

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

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

- a) Mayor Daniels and City Council Members Presented a Proclamation of Appreciation to Meritor, Inc. for Generous Donation to Troy Public Library

### D. CARRYOVER ITEMS:

- D-1 No Carryover Items

### E. PUBLIC HEARINGS:

- E-1 Public Hearing to Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital - Troy

The Mayor **OPENED** the Public Hearing.  
The Mayor **CLOSED** the Public Hearing after hearing from Rob Carrigan, Richard Peters, and E. James Grix.

Resolution #2012-01-002

Moved by Slater

Seconded by Campbell

WHEREAS, The City of Royal Oak Hospital Finance Authority (the "Authority") proposes to make loans to William Beaumont Hospital (the "Hospital"), to be used, in part, by the Hospital to refinance indebtedness used to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy, Michigan; and

WHEREAS, The Authority intends to issue City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group), in one or more series (the "Bonds") on behalf of the Hospital in the aggregate principal amount of not to exceed \$120,000,000 to provide funds with which to make loans to the Hospital; and

WHEREAS, The Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the City of Royal Oak, the City of Troy, the County of Oakland, the State of Michigan or any political subdivision thereof; and

WHEREAS, The City Council has held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, A record of public hearing will be maintained with the City Clerk; and

WHEREAS, The Authority has requested that this City Council approve the issuance of the Bonds by the Authority; and

WHEREAS, The City Council of the City of Troy desires to express its approval of the issuance of the Bonds by the Authority.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TROY, AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Council of the City of Troy hereby **APPROVES** the issuance, sale and delivery of not to exceed \$120,000,000 in aggregate principal amount of the Bonds by the Authority.

2. The City Clerk is hereby **DIRECTED** to provide three (3) certified copies of this resolution to the Secretary of the Authority.

Yes: Campbell, Henderson, McGinnis, Slater, Tietz, Daniels

No: None

Absent: Fleming

## MOTION CARRIED

## F. PUBLIC COMMENT:

Carrigan, Rob	Spoke in opposition of the Transit Facility.
Gross, Joe	Spoke on the topic of Troy's recent negative publicity.

Baxi, Minesh	Spoke in opposition of the Transit Facility.
Schepke, Gordon	Spoke about the DDA budget.
Beck, Paul	Spoke in opposition of the Transit Facility.
Reinhardt, Marvin	Spoke about various topics.
Nowakowski, Anthony	Spoke in opposition of the Transit Facility.
Weber, Amy	Announced an upcoming "Peace Rally" to be held in Troy (location undetermined).
Cleland, Carl	Spoke in support of the Transit Facility.
Peters, Richard	Spoke in support of the Transit Facility and other topics.
Wilsher, Cynthia	Spoke about City Council Members, in support of the Transit Facility, and recent Troy headlines.
Bernardi, Mary Ann	Spoke in opposition of the Transit Facility.
Foster, Scott	Spoke on behalf of the Troy Chamber of Commerce.
Murrish, Dale	Spoke in opposition of the Transit Facility.
Fraser, Donald	Spoke in opposition of the Transit Facility.
Fraser, Rosie	Spoke about non-taxpayer's speaking during public comment.
Witt, John,	Spoke in opposition of the Transit Facility.
Eckhout, Fred	Spoke in opposition of the Transit Facility.
Grix, E. James	Spoke in opposition of the Transit Facility.
Kilgore, Zach	Spoke about addresses requested during public comment.
Curtis, Skye	Spoke about the "Peace Rally."
Dylewski, Aaron	Spoke in support of the Transit Facility.
Bloomingtondale, Bruce	Spoke about the Transit Facility and the impact of decisions made by City Council.
Staeger, Gerard	Spoke in opposition of the Transit Facility.
Savage, James	Spoke about Code of Ethics, public comment, and in opposition of the Transit Facility.
Ross, Michael T.	Spoke in opposition of the Transit Facility, and of family issues.
Cherasaro, Nicholas	Spoke about the DDA budget and in opposition of the Transit Facility.
Cooper-Koerner, Patricia	Spoke about the dissention in Troy.
Watts, Ray	Spoke about public comment and of Mayor Daniels.
Crowl, Sam	Spoke in support of the Transit Facility.

The meeting **RECESSED** at 9:25 PM.

The meeting **RECONVENED** at 9:33 PM.

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

## **H. POSTPONED ITEMS:**

**H-1** No Postponed Items

## **I. REGULAR BUSINESS:**

**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 Closed Session to Discuss T.R. Pieprzak v Troy – There was a consensus of City Council that no Closed Session was needed.**

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**I-4 Wireless Devices (Smartphones) and Service Plans US General Services Administration (GSA) Contract GS-35F-0119P**

Resolution #2012-01-003

Moved by Tietz

Seconded by McGinnis

WHEREAS, In an effort to provide greater efficiencies to department personnel to continually improve service delivery for the community, wireless devices have recently been tested with various providers the results of which found Verizon Wireless offered considerably higher data speed and reliability with their android Smartphone technology and 4G capability than any other service provider in this area; and

WHEREAS, GSA contract pricing contained in GS-35F-0119P with Verizon Wireless represents the best value and results in the lowest overall cost alternative solution when considering price, special features, and administrative costs;

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby determines it to be in the public's best interest to **AUTHORIZE** the City of Troy to purchase wireless devices (Smartphones) and service plans from Verizon Wireless through the GSA schedule contract GS-35F-0119P at rates as contained in Appendix I, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Henderson, McGinnis, Slater, Tietz, Daniels, Campbell

No: None

Absent: Fleming

**MOTION CARRIED**

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**I-5 Acceptance of the 2011 Assistance to Firefighters Grant**

Resolution #2012-01-004

Moved by McGinnis

Seconded by Tietz

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Fire Department to receive a FEMA Assistance to Firefighters Grant and expend \$5,000 for the purchase of equipment and training in accordance with the award; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Fire Department budget to receive the grant funding of \$20,000.

Yes: Henderson, McGinnis, Slater, Tietz, Daniels, Campbell

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No: None  
Absent: Fleming

**MOTION CARRIED**

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**I-6 Postponement of the Hearing for the Revocation of a Massage Facility License – Recovery Spa, Inc. – 1975 E. Maple Rd.**

Resolution #2012-01-005  
Moved by McGinnis  
Seconded by Campbell

RESOLVED, That Troy City Council hereby **POSTPONES** the hearing for the revocation of a Massage Facility License for Recovery Spa, Inc. at 1975 E. Maple Rd. to the Regular City Council Meeting scheduled on Monday, January 23, 2012.

Yes: McGinnis, Slater, Tietz, Daniels, Campbell, Henderson  
No: None  
Absent: Fleming

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2012-01-006  
Moved by McGinnis  
Seconded by Campbell

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) as printed.

Yes: Slater, Tietz, Daniels, Campbell, Henderson, McGinnis  
No: None  
Absent: Fleming

**MOTION CARRIED**

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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**

Resolution #2012-01-006-J-2

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

- a) Regular City Council Meeting of December 19, 2011

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**J-3 Proposed City of Troy Proclamations:**

Resolution #2012-001-006-J-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamation: Proclamation of Appreciation to Meritor, Inc. for Generous Donation to Troy Public Library

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**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution #10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – National League of Cities’ 2012 Congressional City Conference**

Resolution #2012-01-006-J-4a

RESOLVED, That Council Members are **AUTHORIZED** to attend the National League of Cities’ 2012 Congressional City Conference from March 10 - 14, 2012 in Washington, DC, in accordance with accounting procedures of the City of Troy.

- b) **Standard Purchasing Resolution #10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – Michigan Municipal League 2012 Capital Conference**

Resolution #2012-01-006-J-4b

RESOLVED, That Council Members are **AUTHORIZED** to attend the Michigan Municipal League 2012 Capital Conference from March 20 - 21, 2012 in Lansing, Michigan, in accordance with accounting procedures of the City of Troy.

- c) **Standard Purchasing Resolution #4: Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative Award – Gasoline and Diesel Fuel**

Resolution #2012-01-006-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** two-year cooperative contracts to purchase gasoline and diesel fuel in truck transport and tank wagon deliveries with an option to renew for two (2) additional years from the low bidders meeting specifications – Petroleum Traders Corporation of Fort Wayne, IN, RKA Petroleum Companies of Romulus, MI, and Atlas Oil Company of Taylor, MI as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the bid tabulation opened November 1, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of January 31, 2014.

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**J-5 Request to Abandon Right of Way and Utility Easements Previously Granted to the City of Troy – Sidwell #88-20-14-401-006, Athens Parc Site Condominium**

Resolution #2012-01-006-J-5

WHEREAS, The City of Troy has received a request from Linda and David Purvis, owners of the property having Sidwell #88-20-14-401-006, to abandon previously granted right-of-way and easements as recorded in L39522 P642, L39547 P696, L39547 P709, L39547 P712, L39547 P754 and L39547 P670.

THEREFORE, BE IT RESOLVED, That the right-of-way granted by warranty deed as recorded in L39522 P642 and the five easements as recorded in L39547 P696, L39547 P709, L39547 P712, L39547 P754, and L39547 P670 are hereby **ABANDONED**, and that City Council **AUTHORIZES** the Mayor and City Clerk to execute a Quit Claim deed conveying these interests back to the property owners David and Linda Purvis; and

BE IT FURTHER RESOLVED, That the City Clerk shall **RECORD** the Quit Claim Deed 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 Mon Jin Lau Annual Fireworks Use Request**

Resolution #2012-01-006-J-6

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Mon Jin Lau, located at 1515 East Maple Rd., for the use of fireworks at its annual Chinese New Year celebration on February 7, 2012.

BE IT FURTHER RESOLVED, that the Troy Fire Department will inspect the fireworks to be used along with the site to assure compliance with applicable codes and standards for such a fireworks display.

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**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:****K-1 Announcement of Public Hearings:**

- a) **Announcement of Public Hearing for Industrial Facilities Exemption Certificate (IFEC) for Tepel Brothers Printing, Inc. at 1725 John R – January 23, 2012**

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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**

- 
- L-1 Mayor Daniels Referrals Regarding City Council Rules of Procedure**
- a) 2008-2009 City Council Rules of Procedure
  - b) Recommended Rules of Procedures - Changes Outline
- 
- L-2 Mayor Daniels Requested Discussion Regarding the Creation of a Suicide Prevention Program Involving the City of Troy, City Council, City Management, Troy Youth Assistance, Troy School District and Perspectives of Troy**
- 
- L-3 Council Member Slater Submitted Resolution for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a Reduced Amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility Not to Exceed \$6,272,500**

Council Member Slater Requested This Item Be Removed From the Agenda.

## **M. COUNCIL COMMENTS**

### **M-1 No Council Comments Advanced**

Mayor Daniels requested discussion from City Council and City staff about hosting a community event on suicide prevention.

Mayor Daniels announced her office hours are posted online.

## **N. REPORTS**

### **N-1 Minutes – Boards and Committees: None Submitted** Noted and Filed

- ### **N-2 Department Reports:**
- a) 2011 Fourth Quarter Litigation Report
  - b) Michigan Municipal Risk Management Authority (MMRMA) – Risk Avoidance Program (RAP) Grant
  - c) Troy Multi-Modal Transit Facility, Operation and Maintenance Cost Estimate as Requested by Council Members Henderson and Tietz  
Noted and Filed

- ### **N-3 Letters of Appreciation:**
- a) Letter of Appreciation to Sergeant Haddad from Tawfik Alazem, Detroit Director of U.S. Committee for Refugees and Immigrants
  - b) Letter of Appreciation to Chief Mayer from Daniel Fair, Thanking Captain Frye, Captain Scherlinck, Lieutenant Redmond, Officer Feld, Officer Rushton, Officer Barrows, Officer Bordo, Officer LaForest and Officer Browne for Assistance
  - c) Letter of Appreciation to Chief Mayer from Tamara Jordan  
Noted and Filed

### **N-4 Proposed Proclamations/Resolutions from Other Organizations: None Proposed** Noted and Filed

- ### **N-5 Notice of Hearing for the Customers of Consumers Energy Company – Case No. U-16860** Noted and Filed

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**N-6 City of Troy Snow and Ice Control Procedures**  
Noted and Filed

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**N-7 Meet the Mayor at the Community Center – Dates, Times and Room Number**  
Noted and Filed

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**N-8 Local Area Unemployment Statistics Update**  
Noted and Filed

**Resolution to Postpone Item O-1 City Council Rules of Procedure**

Resolution #2012-01-007  
Moved by Slater  
Seconded by McGinnis

RESOLVED, That Item *O-1 City Council Rules of Procedure* be **POSTPONED** to the February 6, 2011 City Council Meeting.

Yes: Tietz, Daniels, Campbell, Henderson, McGinnis, Slater  
No: No  
Absent: Fleming

**O. STUDY ITEMS**

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**O-1 City Council Rules of Procedure**  
a) 2010-11 City Council Rules of Procedure

**P. CLOSED SESSION:**

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**P-1 No Closed Session Requested**

**Q. ADJOURNMENT**

The meeting adjourned at 10:42 PM

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Mayor Janice Daniels

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M. Aileen Bittner, CMC  
City Clerk

**A. CALL TO ORDER:**

A Special Meeting of the Troy City Council was held Monday, January 17, 2012, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:30 PM.

**B. ROLL CALL:**

Mayor Janice Daniels  
Jim Campbell  
Wade Fleming  
Dave Henderson  
Maureen McGinnis  
Dane Slater  
Doug Tietz

**C. DISCUSSION ITEM:**

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**C-1 Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility**

Moved by Slater  
Seconded by Fleming

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; and

WHEREAS, The City of Troy received a \$8,485,212 federal grant for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; 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 Detroit Region Aerotropolis project; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, to the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark (HRC), Inc. of Pontiac, MI was selected using a Qualifications Based Selection process; a required process as a condition of the grant; and

WHEREAS, On December 19, 2011, City Council took no affirmative action on a proposed MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility; and

WHEREAS, Based on express statements made by City Council members at the December 19, 2011 City Council meeting, there was an indication that there may be support for the transit center project if there were cost reductions; and

WHEREAS, HRC volunteered to review the project, at no cost, to see if reductions could be made to the project that would meet the requirements of the federal grant and comply with federal, state and local requirements; and

WHEREAS, Councilman Wade Fleming and Troy Chamber of Commerce representative John Tagle met with Mark Miller, Director of Economic and Community Development on December 22, 2011, to request permission to meet with HRC to obtain some clarification as to the costs associated with rail projects; and

WHEREAS, On December 23, 2011, HRC hosted a meeting to explain some of the required costs of a rail project, and to discuss possible cost reduction ideas, which was attended by Troy City Council members Wade Fleming and Dane Slater, as well as architect/Troy Chamber of Commerce Representative/ Planning Commission member John Tagle and architect/Planning Commission member Tom Strat and Mark Miller, Director of Economic & Community Development; and

WHEREAS, Subsequent to this meeting, HRC prepared a letter dated January 3, 2012 containing a revised cost proposal that modified the scope of the project to be at an estimated cost of \$6,272,500, excluding contingency; and

WHEREAS, The City wishes to construct a Troy Multi-Modal Transit Center for a total cost not to exceed \$6,272,500 which includes contingencies, and will still meet State and Federal requirements, not jeopardize the functionality of the project, and which can be accomplished according to the attached letter from HRC dated January 16, 2012.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AWARDS** the MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility at an estimated cost not to exceed \$648,668, a cost which is included as part of the total estimated Transit Center cost not to exceed \$6,272,500; and

BE IT FURTHER RESOLVED, That the total estimated cost of the Troy Multi-Modal Transit Center **SHALL NOT EXCEED** \$6,272,500; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **DIRECTED** to execute the agreements once in acceptable form as approved by the Michigan Department of Transportation.

**Resolution to Amend Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by Substitution**

Moved by Henderson

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by **SUBSTITUTING** the following paragraph:

*THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the contractors, architect, and project manager as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500.*

**Resolution to Amend Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by Substitution**

Resolution #2012-01-008

Moved Tietz

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by **SUBSTITUTING** the following paragraph:

*THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the construction manager at risk as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500.*

Yes: Fleming, Henderson, Tietz, Daniels

No: Campbell, McGinnis, Slater

**MOTION CARRIED**

**Vote on Original Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility as Amended**

Resolution #2012-01-009

Moved by Slater

Seconded by Fleming

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; and

WHEREAS, The City of Troy received a \$8,485,212 federal grant for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; 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 Detroit Region Aerotropolis project; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, to the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark (HRC), Inc. of Pontiac, MI was selected using a Qualifications Based Selection process; a required process as a condition of the grant; and

WHEREAS, On December 19, 2011, City Council took no affirmative action on a proposed MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility; and

WHEREAS, Based on express statements made by City Council members at the December 19, 2011 City Council meeting, there was an indication that there may be support for the transit center project if there were cost reductions; and

WHEREAS, HRC volunteered to review the project, at no cost, to see if reductions could be made to the project that would meet the requirements of the federal grant and comply with federal, state and local requirements; and

WHEREAS, Councilman Wade Fleming and Troy Chamber of Commerce representative John Tagle met with Mark Miller, Director of Economic and Community Development on December 22, 2011, to request permission to meet with HRC to obtain some clarification as to the costs associated with rail projects; and

WHEREAS, On December 23, 2011, HRC hosted a meeting to explain some of the required costs of a rail project, and to discuss possible cost reduction ideas, which was attended by Troy City Council members Wade Fleming and Dane Slater, as well as architect/Troy Chamber of Commerce Representative/ Planning Commission member John Tagle and architect/Planning Commission member Tom Strat and Mark Miller, Director of Economic & Community Development; and

WHEREAS, Subsequent to this meeting, HRC prepared a letter dated January 3, 2012 containing a revised cost proposal that modified the scope of the project to be at an estimated cost of \$6,272,500, excluding contingency; and

WHEREAS, The City wishes to construct a Troy Multi-Modal Transit Center for a total cost not to exceed \$6,272,500 which includes contingencies, and will still meet State and Federal requirements, not jeopardize the functionality of the project, and which can be accomplished according to the attached letter from HRC dated January 16, 2012.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AWARDS** the MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility at an estimated cost not to exceed \$648,668, a cost which is included as part of the total estimated Transit Center cost not to exceed \$6,272,500; and

THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the construction manager at risk as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **DIRECTED** to execute the agreements once in acceptable form as approved by the Michigan Department of Transportation.

Yes: Campbell, Fleming, McGinnis, Slater

No: Daniels, Henderson, Tietz

**MOTION CARRIED**

The meeting **RECESSED** at 8:23 PM.

The meeting **RECONVENED** at 8:33 PM.

**D. PUBLIC COMMENT:**

Nowakowski, Anthony	Spoke in opposition of the Transit Facility.
Carrigan, Rob	Spoke in opposition of the Transit Facility.

Vert, John	Spoke about the Troy Chamber of Commerce and ALOeTERRA.
Beck, Paul	Spoke in opposition of the Transit Facility.
Reinhardt, Marvin	Spoke on various topics.
Peters, Richard	Spoke on various topics.
Wilsher, Cynthia	Spoke in support of the Transit Facility.
Bernardi, Mary Ann	Spoke about various topics.
Fair, Daniel G.,	Complimented the City of Troy for being the Safest City in Michigan.
Yagley, Barbara	Spoke in opposition of the Transit Facility.
Femminineo, Charlene	Spoke in opposition of the Transit Facility.
Graczyk, Ed	Spoke in opposition of the Transit Facility.
Hodges, Michele	Spoke in support of the Transit Facility.
Bloomingtondale, Bruce	Thanked Council Members Fleming & Slater for their due diligence and vote in support of the Transit Facility.
Lauve, John	Spoke in opposition of the Transit Facility.
Witz, Jonathan	Spoke in support of the Transit Facility.
Delaforte, Antoine	Spoke in opposition of the Transit Facility.
Binkowski, James	Spoke in opposition of the Transit Facility.
Kajma, Linda	Spoke in support of the Transit Facility.
McMasters, Bill	Spoke on behalf of Taxpayers United in opposition of the Transit Facility.
Davish, Andrew	Spoke in support of the Transit Facility.
Martin, Susan	Thanked Council Members Fleming & Slater for their due diligence and vote in support of the Transit Facility.
Cherasaro, Nicholas	Spoke in opposition of the Transit Facility.
Hodorek, Ellen	Spoke of City Manager and his outstanding leadership.

### E. ADJOURNMENT:

The meeting adjourned at 9:41 PM.

---

Mayor Janice Daniels

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M. Aileen Bittner, CMC  
City Clerk



## **CITY COUNCIL AGENDA ITEM**

January 16, 2012

TO: John Szerlag, City Manager

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

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidder – Purchase of Fire Hose

### **Background**

On Wednesday, January 4, 2012, bids were received for the purchase of new fire hose and couplings for the Troy Fire department. Nine (9) bid responses were received through the Michigan Intergovernmental Trade Network (MITN) website. The purchase of the fire hose supports the volunteer firefighters who help to make this a safe community.

The fire department utilizes fire hose of several different types, sizes and colors to extinguish fires. National standards require that all of our fire hose be performance tested on an annual basis. Since there is no service life specified in the national standards, the fire department uses fire hose until it fails the annual performance test. Due to fire hose failures during the recent annual testing, the fire department sought and received bids for a total of 3,600 feet of fire hose of various sizes. The items were bid on an all or none basis to ensure no charge for freight. In addition, the department has found that mixing different hose manufacturers yields different wear patterns thus causing premature hose failure.

### **Recommendation**

City management recommends awarding a contract to purchase the fire hose from the low total bidder, Apollo Fire Equipment of Romeo, MI for an estimated total cost of \$13,524.73.

### **Fund Availability**

Funds are budgeted in the general fund of the Fire Operations, Fire Equipment account for the replacement of fire hose.

### **Legal Considerations**

ITB-COT 11-31, to furnish new fire hose and couplings for the Troy Fire department was competitively bid as required by City Charter and Code.

VENDOR NAME:

Apollo Fire	Time Emergency	Alert Emergency	First Due
Equipment	Equipment	Equip Group, Inc	Fire Supply

**PROPOSAL: TO FURNISH ONE-YEAR REQUIREMENTS OF NEW FIRE HOSE AND COUPLINGS FOR THE TROY FIRE DEPARTMENT**

<u>ITEM #1</u>				
<u>Est. Qty</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
4 each	1-3/4" Fire Hoses with Couplings and Stenciling Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 131.22	\$ 175.00	\$ 184.45
4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 131.22	\$ 175.00	\$ 184.45
4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 131.22	\$ 175.00	\$ 184.45
	MANUFACTURER:	All American/Nat'l	Key Fire Hose	Key Hose
				FireEquip
<u>ITEM #2</u>				
<u>Est. Qty</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
6 each	2.5" Fire Hoses with Couplings and Stenciling Fire Hose - Solid Yellow (2.5"x 100 ft)	\$ 182.74	\$ 258.00	\$ 254.67
	MANUFACTURER:	All American/Nat'l	Key Fire Hose	Key Hose
				FireEquip
<u>ITEM #3</u>				
<u>Est. Qty</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
4 each	5" Supply Line Fire Hoses w/5" Stortz & Stenciling Supply Line Fire Hoses - Yellow (5" x 25 ft)	\$ 232.63	\$ 230.00	\$ 238.42
4 each	Supply Line Fire Hoses - Yellow (5" x 50 ft)	\$ 339.12	\$ 340.00	\$ 340.60
15 each	Supply Line Fire Hoses - Yellow (5" x 100 ft)	\$ 571.11	\$ 542.00	\$ 544.96
	MANUFACTURER:	All American/Nat'l	Blank	Key Hose
				FireEquip
	<u>ESTIMATED NET TOTAL COST:</u>	\$ 13,524.73	\$ 14,058.00	\$ 14,231.90
				\$ 14,751.36
<b>DELIVERY GUARANTEED:</b>	Calendar Days	30-40	45-60	30
<b>MANUFACTURER LOCATION:</b>	Marked as	#1	X	X
<b>DESCRIPTIVE LITERATURE:</b>	Marked as	#2-#3	X	X
<b>WARRANTY DOCUMENT:</b>	Marked as	#4	X	X
<b>EXTENSION TO MITN COOP:</b>	Y or N	Y	Y	N
<b>PAYMENT TERMS:</b>		30 Days	Net 30 Days	Net 30 Days
<b>WARRANTY:</b>		10 Yrs	Mfr 10 Years	10 Years
<b>DELIVERY:</b>		30-40 Days	45-60 ARO	30 Days
<b>EXCEPTIONS:</b>		Free freight on orders of \$5,500 & up; smaller orders shpd UPS at cost (no handling)	None	Items 1-3 must be ordered complete to qualify for pricing, add'l qtys can be added, but min's can't be changed
<b>ACKNOWLEDGEMENT:</b>	Y or N	Y	Y	Y
<b>NON-COLLUSION AFFIDAVIT</b>	Y or N	Y	Y	Y

ATTEST:  
Peter Hullinger  
Susan Riesterer  
Julie Hamilton

Susan Leirstein CPPO CPPB  
Purchasing Director

VENDOR NAME:

H.D. Edwards & Co., Inc.	Armored Textiles, Incorporated	H.D. Edwards & Co., Inc.	H.D. Edwards & Co., Inc.
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**PROPOSAL: TO FURNISH ONE-YEAR REQUIREMENTS OF NEW FIRE HOSE AND COUPLINGS FOR THE TROY FIRE DEPARTMENT**

<u>ITEM #1</u>			(ALT BID #1)	(ALT BID #2)
<u>Est. Qty</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
4 each	1-3/4" Fire Hoses with Couplings and Stenciling Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 185.50	\$ 161.52	\$ 207.00
4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 185.50	\$ 161.52	\$ 243.50
4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 185.50	\$ 161.52	\$ 243.50
	MANUFACTURER:	North American <small>(Poly Tuff 800)</small>	North American	North American <small>(Poly Flow 800)</small>
				Niedner <small>(XL 800)</small>
<u>UNIT COST</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
\$ 260.00	2.5" Fire Hoses with Couplings and Stenciling Fire Hose - Solid Yellow (2.5"x 100 ft)	\$ 224.93	\$ 285.00	\$ 277.00
	MANUFACTURER:	North American <small>(Poly Tuff 800)</small>	North American <small>(Poly Flow 800)</small>	Niedner <small>(XL 800)</small>
<u>UNIT COST</u>	<u>Description</u>	<u>UNIT COST</u>	<u>UNIT COST</u>	<u>UNIT COST</u>
\$ 332.00	5" Supply Line Fire Hoses w/5" Stortz & Stenciling Supply Line Fire Hoses - Yellow (5" x 25 ft)	\$ 321.77	\$ 332.00	\$ 332.00
\$ 416.00	Supply Line Fire Hoses - Yellow (5" x 50 ft)	\$ 462.15	\$ 416.00	\$ 416.00
\$ 695.00	Supply Line Fire Hoses - Yellow (5" x 100 ft)	\$ 742.90	\$ 695.00	\$ 695.00
	MANUFACTURER:	Niedner	Blank	Niedner
	<u>ESTIMATED NET TOTAL COST:</u>	\$ 17,203.00	\$ 17,567.00	\$ 17,611.00
		\$ 17,771.00		
<b>DELIVERY GUARANTEED:</b>	Calendar Days	30	30-40	30
<b>MANUFACTURER LOCATION:</b>	Marked as	*	√	*
<b>DESCRIPTIVE LITERATURE:</b>	Marked as	√	√	√
<b>WARRANTY DOCUMENT:</b>	Marked as	√√	√	√√
<b>EXTENSION TO MITN COOP:</b>	Y or N	Y	Y	Y
<b>PAYMENT TERMS:</b>		Net 30 Days	Net 30	Net 30 Days
<b>WARRANTY:</b>		5/10 Years	10 Years	5/10 Years
<b>DELIVERY:</b>		30 Days ARO	30-45 Days ARO	30 Days ARO
<b>EXCEPTIONS:</b>		Blank	Warranty is 10 Years	Blank
<b>ACKNOWLEDGEMENT:</b>	Y or N	Y	Y	Y
<b>NON-COLLUSION AFFIDAVIT</b>	Y or N	Y	Y	Y

VENDOR NAME:

H.D. Edwards  
 & Co., Inc.

**PROPOSAL: TO FURNISH ONE-YEAR REQUIREMENTS OF NEW FIRE HOSE AND COUPLINGS FOR THE TROY FIRE DEPARTMENT**

<u>ITEM #1</u>	<u>Est. Qty</u>	<u>Description</u>	<u>UNIT COST</u>			
		1-3/4" Fire Hoses with Couplings and Stenciling	<b>(ALT BID #3)</b>			
	4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 195.00			
	4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 262.50			
	4 each	Fire Hose - Solid Yellow (1-3/4" x 100 ft)	\$ 262.50			
		MANUFACTURER:	Niedner			
			(Ultra 2000)			
<b>ITEM #2</b>		2.5" Fire Hoses with Couplings and Stenciling				
			<b>UNIT COST</b>			
	6 each	Fire Hose - Solid Yellow (2.5"x 100 ft)	\$ 345.00			
		MANUFACTURER:	Niedner			
			(Ultra 2000)			
<b>ITEM #3</b>		5" Supply Line Fire Hoses w/5" Stortz & Stenciling				
			<b>UNIT COST</b>			
	4 each	Supply Line Fire Hoses - Yellow (5" x 25 ft)	\$ 332.00			
	4 each	Supply Line Fire Hoses - Yellow (5" x 50 ft)	\$ 416.00			
	15 each	Supply Line Fire Hoses - Yellow (5" x 100 ft)	\$ 695.00			
		MANUFACTURER:	Niedner			
		<u>ESTIMATED NET TOTAL COST:</u>	\$ 18,367.00			
		<b>DELIVERY GUARANTEED:</b> Calendar Days	30			
		<b>MANUFACTURER LOCATION:</b> Marked as	*			
		<b>DESCRIPTIVE LITERATURE:</b> Marked as	√			
		<b>WARRANTY DOCUMENT:</b> Marked as	√√			
		<b>EXTENSION TO MITN COOP:</b> Y or N	Y			
		<b>PAYMENT TERMS:</b>	Net 30 Days			
		<b>WARRANTY:</b>	5/10 Years			
		<b>DELIVERY:</b>	30 Days ARO			
		<b>EXCEPTIONS:</b>	Blank			
		<b>ACKNOWLEDGEMENT:</b> Y or N	Y			
		<b>NON-COLLUSION AFFIDAVIT</b> Y or N	Y			

Highlighted Vendor Denotes Low Total Bidder



## CITY COUNCIL AGENDA ITEM

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Date: January 17, 2012

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic and Community Development  
Steven J. Vandette, City Engineer

Subject: Addendum No. 1: Contract 10-1 -- Section 35 Water Main Replacement

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### Background

Bricco Excavating Company, LLC was awarded the Section 35 Water Main Replacement contract in July 2010 by Resolution No. 2010-07-164-J-4c for a total estimated cost of \$1,549,084.50. The project provided for a 10% contingency which is standard for City water main projects.

Due to very dry underground soil conditions and conflicts encountered with existing sewer service leads, the method of construction for some of the water main was switched from directional drilling to the traditional "open cut" method on 3 of 8 streets within the project. Directional drilling was chosen for this project because it was occurring in an older, established subdivision with many large trees along both sides of the streets. Directional drilling is a method of construction that allows the water main to be pushed through the ground between relatively small access holes. This method, compared with traditional continuous open cut construction, dramatically reduces damage to driveways, lawns and trees and significantly reduces inconvenience to residents. The open cut construction was used on Kenyon, Sheffield and Wacon streets because the dry, compact soil conditions and sewer conflicts made the directional drilling process extremely difficult and unreasonably time consuming. While the open cut method permitted the construction to proceed quicker, it did entail more restoration of driveways, sidewalks and lawn areas.

Since it is not practical or cost effective to stop construction for days or weeks until a change order can be processed for minor increases in contract quantities, construction continues until final completion of the project. If the contract contingency is sufficient to cover added costs, as is usually the case, final payment to the contractor is made and the project is closed out. If, as in this case, the project cost exceeds the contract contingency, City Council approval is required prior to making the final payment to the contractor and closing out the contract, which is scheduled for this spring following final completion of all remaining landscape restoration.

The amount exceeding the 10% contingency on the water main portion of the project is an estimated \$147,000.00 or 9.5%. Overall, the project has three components; water main, curb and driveway replacements and asphalt road repair. The total contract amount for these components is \$2,541,260.50. The estimated contingency amount utilized for the project is \$224,073.23 or 8.8% of the project, which is within the 10% contingency that was set for the overall project.

### Recommendation

It is recommended that City Council approve Addendum No. 1 in the estimated amount of \$147,000.00 for the Section 35 Water Main Replacement project to Bricco Excavating Company, LLC, 21201 Meyers Road, Oak Park, MI 48237.



## CITY COUNCIL AGENDA ITEM

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### Fund Availability

Funds for this work are included in the 2009/10 Water Fund. The budgeted amount includes funds for construction, inspection and contingencies.

### Legal Considerations

N/A

G:\Contracts\Contracts - 2010\10-1 - Section 35 Water Main Replacement\Correspondence\Council\_Agenda\_Over 10%R1.doc



## CITY COUNCIL AGENDA ITEM

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Date: January 4, 2012

To: John Szerlag, City Manager

From: Tom Darling, Interim Assistant City Manager/Finance & Administration  
Mark F. Miller, Director of Economic Development Services  
Steve Vandette, City Engineer  
Gary G. Mayer, Chief of Police

Subject: Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

### Background

The City of Troy has been a member of the TIA since 1975. The TIA is a private non-profit organization that is responsive to the problems and needs of local traffic officials. They are a source for traffic facts, including traffic crashes and traffic operations data. The City of Troy obtains citywide traffic crash statistics including the intersection and road segment crash reports and ranking, county traffic crash trends, location specific crash details, and alcohol related statistics from the TIA and as a TIA member they are provided without charge.

The TIA works with the Troy Police Department on several enforcement-related projects and grants, including recent and ongoing speed limit studies in order for the City of Troy to be compliant with Public Act 85. They facilitated the Police Department in obtaining over \$17,000.00 last year in federal grants for alcohol and seat belt enforcement. The TIA also works with our adjacent communities to improve traffic conditions or flow in the general area that can be a secondary benefit to the City.

### Recommendation

It is recommended that the City of Troy renew its membership with the Traffic Improvement Association for 2012. The partnership the City has developed with TIA over the past 36 years has led to many collaborative efforts that have enhanced traffic safety in our community.

### Fund Availability

The renewal membership fee for the year 2012 is \$23,600.00, which is an \$800 reduction in the membership fee from 2011 and 2010. Funds are available and will be divided equally between Traffic Engineering's Membership and Dues fund and the Police Department's Contractual Services General fund.

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

N/A



# TRAFFIC IMPROV

1827 N. Squirrel Road,  
(248) 334-4971

WA

Traffic Engineering

101. 442. 443. 7958

## BOARD OF DIRECTORS

### EXECUTIVE COMMITTEE

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SUSAN M. CISCHKE  
Group Vice President  
Sustainability, Environment, & Safety  
Engineering  
Ford Motor Company

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TAKATA Corporation

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MICHAEL PALCHESKO  
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Managing Director  
Road Commission for Oakland County

#### JAMES BARBARESSO

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HNTB Corporation

#### GREGORY JAMIAN

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Road Commission for Oakland County

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JIM SANTILLI

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Traffic Improvement Association

#### FRANK P. CARDIMEN, JR.

President (Ret.)  
Traffic Improvement Association

#### JOHN L. SIMON

Senior Vice President  
The Taubman Company, Inc.

December 9, 2011

Mr. William Huotari  
Deputy City Engineer  
City of Troy  
500 W. Big Beaver Road  
Troy, Michigan 48084

Dear Mr. Huotari:

Enclosed you will find a \$23,600.00 invoice for the Traffic Improvement Association's (TIA) 2012 annual community membership.

Your membership renewal is your solution to saving lives, preventing injuries, and improving mobility in your community and throughout Oakland County. As a member, you'll enjoy a variety of traffic safety engineering, education, and enforcement services.

As we enter 2012, we are committed to addressing the increase of traffic fatalities in Oakland County, providing you with more engineering resources, continuing to improve the services that we offer, and increasing our community and corporate membership. Our goal is to once again have 100 percent participation in Oakland County, and keep the county one of the safest places to live, do business, and enjoy. We need your membership to make it happen. Your membership includes access to our licensed traffic engineer, various traffic safety evaluations (i.e. speed and volume studies, sign and signal warrant reviews, etc.), educational seminars for your employees, and much more. TIA is also responsible for the coordination of selective enforcement grants for the Oakland County communities.

As a member, we're also pleased to provide your community with complimentary access to TIA's Traffic Crash Analysis Tool (TCAT). TCAT is a comprehensive web-based traffic crash analysis program that was designed for the detailed study of traffic crashes at any location within the state of Michigan. The program receives a weekly update of data from the Michigan State Police, which guarantees that TCAT users are able to analyze the most up-to-date crash data. TCAT has the ability to search various types of locations for specific data, view crash statistics for several categories, interact with a map to obtain detailed crash statistics and other information pertaining to a location, view collision diagrams, review UD-10 crash report images, and create intersection and road segment ranking reports for a comparative analysis.

As indicated in the enclosed letters from Oakland County Executive L. Brooks Patterson, Road Commission for Oakland County Managing Director Brent Bair, and Ford Motor Company President and Chief Executive Officer Alan Mulally and Group Vice President Sue Cischke, TIA has made significant accomplishments since 1967 and still continues to have considerable value.

Thank you for your commitment to public safety, and we look forward to continuing to provide you with valuable traffic safety engineering, education, and enforcement resources to save lives and prevent injuries.

Respectfully,

JIM SANTILLI  
Executive Director

50% Traffic - \$11,800

50% Police - \$11,800

\$23,600

RECEIVED

ENGINEERING



TRAFFIC IMPROVEMENT ASSOCIATION  
 1827 N. SQUIRREL ROAD  
 AUBURN HILLS, MI 48326

# INVOICE

DATE	INVOICE #
12/5/2011	11/0236

<b>BILL TO:</b>
CITY OF TROY 500 WEST BIG BEAVER RD TROY, MI 48084 ATTN: WILLIAM HUOTARI, P.E. DEPUTY CITY ENG/TRAFFIC ENG

<b>TERMS</b>
Due upon receipt

DESCRIPTION	QTY	RATE	AMOUNT
COMMUNITY ANNUAL SUPPORT FOR 2012		23,600.00	23,600.00

THANK YOU FOR YOUR COMMITMENT TO SAVING LIVES AND PREVENTING INJURIES.	<b>TOTAL</b> \$23,600.00
------------------------------------------------------------------------	--------------------------

Phone #	Fax #
(248) 334-4971	(248) 475-3434



July 11, 2011

Dear Public Officials:

It is my distinct pleasure to express my continued support for the Traffic Improvement Association (TIA), and I am respectfully requesting that your community does not hesitate to either remain a member or become one.

TIA is an extremely valuable asset to Oakland County as a non-profit traffic safety agency that has successfully facilitated a reduction of injuries and fatalities. In 1967, Oakland County's fatality rate was higher than the rate for both Michigan and the nation. Yet, in 2009, Oakland County's fatality rate was less than half of Michigan's rate and a little more than a third of the national rate. Today, Oakland County's roads are among the safest in the world for a community of its size and population. Our success here in the county was the direct result of business and government leaders coming together in 1967 to form TIA.

Since its development, TIA has become one of the leading organizations in the country for collecting and analyzing traffic crash data. This data collection and analysis has allowed the Road Commission for Oakland County and many cities, townships, and villages to identify road-related traffic safety problems and solutions. In addition, TIA's coordination of selective enforcement grants for Oakland County communities, educational seminars, and its traffic safety engineering services have also been extremely beneficial to the entire county.

Certainly, budget issues are a concern. However, public safety is an essential service that must remain a top priority. Traffic safety is a part of public safety, and was recently added to Governor Snyder's MiDashboard due to its importance.

I would like to take this opportunity to thank TIA, which works tirelessly throughout the year to reduce injuries and fatalities and make our community a safe place to live, do business, and enjoy. In addition, thank you to the nearly fifty communities in Oakland County who are a member of TIA, and who contribute their time and energy to make our roadways safer.

I offer my sincere best wishes to TIA for continued success. I encourage all communities to maintain their TIA membership or consider joining.

If you have any questions, please contact TIA's Executive Director, Jim Santilli, at (248) 334-4971 or [jsantilli@tiami.us](mailto:jsantilli@tiami.us).

Yours very truly,

L. Brooks Patterson  
Oakland County Executive



QUALITY LIFE THROUGH GOOD ROADS:  
ROAD COMMISSION FOR OAKLAND COUNTY  
"WE CARE."

**Board of Road Commissioners**

**Ronald J. Fowkes**  
Commissioner

**Gregory C. Jamian**  
Commissioner

**Eric S. Wilson**  
Commissioner

---

**Brent O. Bair**  
Managing Director

**Dennis G. Kolar**  
Deputy Managing Director  
County Highway Engineer

31001 Lahser Road  
Beverly Hills, MI  
48025

248-645-2000

FAX  
248-645-1349

TDD  
248-645-9923

[www.rcocweb.org](http://www.rcocweb.org)

May 19, 2011

Dear Oakland County Community Officials:

I am writing to express my strong support for the Traffic Improvement Association (TIA). As you are probably aware, TIA, the Road Commission for Oakland County (RCOC) and many Oakland County communities and law enforcement departments have long been partners in the effort to make our roads as safe as possible. Thanks to this partnership, we have made great strides in road safety in the county. In fact, we have gone from a county that had a traffic fatality rate worse than either the state as a whole or the nation (in 1967) to a county that today has a traffic fatality rate less than half the statewide rate and nearly one third of the national rate.

I firmly believe that we would not have achieved this accomplishment were it not for TIA. TIA is one of the premier agencies in the nation in terms of collecting and analyzing crash data. Without that data and analysis, none of us would have been able to address safety concerns to the degree that we have.

I also firmly believe that this data collection and analysis capability is critical for the communities in Oakland County, both in terms of roads and law enforcement. Simply put, without the level of data and analysis provided by TIA, we would all be simply guessing about where to best invest our resources. TIA's efforts to obtain selective law enforcement grants for Oakland County communities and its traffic-safety engineering services have also played key roles in this effort.

If you are already a member of TIA, I encourage to remain so. If you are not currently a member, I encourage you to become one. I realize that funding is tight for all of us, and we are all watching every penny. However, I hope you'll agree with me that safety-related expenses should always be among our top priorities. The services TIA provides help to save lives and prevent injuries. I can't imagine anything more critical than that.

If you would like to discuss why I am so enthusiastically supportive of TIA, please feel free to call me at 248-645-2000.

Sincerely,

Brent O. Bair  
Managing Director



Dear Business Leader:

At Ford Motor Company, safety is a top priority and we are involved in all aspects from engineering the safety performance of the vehicle to our support for programs that focus on driver behavior and improve the safety of our roadways. Our employees and yours spend countless hours traveling to and from work, so we would like to take this opportunity to recognize the efforts of the Traffic Improvement Association (TIA) in making Oakland County one of the safest places in the world to drive.

For many years, Ford has proudly supported TIA through financial contributions and serving in leadership positions on its Board of Directors. We encourage your support of this outstanding organization as well to ensure that we have the resources and skills to make safety decisions for Oakland County that are based on data and analysis.

As Oakland County Executive L. Brooks Patterson has stated, TIA is an extremely valuable asset to Oakland County as a non-profit traffic safety agency that has successfully facilitated a reduction of injuries and fatalities. In 1967, Oakland County's fatality rate was higher than the rate for both Michigan and the nation. However, in 2009, Oakland County's fatality rate was less than half of Michigan's rate and a little more than a third of the national rate. Today, Oakland County's roads are among the safest in the world for a community of its size and population. The success in Oakland County was the direct result of business and government leaders coming together in 1967 to form TIA.

Since its formation, TIA has become one of the leading traffic safety agencies in the country for collecting and analyzing traffic crash data. This data collection and analysis has allowed the Road Commission for Oakland County and many cities, townships, and villages in the state of Michigan to identify road-related traffic safety problems and solutions. Furthermore, TIA's traffic safety engineering services, educational seminars, and its coordination of selective enforcement grants for Oakland County communities have also been extremely beneficial.

We would like to take this opportunity to thank the employees of TIA who work tirelessly to make our communities a safe place to live and do business. In addition, thank you to the nearly seventy communities who are a member of TIA, and the many businesses who contribute their resources to make our roadways safer.

If you have any questions, please contact TIA's Executive Director, Jim Santilli at (248) 334-4971 or [jsantilli@tiami.us](mailto:jsantilli@tiami.us).

Respectfully,

Handwritten signature of Alan Mulally in black ink.

Alan Mulally  
President and Chief Executive Officer

Handwritten signature of Susan M. Cischke in black ink.

Susan M. Cischke  
Group Vice President  
Sustainability, Environment & Safety Engineering

A regular meeting of the Liquor Advisory Committee was held on Monday, November 14, 2011 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:58 p.m.

**ROLL CALL:**

**PRESENT:** Max K. Ehlert, Chairman  
W. Stan Godlewski  
Patrick C. Hall  
David S. Ogg  
Timothy P. Payne  
Bohdan L. Ukrainec

**ABSENT:** Andrew Kaltsounis

**ALSO PRESENT:** Sergeant George Zielinski  
Susan Lancaster, Assistant City Attorney  
Jesse Pappas, Student Representative  
EunJoo Scherlinck, Student Representative  
Pat Gladysz

**Resolution to Excuse Committee Member Kaltsounis**

Resolution #LC2011-11-33

Moved by Hall

Seconded by Payne

RESOLVED, That the absence of Committee member Kaltsounis at the Liquor Advisory Committee meeting of November 14, 2011 be **EXCUSED**.

Yes: 6  
No: 0  
Absent: Kaltsounis

**Resolution to Approve Minutes of October 10, 2011 Meeting**

Resolution #LC2011-11-34

Moved by Hall

Seconded by Payne

RESOLVED, That the Minutes of the October 10, 2011 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6  
No: 0  
Absent: Kaltsounis

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**Agenda Items**

1. **Rite Aid of Michigan, Inc.** requests to Transfer Ownership of escrowed 2011 SDD license from Perry Drug Stores, Inc.; Transfer location from 805 E. Big Beaver, Troy, MI 48084, Oakland County to 1981 W. South Blvd., Troy, MI 48098, Oakland County, to be held in conjunction with existing 2011 SDM license {MLCC Req. #625424}.

Present to answer questions from the Committee was attorney John Carlin. Mr. Carlin explained to the Committee that the licensee is requesting this transfer in order to sell packaged liquor. Interior shelving will be realigned to meet the ordinance requirements.

Sergeant Zielinski stated that all inspections have been approved.

Resolution #LC2011-11-35

Moved by Hall

Seconded by Ukrainec

RESOLVED, That the Liquor Advisory Committee recommends that the request of Rite Aid of Michigan, Inc. to Transfer Ownership of escrowed 2011 SDD license from Perry Drug Stores, Inc.; Transfer location from 805 E. Big Beaver, Troy, MI 48084, Oakland County to 1981 W. South Blvd., Troy, MI 48098, Oakland County, to be held in conjunction with existing 2011 SDM license be **APPROVED**.

Yes: 6  
No: 0  
Absent: Kaltsounis

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Sergeant Zielinski informed the Committee that additional tips were received that Super City Smoker's Express was selling alcohol to minors. The Directed Patrol Unit of the Police Department observed minors enter the store and exit with alcohol on two consecutive dates. The owner of the store and the two minors received citations.

Assistant City Attorney Lancaster informed the Committee that the licensee of this establishment was granted an adjournment of his hearing in connection with three violations on July 21, 2011. Ms. Lancaster stated that the MLCC would receive an accelerated notification of the most recent violations.

Mr. Ukrainec requested a monthly update regarding this business. Ms. Lancaster agreed to this request.

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Mr. Ogg stated that the beer delivery ads for Hot Rock Pizza were still appearing in local papers. Sergeant Zielinski stated that he would get an update from Officer Feld on this matter.

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Assistant City Attorney Lancaster informed the Committee that the catering license for the Troy Community Center was awarded to Alpha-Doni, Inc. d/b/a Encore Catering.

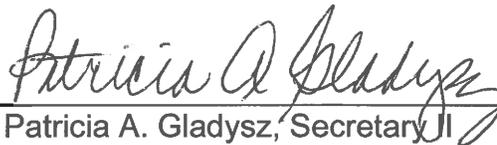
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The meeting adjourned at 7:14 p.m.



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Max K. Ehlert, Chairman



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Patricia A. Gladysz, Secretary II

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on November 15, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik  
Kenneth Courtney  
William Fisher  
Allen Kneale  
David Lambert  
Thomas Strat

Absent

Glenn Clark

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Susan Lancaster, Assistant City Attorney

2. APPROVAL OF MINUTES – October 18, 2011

Moved by Courtney  
Seconded by Kneale

RESOLVED, to approve the October 18, 2011 meeting minutes.

Yes: All present  
Absent: Clark

MOTION PASSED

3. POSTPONED ITEMS

A. 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 financial conflict of interest, Mr. Strat recused himself and left the room. Mr. Manek advised the Board he was withdrawing his request and offered a brief explanation. The Board acknowledged his withdrawal. Mr. Strat returned to the room.

4. HEARING OF CASES - No new cases

5. COMMUNICATIONS – None
6. PUBLIC COMMENT – No public comment.
7. MISCELLANEOUS BUSINESS – The Board acknowledged and thanked City Attorney Lancaster for providing comments on written meeting minutes. Mrs. Lancaster and Mr. Evans provided the Board information about conflicts of interest, abstaining from votes, and crafting motions for non-use variances.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:20 p.m.

Respectfully submitted,

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David Lambert, Chair

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Paul Evans, Zoning and Compliance Specialist

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on November 15, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik  
Kenneth Courtney  
William Fisher  
Allen Kneale  
David Lambert  
Thomas Strat

Absent

Glenn Clark

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Susan Lancaster, Assistant City Attorney

2. APPROVAL OF MINUTES – October 18, 2011

Moved by Courtney  
Seconded by Kneale

RESOLVED, to approve the October 18, 2011 meeting minutes.

Yes: All present  
Absent: Clark

MOTION PASSED

3. POSTPONED ITEMS

A. 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 financial conflict of interest, Mr. Strat recused himself and left the room. Mr. Manek advised the Board he was withdrawing his request and offered a brief explanation. The Board acknowledged his withdrawal. Mr. Strat returned to the room.

4. HEARING OF CASES - No new cases

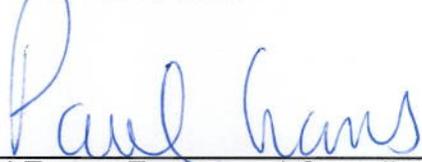
5. COMMUNICATIONS – None
6. PUBLIC COMMENT – No public was present.
7. MISCELLANEOUS BUSINESS – The Board acknowledged and thanked City Attorney Lancaster for providing comments on written meeting minutes. Mrs. Lancaster and Mr. Evans provided the Board information about conflicts of interest, abstaining from votes, and crafting motions for variances.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:20 p.m.

Respectfully submitted,



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David Lambert, Chair



---

Paul Evans, Zoning and Compliance Specialist

Chair Hutson called the Regular meeting of the Troy City Planning Commission to order at 7:30 p.m. on December 13, 2011 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds  
Michael W. Hutson  
Tom Krent  
Mark Maxwell  
Philip Sanzica  
Robert Schultz  
Thomas Strat  
John J. Tagle  
Lon M. Ullmann

Also Present:

R. Brent Savidant, Planning Director  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Allan Motzny, Assistant City Attorney

2. APPROVAL OF AGENDA

Mr. Savidant reported the applicant for the potential Conditional Rezoning requested to postpone this item until sometime in the New Year.

**Resolution # PC-2011-12-063**

Moved by: Sanzica  
Seconded by: Edmunds

**RESOLVED**, To replace Agenda Item #8 POTENTIAL CONDITIONAL REZONING with TROY MULTI MODAL TRANSIT FACILITY.

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2011-12-064**

Moved by: Schultz  
Seconded by: Maxwell

**RESOLVED**, To approve the minutes of the October 25, 2011 Regular meeting as prepared.

Yes: All present (9)

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

7. PLANNING AND ZONING REPORT

**STUDY ITEM**

8. TROY MULTI MODAL TRANSIT FACILITY

There was general Planning Commission discussion of the Troy Multi Modal Transit Center.

**Resolution # PC-2011-12-065**

Moved by: Sanzica  
 Seconded by: Schultz

WHEREAS, The City of Troy received a \$8,485,212 federal grant to fund the Troy Multi-Modal Transit Facility project through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program; and

WHEREAS, On September 12, 2011 City Council approved an MDOT Capital Contract for \$8,485,212 for the specific purpose of designing and constructing the Troy Multi-Modal Transit Facility at no cost to the City of Troy; and

WHEREAS, The Troy Multi-Modal Transit Facility will become one of ten planned regional hubs in the Detroit Regional Mass Transit (DRMT) plan for the Detroit metropolitan area, including Wayne, Oakland and Macomb counties and the City of Detroit; and

WHEREAS, The Troy Multi-Modal Transit Facility will be served by AMTRAK and 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, including the creation of a large number of construction jobs; and

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

WHEREAS, The City of Troy Master Plan calls for the creation of a mixed use area centered between the Oakland/Troy Airport and the Troy Multi-Modal Transit Facility; and

WHEREAS, The Troy Multi-Modal Transit Facility will serve as a vibrant gateway into the City of Troy; and

WHEREAS, If City Council votes to terminate the Troy Multi-Modal Transit Facility project, the \$8,485,212 federal grant will be used to fund another project elsewhere; the money will not be used for any purpose other than High Speed Rail.

THEREFORE BE IT RESOLVED, The Planning Commission hereby recommends that City Council approves the contract for Architectural/Engineering services so that the Troy Intermodal Transit Center can be designed and constructed.

BE IT FINALLY RESOLVED, A copy of this resolution shall be forwarded to all City Council members prior to the December 19, 2011 Regular meeting.

Yes: All present (9)

**MOTION CARRIED**

**OTHER BUSINESS**

9. **APPROVAL OF 2012 PLANNING COMMISSION MEETING SCHEDULE**

**Resolution # PC-2011-12-066**

Moved by: Schultz  
Seconded by: Tagle

**RESOLVED**, To approve 2012 Planning Commission Meeting Schedule as written.

Yes: All present (9)

**MOTION CARRIED**

10. **PLANNING COMMISSION GOALS, 2012**

The Planning Commission discussed the establishment of Planning Commission goals and objectives for 2012.

11. PUBLIC COMMENT

There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENTS

There was general discussion.

The Regular Meeting of the Planning Commission adjourned at 8:55 p.m.

Respectfully submitted,

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Michael W. Hutson, Chair

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R. Brent Savidant, Planning Director

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Chair Hutson called the Regular meeting of the Troy City Planning Commission to order at 7:30 p.m. on December 13, 2011 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds  
Michael W. Hutson  
Tom Krent  
Mark Maxwell  
Philip Sanzica  
Robert Schultz  
Thomas Strat  
John J. Tagle  
Lon M. Ullmann

Also Present:

R. Brent Savidant, Planning Director  
Zachary Branigan, Carlisle/Wortman Associates, Inc.  
Allan Motzny, Assistant City Attorney

2. APPROVAL OF AGENDA

Mr. Savidant reported the applicant for the potential Conditional Rezoning requested to postpone this item until sometime in the New Year.

**Resolution # PC-2011-12-063**

Moved by: Sanzica  
Seconded by: Edmunds

**RESOLVED**, To replace Agenda Item #8 POTENTIAL CONDITIONAL REZONING with TROY MULTI MODAL TRANSIT FACILITY.

Yes: All present (9)

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2011-12-064**

Moved by: Schultz  
Seconded by: Maxwell

**RESOLVED**, To approve the minutes of the October 25, 2011 Regular meeting as prepared.

Yes: All present (9)

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

7. PLANNING AND ZONING REPORT

**STUDY ITEM**

8. TROY MULTI MODAL TRANSIT FACILITY

There was general Planning Commission discussion of the Troy Multi Modal Transit Center.

**Resolution # PC-2011-12-065**

Moved by: Sanzica  
 Seconded by: Schultz

WHEREAS, The City of Troy received a \$8,485,212 federal grant to fund the Troy Multi-Modal Transit Facility project through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program; and

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WHEREAS, The Troy Multi-Modal Transit Facility will become one of ten planned regional hubs in the Detroit Regional Mass Transit (DRMT) plan for the Detroit metropolitan area, including Wayne, Oakland and Macomb counties and the City of Detroit; and

WHEREAS, The Troy Multi-Modal Transit Facility will be served by AMTRAK and 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, including the creation of a large number of construction jobs; and

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

WHEREAS, The City of Troy Master Plan calls for the creation of a mixed use area centered between the Oakland/Troy Airport and the Troy Multi-Modal Transit Facility; and

WHEREAS, The Troy Multi-Modal Transit Facility will serve as a vibrant gateway into the City of Troy; and

WHEREAS, If City Council votes to terminate the Troy Multi-Modal Transit Facility project, the \$8,485,212 federal grant will be used to fund another project elsewhere; the money will not be used for any purpose other than High Speed Rail.

THEREFORE BE IT RESOLVED, The Planning Commission hereby recommends that City Council approves the contract for Architectural/Engineering services so that the Troy Intermodal Transit Center can be designed and constructed.

BE IT FINALLY RESOLVED, A copy of this resolution shall be forwarded to all City Council members prior to the December 19, 2011 Regular meeting.

Yes: All present (9)

**MOTION CARRIED**

**OTHER BUSINESS**

9. **APPROVAL OF 2012 PLANNING COMMISSION MEETING SCHEDULE**

**Resolution # PC-2011-12-066**

Moved by: Schultz

Seconded by: Tagle

**RESOLVED**, To approve 2012 Planning Commission Meeting Schedule as written.

Yes: All present (9)

**MOTION CARRIED**

10. **PLANNING COMMISSION GOALS, 2012**

The Planning Commission discussed the establishment of Planning Commission goals and objectives for 2012.

11. PUBLIC COMMENT

There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENTS

There was general discussion.

The Regular Meeting of the Planning Commission adjourned at 8:55 p.m.

Respectfully submitted,

\_\_\_\_\_  
Michael W. Hutson, Chair

\_\_\_\_\_  
R. Brent Savidant, Planning Director

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A regular meeting of the Liquor Advisory Committee was held on Monday, January 9, 2012 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:59 p.m.

**ROLL CALL:**

**PRESENT:** Max K. Ehlert, Chairman  
W. Stan Godlewski  
Patrick C. Hall  
Andrew Kaltsounis  
Timothy P. Payne  
Bohdan L. Ukraineec

**ABSENT:** David S. Ogg

**ALSO PRESENT:** Sergeant George Zielinski  
Susan Lancaster, Assistant City Attorney  
EunJoo Scherlinck, Student Representative  
Pat Gladysz

**Resolution to Excuse Committee Member Ogg**

Resolution #LC2012-01-001  
Moved by Hall  
Seconded by Kaltsounis

RESOLVED, That the absence of Committee member Ogg at the Liquor Advisory Committee meeting of January 9, 2012 be **EXCUSED**.

Yes: 6  
No: 0  
Absent: Ogg

**Resolution to Approve Minutes of November 14, 2011 Meeting**

Resolution #LC2012-01-002  
Moved by Hall  
Seconded by Ukraineec

RESOLVED, That the Minutes of the November 14, 2011 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6  
No: 0  
Absent: Ogg

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**Agenda Items**

1. **2Booli, Inc.** requests a new Class C Quota License “above all others” and new SDM license with new Sunday Sales Permit (PM), new Sunday Sales Permit (AM), new Official Permit (Food) and new Catering Permit to be located at SW corner of Big Beaver and Rochester Road, Space A-120, Troy, MI 48083, Oakland County {MLCC Req. #627836}.

Present to answer questions from the Committee were Scott Edwards, attorney, and Victor Ansara, president of Ansara Group.

Mr. Edwards and Mr. Ansara informed the Committee that the Ansara Group operates one 2Booli Restaurant in Farmington Hills and 20 Red Robin Restaurants in Michigan, including the location on Corporate Drive in Troy. The 2Booli location on Big Beaver will have 150 seats, an outdoor service area, and feature middle-Eastern cuisine. Renovation of the vacant space has just begun and they hope to open to the public in April. The training program includes a TIPS segment. Mr. Ansara stated that less than 6% of the sales at the Farmington Hills location are from alcohol.

Assistant City Attorney Lancaster advised the Committee that the City currently has two quota licenses available. Quota licenses are assigned to each governmental unit by the MLCC based on the population of the governmental unit. The City of Troy had one quota license before the 2010 census and was granted one additional license after the 2010 census. This Committee recommended and City Council approved one quota license for the catering service at the Community Center. However, that catering service was able to obtain a catering license so the City still has two quota licenses. The Troy Code of Ordinances allows the City to consider future development opportunities in its decision to grant or deny a quota license.

Sergeant Zielinski noted that the request did not include the permit for an outdoor service area.

Resolution #LC2012-01-003  
Moved by Hall  
Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of 2Booli, Inc. for a new Class C Quota License “above all others” and new SDM license with new Sunday Sales Permit (PM), new Sunday Sales Permit (AM), new

Official Permit (Food) and new Catering Permit to be located at SW corner of Big Beaver and Rochester Road, Space A-120, Troy, MI 48083 be **APPROVED**, with the addition of the request for an outdoor service area.

Yes: 6  
No: 0  
Absent: Ogg

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The Committee discussed the one remaining quota license and inquired whether there would be guidelines to follow when future license requests are received. Assistant City Attorney Lancaster replied that the ordinance provides for consideration of potential future development projects. Assistant City Attorney Lancaster explained that the previous criteria that had been adopted by City Council has been repealed and incorporated into the Ordinance but that she would look at those criteria to see if there were any guidelines that might be applicable for consideration by the Committee at a future quota license application hearing.

With regard to the Smoker’s Express MLCC hearing held today, Assistant City Attorney Lancaster advised the Committee that the business owner admitted responsibility on all five counts. There will be a five-day suspension of his liquor license. The matter will enter into a penalty phase and the City will request that the license be revoked.

With regard to the advertising of Hot Rocks Pizza that they deliver beer, Assistant City Attorney Lancaster advised the Committee that this does not violate any laws as long as the delivery person is at least 18 years of age and the delivery recipient is at least 21 years of age.

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The meeting adjourned at 8:38 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II



## CITY COUNCIL AGENDA ITEM

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Date: January 9, 2011

To: John Szerlag, City Manager *JS*

From: Mark F. Miller, Director of Economic and Community Development *MF*  
Steve Burns, SAFEbuilt *SB*  
Mitch Grusnick, City Building Official *MG*

Subject: Building Department Activity Report – December, 2011

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The following attachment contains a summary of permit activity, project valuation and inspection counts for the Building Inspection Department from July 2010 to December 2011.

Attachments:

1. Building Department report, July thru November 2011.



Valuation	\$ 1,461,275.00	\$ 701,252.00	\$ 5,385.00	\$ 2,000.00	\$ 3,062,219.00	\$ -	\$ -	\$ -	\$ -	\$ 5,232,131.00	\$ 21,508,595.00
<b>Plan Reviews</b>											
Received	5	25	29		36	4				99	337
Released										0	
Avg. Days to First Comments										0	
<b>Inspections</b>											
Approved	680	74	169	27	28	125				1103	3845
Count											
Avg. Next Day										0	

November 2010											
	Residential		Commercial		Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	New	Alt.							
<b>Permit Activity</b>											
Count	4	19	6	32	0	4	447	81	593		2832
Valuation	\$ 933,000.00	\$ 200,710.00	\$ 62,385.00	\$ 3,977,374.00	\$ 227,000.00	\$ -	\$ -	\$ -	\$ 5,400,469.00	\$	\$ 26,909,064.00
<b>Plan Reviews</b>											
Received	4	18	17	29	1	2			71		408
Released									0		
Avg. Days to First Comments									0		
<b>Inspections</b>											
Approved	749	33	181	17	15				1092		4937
Count											
Avg. Next Day									0		

December 2010											
	Residential		Commercial		Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	New	Alt.							
<b>Permit Activity</b>											
Count	4	14	6	27	1	0	371	61	484		3316
Valuation	\$ 626,675.00	\$ 451,134.00	\$ 259,366.00	\$ 2,475,450.00	\$ 125,000.00	\$ -	\$ -	\$ -	\$ 3,947,625.00	\$	\$ 30,856,689.00
<b>Plan Reviews</b>											
Received	4	12	11	24	3	1			55		463
Released									0		
Avg. Days to First Comments									0		
<b>Inspections</b>											
Approved	569	42	117	8	84				832		5769
Count											
Avg. Next Day									0		
<b>Inspections by Trade</b>											
Building	194	283	2	236	104	13			832		832
Count											
Avg. Next Day									0		

**CITY OF TROY - 2011**

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
<b>Permit Activity</b>												
Count	2	16	1	1	23	0	0	361	70	473	473	400
Valuation	\$ 435,319.00	\$ 300,211.00	\$ 200,000.00	\$ -	\$ 4,683,200.00	\$ -	\$ -	\$ -	\$ -	\$ 5,618,730.00	\$ 5,618,730.00	\$ 2,919,092.00
<b>Plan Reviews</b>												
Received	2	16	3	23	0	0	0	0	44	44	44	
<b>Inspections</b>												
Approved	608	38	113	18	17	93				887	887	
<b>Inspections by Trade</b>												
Count	207	307	0	250	108	15				887	887	
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer						

**February**

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
<b>Permit Activity</b>												
Count	3	9	1	0	28	1	0	214	46	302	775	768
Valuation	\$ 638,800.00	\$ 169,821.00	\$ 125,000.00	\$ -	\$ 1,805,444.00	\$ 3,200.00	\$ -	\$ -	\$ -	\$ 2,742,265.00	\$ 8,360,995.00	\$ 8,905,362.00
<b>Plan Reviews</b>												
Received	3	8	2	28	1	0	0	0	42	42	86	
<b>Inspections</b>												
Approved	465	30	104	20	15	119				753	1640	
<b>Inspections by Trade</b>												
Count	159	266	2	229	86	9	2			753	1640	
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water					

**March**

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
<b>Permit Activity</b>												
Count	2	26	5	0	28	0	4	308	63	436	1211	1197
Valuation	\$ 404,400.00	\$ 507,485.00	\$ 334,965.00	\$ -	\$ 3,694,381.00	\$ -	\$ -	\$ -	\$ -	\$ 4,941,231.00	\$ 13,302,226.00	\$ 13,517,366.00
<b>Plan Reviews</b>												
Received	2	23	8	28	0	0	0	0	61	61	147	
<b>Inspections</b>												
Approved	571	29	117	23	9	122				871	2511	
<b>Inspections by Trade</b>												
Count	205	320	1	239	97	8	1			871	2511	
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water					

**April**

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
<b>Permit Activity</b>												
Count	9	45	9	0	32	1	0	301	78	475	1686	1652

**CITY OF TROY - 2011**

Valuation	\$ 1,924,032.00	\$ 615,613.00	\$ 35,269.00	\$ 5,920,146.00	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -	\$ 8,507,060.00	\$ 21,809,286.00	\$ 21,237,928.00
Plan Reviews	12	43	8	29	1	21	114	261				
Received												
Inspections												
Approved	571	25	126	17	83	851	3362					
Count												
Inspections by Trade												
Building	204	293	2	101	22	852	3363					
Electrical												
Fence												
Mechanical												
Plumbing												
Sewer												
Water												
Other												

**May**

Permit Activity	Residential		Commercial		Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	New	Alt.							
Count	3	87	11	40	3	2	388	113	647	2333	2132
Valuation	\$ 645,800.00	\$ 1,077,858.00	\$ 18,863.00	\$ 2,368,879.00	\$ 264,860.00	\$ 40,000.00	\$ -	\$ -	\$ 4,416,260.00	\$ 26,225,546.00	\$ 25,504,104.00
Plan Reviews											
Received	3	68	30	37	3	37	178	439			
Inspections											
Approved	635	44	97	16	98	921	4283				
Count											
Inspections by Trade											
Building	283	285	4	110	22	10	2	921	4284		
Electrical											
Fence											
Mechanical											
Plumbing											
Sewer											
Water											
Other											

**June**

Permit Activity	Residential		Commercial		Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year	
	New	Alt.	New	Alt.							
Count	7	69	17	33	0	3	419	132	680	3013	2709
Valuation	\$ 1,598,385.00	\$ 17,706,086.00	\$ 384,739.00	\$ 4,355,448.00	\$ -	\$ 60,000.00	\$ -	\$ -	\$ 24,104,658.00	\$ 50,330,204.00	\$ 30,112,325.00
Plan Reviews											
Received	6	49	38	33	33	21	147	586			
Inspections											
Approved	675	35	125	18	108	998	5281				
Count											
Inspections by Trade											
Building	327	311	12	101	30	1	998	5282			
Electrical											
Fence											
Mechanical											
Plumbing											
Sewer											
Water											
Other											
C of O	26	15									

**July**

Permit Activity	Residential		Commercial		Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	New	Alt.						
Count	6	79	18	24	2	397	77	605	3618	3,214
Valuation	\$ 1,354,468.00	\$ 2,518,399.00	\$ 167,819.00	\$ 4,046,173.00	\$ 276,293.00	\$ 50,000.00	\$ -	\$ 8,413,152.00	\$ 58,743,356.00	\$ 38,127,614.00



**CITY OF TROY - 2011**

**October**

Permit Activity	Residential				Commercial				YTD Totals	Prev. Year		
	New		Misc.		New		Misc.					
	Alt.	Count	Valuation	Count	Alt.	Count	Valuation	Count				
Count	1	91	19	3	30	2	0	446	98	690	5604	4,968
Valuation	\$ 193,000.00	\$ 2,520,394.00	\$ 116,030.00	\$ 1,850,000.00	\$ 3,383,737.00	\$ 323,000.00	\$ -	\$ -	\$ -	\$ 8,386,161.00	\$ 81,237,219.00	\$ 51,569,020.00
Plan Reviews	1	92	18	3	30	2	12	158	1234	0		
Inspections	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	708	44	196	18	25	149	3	1143	9517			
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	353	364	9	274	117	22	2	1143	9526			
C of O	22	24										

**November**

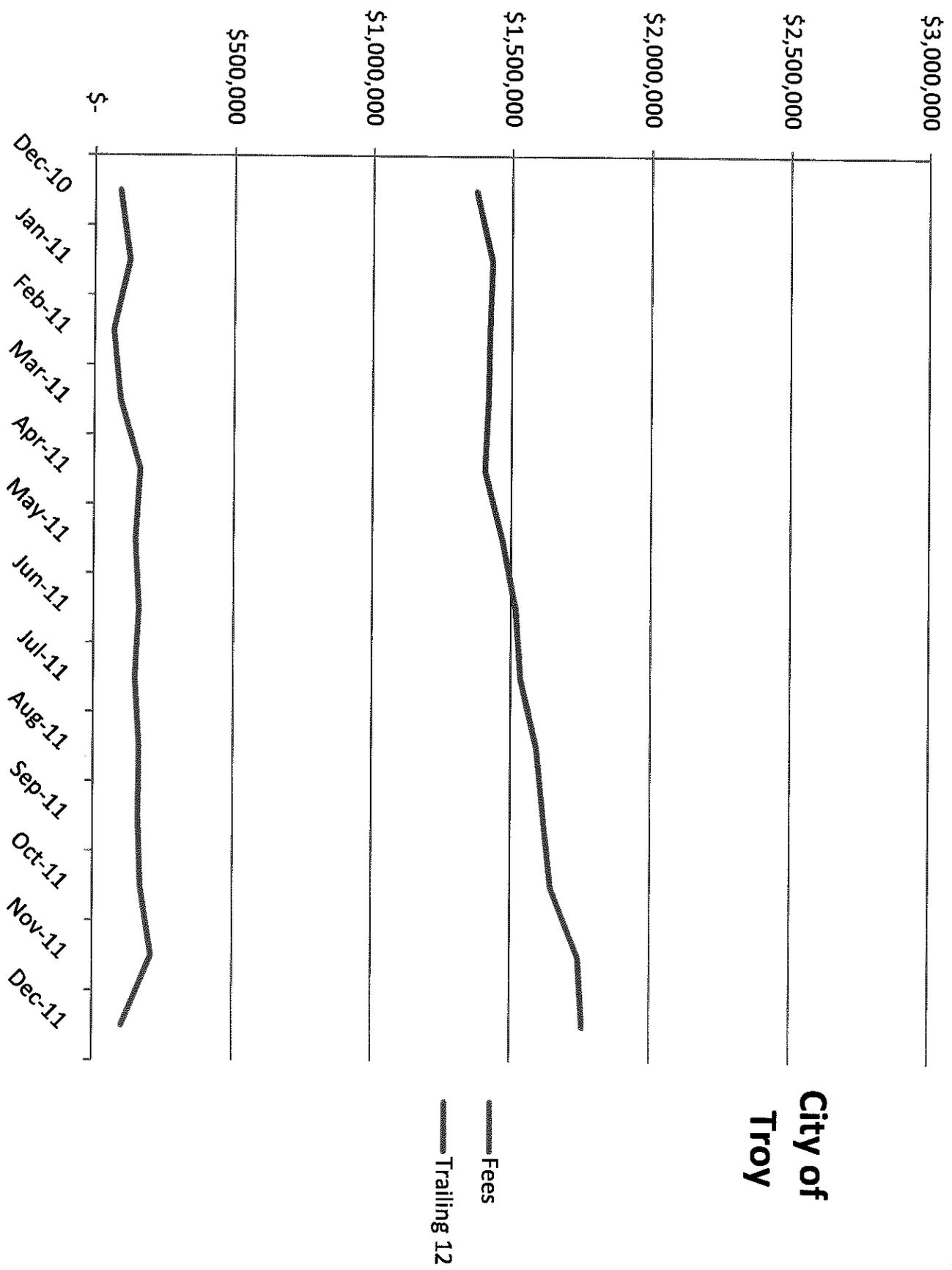
Permit Activity	Residential				Commercial				YTD Totals	Prev. Year		
	New		Misc.		New		Misc.					
	Alt.	Count	Valuation	Count	Alt.	Count	Valuation	Count				
Count	12	60	18	1	23	0	5	381	96	596	6200	5,561
Valuation	\$ 3,052,209.00	\$ 505,266.00	\$ 128,436.00	\$ 300.00	\$ 5,675,200.00	\$ -	\$ 11,815.00	\$ -	\$ -	\$ 9,473,226.00	\$ 90,710,445.00	\$ 56,971,489.00
Plan Reviews	12	57	21	18	1	12	121	1355				
Inspections	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved	Other					
Count	695	37	179	21	24	125	1	1082	10599			
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	336	311	14	263	112	33	6	7	10608			
C of O	42	17										

**December**

Permit Activity	Residential				Commercial				YTD Totals	Prev. Year		
	New		Misc.		New		Misc.					
	Alt.	Count	Valuation	Count	Alt.	Count	Valuation	Count				
Count	4	52	15	1	31	0	0	337	59	499	6699	6,045
Valuation	\$ 785,517.00	\$ 377,887.00	\$ 329,803.00	\$ 500.00	\$ 2,829,265.00	\$ -	\$ -	\$ -	\$ -	\$ 4,322,972.00	\$ 95,033,417.00	\$ 60,919,114.00
Plan Reviews	4	50	17	31	1	103	1458					
Inspections	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved	Other					
Count	588	72	131	16	18	106	931	11530				
Inspections by Trade	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				



# City of Troy



	RES: New	RES: Alt	RES: Misc	COM: New	COM: Alt	COM: Rep	COM: Misc	MISC	ONESTOP	OTHER	TOTAL
December 2010	4	2	6	0	25	2	1	0	371	61	484
January 2011	2	16	1	0	23	0	0	0	361	70	473
February 2011	3	9	1	0	28	1	0	0	214	46	302
March 2011	2	26	5	0	28	0	0	4	308	63	436
April 2011	9	45	9	0	32	1	0	0	301	78	475
May 2011	3	87	11	0	40	2	1	2	388	113	647
June 2011	7	69	17	0	33	0	0	3	419	132	680
July 2011	6	79	18	0	24	2	0	2	397	77	605
August 2011	8	77	28	0	33	3	3	4	420	106	681
September 2011	3	84	24	0	33	1	0	0	375	95	615
October 2011	1	91	19	3	30	0	2	0	446	98	690
November 2011	12	60	18	1	23	0	0	5	381	96	596
December 2011	4	52	15	1	31	0	0	0	337	59	499

	January 2011	February 2011	March 2011	April 2011	May 2011	June 2011	July 2011
RES: New	\$ 435,319.00	\$ 638,800.00	\$ 404,400.00	\$ 1,924,032.00	\$ 645,800.00	\$ 1,598,385.00	\$ 1,354,468.00
RES: Alt	\$ 300,211.00	\$ 169,821.00	\$ 507,485.00	\$ 615,613.00	\$ 1,077,858.00	\$ 17,706,086.00	\$ 2,518,399.00
RES: Misc	\$ 200,000.00	\$ 125,000.00	\$ 334,965.00	\$ 35,269.00	\$ 18,863.00	\$ 384,739.00	\$ 167,819.00
COM: New	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
COM: Alt	\$ 4,683,200.00	\$ 1,805,444.00	\$ 3,694,381.00	\$ 5,920,146.00	\$ 2,368,879.00	\$ 4,355,448.00	\$ 4,046,173.00
COM: Repair	\$ -	\$ 3,200.00	\$ -	\$ 12,000.00	\$ 255,000.00	\$ -	\$ 276,293.00
COM: Misc	\$ -	\$ -	\$ -	\$ -	\$ 9,860.00	\$ -	\$ -
MISC	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00	\$ 60,000.00	\$ 50,000.00
ONESTOP	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OTHER	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 5,618,730.00</b>	<b>\$ 2,742,265.00</b>	<b>\$ 4,941,231.00</b>	<b>\$ 8,507,060.00</b>	<b>\$ 4,416,260.00</b>	<b>\$ 24,104,658.00</b>	<b>\$ 8,413,152.00</b>

	August 2011	September 2011	October 2011	November 2011	December 2011
RES: New	\$ 1,850,844.00	\$ 717,935.00	\$ 193,000.00	\$ 3,052,209.00	\$ 785,517.00
RES: Alt	\$ 765,630.00	\$ 1,179,523.00	\$ 2,520,394.00	\$ 505,266.00	\$ 377,887.00
RES: Misc	\$ 386,186.00	\$ 124,765.00	\$ 116,030.00	\$ 128,436.00	\$ 329,803.00
COM: New	\$ -	\$ -	\$ 1,850,000.00	\$ 300.00	\$ 500.00
COM: Alt	\$ 2,776,958.00	\$ 6,038,861.00	\$ 3,383,737.00	\$ 5,675,200.00	\$ 2,829,265.00
COM: Repair	\$ 115,000.00	\$ 120,000.00	\$ -	\$ -	\$ -
COM: Misc	\$ 12,500.00	\$ -	\$ 323,000.00	\$ -	\$ -
MISC	\$ 20,000.00	\$ -	\$ -	\$ 111,815.00	\$ -
ONESTOP	\$ -	\$ -	\$ -	\$ -	\$ -
OTHER	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 5,927,118.00</b>	<b>\$ 8,180,584.00</b>	<b>\$ 8,386,161.00</b>	<b>\$ 9,473,226.00</b>	<b>\$ 4,322,972.00</b>

Run the Category Detail report for  
Permits. Use the month's date range.

Month	Permit Count	Permit Value (\$)	Permit Description
January 2011	22	3,163,200	Commercial, Add/Alter
January 2011	22	3,163,200	Commercial, Demo and New
January 2011	22	3,163,200	Commercial Access, Structure
January 2011	22	3,163,200	Commercial, Kiosk
January 2011	22	3,163,200	Commercial, Parking Lot
January 2011	22	3,163,200	Commercial, Repair
January 2011	22	3,163,200	Commercial, New Building
January 2011	22	3,163,200	Commercial, Wreck
January 2011	22	3,163,200	Commercial, Temp Off, Trailer
January 2011	22	3,163,200	Electrical
January 2011	22	3,163,200	Electrical, Fire Alarm
January 2011	22	3,163,200	Electrical, Signs
January 2011	22	3,163,200	Fence
January 2011	22	3,163,200	Fire Alarm
January 2011	22	3,163,200	Fire Protection
January 2011	22	3,163,200	Inst./Hosp, Add/Alter
January 2011	22	3,163,200	Industrial, Add/Alter
January 2011	22	3,163,200	Industrial, Wreck
January 2011	22	3,163,200	Industrial, Parking Lot
January 2011	22	3,163,200	Mechanical
January 2011	22	3,163,200	Mechanical, Air
January 2011	22	3,163,200	Mechanical, Heat
January 2011	22	3,163,200	Mechanical, Refrigeration
January 2011	22	3,163,200	Multi, Garage/Acc, Structure
January 2011	22	3,163,200	Multi, Add/Alter
January 2011	22	3,163,200	Multi, Repair
January 2011	22	3,163,200	Municipal, Add/Alter
January 2011	22	3,163,200	Municipal, New Construction
January 2011	22	3,163,200	Municipal, Soil Erosion
January 2011	22	3,163,200	Plumbing
January 2011	22	3,163,200	Religious, Add/Alter
January 2011	22	3,163,200	Religious, Parking Lot
January 2011	22	3,163,200	Residential, Add/Alter
January 2011	22	3,163,200	Residential, Demo & New
January 2011	22	3,163,200	Residential, Fire Repair
January 2011	22	3,163,200	Residential, Garage/Acc, Structure
January 2011	22	3,163,200	Residential, New Construction
January 2011	22	3,163,200	Residential, Pool/Spa/Hot Tub
January 2011	22	3,163,200	Residential, Repair
January 2011	22	3,163,200	Residential, Roof
January 2011	22	3,163,200	Residential, Window
January 2011	22	3,163,200	Residential, Wrecking
January 2011	22	3,163,200	Satellite/Antennas
January 2011	22	3,163,200	Sewer Installation, Storm
January 2011	22	3,163,200	Sewer Tap
January 2011	22	3,163,200	Sign
January 2011	22	3,163,200	Special Event
January 2011	22	3,163,200	Special Inspection
January 2011	22	3,163,200	Tent
January 2011	22	3,163,200	Twn House, Add/Alter
January 2011	22	3,163,200	Water, Commercial New
January 2011	22	3,163,200	Water, Religious Add/Alter
January 2011	22	3,163,200	Water, Commercial Add/Alter
January 2011	22	3,163,200	Water, Industrial Add/Alter
January 2011	22	3,163,200	Water, Residential Add/Alter
January 2011	22	3,163,200	Water, Residential New
January 2011	22	3,163,200	Zoning, Animal
January 2011	22	3,163,200	Zoning, Temp Use or Structure
January 2011	22	3,163,200	Zoning, Outdoor Dining
February 2011	28	1,805,444	Commercial, Add/Alter
February 2011	28	1,805,444	Commercial, Demo and New
February 2011	28	1,805,444	Commercial Access, Structure
February 2011	28	1,805,444	Commercial, Kiosk
February 2011	28	1,805,444	Commercial, Parking Lot
February 2011	28	1,805,444	Commercial, Repair
February 2011	28	1,805,444	Commercial, New Building
February 2011	28	1,805,444	Commercial, Wreck
February 2011	28	1,805,444	Commercial, Temp Off, Trailer
February 2011	28	1,805,444	Electrical
February 2011	28	1,805,444	Electrical, Fire Alarm
February 2011	28	1,805,444	Electrical, Signs
February 2011	28	1,805,444	Fence
February 2011	28	1,805,444	Fire Alarm
February 2011	28	1,805,444	Fire Protection
February 2011	28	1,805,444	Inst./Hosp, Add/Alter
February 2011	28	1,805,444	Industrial, Add/Alter
February 2011	28	1,805,444	Industrial, Wreck
February 2011	28	1,805,444	Industrial, Parking Lot
February 2011	28	1,805,444	Mechanical
February 2011	28	1,805,444	Mechanical, Air
February 2011	28	1,805,444	Mechanical, Heat
February 2011	28	1,805,444	Mechanical, Refrigeration
February 2011	28	1,805,444	Multi, Garage/Acc, Structure
February 2011	28	1,805,444	Multi, Add/Alter
February 2011	28	1,805,444	Multi, Repair
February 2011	28	1,805,444	Municipal, Add/Alter
February 2011	28	1,805,444	Municipal, New Construction
February 2011	28	1,805,444	Municipal, Soil Erosion
February 2011	28	1,805,444	Plumbing
February 2011	28	1,805,444	Religious, Add/Alter
February 2011	28	1,805,444	Religious, Parking Lot
February 2011	28	1,805,444	Residential, Add/Alter
February 2011	28	1,805,444	Residential, Demo & New
February 2011	28	1,805,444	Residential, Fire Repair
February 2011	28	1,805,444	Residential, Garage/Acc, Structure
February 2011	28	1,805,444	Residential, New Construction
February 2011	28	1,805,444	Residential, Pool/Spa/Hot Tub
February 2011	28	1,805,444	Residential, Repair
February 2011	28	1,805,444	Residential, Roof
February 2011	28	1,805,444	Residential, Window
February 2011	28	1,805,444	Residential, Wrecking
February 2011	28	1,805,444	Satellite/Antennas
February 2011	28	1,805,444	Sewer Installation, Storm
February 2011	28	1,805,444	Sewer Tap
February 2011	28	1,805,444	Sign
February 2011	28	1,805,444	Special Event
February 2011	28	1,805,444	Special Inspection
February 2011	28	1,805,444	Tent
February 2011	28	1,805,444	Twn House, Add/Alter
February 2011	28	1,805,444	Water, Commercial New
February 2011	28	1,805,444	Water, Religious Add/Alter
February 2011	28	1,805,444	Water, Commercial Add/Alter
February 2011	28	1,805,444	Water, Industrial Add/Alter
February 2011	28	1,805,444	Water, Residential Add/Alter
February 2011	28	1,805,444	Water, Residential New
February 2011	28	1,805,444	Zoning, Animal
February 2011	28	1,805,444	Zoning, Temp Use or Structure
February 2011	28	1,805,444	Zoning, Outdoor Dining
March 2011	27	3,654,381	Commercial, Add/Alter
March 2011	27	3,654,381	Commercial, Demo and New
March 2011	27	3,654,381	Commercial Access, Structure
March 2011	27	3,654,381	Commercial, Kiosk
March 2011	27	3,654,381	Commercial, Parking Lot
March 2011	27	3,654,381	Commercial, Repair
March 2011	27	3,654,381	Commercial, New Building
March 2011	27	3,654,381	Commercial, Wreck
March 2011	27	3,654,381	Commercial, Temp Off, Trailer
March 2011	27	3,654,381	Electrical
March 2011	27	3,654,381	Electrical, Fire Alarm
March 2011	27	3,654,381	Electrical, Signs
March 2011	27	3,654,381	Fence
March 2011	27	3,654,381	Fire Alarm
March 2011	27	3,654,381	Fire Protection
March 2011	27	3,654,381	Inst./Hosp, Add/Alter
March 2011	27	3,654,381	Industrial, Add/Alter
March 2011	27	3,654,381	Industrial, Wreck
March 2011	27	3,654,381	Industrial, Parking Lot
March 2011	27	3,654,381	Mechanical
March 2011	27	3,654,381	Mechanical, Air
March 2011	27	3,654,381	Mechanical, Heat
March 2011	27	3,654,381	Mechanical, Refrigeration
March 2011	27	3,654,381	Multi, Garage/Acc, Structure
March 2011	27	3,654,381	Multi, Add/Alter
March 2011	27	3,654,381	Multi, Repair
March 2011	27	3,654,381	Municipal, Add/Alter
March 2011	27	3,654,381	Municipal, New Construction
March 2011	27	3,654,381	Municipal, Soil Erosion
March 2011	27	3,654,381	Plumbing
March 2011	27	3,654,381	Religious, Add/Alter
March 2011	27	3,654,381	Religious, Parking Lot
March 2011	27	3,654,381	Residential, Add/Alter
March 2011	27	3,654,381	Residential, Demo & New
March 2011	27	3,654,381	Residential, Fire Repair
March 2011	27	3,654,381	Residential, Garage/Acc, Structure
March 2011	27	3,654,381	Residential, New Construction
March 2011	27	3,654,381	Residential, Pool/Spa/Hot Tub
March 2011	27	3,654,381	Residential, Repair
March 2011	27	3,654,381	Residential, Roof
March 2011	27	3,654,381	Residential, Window
March 2011	27	3,654,381	Residential, Wrecking
March 2011	27	3,654,381	Satellite/Antennas
March 2011	27	3,654,381	Sewer Installation, Storm
March 2011	27	3,654,381	Sewer Tap
March 2011	27	3,654,381	Sign
March 2011	27	3,654,381	Special Event
March 2011	27	3,654,381	Special Inspection
March 2011	27	3,654,381	Tent
March 2011	27	3,654,381	Twn House, Add/Alter
March 2011	27	3,654,381	Water, Commercial New
March 2011	27	3,654,381	Water, Religious Add/Alter
March 2011	27	3,654,381	Water, Commercial Add/Alter
March 2011	27	3,654,381	Water, Industrial Add/Alter
March 2011	27	3,654,381	Water, Residential Add/Alter
March 2011	27	3,654,381	Water, Residential New
March 2011	27	3,654,381	Zoning, Animal
March 2011	27	3,654,381	Zoning, Temp Use or Structure
March 2011	27	3,654,381	Zoning, Outdoor Dining
April 2011	28	1,862,146	Commercial, Add/Alter
April 2011	28	1,862,146	Commercial, Demo and New
April 2011	28	1,862,146	Commercial Access, Structure
April 2011	28	1,862,146	Commercial, Kiosk
April 2011	28	1,862,146	Commercial, Parking Lot
April 2011	28	1,862,146	Commercial, Repair
April 2011	28	1,862,146	Commercial, New Building
April 2011	28	1,862,146	Commercial, Wreck
April 2011	28	1,862,146	Commercial, Temp Off, Trailer
April 2011	28	1,862,146	Electrical
April 2011	28	1,862,146	Electrical, Fire Alarm
April 2011	28	1,862,146	Electrical, Signs
April 2011	28	1,862,146	Fence
April 2011	28	1,862,146	Fire Alarm
April 2011	28	1,862,146	Fire Protection
April 2011	28	1,862,146	Inst./Hosp, Add/Alter
April 2011	28	1,862,146	Industrial, Add/Alter
April 2011	28	1,862,146	Industrial, Wreck
April 2011	28	1,862,146	Industrial, Parking Lot
April 2011	28	1,862,146	Mechanical
April 2011	28	1,862,146	Mechanical, Air
April 2011	28	1,862,146	Mechanical, Heat
April 2011	28	1,862,146	Mechanical, Refrigeration
April 2011	28	1,862,146	Multi, Garage/Acc, Structure
April 2011	28	1,862,146	Multi, Add/Alter
April 2011	28	1,862,146	Multi, Repair
April 2011	28	1,862,146	Municipal, Add/Alter
April 2011	28	1,862,146	Municipal, New Construction
April 2011	28	1,862,146	Municipal, Soil Erosion
April 2011	28	1,862,146	Plumbing
April 2011	28	1,862,146	Religious, Add/Alter
April 2011	28	1,862,146	Religious, Parking Lot
April 2011	28	1,862,146	Residential, Add/Alter
April 2011	28	1,862,146	Residential, Demo & New
April 2011	28	1,862,146	Residential, Fire Repair
April 2011	28	1,862,146	Residential, Garage/Acc, Structure
April 2011	28	1,862,146	Residential, New Construction
April 2011	28	1,862,146	Residential, Pool/Spa/Hot Tub
April 2011	28	1,862,146	Residential, Repair
April 2011	28	1,862,146	Residential, Roof
April 2011	28	1,862,146	Residential, Window
April 2011	28	1,862,146	Residential, Wrecking
April 2011	28	1,862,146	Satellite/Antennas
April 2011	28	1,862,146	Sewer Installation, Storm
April 2011	28	1,862,146	Sewer Tap
April 2011	28	1,862,146	Sign
April 2011	28	1,862,146	Special Event
April 2011	28	1,862,146	Special Inspection
April 2011	28	1,862,146	Tent
April 2011	28	1,862,146	Twn House, Add/Alter
April 2011	28	1,862,146	Water, Commercial New
April 2011	28	1,862,146	Water, Religious Add/Alter
April 2011	28	1,862,146	Water, Commercial Add/Alter
April 2011	28	1,862,146	Water, Industrial Add/Alter
April 2011	28	1,862,146	Water, Residential Add/Alter
April 2011	28	1,862,146	Water, Residential New





## MEMORANDUM

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Date: January 11, 2012

To: Mayor and Members of Troy City Council

From: John Szerlag, City Manager  
Aileen Bittner, City Clerk

Subject: Procedures for Conducting a Public Hearing

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At the last City Council meeting, City Council postponed the Recovery Spa massage facility due process hearing to January 23, 2011. Since this is the first massage facility due process hearing since the revision of the ordinance, the following procedural guidelines may be helpful to the Members of Council.

There is a difference between a formally scheduled public hearing and a due process hearing. However, for both of these types of hearings, it is critical that established procedures be followed to limit the City's legal exposure. The requirements for these hearings are set forth in federal or state statutes, or local ordinance.

Public hearings are scheduled for things like rezonings, tax abatements, bonds, or poverty exemptions. Public hearing notices must be published and/or mailed as prescribed by statute or ordinance. In addition to allowing a petitioner to make a presentation, the public hearing must allow for public comment specific to that item (in addition to any other public comment permitted on the agenda).

Due process hearings are scheduled whenever there is a possibility that the governing body will detrimentally impact a property interest, such as a massage facility license or a liquor license. Due process hearings are designed to allow the petitioner or interested person an opportunity to convince City Council that a decision regarding a license should be reversed or modified. City Council has the opportunity to ask questions of the petitioner, interested person or administrative staff. There is no provision for public comment specific to these due process hearings, so the public would offer comment on the hearing during the Public Comment portion of the meeting.

### **Public Hearings:**

When a public hearing is required, the Announcement of Public Hearing with the hearing date is forwarded to the City Council via the Agenda. The City Clerk publishes the announcement in the newspaper of record. If required, notices are sent to the affected parties or property owners of the public hearing including the date/time, place and subject of the hearing. City Council determines the order of business on the Agenda via City Council Rules of Procedure. Currently public hearings occur immediately following Carryover Items. To handle a public hearing, the following is the established procedure at Troy City Council Meetings:



# MEMORANDUM

- The Mayor announces the title of the public hearing.
- If the public hearing is for City business, the Mayor asks the Manager if there is a Staff presentation. If it is for non-City business, or if there is no Staff presentation, the Mayor inquires if the petitioner is present and would like to address Council.
- The Petitioner is allowed 15 minutes, according to Council Rules.
- After the Petitioner has finished addressing Council, answered Council's questions, and returned to their seats, the Mayor announces the opening of the public hearing and hits the gavel.
- The Mayor calls on any member of the Public that wishes to address Council regarding the public hearing topic.
- After all public comment has been given, the Mayor announces the closing of the public hearing and hits the gavel.
- At that time, the Mayor announces that the item is returned to the Council table for a resolution. At this time, the item needs to be moved and seconded before Council discussion can begin (as per usual handling of any resolution).
- If desired, questions may be posed from the Council table to the Petitioner through the Mayor. The Mayor would then request the Petitioner to approach the microphone and provide answers.
- After Council has discussed the item, or if there was no discussion offered by Council Members, the Mayor calls for the vote from the Clerk.

## **Due Process Hearings:**

When a due process hearing is required, the notice requirements vary by statute or ordinance. In all cases, however, the hearing is forwarded to the City Council via the Agenda. The City Clerk publishes the notice, if required. Due process hearings can be placed within Regular Business on the Agenda. There is no provision for public comment specific to due process hearings (unlike that of public hearings) so comment is taken from the public during Public Comment. To handle a due process hearing, the following is the established procedure at Troy City Council Meetings:

- The Mayor announces the title of the due process hearing item.
- The Mayor asks the Manager if there is a Staff presentation.
- The Mayor inquires if the Petitioner is present and would like to address Council.
- The Petitioner is allowed 15 minutes, according to Council Rules.
- After the Petitioner has spoken, Council may ask questions directly to the Petitioner.
- The Mayor then announces that the item is returned to the Council table for a resolution. At this time, the item needs to be moved and seconded before Council discussion can begin (as per usual handling of any resolution).
- If desired, additional questions may be posed from the Council table to the Petitioner through the Mayor. The Mayor would then request the Petitioner to approach the microphone and provide answers.
- After Council has discussed the item, or if there was no discussion offered by Council Members, the Mayor calls for the vote from the Clerk.



November 16, 2011

To: Chief Gary G. Mayer  
From: Samuel P. Lamerato  
Re: Officers Milt Stansbury & Kirk Linton

Dear Chief Gary G. Mayer,

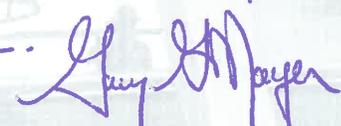
On behalf of the Michigan Chapter APWA, we would like to extend our gratitude and appreciation for the outstanding job done by Officers Milt Stansbury and Kirk Linton while speaking at our Winter Driving Tips & Operations for Ice and Snow Removal seminar in Frankenmuth on November 2, 2011. The officers not only presented their information in a very professional manner, but also made it an interactive experience for the attendees. Officers Stansbury and Linton graciously extended the opportunity to any of the attendees to contact them in the future with any questions that may arise. The operators attending asked questions and showed great interest in the vast amount of knowledge presented by the officers. The speaker evaluations completed by the attendees rated Officers Stansbury and Linton, giving them an "Excellent" score, overwhelmingly rating them as the best speakers of the seminar. The City of Troy is fortunate to have such knowledgeable officers working in their city. Thank you again for such an informative and useful appearance at our seminar.

Sincerely,

  
Samuel P. Lamerato, CFPF

Superintendent of Fleet Maintenance-City of Troy  
Education Chair Michigan Chapter APWA

POLICE OFFICERS MILT STANSBURY  
KIRK LINTON

THANK YOU FOR DOING SUCH A GOOD  
JOB AT THIS SEMINAR AND REPRESENTING  
TROY PD SO WELL. 

*Focused on Our Community*



The Metropolitan Hotel Detroit-Troy

January 3<sup>rd</sup>, 2012

Dear Chief Nelson,

On behalf of the The MET Hotel Troy, I just wanted to thank you for the hard work that you and your officers put into the New Year's Eve Party that took place at our hotel. I was so impressed by how professional and helpful your officers were, specifically Ms. Tonya Peters . Without your help, the event wouldn't have been the success that it was.

Thank you again,

Mike Witoszynski  
General Manager  
MET Hotel

*LT. TONYA PERRY - TFD*



## CITY COUNCIL AGENDA ITEM

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Date: January 19, 2012  
To: Mayor and City Council Members  
From: John Szerlag, City Manager  
Subject: Publicly Funded Health Insurance Contributions Act (Public Act 152 of 2011)

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The attached staff memo dated December 14, 2011 was distributed to City Council, and Council requested a study item relative to this matter. Succinctly, this Act is intended to assist the government by requiring municipal employee contributions to assist with the burden of increasing health care coverage costs. Under this law, the State of Michigan would withhold state shared revenue payments for any municipality that did not select one of three options contained in Public Act 152. These options are:

1. Opt Out
2. Hard Cap
3. 80/20 Split

Detailed explanations of these options are set forth in the attached memo.

The City is already in compliance with the hard cap option, as a result of significant concessions made by the employees during the past few years. Under this option, employees would also bear any cost increases over the amount of the hard cap should health insurance costs exceed the hard cap amount.

Council also has the option to implement an 80/20 split option, which would be effective immediately for the 84 Classified and Exempt City employees. All other City employees would not be impacted until the termination of their collective bargaining agreement, and the first of six labor contracts expires on June 30, 2013. The selection of the 80/20 split option would result in inequity among the City employees, and would significantly and negatively impact the Classified and Exempt City employees, who were the first of all City employee groups to provide concessions totaling at least 10% of the aggregate amount of base salary/wage, pension, FICA and worker's compensation. The momentum achieved by obtaining the concessions from all employee groups, in addition to the massive staff reductions, allowed the City to achieve economic sustainability at this time.

If you have questions or concerns about the potential legal employment implications of these options, you may want to have a closed session discussion with our retained labor counsel, Craig Lange, at sometime in the future.

Please know we have already received our State Shared Revenue funds. This is because we are currently in compliance with the hard cap option. Also know that whatever option is selected, it must



## CITY COUNCIL AGENDA ITEM

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be reviewed annually by the governing body, who can then select an option. As such, I continue to recommend the hard cap option through April of 2013, as this date is more in line with the expiration of labor contracts.

As always, please feel free to contact me should you have any questions.

c: Lori Grigg Bluhm, City Attorney  
Craig Lange, Labor Attorney  
Exempt/Classified Personnel



## Human Resources Department

Date: December 14, 2011

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager  
Tom Darling, Interim Director of Financial and Administrative Services  
Monica Ireland, Asst to the City Manager/Coord of Continuous Improvement  
Stephen Cooperrider, Risk Manager  
Peggy Sears, Human Resources Director

SUBJECT: Publically Funded Health Insurance Contributions Act  
("Public Act 152 of 2011")

### BACKGROUND

On September 28, 2011, Public Act 152 (PA 152), became law and applies to medical benefit plan coverage years beginning on or after January 1, 2012. PA 152 prohibits the state, local governments, public schools, colleges and universities from paying more for employee health insurance benefits than the total cost of \$5,500 for a single person, \$11,000 for a couple and \$15,000 for a family plan. This is referred to as the "Hard-cap". With the concessions that employees have already given, the City is currently in compliance with PA 152's Hard Cap option. Alternatively, the public employer could elect annually the 80/20 Option to require employees to contribute at least 20 percent of the total cost of healthcare. Local governments can elect the third option, called the Local Unit Opt-Out, to waive the requirements annually with a two-thirds vote of their governing body. The decision to elect any option must be made annually.

Failure to comply with the Act will result in the State Treasurer reducing each Economic Vitality Incentive Program (EVIP) payment by 10% for the period of non-compliance.

### CITY OF TROY EMPLOYEE GROUPS

Collective bargaining agreements in effect prior to September 15, 2011 (as with all City of Troy union contracts) are not affected by the Act until they expire. However, with respect to collective bargaining obligations, whether the allocation, or the adoption of the 80/20 option, is a mandatory subject of bargaining under the Public Employment Relations Act is unresolved in Michigan and will likely end up before the Michigan Employment Relations Commission (MERC).

Seventy-three percent (73%) of Troy employees are represented by one of six unions. This equates to 225 employees. Those contracts expire on June 30<sup>th</sup> in 2013 (AFSCME, MAP and TCSA); 2014 (TCOA and TFSOA); and 2015 (TPOA). Therefore, the earliest that the Act would apply to these employees would be the expiration date of their respective contract.

Non-union employees (who comprise the Classified and Exempt employee groups) represent twenty-seven percent (27%) of the full-time City workforce. It is this employee group, consisting of 83 employees, who would be immediately affected by the Act.

### IMPACT

Attached is a comparison of the aggregate cost to the City, based on the current hard-cap rates referenced above, and our current insurance carrier premiums (for HMO coverage) and illustrative rates (for Blue Cross Blue Shield coverage). Because the Act would not apply to collective bargaining groups until their contracts expire, only the rates for the Classified and Exempt (C/E) employee group are shown.

Under the Hard-Cap option, we are in compliance with the Act. No changes to the current C/E medical benefit plan contributions would be necessary as of January 1, 2012. However, this could change when new premium rates are provided by the carriers for the April 1, 2012 renewals.

The C/E employees have already saved the city \$223,993/ year in medical costs with the concessions taken in 2011. The City's medical benefit strategy was to increase deductibles and co-pays so as to put the cost on employees at the time of service. These changes included replacing the PPO plan with the Community Blue PPO; increasing employee premium contributions to 5%; increasing the prescription drug plan to \$10/\$40 with mandatory generic, prior authorization and step therapy; increased co-pays for office visits (\$30) and emergency room visits (\$50); increasing the basic deductible to \$250/\$500; reducing the frequency of covered vision exams to once every two years, and reducing the cost of mail order prescription drugs. These changes resulted in 23.5% reduction in C/E medical benefit costs.

Under the 80/20 Option, the C/E employees would be required to contribute another 15% of the premium or illustrative rate.

If City Council elected the Local Unit Opt-Out, the City would be able to make their own decision as it relates to medical benefits for C/E employees, as they do now, in conjunction with the annual budget process.

### RECOMMENDATION

Due to the partnership that has been achieved with the Classified and Exempt employee group that has resulted in significant concessions, city management recommends the Hard-Cap option. Under this option we are in compliance with PA 152 and there would be no adverse effect on the EVIP. There is no resolution required by City council. If the insurance costs increase above the hard cap, employees will have to pay the difference between the hard-cap and the increased cost.

Should City Council wish to discuss this matter further, a study session can be scheduled before April 1, 2012. Otherwise, management will advise the state that we are in compliance with PA 152.

Public Act 152  
 Classified/ Exempt Employees

<u>"Hard Cap"</u>	<u>Current Enrolled Employees</u>		
1- person \$5,500	x	16	= \$ 88,000.00
2- person \$11,000	x	15	= \$ 165,000.00
Family \$15,000	x	30	= \$ 450,000.00
<b>Total Aggregate:</b>			<b>\$ 703,000.00</b>

City of Troy's Current Rates*	<u>Current Enrolled Employees</u>		
<b>BCN</b>			
1- person \$5,745.96	x	6	= \$ 34,475.76
2- person \$13,215.72	x	2	= \$ 26,431.44
Family \$14,939.52	x	11	= \$ 164,334.72
<b>HAP</b>			
1- person \$5,595.60	x	5	= \$ 27,978.00
2- person \$12,870.00	x	7	= \$ 90,090.00
Family \$14,548.68	x	11	= \$ 160,035.48
<b>CB PPO</b>			
1- person \$5,153.88	x	5	= \$ 25,769.40
2- person \$12,369.36	x	6	= \$ 74,216.16
Family \$14,946.12	x	8	= \$ 119,568.96
<b>Total:</b>			<b>= \$ 722,899.92</b>
<b>Employee Contribution- 5%</b>			<b>= \$ 36,145.00</b>
<b>Total City Contribution</b>			<b>\$ 686,754.92</b>

**The current cost for C/E health insurance is 2.3% below the aggregate which makes the City in compliance with the Hard Cap option of PA 152.**

<u>"80/20 "</u>	
City would pay:	\$578,319.94
C/E employees would pay:	\$144,579.98

<u>Impact on Current Employees</u>	<u>Current Annual Contribution</u>		
	5%	Extra 15%	Total 20%
<b>BCN</b>			
1- person \$5,745.96	\$287.30	\$861.89	\$1,149.19
2- person \$13,215.72	\$660.79	\$1,982.36	\$2,643.14
Family \$14,939.52	\$746.98	\$2,240.93	\$2,987.90
<b>HAP</b>			
1- person \$5,595.60	\$279.78	\$839.34	\$1,119.12
2- person \$12,870.00	\$643.50	\$1,930.50	\$2,574.00
Family \$14,548.68	\$727.43	\$2,182.30	\$2,909.74
<b>CB PPO</b>			
1- person \$5,153.88	\$257.69	\$773.08	\$1,030.78
2- person \$12,369.36	\$618.47	\$1,855.40	\$2,473.87
Family \$14,946.12	\$747.31	\$2,241.92	\$2,989.22

**"Local Unit Opt-Out"**

With a 2/3 vote of the governing body, the Council may exempt the City of Troy from PA 152. This will allow for local control over employee medical benefits.

\*rates as of 12/6/2011