



TROY CITY COUNCIL

REGULAR MEETING AGENDA

JUNE 4, 2012
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

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

GOALS:

Provide a safe, clean, and livable city

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

Provide effective and efficient local government

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

Build a sense of community

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

Attract and retain business investment

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



CITY COUNCIL AGENDA

June 4, 2012 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Father Eric Fedewa – St. Anastasia Catholic Church **1**

PLEDGE OF ALLEGIANCE: **1**

A. CALL TO ORDER: **1**

B. ROLL CALL: **1**

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

C-1 City of Troy Employees' Casual for a Cause Presentation – January and February, 2012 – Cindy Stewart to Present \$755 to Beth Sowulewski, Senior Development Officer – MADD **1**

D. CARRYOVER ITEMS: **1**

D-1 No Carryover Items **1**

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E-1 No Public Hearings **1**

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INVOCATION: Father Eric Fedewa – St. Anastasia Catholic Church

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 #2012-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of June 4, 2012, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

-
- C-1** City of Troy Employees' Casual for a Cause Presentation – January and February, 2012 – Cindy Stewart to Present \$755 to Beth Sowulewski, Senior Development Officer – MADD

D. CARRYOVER ITEMS:

-
- D-1** No Carryover Items

E. PUBLIC HEARINGS:

-
- E-1** No Public Hearings

F. PUBLIC COMMENT:**In accordance with the Rules of Procedure of the City Council, Article 17 – 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 (5) 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.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

The following has been approved by Troy City Council as a statement of the rules of decorum for City Council meetings. The Mayor will also provide a verbal notification of these rules prior to Public Comment:

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.

In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – Zoning Board of Appeals

a) Mayoral Appointments - None

b) City Council Appointments

Zoning Board of Appeals

Appointed by Council
7 Regular Members

Tally of City Council Nominee Choices:

Each City Council Member should indicate two nominees to fill the vacancies on the Zoning Board of Appeals from the following list of individuals placed into nomination at the May 7, 2012 Regular City Council meeting:

NOMINEES:	COUNCIL MEMBERS: Select Two (2) Nominees
Michael W. Bartnik	
Barbara Chambers	
Glenn Clark	

City Council Appointments

Suggested Resolution

Resolution #2012-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Term Expires: 04/30/2015 _____

Term Expires: 04/30/2015 _____

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Local Development Finance Authority (LDFA); b) City Council Nominations – Building Code Board of Appeals, Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust, Historic District Commission, Traffic Committee

a) Mayoral Nominations

Suggested Resolution

Resolution #2012-06-

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:

Local Development Finance Authority (LDFA)

Appointed by Mayor

5 Regular Members; 2 City Council Member Alternates

Staggered 4 Year Term

Current Members:

Last Name	First Name	M I or Nickname	Appointment Expire	Notes 1	Notes 3
Adamczyk	Michael	M	6/30/2012	Resident Member	
Beltramini	Robin	E.	6/30/2014	Resident Member	
Bergeron	Stephanie	W	6/30/2012	Member	
Kidder	Michael	J	6/30/2015	Member	
Krauss	Maureen	Donohue		Oakland County Designee	
McGinnis	Maureen	M.	11/11/2013	Alternate	
Slater	Dane	M.	11/11/2013	Alternate	
Szerlag	John		6/30/2015	Resident Member	Resigned
Vitale	Nickolas		6/30/2015	Resident Member	

Nominations to the Local Development Finance Authority (LDFA):

Term Expires: 06/30/2015

(Resident Member)

Term currently held by: John Szerlag

Term Expires: 06/30/2016

(Resident Member)

Term currently held by: Michael Adamczyk

Term Expires: 06/30/2016

(Member)

Term currently held by: Stephanie Bergeron

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Hoef	Paul	11/21/2013	EDC exp. 4/30/2015
Sawyer Jr.	Thomas	2/3/2014	Municipal Bldg Authority exp. 01/31/2013
Sharp	John	7/15/2013	Economic Dev. Corp. exp. 04/30/2015
Wilberding	Bruce	2/8/2014	Brownfield Redev. Auth. exp 4/30/2013

Yes:

No:

b) City Council Nominations

Suggested Resolution

Resolution #2012-06-

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:

[Building Code Board of Appeals](#)

Appointed by Council

5 Regular Members

5 Year Term

Current Members:

Last Name	First Name	Appointment Expire	Notes 1	Notes 3
Abitheira	Gary	1/1/2017	Resident w/construction/engineering experience.	
Brooks	Teresa	Ordinance	Chapter 79, Sect. 116.2	
Carolan	Michael	1/1/2015	Resident w/construction/engineering experience.	
Dziurman	Theodore	1/1/2015	Resident w/construction/engineering experience.	
Szerlag	John	Ordinance	Chapter 79, Sect. 116.2	Resigned

Nominations to the Building Code Board of Appeals:

Term: Per ORDINANCE

(City Manager)

Term currently held by:

John Szerlag

Interested Applicants:

Last Name	First Name	M I or Nickname	App Resume Expire	Notes 2
Chambers	Barbara	A	4/30/2014	Historic Dist exp 3/1/2014; Historic Dist Study-Ad Hoc
Eisenbacher	David		11/14/2013	
Ogg	David		2/8/2014	Liquor Advisory Comm. exp 1/31/2012
Petrulis	Al		2/8/2014	ACAB exp 9/30/2012 & Traffic Comm. exp 1/31/2014
Sawyer Jr.	Thomas	G.	2/3/2014	Municipal Bldg. Authority exp. 01/31/2013
Sharp	John		7/15/2013	Economic Dev. Corp. exp. 04/30/2015

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust

Appointed by Council
7 Regular Members and 2 Ordinance Members
3 Year Term

Current Members:

Last Name	First Name	Appointment Expire	Notes 1	Notes 3
Calice	Mark	12/31/2012	Council Appointed Citizen	
Gordon II	Thomas	12/31/2013	DB-Employee Rep. - Elected	
Henderson	Dave	4/15/2015	City Council Rep.	
Irelan	Monica	Ordinance	Chapter 10	
Need	William	12/31/2013	Council Appointed Ex-Officio DB Retiree Rep.	
Pallotta	Steven	12/31/2014	DC Employee Rep. - Elected	
Stansbury	Milt	12/31/2012	Employee elected	
Szerlag	John	Ordinance	Chapter 10	Resigned

Nominations to the Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust:

Term: Per ORDINANCE

(City Manager)

Term currently held by:

John Szerlag

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	M I or Nickname	Appointment Expire	Notes 1	Notes 3
Chambers	Barbara	A	3/1/2014		
Doyle	Hugh	Stephen	7/31/2013		Requests Reappointment
Kuppa	Padma		3/1/2014		
Partlan	Ann		3/1/2014	Historical Society Recommendation	
Rounds	Muriel		5/15/2012	Historical Society Recommendation	No reappointment
Schuchter	Doris		5/15/2012	Historical Society Recommendation	
Voigt	W.	Kent	3/1/2013		

Nominations to the Historic District Commission:**Term Expires: 5/15/2015**

Term currently held by: Muriel Rounds

Term Expires: 5/15/2015

Term currently held by: Doris Schuchter

Interested Applicants:

Last Name	First Name	M I or Nickname	App Resume Expire	Notes 2
Viola	Vincent	J	11/16/2013	Animal Control Appeal Bd. exp. 9/30/2012

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	M I or Nickname	Appointment Expire	Notes 2
Binkowski	Sarah		1/31/2013	

Halsey	Lawrence	Ted	1/31/2015	
Huotari	William		Ex-Officio Member	
Kilmer	Richard	A.	1/31/2014	
Mayer	Gary		Ex-Officio Member	
Nelson	William		Ex-Officio Member	
Ogg	David		1/31/2015	Liquor Advisory Comm. exp 1/31/2012
Petrulis	Al		1/31/2014	Requests Reappointment
Vacancy			1/31/2013	John Diefenbaker's unexpired term.
Ziegenfelder	Peter	F	1/31/2014	

Nominations to the Traffic Committee:**Term Expires: 01/31/2013**

Term currently held by: Vacancy

Interested Applicants:

Last Name	First Name	M I or Nickname	App Resume Expire	Notes 2
Apahidean	Olimpiu (Ollie)		3/14/2014	
Chambers	Barbara	A	4/30/2014	Historic Dist exp 3/1/2014; Hist Dist Study-Ad Hoc
Popovic	Stevan		5/29/2014	

Yes:

No:

I-3 No Closed Session Requested**I-4 Proposed Amendment to Chapter 13 – Historic Preservation**Suggested Resolution

Resolution #2012-06-

Moved by

Seconded by

RESOLVED, That Section 3 of Chapter 13 of the City Code is hereby **AMENDED** to eliminate 4820 Livernois as an historic district. A copy of the ordinance amending Chapter 13 shall be **ATTACHED** to the original Minutes of this meeting and a copy of that ordinance shall be **RECORDED** with the Oakland County Register of Deeds as required by state statute.

Yes:

No:

I-5 Appointment of SOCRRA Representative and Alternate

Suggested Resolution

Resolution #2012-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **DESIGNATES** _____ as the SOCRRA Representative and _____ as the Alternate SOCRRA Representative with terms expiring on June 30, 2013.

Yes:

No:

I-6 Approval of Contract for Executive Search Firm for City Manager

Suggested Resolution

Resolution #2012-06-

Moved by

Seconded by

WHEREAS, On Monday, May 14, 2012, Troy City Council received proposals from executive search firms to fill the vacancy of City Manager; and

WHEREAS, On May 14, 2012, Troy City Council approved the evaluation form for the purpose of rating the executive search firm proposals, and to conduct interviews if necessary, and follow the standard request for proposal evaluation process in making the selection of an executive search firm (Resolution #2012-05-112); and

WHEREAS, The scores of all City Council members have been averaged into one score for each consultant for this phase of the process, the results of which are detailed in Attachment K, and indicate the overall highest score was achieved by The Mercer Group with a total weighted score of 72.114 out of ninety (90) possible points; and

WHEREAS, The City Attorney has drafted a contract for executive search services with the highest rated firm, The Mercer Group;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ENGAGES** the services of The Mercer Group to complete the executive recruitment process to fill the position of City Manager by September 15, 2012, in accordance with their proposal dated May 13, 2012, for an estimated cost not-to-exceed \$19,500.00, plus travel costs for finalists.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the final contract for Executive Search Services with The Mercer Group, and hereby **AUTHORIZES** the Mayor and

City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

I-7 Deficit Elimination Plans – Aquatic Center and Sanctuary Lake Golf Course

Resolution #2012-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES and ADOPTS** the Aquatic Center and Sanctuary Lake Golf Course Deficit Elimination Plans presented at this meeting.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2012-06-

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 (J) items, as printed.

Yes:

No:

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

J-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2012-06-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of May 14, 2012, as submitted.

J-3 Proposed City of Troy Proclamations: None Proposed

J-4 Standard Purchasing Resolutions:

a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Pool Maintenance and Repair Services**

Suggested Resolution
Resolution #2012-06-

WHEREAS, On June 21, 2010, Troy City Council awarded a two (2) year contract to furnish pool maintenance and repair services for both the indoor and outdoor pools at the Troy Family Aquatic Center and Community Center to the sole bidder, B & B Pools & Spas of Livonia, effective July 1, 2010 through June 30, 2012, with two (2) one-year options to renew (Resolution #2010-06-142-I-4b); and

WHEREAS, B & B Pools and Spas has offered to renew their contract for one (1) additional year under the same pricing structure, terms and conditions as the 2010 contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES AND APPROVES** the first one-year option to renew the contract with B & B Pools and Spas for pool maintenance and repair services at prices contained in the bid tabulation opened June 3, 2010, under the same terms and conditions as the 2010 contract to expire June 30, 2013.

b) **Standard Purchasing Resolution 1: Award to Low Bidder – Overhead Door Maintenance and Repair**

Suggested Resolution
Resolution #2012-06-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all necessary materials, labor and equipment to provide three-year requirements of repairs and general maintenance of overhead doors at various City Facilities to the low total bidder, Michigan Independent Door Company of Troy, Michigan, at unit prices contained in the bid tabulation opened May 17, 2012, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to expire May 31, 2015.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** contractor's submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

J-5 Postage Cost for Mailing New Voter Identification Cards

Suggested Resolution
Resolution #2012-06-

RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk to expend necessary funds in excess of \$10,000 to mail new voter identification cards to all registered voters in the City of Troy, pursuant to MCL 168.499(3).

J-6 Traffic Committee Recommendations and Minutes – May 16, 2012

Suggested Resolution

Resolution #2012-06-

Item #3 – Reconsideration – Remove No Parking Restrictions – Hickory, Plum to Kirkton

RESOLVED, That the “No Parking” zone on the south side of Hickory, between Plum and Kirkton, be **REMOVED**.

Item #4 – Request to Establish No Parking Zone – Gloucester at Saint Alan Church

RESOLVED, That a “NO PARKING, TOW AWAY” zone be **ESTABLISHED** on the south side of Gloucester, from the driveway to the Saint Alan Church parking lot to a point 15 feet west.

Item #5 – Request to Extend No Parking Zone – Brooklawn Court

RESOLVED, That the existing “No Parking” zone be **EXTENDED** to encompass the entire Brooklawn Court cul-de-sac, ending at a point near the northeasterly edge of the driveway to 1080 Brooklawn Court.

J-7 Request for Acceptance of a Water Main Easement from White Chapel Memorial Association, Sidwell #88-20-16-301-011

Suggested Resolution

Resolution #2012-06-

RESOLVED, That Troy City Council hereby **ACCEPTS** the water main easement from White Chapel Memorial Association owners of the property having Sidwell #88-20-16-301-011 and **AUTHORIZES** compensation in the amount of \$500.00; and

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

J-8 Request for Acceptance of Two Warranty Deeds and Three Easements, Briggs Park Condominiums, APR Development, LLC – Section 14

Suggested Resolution

Resolution #2012-06-

RESOLVED, That City Council hereby **ACCEPTS** two Warranty Deeds for right-of-way and five easements for sanitary sewer, emergency ingress/egress and public utilities, and water main from property owner APR Development, LLC, having Sidwell #88-20-14-301-032, 004, 005, 006, 007, 008, 009, 028 & 029; and

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

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

N-1 Minutes – Boards and Committees:

- a) Employees' Retirement System Board of Trustees-Final-July 13, 2011
 - b) Employees' Retirement System Board of Trustees-Final-August 10, 2011
 - c) Employees' Retirement System Board of Trustees-Final-September 14, 2011
 - d) Employees' Retirement System Board of Trustees-Final-October 12, 2011
 - e) Employees' Retirement System Board of Trustees-Final-November 9, 2011
 - f) Employees' Retirement System Board of Trustees-Final-December 14, 2011
 - g) Employees' Retirement System Board of Trustees-Final-February 16, 2012
 - h) Employees' Retirement System Board of Trustees-Final-March 14, 2012
 - i) Liquor Advisory Committee-Final-April 9, 2012
 - j) Employees' Retirement System Board of Trustees-Final-April 11, 2012
 - k) Zoning Board of Appeals-Final-April 17, 2012
 - l) Traffic Committee-Final-April 18, 2012
 - m) Planning Commission-Special/Study-Final-April 24, 2012
 - n) Planning Commission-Draft-May 8, 2012
 - o) Planning Commission-Final-May 8, 2012
 - p) Employees' Retirement System Board of Trustees-Draft-May 9, 2012
 - q) Liquor Advisory Committee-Draft-May 14, 2012
-

N-2 Department Reports:

- a) Building Department Activity Report – April, 2012
-

N-3 Letters of Appreciation: None Submitted

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) City of Southfield Resolution in Support of Full Replacement Funding for Revenue Loss Resulting from Elimination of the Personal Property Tax in the State of Michigan

N-5 SAFEbuilt Client Survey Results

-
- N-6 Application Regarding New SDM License for Kamel Management, Inc. (Troy Smokers)**

O. STUDY ITEMS

-
- O-1 Discussion Regarding Approval of Contract for Executive Search Firm for City Manager**

Should there be a consensus of City Council to discuss the contract, prior to voting on the resolution, Council can recess to the Council Boardroom. Phillip Robertson, from the Mercer Group, will be available by telephone for that discussion. Council can then vote on the resolution as listed below:

Resolution for Approval of Contract for Executive Search Firm for City ManagerSuggested Resolution

Resolution #2012-06-

Moved by

Seconded by

WHEREAS, On Monday, May 14, 2012, Troy City Council received proposals from executive search firms to fill the vacancy of City Manager; and

WHEREAS, On May 14, 2012, Troy City Council approved the evaluation form for the purpose of rating the executive search firm proposals, and to conduct interviews if necessary, and follow the standard request for proposal evaluation process in making the selection of an executive search firm (Resolution #2012-05-112); and

WHEREAS, The scores of all City Council members have been averaged into one score for each consultant for this phase of the process, the results of which are detailed in Attachment K, and indicate the overall highest score was achieved by The Mercer Group with a total weighted score of 72.114 out of ninety (90) possible points; and

WHEREAS, The City Attorney has drafted a contract for executive search services with the highest rated firm, The Mercer Group;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ENGAGES** the services of The Mercer Group to complete the executive recruitment process to fill the position of City Manager by September 15, 2012, in accordance with their proposal dated May 13, 2012, for an estimated cost not-to-exceed \$19,500.00, plus travel costs for finalists.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the final contract for Executive Search Services with The Mercer Group, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

P. CLOSED SESSION:

P-1 No Closed Session

Q. ADJOURNMENT

Respectfully submitted,

Michael W. Culpepper, Acting City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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:

From: [Cynthia A Stewart](#)
To: [Aileen Bittner](#); [Beth L Tashnick](#)
Cc: [agenda](#)
Subject: Council Presentation
Date: Tuesday, May 29, 2012 9:47:24 AM
Attachments: [image001.png](#)

On behalf of the City of Troy Employees' Casual for a Cause Program for the months of January & February 2012, Community Affairs Director Cindy Stewart will present a check in the amount of \$755 to Beth Sowulewski, Senior Development Officer, MADD.





TO: Mayor and City Council Members
FROM: Lori Grigg Bluhm , City Attorney *LeB*
 Allan T. Motzny, Assistant City Attorney *ATM*
DATE: May 16, 2012
SUBJECT: Proposed Amendment to Chapter 13 – Historic Preservation

The City of Troy has designated several historic districts under Chapter 13 of the Troy City Code, which is authorized by the state Local Historic Districts Act (MCL 399.201 et. seq.). Through the designation, the City is able to limit construction, alteration, repair, moving, or demolition on these historically significant properties.

Once a historic district has been established, a property owner can request elimination by submitting a request to the City. Upon receipt of such request, a Historic District Study Committee (HDSC) is appointed in accordance with Chapter 13, for the purpose of preparing a report and holding a public hearing on the matter. The HDSC also forwards a copy of its report to the State Historic Preservation Office, the Planning Commission and the Historic District Commission (HDC) for review. Since any addition, change or modification of the designated historic districts requires an amendment to Chapter 13, the final report of the HDSC must then be submitted to the Troy City Council for its review and action. If Chapter 13 is amended, the City needs to record the amendment with the Oakland County Register of Deeds.

Minal Gada and Ashish Manek have requested the elimination of their home at 4820 Livernois from the designated historic districts. The HDSC, after public hearing, recommends granting the requested relief. According to the HDSC final report (copy attached), the property has lost (or never had) the physical characteristics that enabled establishment of the district. According to the report, one of the reasons the property was initially established as an historic district was the existence of an apple orchard, from which apples were taken to a nearby old cider mill. However, the apple orchard no longer exists and the cider mill is gone. Additionally, the report concludes the historic district was not significant in the way previously defined as there is nothing historically significant about the fact apples from the property were once processed off site. Finally, the report indicates the district was initially established pursuant to defective procedures because the inventory form that was used to establish the property as an historic district contained incomplete and incorrect information.

The HDSC minutes from its February 17, 2012 meeting approving the preliminary report on de-listing, the minutes of the May 2, 2012 public hearing and meeting approving the final report on the de-listing, and a March 13, 2012 Planning Commission resolution on the de-listing are attached. The HDSC and the Planning Commission both recommend granting the relief requested by Minal Gada and Ashish Manek.

The attached proposed amendment to Chapter 13 would amend Chapter 13 to eliminate 4820 Livernois as a designated historic district.

Please let us know if you have any questions.

**CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 13 OF THE CODE
OF THE CITY OF TROY**

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as the 27th amendment to Chapter 13 – Historic Preservation of the Code of the City of Troy.

Section 2. Amendment

Section 3.A. of Chapter 13 – Historic Preservation is amended to eliminate the historic district located at 4820 Livernois. As amended, Section 3. A. of Chapter 13 shall read as follows:

(Strike through denotes the language to be eliminated)

3. REGULATION OF RESOURCES AND ESTABLISHED HISTORIC DISTRICTS

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

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

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

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

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

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

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

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

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

Former Stone School, 3995 South Boulevard (Tax ID: 88-20-06-101-001) T2N, R11E, SEC 6 W 165 FT OF N 264 FT OF NW FRC ¼ EXC PART TAKEN FOR HWY DESC AS BEG AT NW SEC COR, TH ELY 91 FT ALG SEC LINE, TH SWLY TO PT IN W SEC LINE DIST OF 91 FT SLY FROM BEG, TH NLY 91 FT ALG SEC LINE TO BEG 0.90 A

Beach Road Cemetery (Tax ID: 88-20-07-451-001) T2N, R11E, SEC 7 N 147 FT OF 167 FT OF SW ¼ OF SE ¼ 0.57A 5875 Livernois (Tax ID: 88-20-09-232-005) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 13

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

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

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

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

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

160 East Square Lake Road (Tax ID: 88-20-10-101-043) T2N, R11E, SEC 10 PART OF NW ¼ BEG AT PT DIST N 00-14-00 W 33 FT FROM NE COR OF LOT 23 OF 'SUPERVISOR'S PLAT NO 7', TH S 89-43-00 E 145 FT, TH S 00-14-00 E 300 FT, TH N 89-43-00 W 145 FT, TH N 00-14-00 W 300 FT TO BEG 1 A

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

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

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

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

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

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

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

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

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

839 W. Wattles (Tax ID: 88-20-21-101-024) T2N, R11E, SEC 21 PART OF NW ¼ BEG AT PT DIST S 89-58-00 E 535.00 FT FROM NW SEC COR, TH S 89-58-00 E 287.00 FT, TH S 00-13-00 W 607.22 FT, TH N 89-58-00 W 287.00 FT, TH N 00-13-00 E

607.22 FT TO BEG EXC N 245 FT OF W 150 FT THEREOF, ALSO EXC N 60 FT TAKEN FOR RD 2.97 A

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

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

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

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

- B. Except as provided in subsection C, all of the Historic Districts established as of July 21, 2003 shall be exempt from the requirements and provisions of Section 14 of this Chapter entitled "Establishment, Modification or Elimination of a Historic District". Such exempt Historic Districts shall not be within the purview of any Historic District Study Committee and shall remain under the sole jurisdiction of the Historic District Commission, except to the extent otherwise provided in Section 5 of this Chapter for the Historic Districts included in the Troy Museum and Historic Village.
- C. A person or entity that owns a resource within an Historic District established as of July 21, 2003, may submit a request to the Commission to modify or eliminate such Historic District. In such cases, the Historic District may only be eliminated or modified in accordance with Section 14.

Section 3. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this

ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the 4th day of June, 2012.

Janice L. Daniels, Mayor

Aileen Bittner, City Clerk

**FINAL REPORT
APPLICATION TO DE-LIST A HISTORIC PROPERTY
4820 LIVERNOIS**

PREPARED BY HISTORIC DISTRICT STUDY COMMITTEE:

**Loraine Campbell – Director, Troy Historical Museum
Barb Chambers – Chairperson, Historic District Commission
Bruce Bloomingdale – ZBA Alternate**

A request to remove the historic designation of the property at 4820 Livernois was received from the present owner, Ashish Manek.

The following is a Final Report by the Historic District Study Committee.

Description of Resource:

4820 Livernois

Referred to as the "Gregory-Belz House" in the Building-Structure Inventory Form



Legal Description of 4820 Livernois:

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

Historical Significance (Reason for Listing):

According to the Building-Structure Inventory Form prepared by the Historic District Commission on August 1, 1986:

“J. Gregory land granted entire 160 acres of NW ¼ Sec 15 Nov 22, 1823. They lived in the structure until 1875, selling to N. Barwise, who sold to G. Jennings in 1881, who sold to Henry Ackerman in 1886. J. Belz acquired the property 1900 and raised a large family.

The area remains as most of the structures remain and many apple trees that were planted to be three orchards. Apples were taken across the corner to the old cider mill which is Troy’s one and only mill of any kind. The cider press is still intact, and the old apple trees still overbear. People from everywhere came to buy cider and vegetables.”

Findings of Fact:

Research on this property was conducted by Ray Lucas from the Troy Historical Museum. Mr. Lucas made the following findings:

Based on various Troy Township census and assessment records, Jesse Gregory was the original owner of the property. However, neither Jesse Gregory nor his heirs ever lived in the existing house.

Based on various Troy Township census and assessment records, neither N. Barwise nor G. Jennings ever lived on the property. Even if either family had lived on the property, neither family is considered historically significant.

The earliest available map that included buildings was published in 1872. This map does not show a building on the property. Therefore it appears the house was constructed after 1872.

Assessment records indicate that assessed value increased from \$1,700 to \$3,800 between 1879 and 1880. Therefore, it appears the house was built in 1879/1880.

There may have been apple trees on the property at one time. However there are no apple trees on the property today. Additionally the cider press was located off of the property and therefore should not have had any bearing on the historic significance of the subject property.

Applications of Standards:

Chapter 13 requires that in order to eliminate a property’s historic designation, one or more of the following shall be shown: (1) The historic district has lost those physical characteristics that enabled establishment of the district; (2) The historic district was not significant in the way previously defined; and (3) The historic district was established pursuant to defective procedures.

Based on research conducted, the subject parcel meets all three of the standards:

1. *The historic district has lost those physical characteristics that enabled establishment of the district.*

The Building-Structure Inventory Form prepared in 1986 emphasized the significance of the apple orchard that was on the property. The apple orchard no longer exists. There is no evidence of any apple tree ever being on the site. The cider mill, where the apples were processed, was located on a different property “across the corner”. The cider mill no longer exists.

2. *The historic district was not significant in the way previously defined.*

The fact that apples from the orchard were processed off site does not make the site historically significant. There were possibly numerous apple orchards in the area that provided apples to the cider mill.

Although stated in the Building-Structure Inventory Form, neither N. Barwise nor G. Jennings ever lived on the property. Even if either family had lived on the property, neither family is considered historically significant.

3. *The historic district was established pursuant to defective procedures.*

The Building-Structure Inventory Form prepared in 1986 did not specify the date of construction of the home, which appears to have been in 1979 or 1880. It implies that the Gregory, Barwise and Jennings families all lived in the home, which is not the case. The home is incorrectly referred to as the “Gregory-Belz House”. Additional research should have been conducted prior to designating the property as historically significant.

Recommendation:

It is recommended that the historic district designation for 4820 Livernois be eliminated.

Attachments:

1. Maps
2. Building-Structure Inventory Form
3. Certificate of Survey
4. Letter from property owner
5. Photos of site



4820 Livernois

City of Troy Planning Department



- Legend**
- I-75
 - 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



211 0 105 211 Feet

Scale 1: 1,269

Note: The information provided by this application has been compiled from recorded deeds, plat, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 2/10/2012

BUILDING-STRUCTURE INVENTORY FORM

Michigan History Division
Michigan Department of State
Lansing, Michigan 48918

For Office Use:	
Theme	_____

IDENTIFICATION

- 1. Building name Gregory - Belz House
- 2. County Oakland Town/City Troy Village _____
- 3. Street Location 4820 Livernois
- 4. Ownership: a. Public b. Private
- 5. Present Owner Wil & Catherine Bedford Address 4820 Livernois
- 6. Use: Original residence Present residence
- 7. Accessibility to Public: Exterior visible from public road: Yes No
Interior accessible: Explain private residence

DESCRIPTION

- 8. Building Material a. clapboard b. stone c. brick d. board and batten
e. cobblestone f. shingles g. stucco h. other _____
- 9. Structural Material a. wood frame with interlocking joints b. wood frame with light members (balloon frame)
c. masonry load-bearing walls d. iron frame e. steel frame with curtain walls
f. reinforced concrete g. other _____
- 10. Condition a. excellent b. good c. fair d. deteriorated
- 11. Integrity a. original site b. moved if so, when? CIRCA
Notes on alterations and additions, with dates and architect.
NO additions from early settler.
- 12. Related Outbuildings and Property
a. barn b. carriage house c. garage d. privy e. shed
f. shop g. greenhouse h. landscape features i. other pig & chicken house turned into usable structures.
- 13. Surroundings of the Building
a. open land b. woodland c. scattered outbuildings d. densely built-up
e. commercial f. industrial g. residential h. other _____
- 14. Photo
- 15. Map

not available

SE corner Livernois & Long Lake

16. Interrelationship of Building and Surroundings

Residential surrounded with residential.

17. Other Notable Features of Building and Site

acre of land with old barn still standing. One of few remaining

18. Threats to Building

- a. none known
- b. zoning
- c. roads
- d. developers
- e. deterioration
- f. other _____

SIGNIFICANCE (Indicate sources of information for all statements)

19. Architectural Significance

Date of Construction circa 1831 Architect Ja. Gregory early settler

Builders, suppliers, etc. _____

Notes on original plan and specifications:

not available.

20. Historical Significance:

J. Gregory land granted entire 160 acres of NW 1/4 Sec 15 Nov 22, 1823. They lived in the structure until 1875. selling to N. Barwise, who sold to G. Jennings in 1881, who sold to Henry Ackerman in 1886. J. Belz acquired the property 1900 and raised a large family.

The area remains as most of the structure remain and many apple trees that were planted to be three orchards. Apples were taken across the corner to the old cider mill which is Troys one and only mill of any kind. The cider press is still intact, and the old apple trees still overbear. People from everywhere came to buy Cider and vegetables.

21. Sources (for primary and secondary sources, give complete facts of publication: author, title, place of publication, date):

Early tax valuation of 1844 was high indicating a structure on site. Vital Records -

Prepared by Dorothy Scott Date August 1, 1986

Address 199 Belhaven Telephone _____

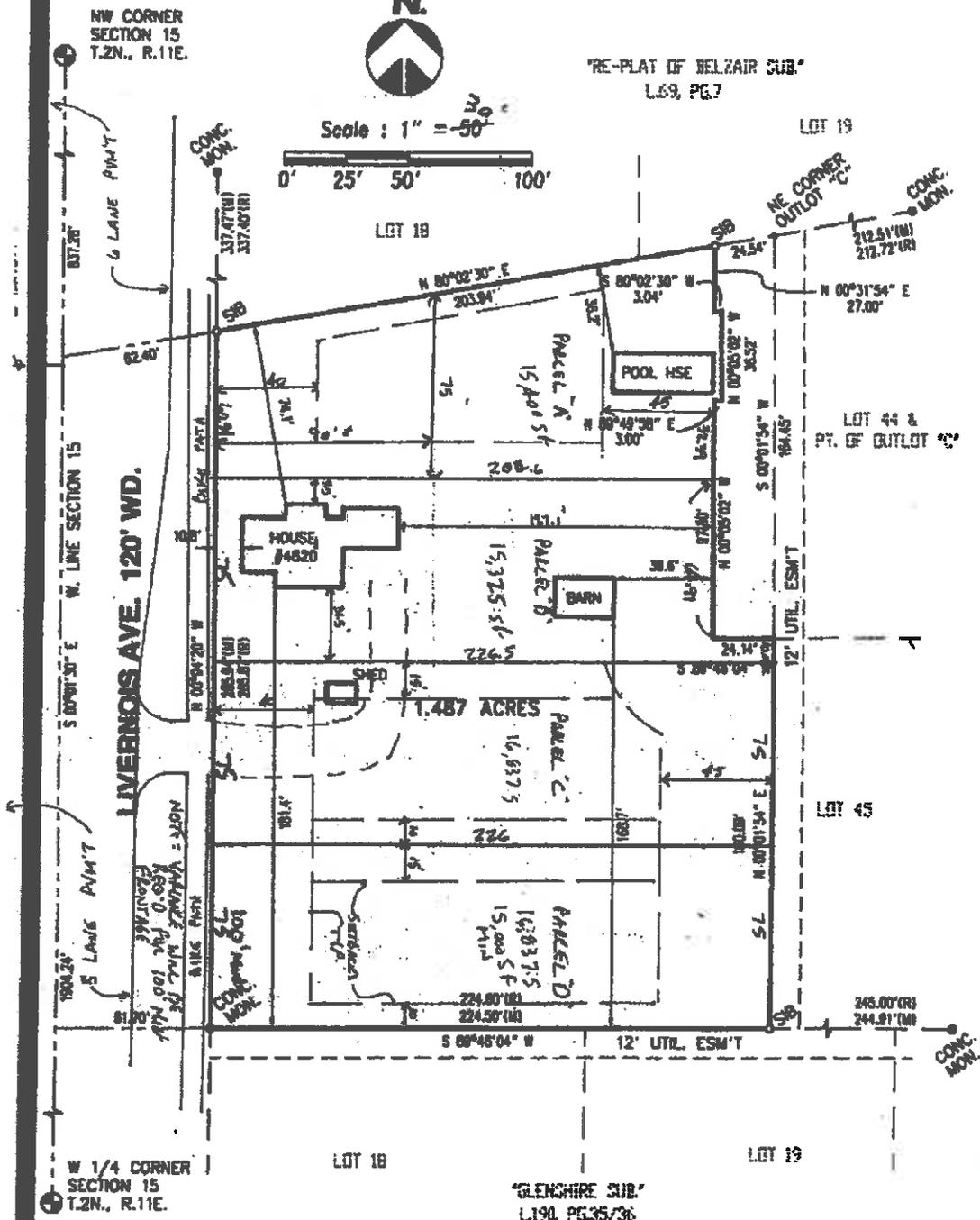
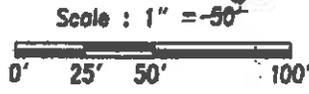
Organization Troy Historic District Commission

CERTIFICATE OF SURVEY

4 SPLIT PLAN (YIELD PLAN)



"RE-PLAY OF BELZAIR SUB"
L.69, PG.7



Surveyor's Certificate

I hereby certify that I have surveyed and mapped the land above platted and/or described on May 21, 2009 and that the ratio of closure on the unadjusted field observations of such survey was 1/50,000.

URBAN LAND CONSULTANTS
 CIVIL ENGINEERS PLANNERS LAND SURVEYORS
 8700 53 MILE ROAD INDEPENDENT, MO 64516-4614

LEGEND

- FIG = Found Iron Bar ●
- PIP = Found Iron Pipe ●
- SB = Set Iron Bar/Cap ●
- R = Record Distance
- M = Measured Distance
- C = Calculated

JARRETT L. MILLER
 PROFESSIONAL SURVEYOR
 No. 52454

Date 05-27-09
 Drawn J.L.M.
 Check J.L.M.
 Sheet 1 of 2
 Fid. Blk.
 Job No. 000504-7938

Minal Gada & Ashish Manek
4820 Livernois Rd, Troy MI – 48098. Tel: 248-566-1326

Date: 05/11/2011

Historic District Commission,
Troy MI

Dear Sir / Madam,

We have been living on this property from last 4 years, We would like to delist our house from the list of Historical Status.

Thank you for your cooperation.

Yours sincerely


Minal Gada

Ashish Manek



REC'D
OCT 11 2011
PLANNING DEPT.













The Historic District Study Committee meeting began at 12:00 p.m. on February 17, 2012, in the meeting room of Troy Historic Village.

1. ROLL CALL

Present:

Barb Chambers
Loraine Campbell
Bruce Bloomingdale

Also Present:

R. Brent Savidant, Planning Director
Paul Evans, Zoning & Compliance Specialist
Ashish Manek, Owner of 4820 Livernois

2. APPROVAL OF AGENDA

Moved by: Campbell
Seconded by: Chambers

RESOLVED, To approve the Agenda as prepared.

Yes: All present (3)

MOTION CARRIED

3. ELECTION OF OFFICERS

Moved by: Chambers
Seconded by: Bloomingdale

RESOLVED, To elect Loraine Campbell as Chairperson.

Yes: All present (3)

MOTION CARRIED

4. PRELIMINARY REPORT, APPLICATION TO DE-LIST A HISTORIC PROPERTY – 4820 LIVERNOIS

Mr. Savidant presented the Preliminary Report (attached). General discussion followed.

Moved by: Chambers
Seconded by: Bloomingdale

RESOLVED, The Historic District Study Committee hereby approves the Preliminary Report to De-List 4820 Livernois Road.

BE IT FURTHER RESOLVED, The Historic District Study Committee hereby requests that the Planning Department transmit copies of the Preliminary Report to City Council, the Planning Commission, the Historic District Commission, the Michigan Historical Commission and the State Historic Preservation Review Board, and any additional review body required by the State Historic Preservation Officer.

BE IT FINALLY RESOLVED, The Historic District Study Committee hereby requests the Planning Department to schedule a public hearing not less than sixty (60) days after the transmittal of the report to the above listed organizations.

Yes: All present (3)

MOTION CARRIED

The Historic District Study Committee agreed to schedule a Public Hearing on May 2, 2012 at 12:00 p.m. in the meeting room of Troy Historic Village.

5. PUBLIC COMMENT

There was no one present who wished to speak.

Chairperson Campbell adjourned the meeting at 12:38 pm.

The Historic District Study Committee meeting began at 12:00 p.m. on May 2, 2012, in the meeting room of Troy Historic Village.

1. ROLL CALL

Present:

Barb Chambers
Loraine Campbell
Bruce Bloomingdale

Also Present:

R. Brent Savidant, Planning Director
Paul Evans, Zoning & Compliance Specialist
Ashish Manek, Owner of 4820 Livernois

2. APPROVAL OF AGENDA

Moved by: Campbell
Seconded by: Chambers

RESOLVED, To approve the Agenda as prepared.

Yes: All present (3)

MOTION CARRIED

3. APPROVAL OF MINUTES

Moved by: Chambers
Seconded by: Bloomingdale

RESOLVED, To approve the minutes of February 17, 2012 as printed.

Yes: All present (3)

MOTION CARRIED

4. PUBLIC HEARING - FINAL REPORT, APPLICATION TO DE-LIST A HISTORIC PROPERTY – 4820 LIVERNOIS

Public hearing opened.

Mr. Manek stated he has nothing to add to the prepared report and agrees with its findings.

There was no one else present who wished to speak.

Public hearing closed.

Moved by: Bloomingdale
Seconded by: Chambers

RESOLVED, The Historic District Study Committee hereby approves the Final Report to De-List 4820 Livernois Road.

BE IT FINALLY RESOLVED, The Historic District Study Committee hereby requests the Planning Department to forward the item to City Council for final action.

Yes: All present (3)

MOTION CARRIED

5. PUBLIC COMMENT

There was no one present who wished to speak.

Chairperson Campbell adjourned the meeting at 12:18 pm.

OTHER BUSINESS

6. **ELIMINATION OF HISTORIC DISTRICT DESIGNATION – 4820 Livernois**

Resolution # PC-2012-03-016

Moved by: Edmunds

Seconded by: Schultz

RESOLVED, The Planning Commission recommends that 4820 Livernois be eliminated from the Historic District.

Yes: All present (9)

MOTION CARRIED

M.E

I-05



Berkley • Beverly Hills • Birmingham • Clawson • Ferndale • Hazel Park • Huntington Woods • Lathrup Village • Oak Park • Pleasant Ridge • Royal Oak • Troy

May 25, 2012

~~Tonni Bartholomew~~
City Clerk
City of Troy
500 West Big Beaver Road
Troy, MI 48084

Subject: Appointment of Representative & Alternate

Dear Ms. Bartholomew:

Article VII of the Articles of Incorporation of SOCRRA provides that each municipality shall annually appoint a representative and an alternate to the Board of Trustees. This representative shall serve during the next fiscal year following his appointment and/or until his successor is appointed.

The present representative and alternate representative for the City of Troy are as follows:

Representative

Alternate

T. L. Richnak

M. Irelan

It is requested that the City Council, by resolution, appoint a representative and alternate representative to represent the City of Troy on the Board of Trustees of SOCRRA for the fiscal year beginning July 1, 2012.

Please forward a certified copy of this resolution to SOCRRA, 3910 W. Webster Road, Royal Oak, MI 48073-6764.

Very truly yours,

Jeffrey A. McKeen, P.E.
General Manager

JAM/kb



CITY COUNCIL AGENDA ITEM

May 29, 2012

TO: The Honorable Mayor and City Council

FROM: Michael Culpepper, Acting City Manager
Peggy E. Sears, Human Resources Director
Susan A. Leirstein, Purchasing Director

SUBJECT: Approval of Contract for Executive Search Firm for City Manager

Background

On Monday, May 14, 2012, City Council approved the attached evaluation form for the purpose of rating the executive search firm proposals, and to conduct interviews if necessary and follow the standard request for proposal evaluation process in making the selection of an executive search firm to fill the vacancy of City Manager (Resolution #2012-05-112).

The scores of all Council members have been averaged into one score for each consultant for this phase of the process. Results are detailed in Attachment K and indicate the overall highest score was achieved by The Mercer Group with a total weighted score of 72.114 (out of (90) possible points); the next highest score was achieved by the Michigan Municipal League at 57.471 points. With only ten (10) points available for the interview phase, the MML will fall short of overcoming the highest rated, The Mercer Group. Phillip Robertson, from The Mercer Group is available by telephone on June 4th to answer any questions City Council may have.

Recommendation

City management recommends engaging the firm of The Mercer Group for executive recruitment services for the position of City Manger for an estimated cost not-to-exceed \$19,500.00, plus travel costs for finalists.

In addition, the City Attorney has prepared a contract for executive search services with The Mercer Group, which conforms substantially to previous contracts similar in scope, and requests authorization for the Mayor and City Clerk to execute a final contract.

Reviewed and approved by:

Lori Grigg Bluhm, City Attorney

TOTALS

EVALUATION FORM
EXECUTIVE SEARCH
POSITION OF CITY MANAGER

ATTACHMENT K

FINAL SCORING SHEET

VENDOR	A	B	C
NAME:	COLIN BAENZIGER & ASSOCIATES	FRANK GERSTENECKER	MICHIGAN MUNICIPAL LEAGUE
ADDRESS:			
CITY/STATE/ZIP:			
PHONE/FAX:			

EVALUATION CRITERIA	Point Value	INFORMATION	1-10 SCORE	INFORMATION	1-10 SCORE	INFORMATION	1-10 SCORE
ABILITY TO MEET OBJECTIVES: - Timeline - Position Analysis - Recruitment Process - Resume Review - Candidate Screening - Background Investigation - Interview Process - Negotiation & Follow-Up	23		7.71429 ↓		5.85714 ↓		6.857143 ↓
EXPERIENCE / QUALIFICATIONS: - Conducting Private as well as Military, or Public Sector Executive Searches - Recent successes in recruitment & placement of top executives	19		6.14286 ↓		4.42857 ↓		5.285714 ↓
PERSONNEL ASSIGNED: - Experience - Involvement - Use of Subcontractors	19		6.28571 ↓		3.71429 ↓		6.142857 ↓
SAMPLE DOCUMENTS: - Position Profile - Marketing Campaign - Completeness	19		6.14286 ↓		4.42857 ↓		6.571429 ↓
	80		53.0286		37.3571		49.97143
INTERVIEW - (Optional)	10						
COST TO COMPLETE PROJECT	10	\$21,500	2.5	\$4,030	10	\$14,700	7.5
	100						
TOTALS:			55.5286		47.3571		57.47143

Maximun Score = 100

TOTALS

EVALUATION FORM
EXECUTIVE SEARCH
POSITION OF CITY MANAGER

FINAL SCORING SHEET

VENDOR	D	E	F
NAME:	RANDSTAD	SLAVIN MANAGEMENT CONSULTANTS	THE MERCER GROUP
ADDRESS:			
CITY/STATE/ZIP:			HIGHEST RATED
PHONE/FAX:			

EVALUATION CRITERIA	Point Value	INFORMATION	1-10 SCORE	INFORMATION	1-10 SCORE	INFORMATION	1-10 SCORE
ABILITY TO MEET OBJECTIVES: - Timeline - Position Analysis - Recruitment Process - Resume Review - Candidate Screening - Background Investigation - Interview Process - Negotiation & Follow-Up	23		4.28571 ↓		7.85714 ↓		9.142857 ↓
EXPERIENCE / QUALIFICATIONS: - Conducting Private as well as Military, or Public Sector Executive Searches - Recent successes in recruitment & placement of top executives	19		4.28571 ↓		6.42857 ↓		8.714286 ↓
PERSONNEL ASSIGNED: - Experience - Involvement - Use of Subcontractors	19		4.42857 ↓		5.85714 ↓		8.428571 ↓
SAMPLE DOCUMENTS: - Position Profile - Marketing Campaign - Completeness	19		3.42857 ↓		6.57143 ↓		8.428571 ↓
	80		32.9286		53.9		69.61429
INTERVIEW - (Optional)	10						
COST TO COMPLETE PROJECT	10	\$39,900	0	\$21,491	2.5	\$19,500	2.5
	100						
TOTALS:			32.9286		56.4		72.11429

Maximun Score = 100

**CONTRACT BETWEEN THE CITY OF TROY, MICHIGAN
AND THE MERCER GROUP, INC.**

THIS AGREEMENT is entered into on this _____ day of June 2012, by and between The Mercer Group, Inc.. (Mercer), whose address is 3443 Highway 39 North, Louisburg, NC 27549 and the City of Troy, Michigan, a Michigan municipality, 500 W. Big Beaver Road, Troy, MI 48084 (City).

NOW, THEREFORE, the Parties mutually agree as follows:

1. Employment of The Mercer Group, Inc. (Mercer)

The City agrees to engage Mercer and Mercer agrees to perform the professional executive recruitment services as set forth in the attached Proposal Re: City Manager Search, as well as the attached Key Activities and Dates, City of Troy City Manager Search, which are incorporated by reference.

2. Administration of Agreement

Phillip G. Robertson shall oversee the performance of this Agreement on behalf of Mercer. Lori Grigg Bluhm, City Attorney, shall be the City's representative for the purpose of administering this Agreement.

3. Scope of Services

City agrees to employ Mercer to provide assistance in recruiting and selecting a City Manager, as set forth in the attached proposal and the RFP Executive Search for City Manager, which are attached and incorporated by reference. Mercer's services shall be divided into a seven step search process, as set forth in the attached proposal. Mercer shall furnish all labor, materials, and equipment necessary to perform all of the work as set forth in the Proposal and this Agreement in strict accordance with the scope of services and other documents which have been made a part of this contract in the manner, time, and place as set forth therein.

4. Fees and Payment

A. The City shall pay to Mercer a fee of \$15,500 for the executive recruitment services performed on behalf of the City.

B. The fee will be payable as follows:

- One-third is payable within 21 days after approval of the contract.

- One-third is payable within 21 days after Mercer's delivery of the reports detailing Mercer's semi-finalist candidate recommendations, as well as the individual qualifications for approximately 15 semi-finalists to the City.
 - One-third is payable within 21 days after completion of the search and the recommended candidate's acceptance of the job offer.
- C. In addition to the \$15,500 fee, the City agrees to pay actually incurred and necessary expenses in an amount not exceeding \$4,000, as set forth in the attached and incorporated proposal.
- D. The City will reimburse the finalist candidates directly for all travel expenses necessarily incurred by City Manager finalist candidates for the interviews, as long as the travel expenses are approved of in writing in advance of being incurred. These travel expenses shall be in addition to the amounts, as set forth above in Section A and C. Travel expenses include airfare, lodging, meals, ground transportation, and any other appropriate documented expenses. When possible, these expenses will be billed directly to the City by the service provider.
- E. The City will provide, free of charge, suitable facilities for interviews and meeting rooms for the Executive Search.
5. Mercer will provide to the City a certificate of insurance, per the attached sample, and will maintain the coverage for the duration of this Agreement.
6. Mercer agrees to complete the Scope of Services timely and to adhere to the Schedule as set forth in the proposal, which is incorporated by reference, so that the acceptable City Manager candidate can commence employment on or before September 15, 2012.

7. Termination of Agreement for Cause

Upon breach of this Agreement by Mercer, the City shall have the right to terminate this Agreement by giving written notice to Mercer of such termination, specifying the reasons therefore and the effective date thereof, at least thirty (30) days before the effective date of such termination. This termination can be for poor performance, as determined by the City, or any other breach of the Agreement. Mercer shall be given the opportunity to remedy any such breach within the thirty (30) days, and such remedy, if acceptable to the City, shall void the termination. In the event of termination, all finished or unfinished documents and other materials related directly to the performance of this contract should become the sole and exclusive property of the City, at the effective date of termination. If the Agreement is terminated by the City, as provided herein,

Mercer shall be paid for the time and expenses incurred in the performance of this contract as of the date of termination.

8. Confidentiality

To the extent provided by law, all candidate information obtained in the performance of this agreement, up to the identification of the finalists for the position, is confidential. Mercer shall not release any information to the public, or to any public or private agency/organization (other than the City) without approval of the City.

9. Equal Employment Opportunity

In connection with the performance of work under this contract, Mercer agrees that it shall not discriminate against any employee or applicant for employment because of race, color, religion, gender, disability, national origin, age or marital status.

10. Assignability and Delegation

Mercer shall not assign or transfer any interest in this Agreement or delegate any of its duties without obtaining prior written consent from the City.

11. Findings Confidential

Any reports, information, data, forms, procedures and any other communication or documents given to, or prepared or assembled by Mercer, under this Agreement, will not be distributed to the public by Mercer without the prior written approval from the City.

12. Indemnification

To the fullest extent permitted by law, Mercer agrees to defend, pay on behalf of, indemnify, and hold harmless the City of Troy, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Troy against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Troy, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Troy, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract/agreement.

In the event that the City requires or desires the assistance of Mercer in preparing for or defending against any litigation or other proceeding that relates

to the services performed under this Agreement, then Mercer shall provide such services, as requested by City, at its then current hourly rates.

The City agrees that Mercer's role in the selection process for a City Manager is advisory, and the City assumes responsibility for final selection and screening decisions throughout the process.

13. Insurance

Mercer shall continuously carry the Worker's Compensation, Comprehensive/ General Liability Insurance, Automobile Liability Insurance and Professional Liability Insurance coverage, as set forth in the Request for Proposals, which is incorporated herein. Certificates of insurance demonstrating the required coverage shall be provided to City's Risk Manager immediately upon execution of this Agreement. Cancellation or lapse of the insurance shall be considered a material breach of this Contract, and the Agreement shall become null and void unless Mercer immediately provides proof of renewal of continuous coverage to City's Risk Manager. All of Mercer's insurance carriers shall be licensed and admitted to do business in the State of Michigan and acceptable to City.

14. Independent Contractor

- A. Mercer acknowledges that it is an independent contractor with no authority to bind the City to any contract or agreements, written or oral.
- B. Mercer shall be, for all purposes arising under this Agreement, an independent contractor and none of its agents or employees shall be deemed employees of the City. It is expressly understood and agreed that Mercer's agents and employees shall, in no event, be entitled to any benefits to which City employees are entitled, including but not limited to overtime, retirement benefits, worker's compensation benefits, and injury leave or other leave benefits.

15. Compliance with Applicable Laws

- A. Mercer agrees to comply with all applicable federal, state and local statutes, ordinances, rules and regulations.
- B. This Agreement shall be construed and interpreted according to the laws of the State of Michigan.

16. Entire Agreement

The foregoing constitutes the entire Agreement between the parties and may be modified only by a written instrument signed by both parties.

17. Authority To Execute

By execution of this Agreement, the respective parties acknowledge that each has executed this Agreement with full and complete authority to do

IN WITNESS WHEREOF, the City and The Mercer Group, Inc. execute this Agreement on the _____ day of June, 2012.

By: _____
Phillip G. Robertson, Senior Vice President

Witness

CITY of TROY, MICHIGAN

By: _____
Janice L. Daniels, Mayor

By: _____
M. Aileen Bittner, City Clerk

Witness



CITY COUNCIL AGENDA ITEM

Date: June 1, 2012

To: Michael W. Culpeper, Acting City Manager *MC*

From: Thomas Darling, Director of Financial Services *TD*

Subject: Deficit Elimination Plans – Aquatic Center and Sanctuary Lake Golf Course

Background

- It is a requirement of the State of Michigan that any fund of a municipality reporting negative net assets shall file a Deficit Elimination Plan (DEP) with the Department of Treasury after approval by the local legislative body.
- On February 29, 2012 the Michigan Department of Treasury issued Numbered Letter 2012-1 that modifies the conditions for filing a DEP for Proprietary Fund types.
- For the fiscal year ending June 30, 2011 the Aquatic Center and Sanctuary Lake Golf Course funds met this criterion.

Recommendation

- The attached DEP(s) recognizes the cause of these negative net assets and identifies remedies under the State of Michigan Department of Treasury Numbered Letter 2012-1.
- Please know that these remedies do not require additional infusion of General Fund monies.

Legal Considerations

- The governing body of the employer must certify by resolution that any DEP is approved and adopted.

Policy Considerations

- Adoption of the DEP(s) will satisfy State of Michigan reporting requirements.

Options

- Staff recommends that City Council approve the DEP(s)

Aquatic Center

For the year ended June 30, 2011 this fund had unrestricted net assets of \$(324,190), Total net assets of \$1,267,841, current assets of \$6,783 and current liabilities of \$330,973.

The City will reclassify the amount due to other funds located in the current liability section in the amount of \$324,332 to a long-term liability of advances from other funds as this liability is not expected to be repaid within the following year or from current available resources. This will leave a positive working capital amount of \$142.00. In addition, this fund will be reviewed annually to insure that positive working capita amounts (current assets less current liabilities) are sustained.

Sanctuary Lake Golf Course

For the year ended June 30, 2011 this fund had unrestricted net assets (deficit) of \$(4,286,232) and total net assets (deficit) of \$(4,578,020), current assets of \$45,186 and current liabilities of \$4,731,418.

The City will reclassify \$4,134,127 of due from other funds to a long-term liability of advances from other funds as this liability is not expected to be paid within the following year or from current available resources. In addition, the City will advance an additional \$560,000 from the Sylvan Glen Golf Course Fund to the Sanctuary Lake Golf Course Fund as additional advances. This will provide a positive working capital amount of \$7,895.00. In addition, this fund will be reviewed annually to insure that positive working capital amounts (current assets less current liabilities) are sustained.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

ANDY DILLON
STATE TREASURER

NUMBERED LETTER 2012-1

DEFICIT ELIMINATION PLANS

Issued By: Local Audit and Finance Division, Bureau of Local Government Services

Issue Date: February 29, 2012

2012-1 This numbered letter clarifies when a deficit elimination plan is required and how to determine the amount of deficit to be eliminated.

The Glenn Steil State Revenue Sharing Act of 1971, Public Act 140 of 1971, Section 21(2), states that units of local government (local units) that end their fiscal year in a deficit condition shall formulate a deficit elimination plan (plan). Any assessment of a local unit's deficit condition should be made at the fund level of reporting, not at the government-wide level. The plan shall be filed with the Department of Treasury (Treasury) for evaluation and certification.

Determining a Deficit for Governmental Funds

For all governmental funds (not proprietary funds, fiduciary funds, or discretely presented component units), a plan is necessary to eliminate any "unrestricted fund balance" deficits. Unrestricted fund balance is the sum of the Committed, Assigned, and Unassigned balances. An unrestricted fund balance deficit exists when the local unit does not have sufficient resources available to cover the deficit. This occurs when the sum of the Nonspendable and Restricted fund balances is greater than the total fund balance. Resources available to cover the deficit includes assets that are not restricted by federal, state, or local laws, regulatory authorities, bond covenants, contractual agreements, or other legal constraints. Therefore, when funds have a total fund balance surplus and an unrestricted fund balance deficit, sufficient unrestricted resources do not exist to eliminate the deficit.

Determining a Deficit for Proprietary Funds, Fiduciary Funds, and Discretely Presented Component Units

Various methods have been used to determine the amount of a deficit in a proprietary fund, fiduciary fund, or a discretely presented component unit. For purposes of uniformity among all units of local government, effective immediately, Treasury will define a deficit as stated below. Local units will be expected to apply the same test to determine if a deficit elimination plan is necessary.

Proprietary Fund, Fiduciary Fund, and Discretely Presented Component Unit Deficit Test

Step 1: Does the “unrestricted net assets” or “total net assets” have a deficit? If both are “no”, no plan is necessary. If one is “yes”, proceed to Step 2.

Step 2: Calculate current assets minus current liabilities. If the answer is positive, no plan is necessary. If the answer is negative, proceed to Step 3.

Step 3: Compare A) the larger deficit between the “unrestricted net assets” and the “total net assets”, and B) current assets minus current liabilities.

Step 4: Submit a plan to eliminate the smaller deficit between A and B.

Example 1

Unrestricted Net Assets = (430,000), Total Net Assets = 1,800,000

Current Assets = 75,000, Current Liabilities = 60,000

Step 1: Unrestricted Net Assets has a deficit. Proceed to Step 2.

Step 2: $75,000 - 60,000 = 15,000$. Answer is positive. No plan is necessary.

Step 3: Not Applicable

Step 4: Not Applicable

Example 2

Unrestricted Net Assets = (430,000), Total Net Assets = 1,800,000

Current Assets = 75,000, Current Liabilities = 510,000

Step 1: Unrestricted Net Assets has a deficit. Proceed to Step 2.

Step 2: $75,000 - 510,000 = (435,000)$. Answer is negative. Proceed to Step 3

Step 3: A (430,000) or 1,800,000, B (435,000)

Step 4: A is a smaller deficit than B. Submit a plan to eliminate the (430,000) unrestricted net assets deficit.

Example 3

Unrestricted Net Assets = (430,000), Total Net Assets = 1,800,000

Current Assets = 75,000, Current Liabilities = 200,000

Step 1: Unrestricted Net Assets has a deficit. Proceed to Step 2.

Step 2: $75,000 - 200,000 = (125,000)$. Answer is negative. Proceed to Step 3.

Step 3: A (430,000) or 1,800,000, B (125,000)

Step 4: B is a smaller deficit than A. Submit a plan to eliminate the (125,000) difference between current assets and current liabilities.

Example 4

Unrestricted Net Assets = (430,000), Total Net Assets = (1,500,000)

Current Assets = 75,000, Current Liabilities = 510,000

Step 1: Unrestricted Net Assets and Total Net Assets have a deficit. Proceed to Step 2.

Step 2: $75,000 - 510,000 = (435,000)$. Answer is negative. Proceed to Step 3.

Step 3: A (430,000) or (1,500,000), B (435,000)

Step 4: B is a smaller deficit than A. Submit a plan to eliminate the (435,000) difference between current assets and current liabilities.

Example 5

Unrestricted Net Assets = (430,000), Total Net Assets = (450,000)

Current Assets = 75,000, Current Liabilities = 610,000

Step 1: Unrestricted Net Assets and Total Net Assets have a deficit. Proceed to Step 2.

Step 2: $75,000 - 610,000 = (535,000)$. Answer is negative. Proceed to Step 3.

Step 3: A (430,000) or **(450,000)**, B (535,000)

Step 4: A is a smaller deficit than B. Submit a plan to eliminate the (450,000) total net assets deficit.

Example 6

Unrestricted Net Assets = (470,000), Total Net Assets = (450,000)

Current Assets = 75,000, Current Liabilities = 610,000

Step 1: Unrestricted Net Assets and Total Net Assets have a deficit. Proceed to Step 2.

Step 2: $75,000 - 610,000 = (535,000)$. Answer is negative. Proceed to Step 3.

Step 3: A **(470,000)** or (450,000), B (535,000)

Step 4: A is a smaller deficit than B. Submit a plan to eliminate the (470,000) unrestricted net assets deficit.

Local units whose only deficit is for a proprietary fund, fiduciary fund, or discretely presented component unit where it has been determined a plan is not necessary should select "Yes" to question #2 on their Auditing Procedures Report (Form 496).

Filing Requirements

It is the position of Treasury that a reasonable plan to eliminate a deficit condition is vital to the fiscal well-being of a local unit as is early implementation of that plan. Therefore, local units should not wait until Treasury sends a request letter for a deficit elimination plan to develop one. By providing better guidance on what constitutes a deficit, it is the expectation of Treasury that a local unit will submit a plan as soon as possible after the close of its fiscal year end. A plan should be filed prior to or concurrent with the submission of the local unit's audit report to Treasury

A plan generally should be for one year, but in no case longer than five years. Local units with multiple year plans that do not meet their subsequent year deficit projections must submit a revised plan that adheres to the time frame that was originally certified, not to exceed five years. The continued certification of a plan may be contingent on the filing of monthly or quarterly update reports with Treasury, as deemed necessary. Plans and acceptable evidence (defined below) can be emailed to Treas_MunicipalFinance@michigan.gov or to the address provided below. If a plan has been sent via email, it is not necessary to also send a copy via postal mail.

Acceptable Evidence to Support a Plan

- Certified copies of board/council resolutions (describing funds and amounts) approving additional appropriations sufficient to eliminate the deficit and a copy of the journal entry that shows that the transfer has been made or a trial balance.

- Projected budget approved by the legislative body as evidenced by a certified resolution itemizing yearly revenues by source, expenditures/expenses by activity, and changes in the fund balance/retained earnings through the year of the deficit's eventual elimination. There is a five-year limit for an approved plan; the plan must be amended if the deficit increases or the plan is not otherwise followed.

Failure to Submit an Acceptable Plan

Should a plan not voluntarily be submitted, Treasury will no longer "request" a plan. The local unit will be sent, via U.S. Postal Service, a Notice of Intent to Withhold State Payments. The local unit will have 30 days from the date of the letter to file a plan. Should a plan not be filed within 30 days, we will withhold 25% of the local unit's State Incentive Payments or payments issued under Public Act 140 of 1971, the Glenn Steil State Revenue Sharing Act of 1971. Once withheld, payments are released not when a plan has been filed, but when a plan has been evaluated and certified by Treasury.

If you have any questions, please contact our office.

Michigan Department of Treasury
Local Audit and Finance Division
P.O. Box 30728
Lansing, MI 48909
517-373-3227

Pastor Simion Timbuc from Bethesda Romanian Pentecostal Church performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held Monday, May 14, 2012, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:31 PM.

B. ROLL CALL:

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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Proclamation to Celebrate Secrest Wardel's Move to the City of Troy

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Schilling, Louise	Spoke of John Szerlag's accomplishments as City Manager and expressed him well wishes in the future
Klein, Barbara	Expressed well wishes to John Szerlag
Savage, James,	Spoke about budget issues
Kajma, Linda	Spoke about a mailing and the political climate in Troy; and expressed well wishes to John Szerlag
Krent, Tom	Spoke of John Szerlag's accomplishments as City Manager and expressed him well wishes in the future
Gosselin, Toby	Spoke about the political climate in Troy; and expressed well wishes to John Szerlag
Peters, Richard	Spoke about various topics
Martin, Susan S.	Expressed accolades of John Szerlag's accomplishments as City Manager
Bloomingtondale, Bruce	Thanked Council for approving the budget, and expressed well wishes to John Szerlag.
Schepke, Gordon	Spoke about public comment at previous meeting.

Watts, Ray

Spoke of positive things occurring in Troy.

G. RESPONSE / REPLY TO PUBLIC COMMENT**H. POSTPONED ITEMS:****H-1** No Postponed Items**I. REGULAR BUSINESS:**

I-1 Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; Planning Commission (Student); b) City Council Appointments – Charter Revision Committee; Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust; Zoning Board of Appeals

a) Mayoral Appointments

Resolution #2012-05-105

Moved by Daniels

Seconded by Fleming

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Downtown Development Authority

Appointed by Mayor

13 Regular Members

4 Year Term

Term Expires: 09/30/2012**Gregory Carnago**

Yes: All-7

No: None

MOTION CARRIED

Resolution #2012-05-106

Moved by Daniels

Seconded by Tietz

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Planning Commission

Appointed by Mayor

9 Regular Members

3 Year Term

Term Expires: 07/31/2012 Eric Huang (Student)

Yes: All-7
No: None

MOTION CARRIED

b) City Council Appointments

Resolution #2012-05-107
Moved by McGinnis
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Charter Revision Committee
Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 04/30/2015 MaryAnn Bernardi

Term Expires: 04/30/2015 Daniel H. Bliss

Term Expires: 04/30/2015 William Weisgerber

Yes: All-7
No: None

MOTION CARRIED

Resolution #2012-05-108
Moved by McGinnis
Seconded by Tietz

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust
Appointed by Council
5 Employee Members and 2 Ordinance Members
3 Year Term

Term Expires: 04/15/2015

Dave Henderson

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

No: Campbell

MOTION CARRIED**Vote on Resolution to POSTPONE Item I-01b City Council Appointments to the Zoning Board of Appeals**

Resolution #2012-05-109

Moved by Slater

Seconded by Campbell

RESOLVED, That Item I-01b City Council Appointments to the Zoning Board of Appeals be **POSTPONED** to the next Regular City Council Meeting.

Yes: All-7

No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Local Development Finance Authority (LDFA); b) City Council Nominations – Building Code Board of Appeals; Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust; Historic District Commission

a) Mayoral Nominations

The Mayor did not take action on this Item.

b) City Council Nominations

City Council did not take action on this Item.

I-3 No Closed Session Requested

I-4 Bid Waiver – Workers' Compensation Insurance Renewal for Fiscal Year 2012/13

Resolution #2012-05-110

Moved by Fleming

Seconded by McGinnis

WHEREAS, The Michigan Municipal League has provided Workers' Compensation Insurance for the City of Troy and the premium charged has been equitable based on the City's experience; and

WHEREAS, It is desirable to continue the program through the Michigan Municipal League due to the positive experience of participating in the MML program;

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and the net estimated premium cost of \$269,407 is hereby **APPROVED** for Workers' Compensation Insurance through the MML for the 2012-2013 fiscal year.

Yes: All-7
No: None

MOTION CARRIED

I-5 Contract Modification: Department of Public Works Maintenance Road Rehabilitation – Concrete Pavement Repair Program

Resolution #2012-05-111
Moved by McGinnis
Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** a contract modification to Dilisio Contracting, Inc. of Clinton Township, MI for concrete pavement repair to rehabilitate the Department of Public Works maintenance road for a total cost not-to-exceed \$130,000.00, at unit prices as originally bid on ITB-COT 11-15 opened July 7, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-6 Process to Evaluate Proposals of Search Firms to Conduct Executive Search for City Manager

Resolution #2012-05-112
Moved by Fleming
Seconded by McGinnis

WHEREAS, On Tuesday, May 1, 2012, Troy City Council authorized City administration to solicit proposals from seven (7) consultants to conduct an executive search for City Manager (Resolution # 2012-05-084); and

WHEREAS, On Monday, May 7, 2012, City Council held a Study Session and obtained consensus on the evaluation form to be used to hire an executive search firm to fill the vacancy of City Manager; and

WHEREAS, The deadline to submit proposals from the prospective consultants is today, May 14, 2012; and

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached, amended evaluation form for the purpose of rating the proposals; and to conduct interviews with the top rated consultants, if deemed to be in the City's best interest; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the standard request for proposal evaluation process in making the selection of an executive search firm to fill the vacancy of City Manager; and

BE IT FINALLY RESOLVED, That all completed evaluation forms shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED

I-7 Proposed Contract for Temporary City Manager

Resolution #2012-05-113

Moved by McGinnis

Seconded by Fleming

RESOLVED, That the attached contract between the City of Troy and Interim City Manager, Michael W. Culpepper, is hereby **APPROVED**; the Mayor and City Clerk are **AUTHORIZED** to execute the documents, and a copy shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED

I-8 Request to Sell a City Owned Surplus Parcel Located in Section 22, Sidwell #88-20-22-277-027 – 3545 Rochester Road

Resolution #2012-05-114

Moved by Tietz

Seconded by McGinnis

Option 1

WHEREAS, Chapter 12 of the City Charter requires that competitive bids shall be obtained through a traditional sealed bid procedure or alternative methods providing the method used preserves the integrity of the competitive process for the sales of City owned property in excess of \$10,000;

BE IT RESOLVED, That the Engineering Department is hereby **AUTHORIZED** to proceed to offer the City owned surplus parcel having Sidwell #88-20-22-277-027 for public sale by means

of a sealed bid process, and to retain the services of an independent fee appraiser licensed in the State of Michigan.

Yes: McGinnis, Tietz, Daniels, Fleming

No: Henderson, Slater, Campbell

MOTION CARRIED

The Meeting **RECESSED** at 8:55 PM.

The Meeting **RECONVENED** at 9:02 PM.

J. CONSENT AGENDA:

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

Resolution #2012-05-115

Moved by McGinnis

Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-2a, which **SHALL BE CONSIDERED** after Consent Agenda (J) items.

Yes: All-7

No: None

MOTION CARRIED

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

J-3 Proposed City of Troy Proclamations:

a) Proclamation to Celebrate Secret Wardel's Move to the City of Troy.

J-4 Standard Purchasing Resolutions:

a) **Standard Purchasing Resolution 3: Exercise Renewal Option – Sidewalk Replacement and Installation Program**

Resolution #2012-05-115-J-4a

WHEREAS, On January 10, 2011, Troy City Council awarded a contract to complete the sidewalk replacement and installation program for 2010/2011 with options to renew for two (2) additional one-year periods to the low total bidder, Rotondo Construction Company of Farmington Hills, MI, at unit prices contained in the bid tabulation opened November 23, 2010 (Resolution #2011-01-005-J4b); and

WHEREAS, On July 11, 2011, Troy City Council exercised the first option to renew for the 2011/2012 construction season with Rotondo Construction under the same prices, terms, and conditions (Resolution #2011-07-165-J4a); and

WHEREAS, Rotondo Construction Company has offered to exercise the second option to renew for one (1) additional year under the same pricing, terms, and conditions as the original contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** and **APPROVES** the second one-year renewal period to contract for sidewalk replacement and installation during FY 2012/2013 with Rotondo Construction Company of Farmington Hills, MI, at unit prices contained in the bid tabulation opened November 23, 2010, at amounts not-to-exceed those budgeted, with the contract expiring June 30, 2013.

b) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 11-10 – Section 16 Water Main Replacement

Resolution #2012-05-115-J-4b

RESOLVED, That contract No. 11-10, Section 16 Water Main Replacement, be **AWARDED** to Bricco Excavating Company, LLC, 21201 Meyers Road, Oak Park, MI 48237-3201 for their low total bid amount of \$2,498,647.34.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 15% of the total project cost.

c) Standard Purchasing Resolution 3: Exercise Renewal Option – Concrete Pavement Repair

Resolution #2012-05-115-J-4c

WHEREAS, On July 25, 2011, Troy City Council awarded a contract for concrete pavement repair with an option to renew for two (2) additional one-year periods to the low total bidder, Dilisio Contracting, Inc. of Clinton Township, MI, at unit prices contained in the bid tabulation opened July 7, 2011 (Resolution #2011-07-181-Item J-4a); and

WHEREAS, Dilisio Contracting, Inc. has offered to exercise the first option to renew for one (1) additional year under the same prices, terms, and conditions; and

WHEREAS, Dilisio Contracting, Inc. has agreed to pay for overtime incurred by City of Troy inspectors for any inspections that fall outside the normal eight (8) hour work day at the rate of \$50.00 per hour; and

WHEREAS, Dilisio Contracting, Inc. agrees to provide two-year maintenance bonds for all work completed under their contract; and

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES AND APPROVES** the first one-year renewal period to contract for concrete pavement repair during FY 2012/13 with Dilisio Contracting, Inc. of Clinton Township, MI, at unit prices contained in the bid tabulation opened July 7, 2011, at amounts not-to-exceed those budgeted, with the contract expiring June 30, 2013.

J-5 Request for Acceptance of a Water Main Easement from FAS Hotels, LLC – Sidwell #88-20-35-327-014

Resolution #2012-05-115-J-5

RESOLVED, That Troy City Council hereby **ACCEPTS** the water main easement from FAS Hotels, LLC, owner of the property having Sidwell #88-20-35-327-014; and

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

J-6 Request to Vacate an Existing Sanitary Sewer Easement and Acceptance of a Permanent Sanitary Sewer Easement – Sidwell #88-20-34-226-010, G.I. Building, LLC

Resolution #2012-05-115-J-6

RESOLVED, That Troy City Council hereby **VACATES** an existing sanitary sewer as recorded in Liber 5987 Page 783 by means of a Quit Claim Deed; and

BE IT RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to execute a Quit Claim deed conveying interest in that sanitary sewer to the current property owners, G.I. Building, LLC; and

BE IT RESOLVED, That Troy City Council hereby **ACCEPTS** the sanitary sewer easement from G.I. Building, LLC, owner of the property having Sidwell #88-20-34-226-010; and

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

J-7 Assessment of Delinquent Accounts

Resolution #2012-05-115-J-7

WHEREAS, Section 1.167 of Chapter 5 and Section 6 of Chapter 20 of the Ordinance Code of the City of Troy require that delinquent payments and invoices, as of April 1st of each year, shall be reported and the City Council shall certify the same to the City Assessor who shall assess the same on the next annual City Tax Roll, to be collected as provided for collection of City Taxes; and

WHEREAS, Section 10.8 of the Troy City Charter provides for the collection of delinquent invoices through property tax collection procedures; and

WHEREAS, A list of individual properties is on file in the Office of the Treasurer and comprises a summation of totals as follows:

General Fund Invoices	
Including Penalties	\$ 60,552.56
Special Assessments	
Including Penalties & Interest	4,107.34
Water & Sewer Accounts	
Including Penalties	<u>888,038.33</u>
Total	\$ 952,698.23

NOW, THEREFORE, BE IT RESOLVED, That the City Assessor is hereby **AUTHORIZED** to assess these delinquent accounts on the annual City Tax Roll.

J-8 TPOA v City of Troy and Act 78 Civil Service Commission

Resolution #2012-05-115-J-8

RESOLVED, That the City Attorney's Office is hereby **DIRECTED** to defend the City of Troy and the Act 78 Civil Service Commission in the *TROY POLICE OFFICERS ASSOCIATION V. CITY OF TROY AND TROY ACT 78 CIVIL SERVICE COMMISSION* lawsuit (Oakland County Circuit Court Case No. 12-125981-CL). Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and fees in the defense of the action.

J-2 Approval of City Council Minutes

Resolution #2012-05-116

Moved by Tietz

Seconded Fleming

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

a) Regular Meeting of May 7, 2012

Yes: All-7

No: None

MOTION CARRIED

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

Council Member Campbell recommended Gordon Schepke resign from the Planning Commission. Council Member Slater concurred.

Council Member McGinnis thanked John Szerlag for his professionalism and dedication as City Manager and expressed best wishes in the future.

Council Member Tietz thanked John Szerlag for his service to the City and expressed best wishes in the future.

Council Member Fleming thanked John Szerlag for his service to the City and expressed best wishes to John Szerlag.

Council Member Henderson expressed his appreciation for John Szerlag's assistance and candor toward him as a new Council Member and expressed best wishes in the future.

Council Member Slater thanked John Szerlag for his professionalism, dedication, foresight and leadership as City Manager and expressed best wishes in the future.

Mayor Daniels expressed best wishes to John Szerlag.

Mayor Daniels announced the Troy Police Open House on Tuesday, May 15, 2012, from 12:00 PM – 7:00 PM. The Police Memorial Service on Thursday, May 17, 2012 at 10:00 AM in the Police circle drive (weather permitting). If it rains, the Memorial Service will be held in the City Council Chambers.

Mayor also announced that the Mayor for a Day Essay Contest submittal deadline has passed. The winners will be announced at the June 4, 2012 City Council Meeting.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Election Commission-Draft-April 9, 2012
 - b) Planning Commission Special/Study-Draft-April 24, 2012
Noted and Filed
-

N-2 Department Reports:

- a) Tax Abatement Policy
- b) SOCRRA Quarterly Report - April 2012
Noted and Filed

N-3 Letters of Appreciation: None Submitted
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 the Detroit Edison Company – Case No. U-16434-R
Noted and Filed

O. STUDY ITEMS

O-1 No Study Items

P. CLOSED SESSION:

P-1 No Closed Session

The Meeting **ADJOURNED** at 9:20 PM.

Mayor Janice Daniels

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

May 24, 2012

To: Michael Culpepper, Acting City Manager

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

Subject: Standard Purchasing Resolution 3: Exercise Renewal Option – Pool Maintenance and Repair Services

Background

On June 21, 2010, Troy City Council approved a two (2) year contract for Pool Maintenance and Repair Services at the Troy Family Aquatic Center and Troy Community Center, with two (2) one-year options to renew under the same pricing structure, terms and conditions, based on mutual consent of both parties to the sole bidder, B & B Pools and Spas of Livonia, Michigan (Resolution #2010-06-142-I-4b).

B & B Pools and Spas of Livonia have provided the City's pool maintenance and repair services since 2004 and have proven both reliable and trustworthy. They have offered to renew their contract for the next one-year period at the same prices, terms and conditions as those originally bid in 2010.

The Purchasing Department has conducted a favorable market survey of pool maintenance and repair services and found no reason to solicit new bids due to the limited number of companies performing the services specified. Rates from area companies surveyed were higher than the \$75.00 per hour currently paid to B & B Pools.

Recommendation

City management recommends exercising the first one-year option to renew with B & B Pools and Spas of Livonia, MI for Pool Maintenance and Repair Services at the Troy Family Aquatic Center and Troy Community Center at the same prices, terms and conditions contained in the bid tabulation opened June 3, 2010, to expire June 30, 2013.

Fund Availability

Funds for this contract are available in the operating accounts of the Troy Family Aquatic Center, and the Troy Community Center budgets.

Prepared by: Brian Goul, Aquatics Coordinator



May 21, 2012

Attn: Mr. Bill Babcock
B & B Pools and Spas
29440 6 Mile Road
Livonia, MI, 48152-3602
Fax: (734) 522-0311

Dear Mr. Babcock:

The City of Troy entered into contract #2011-90000001 with B & B Pools and Spas to provide two-year requirements to furnish all labor, tools, material, equipment, and supervision to perform service/maintenance and repair on the City of Troy Pools (1) outdoor and (2) indoor and mechanical systems, excluding pumps expiring June 30, 2012. This contract contained an option for two one-year renewal options under the same prices, terms and conditions as the original contract. If a new parts price list is to be submitted within the terms and conditions of the current contract, 30-day notification of the new list is required. Please be aware that the City of Troy reserves the option to accept the price list change or re-bid.

Please fax this letter back to Brian Goul at Recreation indicating if B & B Pools and Spas wishes to renew this contract until June 30, 2013. The fax number is (248) 689-6497. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 524-3484.

Check One:

B & B Pools and Spas is interested in renewing the contract under the same prices, terms, and conditions:

B & B Pools and Spas is not interested in renewing the contract:

x Brian Babcock

Signed: Authorized Company Representative

Date: 5-21-12

Thank you,
Brian Goul
Recreation Department
City of Troy

Susan A Leirstein

From: Nancy Kuha
Sent: Tuesday, May 22, 2012 2:28 PM
To: Susan A Leirstein
Subject: Rates for repair and maintenance of pools

Hi Susan,

I contacted 4 companies regarding their rates for repair and maintenance of the City owned pools. The following is the result:

Advanced Pool Services, Inc. 1-248-889-8846

Milford, MI

Contact: Gregg Paulsen

The normal rate is \$80.00 per man hour

There is no travel time charge

Any specialty work would be billed at a higher rate depending on the type of work to be done.

Discount Pool and Spas 1-734-216-0610

Livonia, MI

Contact: John Forrester

The normal rate is \$95.00 per man hour

There is no travel time charge

Even though he quoted \$95.00 per hour, he did qualify that by saying that the price is usually different depending on what type of work needs to be done.

Aquatic Source 1-248-366-0606

Commerce Township, MI

Contact: Jen

The regular rate is \$88.00 for the first ¼ hour, then \$23.50 for the next two ¼ hours, then \$94.00 for each hour after the first.

There is no travel time charge

If a senior technician needs to be involved due to a more complicated repair, the charge per hour would be higher.

Clearwater Pool & Service 1-734-216-2503

Left message for Jeffrey Erkfritz

If you have any questions, let me know.

Nancy

- a) Proclamation to Honor Peter Hullinger – 2010 Firefighter of the Year

I-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 11: Rejection of Bids – Audio & Video Upgrades

Resolution #2010-06-142-I-4a

RESOLVED, That Troy City Council hereby **REJECTS** all bid proposals for ITB-COT 10-20, audio and video upgrades for the City Council Chambers and WTRY Cable Control Room opened June 2, 2010, and will rebid under revised specifications.

b) Standard Purchasing Resolution 2: Sole Bidder – Pool Maintenance and Repair Services

Resolution #2010-06-142-I-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish two-year (2) requirements of pool maintenance and repairs for both indoor and outdoor pools at the Troy Family Aquatic Center and Community Center with two (2) one-year options to renew to the sole bidder, B & B Pool and Spas of Livonia, Michigan, at rates contained in the bid tabulation opened June 3, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of June 30, 2012; and

BE IT FURTHER RESOLVED, That the contract is **CONTINGENT** upon submission of properly executed bid and contract documents, including insurance certificates, and all other specified requirements.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 10-02 – Coolidge Highway Pavement Rehabilitation

Resolution #2010-06-142-I-4c

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 10-02, Coolidge Hwy. Pavement Rehabilitation to Ajax Paving Industries, Inc., 830 Kirts Blvd., Suite 100, Troy, MI 48084 at an estimated total cost of \$621,314.97; and

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

d) Standard Purchasing Resolution 4: MITN Purchasing Cooperative – City of Rochester Hills – Fire Hose Testing

Resolution #2010-06-142-I-4d

RESOLVED, That Troy City Council hereby **APPROVES** a contract for fire hose testing services during the 2010-2011 fiscal year from the low bidder, Waterway Michigan LLC of Caledonia, MI,



CITY COUNCIL ACTION REPORT

June 15, 2010

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 2: Sole Bidder – Pool Maintenance and Repair Services

Background

- On June 3, 2010, bid proposals were received to provide two (2) years of maintenance and repair services for the City of Troy outdoor and indoor pools (excluding pumps), with two, one year renewal options.
- Eighty-eight (88) vendors were notified via the MITN system. B & B Pools & Spas of Livonia was the sole bidder.
- Services covered include emergency and regular maintenance and repairs needed at the Troy Family Aquatic Center and Community Center Pools, excluding pumps, which is covered on another bid. Since 2004 B & B Pools & Spas has provided the City's pool maintenance and repair services. They continue to be both reliable and trustworthy.
- B & B Pools and Spas have the expertise to ensure general and emergency repairs are done to keep the facility in good working order.
- Building operations also assists with the general maintenance and repair on these pools.
- These services will ensure that equipment is up to date which will provide the safest environment for community use.
- These services ensure that the cost of repairs and maintenance are minimal and that they are made in a timely fashion to ensure limited closure to the public.
- These services will allow the City to continue to repair and update equipment as needed to retain investment and attract additional customers.

Financial Considerations

- Funding for the pool maintenance and repairs is available in the Parks and Recreation operational budget under the Troy Family Aquatic Center operating accounts (787.7802.070 and 787.7802.150), and the Community Center operating accounts (755.7802.070 and 755.7802.150).
- The hourly cost for these repair services have remained the same since the last time this contract was bid in 2007.

Legal Considerations

- ITB-COT 10-18 to provide two (2) years of maintenance and repair services for the City of Troy outdoor and indoor pools (excluding pumps) with two, one year renewal options was competitively bid as required by City Charter and Code.
- All bidders were given the opportunity to respond with their level of interest in furnishing the services as specified.

June 15, 2010

To: John Szerlag, City Manager

Re: Bid Award – Sole Bidder – Pool Maintenance and Repair Services

Recommendation:

- City Management recommends awarding a contract to furnish two-year requirements of pool maintenance and repairs for both indoor and outdoor pools at the Troy Family Aquatic Center and Community Center with two (2) one-year options to renew to the sole bidder, B & B & Spas of Livonia, MI, at rates contained in the bid tabulation opened June 3, 2010, to expire June 30, 2012.

G:\Purchasing\Bid Award 10-11 New Format\Award Standard Purchasing Resolution 2 – Pool Maintenance ITB-COT 10-18 06.10.doc

Opening Date -- 6/3/10
 Date Prepared -- 6/3/10

CITY OF TROY
 BID TABULATION
 POOL MAINTENANCE & REPAIRS

VENDOR NAME:

B & B Pools & Spas

PROPOSAL: FURNISH Two Year REQUIREMENTS OF POOL MAINTENANCE & REPAIRS FOR BOTH INDOOR AND OUTDOOR POOLS AT THE TROY FAMILY AQUATIC CENTER & COMMUNITY CENTER WITH Two-One Year RENEWAL OPTIONS

EST QTY	ITEM	DESCRIPTION			
60 hrs	1	Repair Service Regular Time - Hour per Man (2 man crew)	\$	75.00	
40 hrs	2	Emergency Repairs Regular Time - Hour per Man Overtime: - Hour per Man Holiday Time - Hour per Man (2 man crew)	\$	75.00	
				N/A	
				N/A	
	3	Travel Time Complete Repair Call		N/A	
	4	Repair Parts Discount % Parts Price List Dated A Markup/Markdown		Blank	
				\$ at Trade Cost	
				Blank	
				Trade Cost	
		SITE INSPECTION: Yes or No		Yes	
		Date		May-2010	
		CONTACT INFORMATION:			
		Hrs of Operation		8 AM to 5 PM	
		Contact Number		Blank	
		INSURANCE: Can Meet		XX	
		Cannot Meet			
		Signed Y or N		Yes	
		PAYMENT TERMS:		Net 30	
		WARRANTY:		Blank	
		DELIVERY DATE (S)		Blank	
		EXCEPTIONS:		Blank	
		ACKNOWLEDGEMENT: Y or N		Yes	

ATTEST:

Ann Blizzard

Brain Goul

Diane Fisher

Linda Bockstanz

G: /ITB-COT 10-18 Pool Maint & Repairs

BOLDFACE TYPE DENOTES SOLE BIDDER

Susan Leirstein CPPO CPPB

Purchasing Director



CITY COUNCIL AGENDA ITEM

May 30, 2012

To: Michael Culpepper, Acting City Manager

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

Subject: Standard Purchasing Resolution 1: Award to Low Bidder-Overhead Door Maintenance and Repair

Background

On May 17, 2012, bids were opened to furnish all necessary materials, labor and equipment to provide three-year requirements of repairs and general maintenance of overhead doors at various City facilities. Seventy-three (73) vendors were notified using the MITN website with four bidders responding. The bids were examined and compared to the bid specifications. The contract will provide for annual and semi-annual maintenance at buildings used by the Fire Department, Public Works Department, Parks and Recreation, Aquatic Center, and City Hall. Michigan Independent Door Company of Troy was the low total bidder. All bidders were given the opportunity to respond with their level of interest in furnishing the services as specified. The City is awarding this contract on a low total basis due to potential conflicts with vendors, if an award was made to one vendor for maintenance and another for repairs.

Recommendation

City management recommends awarding a contract to furnish all necessary materials, labor and equipment to provide three-year requirements of repairs and general maintenance of overhead doors to the low total bidder, Michigan Independent Door Company of Troy, MI for an estimated cost of \$18,875.00 per year, at unit prices contained in the bid tabulation opened on May 17, 2012, to expire May 31, 2015.

Fund Availability

Funds for these services are available in various departmental operating budgets for Contractual Services.

Legal Considerations

ITB-COT 12-09, Repairs and Maintenance of Overhead Doors was competitively bid as required by City Charter and Code, and completely meets our bid requirements. The low bidder is the current contractor for this service and has met all proper insurance requirements.

Prepared by Peter Hullinger, Fire Staff Technician

G:\Bid Award 12-13 New Format\Award Standard Purchasing Resolution 1 OverheadDoor ITB-COT 12-09.doc

Opening Date -- 5/17/12
Date Reviewed -- 5/30/12

CITY OF TROY
BID TABULATION
OVERHEAD DOORS - Maintenance/Repair

VENDOR NAME: sl

Michigan	Garrett Door	National Door
Independent Door	Company	Systems LLC
Company		

PROPOSAL -- Furnish All Necessary Materials, Labor, and Equipment to provide Repairs and General Maintenance of Overhead Doors at Various Locations in the City of Troy for Three (3) Years.

PROPOSAL A:	Manual Doors - Maintenance/Repair			
PARTS:	Discount of	0%	10%	10%
	Parts Price List	MIDC	common parts	Blank
	Dated	6/1/2012	2012	1/1/2012
PARKS & RECREATION				
COMPLETE FOR THE SUM OF: Per Year	\$325	\$1,500	\$	800.00
PROPOSAL B:	Motorized Doors - Maintenance/Repair			
PARTS:	Discount of	0%	10%	10%
	Parts Price List	MIDC	common parts	Blank
	Dated	6/1/2012	2012	1/1/2012
PROPOSAL B1:				
FIRE DEPARTMENT				
COMPLETE FOR THE SUM OF: Maintenance	\$ 600.00	\$ 725.00	\$	1,480.00
COMPLETE FOR THE SUM OF: Per Year	\$ 1,200.00	\$ 1,450.00	\$	2,960.00
PROPOSAL B2:				
DPW BUILDING				
COMPLETE FOR THE SUM OF: Maintenance	\$ 525.00	\$ 650.00	\$	1,200.00
COMPLETE FOR THE SUM OF: Per Year	\$ 1,050.00	\$ 1,300.00	\$	2,400.00
PROPOSAL B3:				
PARKS & RECREATION				
COMPLETE FOR THE SUM OF: Maintenance	\$ 200.00	\$ 250.00	\$	440.00
COMPLETE FOR THE SUM OF: Per Year	\$ 400.00	\$ 500.00	\$	880.00
PROPOSAL B4:				
AQUATIC CENTER				
COMPLETE FOR THE SUM OF: Maintenance	\$ 50.00	\$ 75.00	\$	120.00
PROPOSAL B5:				
CITY HALL & DISTRICT COURT				
COMPLETE FOR THE SUM OF: Maintenance	\$ 75.00	\$ 125.00	\$	200.00
COMPLETE FOR THE SUM OF: Per Year	\$ 150.00	\$ 250.00	\$	400.00
PROPOSAL B6:				
COMMUNITY CENTER				
COMPLETE FOR THE SUM OF: Maintenance	\$ 50.00	\$ 25.00	\$	40.00
COMPLETE FOR THE SUM OF: Per Year	\$ 100.00	\$ 50.00	\$	80.00
PROPOSAL C:	REGULAR & EMERGENCY REPAIRS			
PROPOSAL C1:	Repairs within 24 hours			
REGULAR TIME:	Man Hours	\$ 52.00	\$ 50.00	\$ 70.00
(Est. 300 Hours)	Crew Size	One	One	One man
PROPOSAL C1 - ESTIMATED TOTAL:		\$ 15,600	\$ 15,000	\$ 21,000
ESTIMATED GRAND TOTAL: per Year		\$ 18,875	\$ 20,125	\$ 28,640

Opening Date -- 5/17/12
 Date Reviewed -- 5/30/12

CITY OF TROY
 BID TABULATION
 OVERHEAD DOORS - Maintenance/Repair

VENDOR NAME:		Michigan Independent Door Company	Garrett Door Company	National Door Systems LLC
PROPOSAL C2:	Emergency Repairs			
	Regular Time:	\$ 52.00	\$ 75.00	\$ 85.00
	Overtime:	\$ 78.00	\$ 75.00	\$ 85.00
	Holiday Time:	\$ 104.00	\$ 150.00	\$ 170.00
	Crew Size:	One	One	One
PROPOSAL C3:	TRAVEL TIME			
	Repair Call Complete:	\$ 26.00	\$ 25.00	\$ 35.00
SITE INSPECTION --	Y/N	current	yes	no
	Date	contractor	was previous contractor	
CONTACT INFORMATION --	Hours of Operation:	24 hrs	8-4:30 p.m.	7-5 p.m.
	24 Hr Phone Number	248-641-9106	248-640-3052	248-332-0255
INSURANCE --	Can Meet	xx	xx	xx
	Cannot Meet	On File		
PAYMENT TERMS:		Net 30 Days	Net 30 days	Net 30
DELIVERY		AS SPECIFIED		
WARRANTY		AS SPECIFIED		
EXCEPTIONS		Blank	Blank	n/a
ACKNOWLEDGEMENT:	Signed Y or N	Yes	Yes	Yes

ATTEST:
 Susan K. Riesterer
 Peter Hullinger
 Susan Leirstein

LOW TOTAL BIDDER HIGHLIGHTED

 Susan Leirstein CPPO CPPB
 Purchasing Director

Opening Date -- 5/17/12
 Date Reviewed -- 5/30/12

CITY OF TROY
 BID TABULATION
 OVERHEAD DOORS - Maintenance/Repair

VENDOR NAME:

SDS Security		
Door Systems		

PROPOSAL -- Furnish All Necessary Materials, Labor, and Equipment to provide Repairs and General Maintenance of Overhead Doors at Various Locations in the City of Troy for Three (3) Years.

PROPOSAL A: Manual Doors - Maintenance/Repair			
PARTS: Discount of	10%		
Parts Price List	Attached To Bid		
Dated	5/15/2012		
PARKS & RECREATION			
COMPLETE FOR THE SUM OF: Per Year	\$ 545.00		

PROPOSAL B: Motorized Doors - Maintenance/Repair			
PARTS: Discount of	10%		
Parts Price List	Attached To Bid		
Dated	5/15/2012		

PROPOSAL B1:			
FIRE DEPARTMENT			
COMPLETE FOR THE SUM OF: Maintenance	\$ 971.25		
COMPLETE FOR THE SUM OF: Per Year	\$ 1,942.50		

PROPOSAL B2:			
DPW BUILDING			
COMPLETE FOR THE SUM OF: Maintenance	\$ 787.50		
COMPLETE FOR THE SUM OF: Per Year	\$ 1,575.00		

PROPOSAL B3:			
PARKS & RECREATION			
COMPLETE FOR THE SUM OF: Maintenance	\$ 288.75		
COMPLETE FOR THE SUM OF: Per Year	\$ 577.50		

PROPOSAL B4:			
AQUATIC CENTER			
COMPLETE FOR THE SUM OF: Maintenance	\$ 78.75		

PROPOSAL B5:			
CITY HALL & DISTRICT COURT			
COMPLETE FOR THE SUM OF: Maintenance	\$ 131.50		
COMPLETE FOR THE SUM OF: Per Year	\$ 263.00	*	

PROPOSAL B6:			
COMMUNITY CENTER			
COMPLETE FOR THE SUM OF: Maintenance	\$ 26.25		
COMPLETE FOR THE SUM OF: Per Year	\$ 52.50		

PROPOSAL C: REGULAR & EMERGENCY REPAIRS			
PROPOSAL C1: Repairs within 24 hours			
REGULAR TIME: Man Hours	\$ 85.00		
(Est. 300 Hours) Crew Size	One		

PROPOSAL C1 - ESTIMATED TOTAL:	\$ 25,500		
ESTIMATED GRAND TOTAL: per Year	\$ 30,534.25		

Opening Date -- 5/17/12
 Date Reviewed -- 5/30/12

CITY OF TROY
 BID TABULATION
 OVERHEAD DOORS - Maintenance/Repair

VENDOR NAME:		SDS Security		
		Door Systems		
PROPOSAL C2:				
Emergency Repairs				
Regular Time:		\$ 105.00		
Overtime:		\$ 157.50		
Holiday Time:		\$ 210.00		
Crew Size:		One		
PROPOSAL C3:				
TRAVEL TIME				
Repair Call Complete:		\$ 50.00		
SITE INSPECTION -- Y/N		No		
Date				
CONTACT INFORMATION --				
Hours of Operation:		M-F 8-5		
24 Hr Phone Number		586-822-1876		
INSURANCE --				
Can Meet		xx		
Cannot Meet				
PAYMENT TERMS:		Net 30		
DELIVERY		AS SPECIFIED		
WARRANTY		AS SPECIFIED		
EXCEPTIONS		No Exceptions		
		* Price per year		
		corrected by Purchasing		
ACKNOWLEDGEMENT: Signed Y or N		Yes		



CITY COUNCIL AGENDA ITEM

Date May 3, 2012

TO: Honorable Mayor and City Council Members

FROM: Michael Culpepper, Acting City Manager
Aileen Bittner, City Clerk

SUBJECT: Postage Cost for Mailing New Voter Identification Cards

The City Clerk is statutorily required to mail all registered voters new voter identification cards upon the completion of reapportionment. In a memo to Council on May 14, 2012, I reported the cost of mailing new voter identification cards to the 57,397 voters affected by redistricting to be approximately \$9,300. That cost was based on the non-profit mail rate typically used for all election related mail.

The State of Michigan mandates that voter identification cards specifically be mailed by first class mail, Return Service Requested (nonforwardable mail). The cost of mailing new identification cards to all registered voters at this mail rate is \$16,490.

Suggested Resolution

Resolution #2012-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk to expend necessary funds in excess of \$10,000 to mail new voter identification cards to all registered voters in the City of Troy, pursuant to MCL 168.499(3).

Yes:

No:



CITY COUNCIL AGENDA ITEM

Date: May 21, 2012

To: Michael W. Culpepper, Interim City Manager

From: Mark F. Miller, Director of Economic & Community Development
Steven J. Vandette, City Engineer
William J. Huotari, Deputy City Engineer/Traffic Engineer

Subject: Traffic Committee Recommendations and Minutes – May 16, 2012

At the Traffic Committee meeting of May 16, 2012, the following recommendations were made for City Council approval:

Item #3 - Recommend that the “NO PARKING” zone on the south side of Hickory, between Plum and Kirkton, be removed.

Item #4 - Recommend that a “NO PARKING, TOW AWAY” zone be established on the south side of Gloucester, from the driveway to the Saint Alan Church parking lot to a point 15 feet to the west.

Item #5 - Recommend that the existing “NO PARKING” zone be extended to encompass the entire Brooklawn Court cul-de-sac, ending at a point near the northeasterly edge of the driveway to 1080 Brooklawn Court.

Staff concurs with the Traffic Committee recommendations as resolved.



CITY COUNCIL AGENDA ITEM

Date: May 29, 2012

To: Michael W. Culpepper, Interim City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of a Water Main Easement from White Chapel Memorial Association, Sidwell #88-20-16-301-011

Background

As part of the water main project contract 11-9, extending along Wattles Road between Livernois and Crooks, the City of Troy has received a water main easement from White Chapel Memorial Association, owner of the property having Sidwell #88-20-16-301-011.

The consideration amount for this easement is \$500.00. Monies for compensation are available in Water Fund.

The format and content of this easement is consistent with conveyances previously accepted by City Council.

Recommendation

City Management recommends that City Council accept the attached easement consistent with our policy of accepting easements for capital improvement projects.

PERMANENT EASEMENT

Sidwell #88-20-16-301-011
Resolution #2012-06-

WHITE CHAPEL MEMORIAL ASSOCIATION, a Michigan rural cemetery corporation, Grantor, whose address is 901 Wilshire Drive, Suite 205, Troy, Michigan, 48084 for and in consideration of the sum of: Five Hundred and no/100 Dollar (\$500.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

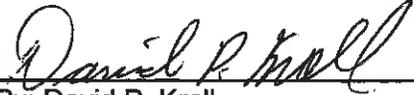
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

Granting of this easement will not alter current set back distances from existing property lines. In addition, no special assessment will be assessed to the property as a result of the Water Main Improvement Project No. 11.501.5, Contract No.11-9.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 29th day of may A.D. 2012.

WHITE CHAPEL MEMORIAL ASSOCIATION,
a Michigan rural cemetery corporation


By: David P. Krall (L.S.)
Its: President & CEO

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 29 day of MAY, 2012, by David P. Krall, President & CEO of White Chapel Memorial Association, a Michigan rural cemetery corporation, on behalf of said corporation.

Steven C. Prybucki
*
Notary Public, OAKLAND County, Michigan
My Commission Expires 11-17-14
Acting in OAKLAND County, Michigan

Prepared by: Larysa Figol
City of Troy
500 West Big Beaver
Troy, MI 48084

Return to: City Clerk
City of Troy
500 West Big Beaver
Troy, MI 48084

STEVEN C. PRYBUCKI
NOTARY PUBLIC, STATE OF MICHIGAN
COUNTY OF OAKLAND
MY COMMISSION EXPIRES 11/17/2014
ACTING IN COUNTY OF OAKLAND

EXHIBIT "A"

Description of Water Main Easement

Part of the Southwest $\frac{1}{4}$ of Section 16, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan; Commencing at the Southwest Corner of said Section 16; thence North 00 degrees 00 minutes 00 seconds West, along the west line of said section, 60.00 feet and South 89 degrees 48 minutes 00 seconds East 60.00 feet to the Point of Beginning. Thence North 15.00 feet; thence South 44 degrees 54 minutes 00 seconds East 21.25 feet; thence North 89 degrees 48 minutes 00 seconds West 15.00 feet to the Point of Beginning. Containing 113 Square Feet or 0.003 Acres, more or less.



CITY COUNCIL AGENDA ITEM

Date: May 31, 2012

To: Michael W. Culpepper, Interim City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right-of-Way Representative

Subject: Request for Acceptance of Two Warranty Deeds and Three Easements,
Briggs Park Condominiums, APR Development, LLC - Section 14

Background

As part of the development of Briggs Park Condominiums, located on the east side of Rochester Road at Lamb in Section 14, the Engineering department has received two Warranty Deeds required for necessary right-of-way along Rochester Road and for a portion of road at the entrance to the condominium site. The deeds convey approximately 15 feet of right-of-way along Rochester Road and a 60 foot wide portion of Navin Field Lane. In addition, the Engineering Department has received three easements for sanitary sewer, emergency ingress/egress and public utilities, and water main.

The consideration amount on each document is \$1.00. The format and content of these Warranty Deeds and easements is consistent with documents previously accepted by City Council.

Recommendation

City Management recommends that City Council accept the attached Warranty Deeds and easements consistent with our policy of accepting deeds and easements for development and improvement purposes.

WARRANTY DEED

Sidwell #88-20-14-301-002, 032, 004, 005, 006, 007, 008 & 009
Resolution #

The Grantor(s), APR Development, LLC, a Michigan limited liability company whose address is 178 Larchwood, Troy, MI 48098 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar and 00/100 Dollars (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 25th day of August, 2006.

APR DEVELOPMENT, LLC
a Michigan Limited Liability Company

By: [Signature]
*Gary F. Abithera
Member

STATE OF MICHIGAN)
COUNTY OF (OAKLAND))

The foregoing instrument was acknowledged before me this 25th day of August, 2006, by Gary F. Abithera, Member of APR Development, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]
LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, OAKLAND County, MI
Commission expires: 3-2-2012
Acting in (OAKLAND) County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to:	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"
RIGHT-OF-WAY DEDICATION

OVERALL PARCEL DESCRIPTION

LAND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING PART OF LOTS 1-6, INCLUSIVE AND PART OF LOT 8 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUBDIVISION", AS RECORDED IN LIBER 14, PAGE 49 AND PART OF LOTS 38 AND 39 OF "SQUARE ACRES SUBDIVISION NO.1", AS RECORDED IN LIBER 44, PAGE 48 OF OAKLAND COUNTY, MICHIGAN RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING FROM THE WEST 1/4 CORNER OF SAID SECTION 14 ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 14 S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY 75 FOOT RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 196.42 FEET TO THE POINT OF BEGINNING; THENCE S. 82° 59' 14" E., 489.49 FEET TO A POINT ON THE WESTERLY LINE OF "SHALLOWBROOK SUBDIVISION" RECORDED IN LIBER 144, PAGE 20-22 OF PLATS, OAKLAND COUNTY RECORDS; THENCE ALONG SAID LINE S. 00° 34' 15" E. (RECORDED AS S., 00° 36' 58" E.), 199.49 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 47' 24" E. (RECORDED AS S. 89° 52' 42" E.), 115.68 FEET SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF ROBERTSON DRIVE (60 FEET WIDE); THENCE CONTINUING ALONG SAID WESTERLY LINE S. 00° 22' 36" E. (RECORDED AS S. 00° 36' 30" E.), 120.00 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 55' 56" E., 68.71 FEET (RECORDED AS S. 89° 52' 42" E., 68.32 FEET); THENCE CONTINUING ALONG SAID LINE S. 00° 31' 45" E. (RECORDED AS S. 00° 35' 30" E.), 582.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE COMMENCING ALONG SAID LINE IN THE FOLLOWING THREE (3) COURSES, N. 89° 46' 23" W., 73.44 FEET (RECORDED AS N. 89° 53' 15" W., 73.92 FEET); THENCE N. 71° 11' 34" W., 306.39 FEET (RECORDED AS N. 71° 14' 00" W., 306.45 FEET); THENCE S. 89° 54' 12" W. (RECORDED AS S. 89° 58' 00" W.), 305.73 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD; THENCE ALONG SAID LINE N. 00° 36' 30" W., 863.28 FEET TO THE POINT OF BEGINNING. CONTAINING 12.1249 ACRES OR 528,161.89 SQUARE FEET.

PROPOSED RIGHT-OF-WAY AREA DESCRIPTION

A 15.00 FEET WIDE EASEMENT FOR PUBLIC RIGHT-OF-WAY LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 14, T.2N., R.11E., THENCE S.89°51'34"E. 75.01 FEET; THENCE S. 00°36'30" E., 196.42 FEET TO THE POINT OF BEGINNING OF SAID PROPOSED RIGHT-OF-WAY; THENCE CONTINUING S. 00°36'30" E., 863.28 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD; THENCE S. 89°54'12" W., 15.00 FEET ALONG SAID LAMB ROAD NORTHERLY LINE; THENCE N. 00°36'30" W., 865.16 FEET ALONG THE EXISTING EASTERLY LINE OF ROCHESTER ROAD; THENCE S. 82°59'14" E., 15.13 FEET TO THE POINT OF BEGINNING.

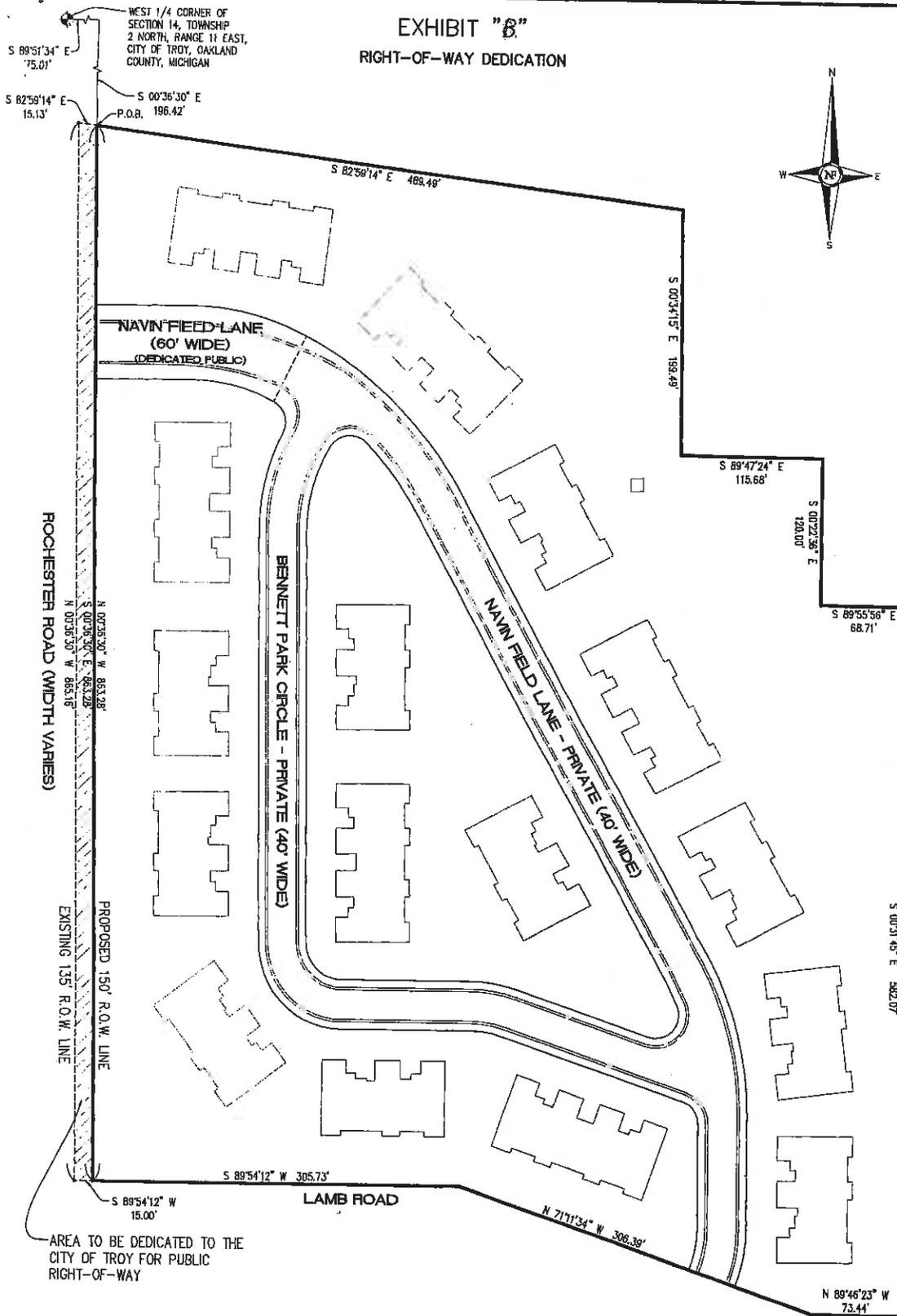
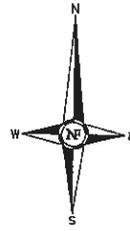
N NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

46777 Woodward Avenue Pontiac, MI. 48342
Phone (248) 332-7931

DATED 8/17/06 JOB NO. 0622 SCALE 1" = 100'
SHEET NO. 2 OF 2

EXHIBIT "B"
RIGHT-OF-WAY DEDICATION



AREA TO BE DEDICATED TO THE CITY OF TROY FOR PUBLIC RIGHT-OF-WAY



NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning
 46777 Woodward Avenue Pontiac, MI. 48342
 Phone (248) 332-7931
 DATED 8/17/06 JOB NO. D622 SCALE 1" = 100'
 SHEET NO. 1 OF 2

WARRANTY DEED

Sidwell #88-20-14-301-032 & 004
Resolution #

The Grantor(s), APR Development, LLC, a Michigan limited liability company whose address is 178 Larchwood, Troy, MI 48098 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar and 00/100 Dollars (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 25th day of August, 2006.

APR DEVELOPMENT, LLC
a Michigan Limited Liability Company

By: [Signature]
*Gary F. Abitheira
Member

STATE OF MICHIGAN
COUNTY OF OAKLAND }

The foregoing instrument was acknowledged before me this 25th day of August, 2006, by Gary F. Abitheira, Member of APR Development, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]
*LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, OAKLAND County, MI
My Commission expires: 3-2-2012
Acting in OAKLAND County, MI

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to:	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"
PUBLIC ROAD R.O.W. DEDICATION

OVERALL PARCEL DESCRIPTION

LAND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING PART OF LOTS 1-6, INCLUSIVE AND PART OF LOT 8 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUBDIVISION", AS RECORDED IN LIBER 14, PAGE 49 AND PART OF LOTS 38 AND 39 OF "SQUARE ACRES SUBDIVISION NO.1", AS RECORDED IN LIBER 44, PAGE 48 OF OAKLAND COUNTY, MICHIGAN RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING FROM THE WEST 1/4 CORNER OF SAID SECTION 14 ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 14 S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY 75 FOOT RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 196.42 FEET TO THE POINT OF BEGINNING; THENCE S. 82° 59' 14" E., 489.49 FEET TO A POINT ON THE WESTERLY LINE OF "SHALLOWBROOK SUBDIVISION" RECORDED IN LIBER 144, PAGE 20-22 OF PLATS, OAKLAND COUNTY RECORDS; THENCE ALONG SAID LINE S. 00° 34' 15" E. (RECORDED AS S., 00° 36' 58" E.), 199.49 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 47' 24" E. (RECORDED AS S. 89° 52' 42" E.), 115.68 FEET SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF ROBERTSON DRIVE (60 FEET WIDE); THENCE CONTINUING ALONG SAID WESTERLY LINE S. 00° 22' 36" E. (RECORDED AS S. 00° 36' 30" E.), 120.00 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 55' 56" E., 68.71 FEET (RECORDED AS S. 89° 52' 42" E., 68.32 FEET); THENCE CONTINUING ALONG SAID LINE S. 00° 31' 45" E. (RECORDED AS S. 00° 35' 30" E.), 582.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE COMMENCING ALONG SAID LINE IN THE FOLLOWING THREE (3) COURSES, N. 89° 46' 23" W., 73.44 FEET (RECORDED AS N. 89° 53' 15" W., 73.92 FEET); THENCE N. 71° 11' 34" W., 306.39 FEET (RECORDED AS N. 71° 14' 00" W., 306.45 FEET); THENCE S. 89° 54' 12" W. (RECORDED AS S. 89° 58' 00" W.), 305.73 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD; THENCE ALONG SAID LINE N. 00° 36' 30" W., 863.28 FEET TO THE POINT OF BEGINNING. CONTAINING 12.1249 ACRES OR 528,161.89 SQUARE FEET.

PUBLIC ROAD RIGHT-OF-WAY DESCRIPTION

A 60.00 FEET WIDE AREA FOR PUBLIC RIGHT-OF-WAY LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 14, T.2N., R.11E., THENCE S.89°51'34"E. 75.01 FEET; THENCE S. 00°36'30" E., 342.12 FEET TO THE POINT OF BEGINNING OF SAID PUBLIC RIGHT-OF-WAY; THENCE N. 89°23'30" E., 78.89 FEET; THENCE ALONG A CURVE TO THE RIGHT 101.01 FEET, SAID CURVE HAVING A RADIUS OF 210.23 FEET, CENTRAL ANGLE OF 27°31'46" AND A LONG CHORD BEARING S. 76°50'11" E. 100.04 FEET; THENCE S. 26°34'57" W., 60.00 FEET; THENCE N. 63°49'15" W., 3.46 FEET; THENCE ALONG A CURVE TO THE LEFT 69.07 FEET, SAID CURVE HAVING A RADIUS OF 150.00 FEET, CENTRAL ANGLE OF 26°23'04" AND A LONG CHORD BEARING N. 77°24'58" W. 68.47 FEET; THENCE S. 89°23'30" W., 78.89 FEET; THENCE N. 00°36'30" W., 60.00 FEET TO THE POINT OF BEGINNING.

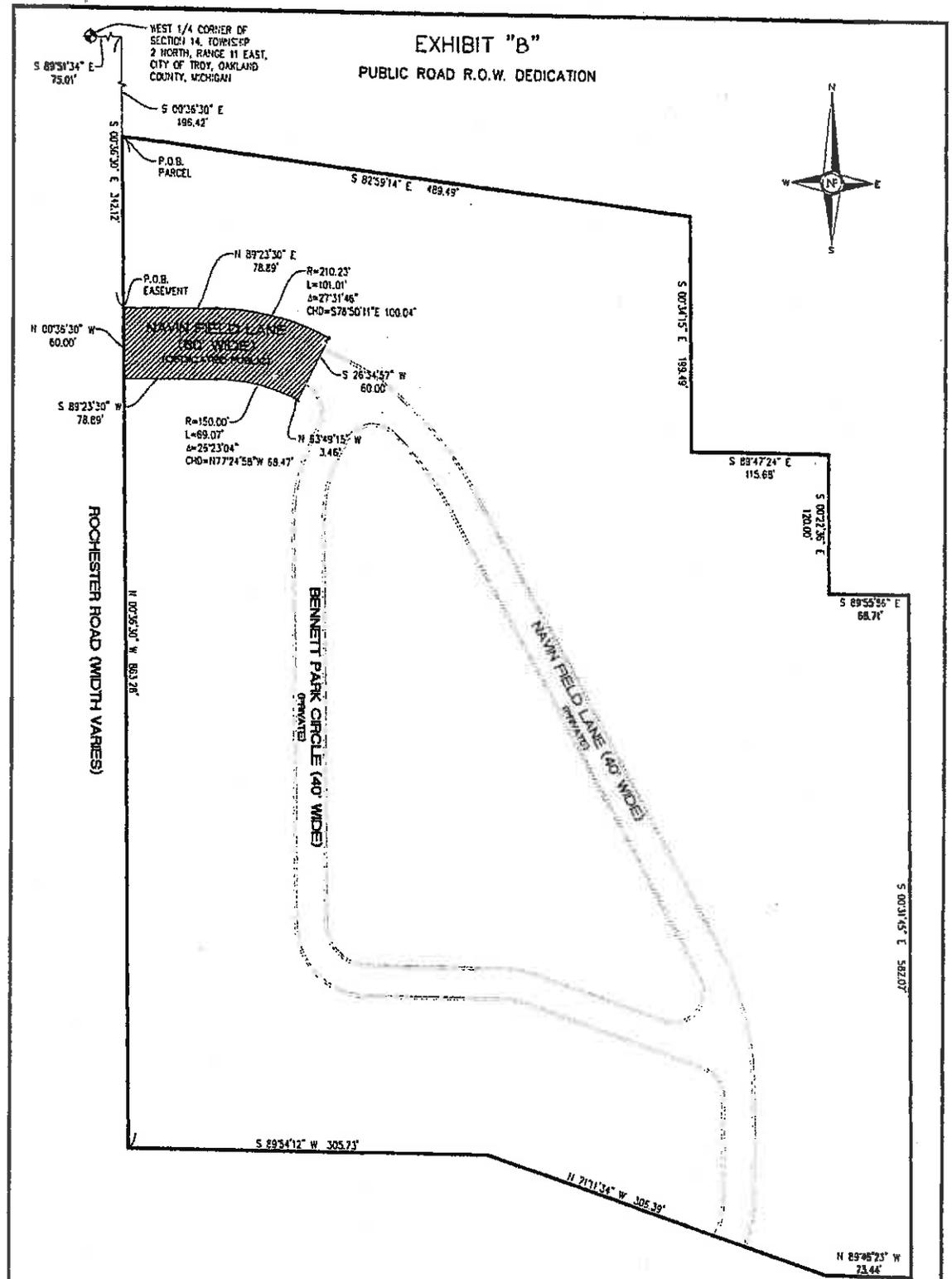
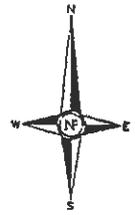
NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

46777 Woodward Avenue Pontiac, MI. 48342
Phone (248) 332-7931

DATED 8/17/06 JOB NO. 0622 SCALE 1" = 100'
SHEET NO. 2 OF 2

EXHIBIT "B"
PUBLIC ROAD R.O.W. DEDICATION



NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

48777 Woodward Avenue Pontiac, MI. 48342
Phone (248) 332-7931

DATED 8/24/06 JOB NO. 0622 SCALE 1" = 100'
SHEET NO. 1 OF 2

PERMANENT EASEMENT

Sidwell #88-20-14-301-032, 004, 005, 006, 007, 008, 009, 028 & 029
Resolution #

APR DEVELOPMENT, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 178 Larchwood, Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sanitary sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 25th day of August A.D. 2006.

APR DEVELOPMENT, LLC, a Michigan limited liability company

By: [Signature] (L.S.)
*Gary F. Abitheira
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25th day of August, 2006, by Gary F. Abitheira, Member of APR DEVELOPMENT, LLC, a Michigan limited liability company on behalf of the company.

[Signature]
LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, OAKLAND County, Michigan
My Commission Expires 3-2-2012
Acting in OAKLAND County, Michigan

Prepared by: Larysa Figol
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"

EASEMENT FOR PUBLIC SANITARY SEWER

OVERALL PARCEL DESCRIPTION

LAND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING PART OF LOTS 1-6, INCLUSIVE AND PART OF LOT 8 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUBDIVISION", AS RECORDED IN LIBER 14, PAGE 49 AND PART OF LOTS 38 AND 39 OF "SQUARE ACRES SUBDIVISION NO.1", AS RECORDED IN LIBER 44, PAGE 48 OF OAKLAND COUNTY, MICHIGAN RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING FROM THE WEST 1/4 CORNER OF SAID SECTION 14 ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 14 S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY 75 FOOT RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 196.42 FEET TO THE POINT OF BEGINNING; THENCE S. 82° 59' 14" E., 489.49 FEET TO A POINT ON THE WESTERLY LINE OF "SHALLOWBROOK SUBDIVISION" RECORDED IN LIBER 144, PAGE 20-22 OF PLATS, OAKLAND COUNTY RECORDS; THENCE ALONG SAID LINE S. 00° 34' 15" E. (RECORDED AS S., 00° 36' 58" E.), 199.49 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 47' 24" E. (RECORDED AS S. 89° 52' 42" E.), 115.68 FEET SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF ROBERTSON DRIVE (60 FEET WIDE); THENCE CONTINUING ALONG SAID WESTERLY LINE S. 00° 22' 36" E. (RECORDED AS S. 00° 36' 30" E.), 120.00 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 55' 56" E., 68.71 FEET (RECORDED AS S. 89° 52' 42" E., 68.32 FEET); THENCE CONTINUING ALONG SAID LINE S. 00° 31' 45" E. (RECORDED AS S. 00° 35' 30" E.), 582.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE COMMENCING ALONG SAID LINE IN THE FOLLOWING THREE (3) COURSES, N. 89° 46' 23" W., 73.44 FEET (RECORDED AS N. 89° 53' 15" W., 73.92 FEET); THENCE N. 71° 11' 34" W., 306.39 FEET (RECORDED AS N. 71° 14' 00" W., 306.45 FEET); THENCE S. 89° 54' 12" W. (RECORDED AS S. 89° 58' 00" W.), 305.73 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD; THENCE ALONG SAID LINE N. 00° 36' 30" W., 863.28 FEET TO THE POINT OF BEGINNING. CONTAINING 12.1249 ACRES OR 528,161.89 SQUARE FEET.

SANITARY SEWER EASEMENT DESCRIPTION

A 20.00 FEET WIDE PORTION OF AN EASEMENT FOR SANITARY SEWER LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED ALONG ITS CENTERLINE AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 14, T.2N., R.11E., THENCE S.89°51'34"E., 75.01 FEET; THENCE S. 00°36'30" E., 1059.70 FEET; THENCE N. 89°54'12" E., 305.73 FEET; THENCE S. 71°11'34" E., 259.16 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE OF SANITARY SEWER EASEMENT; THENCE N. 00°31'45" W., 130.49 FEET TO THE POINT "H"; THENCE N. 08°13'45" W., 105.43 FEET; THENCE N. 28°03'16" W., 290.00 FEET; THENCE N. 28°37'35" W., 255.00 FEET; THENCE N. 55°01'20" W., 160.00 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE SANITARY SEWER EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "H"; THENCE N. 72°18'37" W., 233.99 FEET; THENCE S. 89°54'12" W., 140.00 FEET; THENCE N. 49°22'51" W., 80.00 FEET; THENCE N. 00°36'30" W., 155.00 FEET; THENCE N. 00°36'30" W., 200.00 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

NF NOWAK & FRAUS

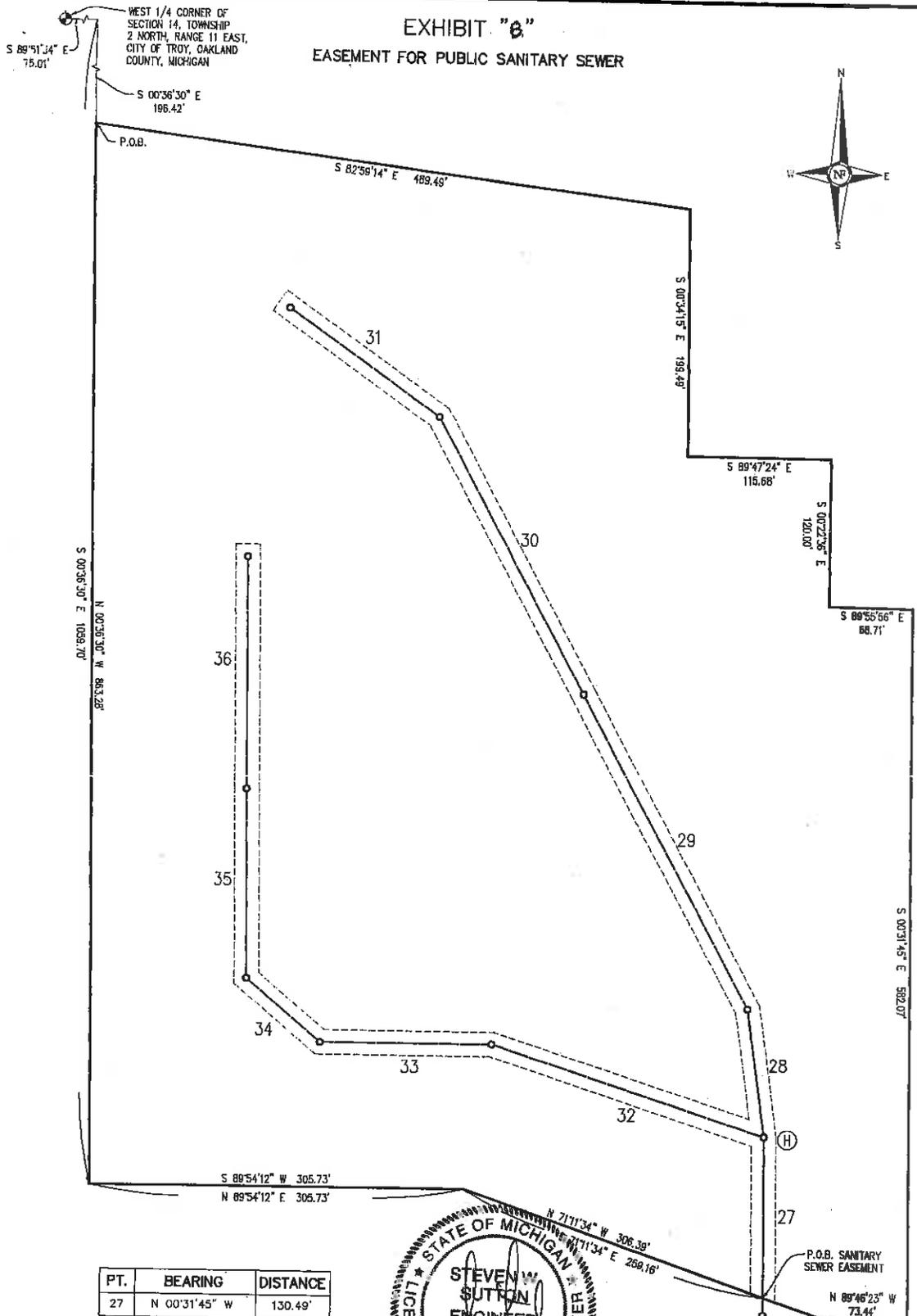
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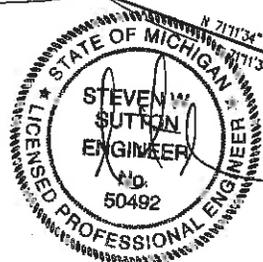
DATED 7/28/06 JOB NO. 0622 SCALE 1" = 100'

SHEET NO. 2 OF 2

EXHIBIT "B"
EASEMENT FOR PUBLIC SANITARY SEWER



PT.	BEARING	DISTANCE
27	N 00°31'45" W	130.49'
28	N 08°13'45" W	105.43'
28	N 28°03'16" W	290.00'
30	N 28°37'35" W	255.00'
31	N 55°01'20" W	160.00'
32	N 72°18'37" W	233.99'
33	S 89°54'12" W	140.00'
34	N 49°22'51" W	80.00'
35	N 00°36'30" W	155.00'
36	N 00°36'30" W	200.00'



NOWAK & FRAUS

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Phone (248) 332-7931

DATED 7/28/08 JOB NO. D622 SCALE 1" = 100'
SHEET NO. 1 OF 2

PERMANENT EASEMENT

Sidwell #88-20-14-301-032, 004, 005, 006, 007, 008, 009, 028 & 029
Resolution #

APR DEVELOPMENT , L.L.C., a Michigan limited liability company, Grantor(s), whose address is 178 Larchwood, Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace public utilities, storm drains, & storm sewers, detention pond & for emergency ingress/egress, & police/fire protection over, under & across the real property, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 25th day of August A.D. 2006.

APR DEVELOPMENT, LLC., a Michigan limited liability company

By [Signature] (L.S.)
*Gary F. Abitheira
Its Member

STATE OF MICHIGAN)
COUNTY OF Oakland)

The foregoing instrument was acknowledged before me this 25th day of August, 2006, by Gary F. Abitheira, Member of APR DEVELOPMENT, LLC, a Michigan limited liability company on behalf of the company.

[Signature]
LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, Oakland County, Michigan
My Commission Expires 3-2-2012
Acting in Oakland County, Michigan

Prepared by: Larysa Figol
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURE

EXHIBIT "A"

EASEMENT FOR EMERGENCY INGRESS / EGRESS

OVERALL PARCEL DESCRIPTION

LAND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING PART OF LOTS 1-6, INCLUSIVE AND PART OF LOT 8 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUBDIVISION", AS RECORDED IN LIBER 14, PAGE 49 AND PART OF LOTS 38 AND 39 OF "SQUARE ACRES SUBDIVISION NO.1", AS RECORDED IN LIBER 44, PAGE 48 OF OAKLAND COUNTY, MICHIGAN RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING FROM THE WEST 1/4 CORNER OF SAID SECTION 14 ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 14 S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY 75 FOOT RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 196.42 FEET TO THE POINT OF BEGINNING; THENCE S. 82° 59' 14" E., 489.49 FEET TO A POINT ON THE WESTERLY LINE OF "SHALLOWBROOK SUBDIVISION" RECORDED IN LIBER 144, PAGE 20-22 OF PLATS, OAKLAND COUNTY RECORDS; THENCE ALONG SAID LINE S. 00° 34' 15" E. (RECORDED AS S., 00° 36' 58" E.), 199.49 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 47' 24" E. (RECORDED AS S. 89° 52' 42" E.), 115.68 FEET SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF ROBERTSON DRIVE (60 FEET WIDE); THENCE CONTINUING ALONG SAID WESTERLY LINE S. 00° 22' 36" E. (RECORDED AS S. 00° 36' 30" E.), 120.00 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 55' 56" E., 68.71 FEET (RECORDED AS S. 89° 52' 42" E., 68.32 FEET); THENCE CONTINUING ALONG SAID LINE S. 00° 31' 45" E. (RECORDED AS S. 00° 35' 30" E.), 582.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE COMMENCING ALONG SAID LINE IN THE FOLLOWING THREE (3) COURSES, N. 89° 46' 23" W., 73.44 FEET (RECORDED AS N. 89° 53' 15" W., 73.92 FEET); THENCE N. 71° 11' 34" W., 306.39 FEET (RECORDED AS N. 71° 14' 00" W., 306.45 FEET); THENCE S. 89° 54' 12" W. (RECORDED AS S. 89° 58' 00" W.), 305.73 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD; THENCE ALONG SAID LINE N. 00° 36' 30" W., 863.28 FEET TO THE POINT OF BEGINNING. CONTAINING 12.1249 ACRES OR 528,161.89 SQUARE FEET.

EMERGENCY INGRESS / EGRESS EASEMENT DESCRIPTION

A PRIVATE ROAD EASEMENT FOR INGRESS/EGRESS LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 14, T.2N., R.11E.; THENCE S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 342.12 FEET; THENCE N. 89° 23' 30" E., 78.89 FEET; THENCE ALONG A CURVE TO THE RIGHT 96.70 FEET, SAID CURVE HAVING A RADIUS OF 210.00 FEET, CENTRAL ANGLE OF 26° 23' 04", AND A LONG CHORD BEARING S. 77° 24' 58" E., 95.85 FEET; THENCE ALONG A CURVE TO THE RIGHT 4.31 FEET, SAID CURVE HAVING A RADIUS OF 306.00 FEET, CENTRAL ANGLE OF 0° 48' 24", AND A LONG CHORD BEARING S. 63° 49' 15" E., 4.31 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING SIX (6) COURSES: A CURVE TO THE RIGHT 185.75 FEET, SAID CURVE HAVING A RADIUS OF 306.00 FEET, CENTRAL ANGLE OF 34° 46' 47", AND A LONG CHORD BEARING S. 46° 01' 40" E., 182.91 FEET; S. 28° 38' 16" E., 432.69 FEET; A CURVE TO THE RIGHT 132.46 FEET, SAID CURVE HAVING A RADIUS OF 270.00 FEET, CENTRAL ANGLE OF 28° 06' 31" AND A LONG CHORD BEARING S. 14° 35' 01" E., 131.13 FEET; S. 00° 31' 45" E., 92.49 FEET; A CURVE TO THE RIGHT 40.50 FEET, SAID CURVE HAVING A RADIUS OF 120.00 FEET, CENTRAL ANGLE OF 19° 20' 11", AND A LONG CHORD BEARING S. 09° 08' 20" W., 40.31 FEET; S. 18° 48' 26" W., 6.89 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD; THENCE N. 71° 11' 34" W., 40.00 FEET ALONG SAID NORTHERLY LINE OF LAMB ROAD; THENCE ALONG THE FOLLOWING TWELVE (12) COURSES: N. 18° 48' 26" E., 6.89 FEET; ALONG A CURVE TO THE LEFT 27.00 FEET, SAID CURVE HAVING A RADIUS OF 80.00 FEET, CENTRAL ANGLE OF 19° 20' 11", AND A LONG CHORD BEARING N. 09° 08' 20" E., 26.87 FEET; THENCE N. 00° 31' 45" W., 85.75 FEET; ALONG A CURVE TO THE LEFT 23.43 FEET, SAID CURVE HAVING A RADIUS OF 19.00 FEET, CENTRAL ANGLE OF 70° 39' 49", AND A LONG CHORD BEARING N. 09° 08' 20" E., 21.98 FEET; N. 71° 11' 34" W., 157.02 FEET; ALONG A CURVE TO THE LEFT, 26.39 FEET, SAID CURVE HAVING A RADIUS OF 80.00 FEET, CENTRAL ANGLE OF 18° 54' 14", AND A LONG CHORD BEARING N. 80° 38' 41" W., 26.28 FEET S. 89° 54' 12" W., 108.31 FEET; ALONG A CURVE TO THE RIGHT 109.33 FEET, SAID CURVE HAVING A RADIUS OF 70.00 FEET, CENTRAL ANGLE OF 89° 29' 18", AND LONG CHORD BEARING N. 45° 21' 09" W., 98.55 FEET; N. 00° 36' 30" W., 339.91 FEET; ALONG A CURVE TO THE RIGHT 82.77 FEET, SAID CURVE HAVING A RADIUS OF 170.00 FEET, CENTRAL ANGLE OF 27° 53' 42", AND LONG CHORD BEARING N. 13° 20' 21" E., 81.95 FEET TO A POINT "A"; THENCE ALONG A CURVE TO THE LEFT 30.08 FEET, SAID CURVE HAVING A RADIUS OF 19.00 FEET, CENTRAL ANGLE OF 90° 42' 15", AND A LONG CHORD BEARING N. 18° 03' 55" W., 27.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NAVIN FIELD LANE (60' WIDE); THENCE ALONG SAID EASTERLY LINE OF NAVIN FIELD LANE N. 26° 34' 57" E., 60.00 FEET TO THE POINT OF BEGINNING, EXCEPT THAT AREA DESCRIBED AS FOLLOWS:

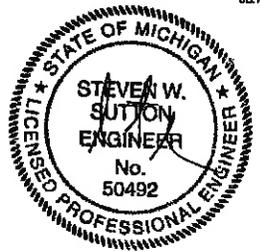
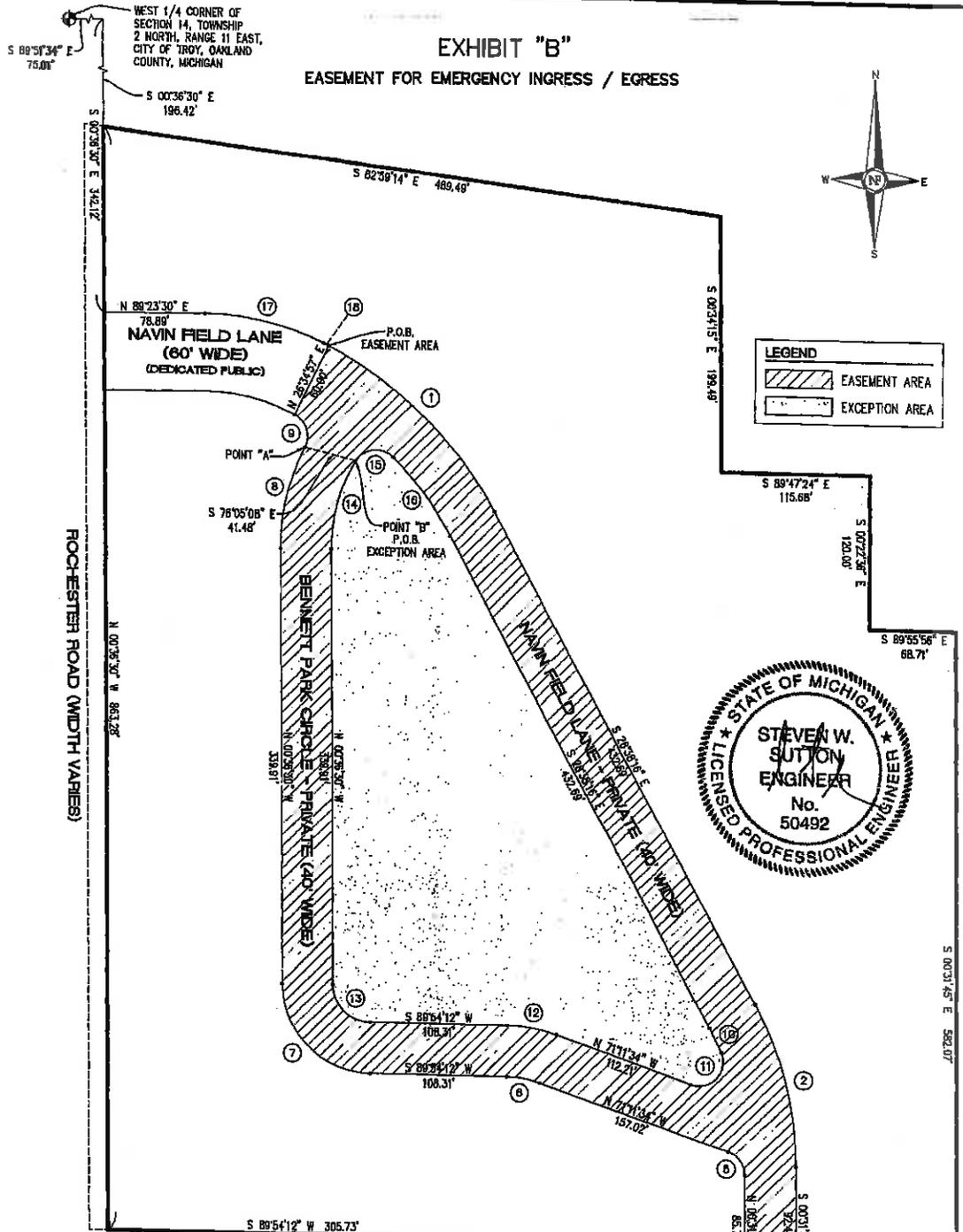
COMMENCING FROM SAID POINT "A"; THENCE S. 76° 05' 08" E., 41.48 FEET TO A POINT "B", SAID POINT BEING THE POINT OF BEGINNING OF THE EXCEPTED AREA; THENCE ALONG THE FOLLOWING ELEVEN (11) COURSES: A CURVE TO THE RIGHT 34.34 FEET, SAID CURVE HAVING A RADIUS OF 19.00 FEET, CENTRAL ANGLE OF 103° 34' 11", AND LONG CHORD BEARING N. 83° 18' 12" E., 29.86 FEET; A CURVE TO THE RIGHT 75.55 FEET, SAID CURVE HAVING A RADIUS OF 266.00 FEET, CENTRAL ANGLE OF 16° 16' 26", AND LONG CHORD BEARING S. 36° 46' 29" E., 75.30 FEET; S. 28° 38' 16" E., 432.69 FEET; A CURVE TO THE RIGHT 21.39 FEET, SAID CURVE HAVING A RADIUS OF 230.00 FEET, CENTRAL ANGLE OF 05° 19' 41"; AND LONG CHORD BEARING S. 25° 58' 26" E., 21.38 FEET; A CURVE TO THE RIGHT 43.81 FEET, SAID CURVE HAVING A RADIUS OF 19.00 FEET, CENTRAL ANGLE OF 132° 07' 01", AND LONG CHORD BEARING S. 42° 44' 55" W., 34.73 FEET; N. 71° 11' 34" W., 112.21 FEET; A CURVE TO THE LEFT 39.59 FEET, SAID CURVE HAVING A RADIUS OF 120.00 FEET, CENTRAL ANGLE OF 18° 54' 14", AND LONG CHORD BEARING N. 80° 38' 41" W., 39.41 FEET; S. 89° 54' 12" W., 108.31 FEET; A CURVE TO THE RIGHT 46.86 FEET, SAID CURVE HAVING A RADIUS OF 30.00 FEET, CENTRAL ANGLE OF 89° 29' 18", AND LONG CHORD BEARING N. 45° 21' 09" W., 42.24 FEET; N. 00° 36' 30" W., 339.91 FEET; A CURVE TO THE RIGHT 72.89 FEET HAVING A RADIUS OF 130.00 FEET, CENTRAL ANGLE OF 32° 07' 37", AND LONG CHORD BEARING N. 15° 27' 18" E., 71.94 FEET TO THE POINT OF BEGINNING OF THE EXCEPTED AREA.

NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

46777 Woodward Avenue Pontiac, MI. 48342
Phone (248) 332-7931

EXHIBIT "B"
EASEMENT FOR EMERGENCY INGRESS / EGRESS



CURVE	ARC LEN.	RAD.	Δ	CHORD	CHD. DIST.
1	185.75'	306.00'	34°46'47"	S 46°01'40" E	182.91'
2	132.46'	270.00'	28°08'31"	S 14°35'01" E	131.13'
3	40.50'	120.00'	19°20'11"	S 09°08'20" W	40.31'
4	27.00'	80.00'	19°20'11"	N 09°08'20" E	26.87'
5	23.43'	19.00'	70°39'49"	N 35°51'40" W	21.98'
6	26.39'	80.00'	18°54'14"	N 80°38'41" W	28.28'
7	109.33'	70.00'	89°29'18"	N 45°21'09" W	98.55'
8	82.77'	170.00'	27°53'42"	N 13°20'21" E	81.95'
9	30.08'	19.00'	90°42'15"	N 18°03'55" W	27.03'
10	21.39'	230.00'	5°19'41"	S 25°58'26" E	21.38'
11	43.81'	19.00'	132°07'01"	S 42°44'55" W	34.73'
12	38.59'	120.00'	18°54'14"	N 80°38'41" W	39.41'
13	46.86'	30.00'	88°28'18"	N 45°21'09" W	42.24'
14	72.89'	130.00'	32°07'37"	N 15°27'18" E	71.94'
15	34.34'	19.00'	103°34'11"	N 83°18'12" E	29.86'
16	75.55'	266.00'	16°16'26"	S 36°46'29" E	75.30'

CURVE	ARC LEN.	RAD.	Δ	CHORD	CHD. DIST.
17	95.70'	210.00'	26°23'04"	S 77°24'58" E	95.85'
18	4.31'	306.00'	0°48'24"	S 63°49'15" E	4.31'

NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning
 4677 Woodward Avenue Pontiac, MI. 48342
 Phone (248) 332-7931
 DATED 8/17/06 JOB NO. D822 SCALE 1" = 100'
 SHEET NO. 1 OF 2

PERMANENT EASEMENT

Sidwell #88-20-14-301-032, 004, 005, 006, 007, 008, 009, 028 & 029
Resolution #

APR DEVELOPMENT, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 178 Larchwood, Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 25th day of August A.D. 2006.

APR DEVELOPMENT, LLC., a Michigan limited liability company

By [Signature] (L.S.)
*Gary F. Abitheira
Its Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25th day of August, 2006, by Gary F. Abitheira, Member of APR DEVELOPMENT, LLC, a Michigan limited liability company on behalf of the company.

[Signature]
* LARYSA FIGOL
LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2012
Notary Public, OAKLAND County, Michigan
My Commission Expires 3-2-2012
Acting in OAKLAND County, Michigan

Prepared by: Larysa Figol
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"
EASEMENT FOR PUBLIC WATER MAIN

OVERALL PARCEL DESCRIPTION

LAND IN THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING PART OF LOTS 1-6, INCLUSIVE AND PART OF LOT 8 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUBDIVISION", AS RECORDED IN LIBER 14, PAGE 49 AND PART OF LOTS 38 AND 39 OF "SQUARE ACRES SUBDIVISION NO.1", AS RECORDED IN LIBER 44, PAGE 48 OF OAKLAND COUNTY, MICHIGAN RECORDS BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING FROM THE WEST 1/4 CORNER OF SAID SECTION 14 ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 14 S. 89° 51' 34" E., 75.01 FEET TO A POINT ON THE EASTERLY 75 FOOT RIGHT-OF-WAY LINE OF ROCHESTER ROAD (135 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE S. 00° 36' 30" E., 196.42 FEET TO THE POINT OF BEGINNING; THENCE S. 82° 59' 14" E., 489.49 FEET TO A POINT ON THE WESTERLY LINE OF "SHALLOWBROOK SUBDIVISION" RECORDED IN LIBER 144, PAGE 20-22 OF PLATS, OAKLAND COUNTY RECORDS; THENCE ALONG SAID LINE S. 00° 34' 15" E. (RECORDED AS S., 00° 36' 58" E.), 199.49 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 47' 24" E. (RECORDED AS S. 89° 52' 42" E.), 115.68 FEET SAID LINE ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF ROBERTSON DRIVE (60 FEET WIDE); THENCE CONTINUING ALONG SAID WESTERLY LINE S. 00° 22' 36" E. (RECORDED AS S. 00° 36' 30" E.), 120.00 FEET; THENCE CONTINUING ALONG SAID LINE S. 89° 55' 56" E., 68.71 FEET (RECORDED AS S. 89° 52' 42" E., 68.32 FEET); THENCE CONTINUING ALONG SAID LINE S. 00° 31' 45" E. (RECORDED AS S. 00° 35' 30" E.), 582.07 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAMB ROAD (60 FEET WIDE); THENCE COMMENCING ALONG SAID LINE IN THE FOLLOWING THREE (3) COURSES, N. 89° 46' 23" W., 73.44 FEET (RECORDED AS N. 89° 53' 15" W., 73.92 FEET); THENCE N. 71° 11' 34" W., 306.39 FEET (RECORDED AS N. 71° 14' 00" W., 306.45 FEET); THENCE S. 89° 54' 12" W. (RECORDED AS S. 89° 58' 00" W.), 305.73 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF ROCHESTER ROAD; THENCE ALONG SAID LINE N. 00° 36' 30" W., 863.28 FEET TO THE POINT OF BEGINNING. CONTAINING 12.1249 ACRES OR 528,161.89 SQUARE FEET.

WATERMAIN EASEMENT DESCRIPTION

A 20.00 FEET WIDE PORTION OF AN EASEMENT FOR WATER MAIN LOCATED WITHIN A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN BEING MORE PARTICULARLY DESCRIBED ALONG ITS CENTERLINE AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 14, T.2N., R.11E., THENCE S.89°51'34"E. 75.01 FEET, THENCE S. 00°36'30" E., 420.48 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE OF WATER MAIN EASEMENT; THENCE N. 89°23'30" E., 144.51 FEET; THENCE S. 68°06'30" E., 70.16 FEET TO THE POINT "A"; THENCE S. 68°06'30" E., 19.95 FEET; THENCE S. 28°44'12" E., 188.65 FEET TO THE POINT "B"; THENCE S. 28°44'12" E., 56.43 FEET TO THE POINT "C"; THENCE S. 28°44'12" E., 254.87 FEET; THENCE S. 16°21'44" W., 16.00 FEET; THENCE S. 61°21'44" W., 18.32 FEET TO THE POINT "D"; THENCE S. 61°21'44" W., 4.14 FEET; THENCE N. 71°11'34" W., 102.18 FEET; THENCE S. 89°54'12" W., 143.11 FEET; THENCE N. 41°56'17" W., 8.16 FEET TO THE POINT "E"; THENCE N. 41°56'17" W., 10.75 FEET; THENCE N. 00°36'30" W., 372.62 FEET; THENCE N. 22°30'00" E., 23.51 FEET TO THE POINT "F"; THENCE N. 22°30'00" E., 33.39 FEET TO THE POINT "A" ALSO BEING THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "B"; THENCE N. 61°21'43" E., 149.38 FEET; THENCE N. 14°22'10" E., 95.34 FEET; THENCE N. 59°22'10" E., 8.18 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "C"; THENCE N. 61°21'44" E., 23.44 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "D"; THENCE S. 28°38'16" E., 122.01 FEET; THENCE S. 16°21'44" W., 3.86 FEET TO THE POINT "G"; THENCE S. 16°21'44" W., 93.77 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "E"; THENCE S. 48°03'43" W., 22.70 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "F"; THENCE N. 67°30'00" W., 22.83 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

ALSO TOGETHER WITH A 20.00 FEET WIDE PORTION OF THE WATER MAIN EASEMENT WHICH CENTERLINE IS DESCRIBED AS BEGINNING AT SAID POINT "G"; THENCE S. 73°38'16" E., 15.69 FEET TO THE POINT OF ENDING OF THAT PORTION OF THE EASEMENT.

NFNOWAK & FRAUS

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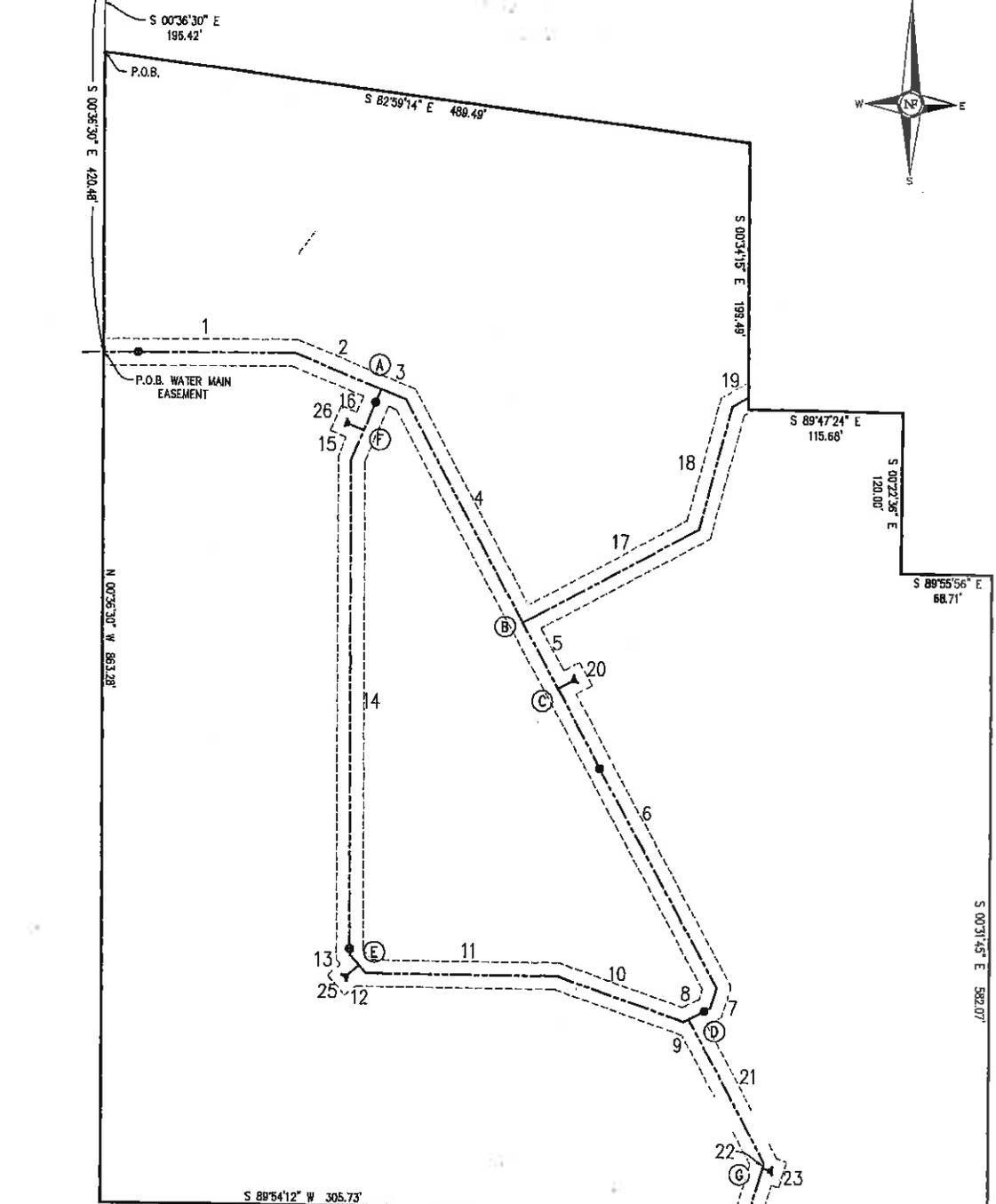
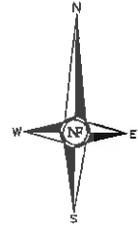
46777 Woodward Avenue Pontiac, MI. 48342
Phone (248) 332-7931

DATED 7/28/06 JOB NO. D622 SCALE 1" = 100'

SHEET NO. 2 OF 2

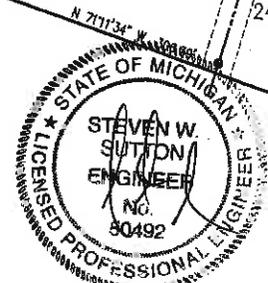
EXHIBIT "B"
EASEMENT FOR PUBLIC WATER MAIN

WEST 1/4 CORNER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN



PT.	BEARING	DISTANCE
1	N 89°23'30" E	144.51'
2	S 68°06'30" E	70.16'
3	S 68°06'30" E	19.95'
4	S 28°44'12" E	188.65'
5	S 28°44'12" E	56.43'
6	S 28°44'12" E	254.87'
7	S 16°21'44" W	16.00'
8	S 61°21'44" W	18.32'
9	S 61°21'44" W	4.14'
10	N 71°11'34" W	102.18'
11	S 89°54'12" W	143.11'
12	N 41°56'17" W	8.16'
13	N 41°56'17" W	10.75'
14	N 00°36'30" W	372.62'
15	N 22°30'00" E	23.51'
16	N 22°30'00" E	33.39'

PT.	BEARING	DISTANCE
17	N 61°21'43" E	149.38'
18	N 14°22'10" E	95.34'
19	N 59°22'10" E	13.68'
20	N 61°21'44" E	23.44'
21	S 28°38'16" E	122.01'
22	S 16°21'44" W	3.86'
23	S 73°38'16" E	15.69'
24	S 16°21'44" W	93.77'
25	S 46°03'43" W	22.70'
26	N 67°30'00" W	22.83'



NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

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Phone (248) 332-7931

DATED 7/28/08 JOB NO. D622 SCALE 1" = 100'
SHEET NO. 1 OF 2

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, June 8, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:15 p.m.

Trustees Present:
 Mark Calice
 William R. Need (Ex-Officio)
 Steve Pallotta
 Mary Kerwin
 Mitchell Lenczewski
 John Szerlag

Trustee Absent: Thomas J. Gordon, II

Also Present:
 Justin Breyer
 Monica Irelan
 Thomas Darling, CPA

Minutes

Resolution # ER – 2011-7-26

Moved by Pallotta
 Seconded by Lenczewski

RESOLVED, That the Revised Minutes of the June 8, 2011 meeting be approved.

Yeas: All-5
 Absent: Gordon

Retirement Request

Resolution # ER – 2011-7-27

Moved by Szerlag
 Seconded by Lenczewski

RESOLVED, That the following retirement requests be approved:

Name	Marianne Leslie	Thomas Lawrence	Christopher Swift	Mark Livingston
Pension Program	DB	DB	DB	DB
Retirement Date	7-14-11	7-16-11	7-20-11	7-21-11
Department	Assessing	Public Works	Police	Police
Service Time	15 years 6 months	25 years 2 months	23 years 2 months	13 years 11 months
Name	Jonathon B. King	Dane W Lawicki	Barbara Losey	Patrick Fitzpatrick
Pension Program	DC	DC – DB	DB	DB
Retirement Date	7-30-11	8-6-11	8-6-11	7-16-11
Department	Public Works	Engineering	Treasurer	Engineering
Service Time	34 years 7 months	29 years 11 months	15 years 3 months	17 years 8 months

Name	Paul A. Harrington	Nicolette Kaptur	Jerry Fairbrother	John Zawojskyj
Pension Program	DB	DB	DB	DC
Retirement Date	8-12-11	7-23-11	8-12-11	8-12-11
Department	Public Works	Police	Public Works	Public Works
Service Time	25 years 9 months	25 years 6 months	25 years 4 months	20 years 10 months

Yeas: All-5
Absent: Gordon

Investments

Resolution # ER – 2011-7-28

Moved by Pallotta
Seconded by Kerwin

RESOLVED, That the board buy and sell the following:

- Sell: 5,000 shares of Nextera Energy
- Buy: 5,000 shares of SodaStream International

Yeas: All-5
Absent: Gordon

Other Business – Chapter 10 Revision

Resolution # ER – 2011-7-29

Moved by Kerwin
Seconded by Pallotta

Resolved, that the City of Troy Employees Retirement System Board of Trustees recommends a revision of Troy City Ordinance Chapter 10 Section 3.6 (C), as follows:

3.6 The Board of Trustees is vested with the power and authority to administer, manage and operate the retirement system, and to construe and make effective the provisions of this Chapter. The Board shall consist of eight trustees as follows:

(C)~~The Assistant City Manager/Finance & Administration~~ City Manager or his/ her designee shall be the Administrative Officer and serve as secretary of the Retirement System and he he/she shall be the custodian of its money and investments.

Be is further Resolved, that this resolution be forwarded to the Troy City Council for its consideration of the ordinance amendment.

Yeas: All-5
Absent: Gordon

Other Business – ICMA-RC Resolution

Resolution # ER – 2011-7-30

Moved by Lenczewski

Seconded by Szerlag

Resolved, that Lisa Burnham is the Plan Coordinator for the ICMA-RC retirement system.

Yeas: All-5

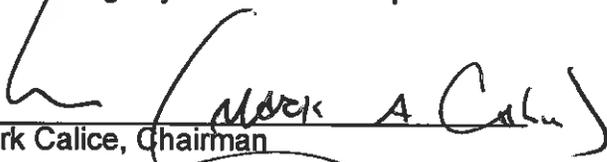
Absent: Gordon

Public Comment

Councilman Howrylak was present. No comment.

The next meeting is August 10, 2011 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 12:51 p.m.


Mark Calice, Chairman


Monica Ireland, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, August 10, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:09 p.m.

Trustees Present: Mark Calice
William R. Need (Ex-Officio)
Steve Pallotta
Mary Kerwin
Mitchell Lenczewski
John Szerlag
Thomas J. Gordon, II

Also Present: Monica Ireland
Thomas Darling, CPA
Justin Breyer
John Grant, UBS

Minutes

Resolution # ER – 2011-8-31

Moved by Pallotta
Seconded by Lenczewski

RESOLVED, That the Revised Minutes of the July 13, 2011 meeting be approved.

Yeas: All-6

Retirement Request

Resolution # ER – 2011-8-32

Moved by Szerlag
Seconded by Gordon

RESOLVED, That the following retirement requests be approved:

Name	Jay J. Reynolds III	Neil S. Piltz	Stephen Brandimore
Pension Program	DC-DB	DB	DB
Retirement Date	8/20/2011	8/13/2011	9/12/2011
Department	Police	Police	Police
Service Time	33 years 7 months	27 years	21 years

Yeas: All-6

Investments

None. Direction was given to encourage our brokers to exercise more Options.

Other Business – UBS- Investment Performance Report, Period Ending June 30, 2011

John Grant presented the Investment Report.

Other Business- Record Retention Policy

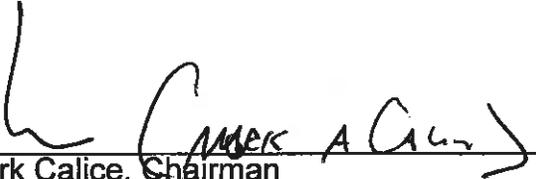
Received and Filed

Public Comment

Mike Kerr, retiree, thanked the board for its hard work.

The next meeting is September 14, 2011 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 12:56 p.m.



Mark Calice, Chairman



Monica Ireland, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, September 14, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:07 p.m.

Trustees Present: Mark Calice
William R. Need (Ex-Officio)
Steve Pallotta
Mary Kerwin
Mitchell Lenczewski
John Szerlag
Thomas J. Gordon, II

Also Present: Monica Irelan
Thomas Darling, CPA
Justin Breyer
John Grant, UBS
Dennis Oleszkowicz, UBS
Randy Dziubek, GRS

Minutes

Resolution # ER – 2011-9-33

Moved by Pallotta
Seconded by Szerlag

RESOLVED, That the Revised Minutes of the August 10, 2011 meeting be approved.

Yeas: All-6

Retirement Request

Resolution # ER – 2011-9-34

Moved by Kerwin
Seconded by Szerlag

RESOLVED, That the following retirement request be approved:

Name	David Livingston		
Pension Program	DB		
Retirement Date	9-15-11		
Department	Police		
Service Time	31 years		

Yeas: All-6

Investments

Resolution # ER – 2011-9-35

Moved by Kerwin

Seconded by Szerlag

RESOLVED, That the board buy the following:

- 2,000 shares of Coca Cola
- 2,000 shares of Chesapeake Energy
- 2,900 shares of Chevron
- 2,000 shares of Cliff Natural Resources
- 2,000 shares of CSX
- 1,000 shares of Gamestop
- 3,000 shares of Baidu
- 2,000 shares of Cummins
- 5,000 shares of Diamond Foods
- 2,000 shares of Apple

Yeas: All- 6

Resolution # ER – 2011-9-36

Moved by Kerwin

Seconded by Szerlag

RESOLVED, That the board buy the following:

- 5,000 shares of Target

Yeas: All- 6

Other Business - Gabriel, Roeder, Smith- Annual Actuary Report

Randy Dziubek presented the Forty-Seventh Annual Actuarial Valuation- Draft to the board.

Other Business- UBS- Understanding Options

John Grant introduced Dennis Oleszkowicz who educated the board on Options.

Other Business- Change in time for October Meeting

Resolution # ER – 2011-9-37

Moved by Szerlag

Seconded by Lenczewski

RESOLVED, That the board change the time of the October Retirement Board Meeting from 12 pm to 1 pm:

Yeas: All- 6

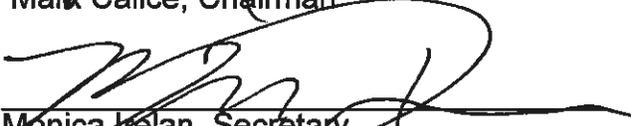
Public Comment

Martin Howrylak commented on the operations and investments of the Retirement Board.

The next meeting is October 12, 2011 at 1:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:00 p.m.


Mark Calice, Chairman


Monica Helan, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, October 12, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 1:37 p.m.

Trustees Present: Mark Calice
 William R. Need (Ex-Officio)
 Steve Pallotta
 Mary Kerwin
 Mitchell Lenczewski
 John Szerlag

Trustee Absent: Thomas J. Gordon, II

Also Present: Monica Irelan
 Thomas Darling, CPA (Left at 2:05 pm)
 Justin Breyer
 Randy Dziubek, GRS (Left at 2:05 pm)

Minutes

Resolution # ER – 2011-10-37

Moved by Kerwin
 Seconded by Pallotta

RESOLVED, That the Revised Minutes of the September 14, 2011 meeting be approved.

Yeas: All-5

Retirement Request

Resolution # ER – 2011-10-38

Moved by Kerwin
 Seconded by Pallotta

RESOLVED, That the following retirement requests be approved:

Name	Gerald Kerezi	Richard Sewell	Mark C. Owczarzak	Mark Alan Cole
Pension Program	DB	DB	DB	DC-DB
Retirement Date	9-30-11	11-01-11	11-12-11	11-12-11
Department	Police	Police	Police	Police
Service Time	16 years	31 years, 1 month	22 years, 6 months	31 years, 11 months
Name	Jeffrey S. Stacey	Michael S. Boussie		
Pension Program	DB	DC-DB		
Retirement Date	11-12-11	11-12-11		
Department	Police	Police		
Service Time	21 years, 2 months	37 years, 4 months		

Yeas: All-5

Resolution # ER – 2011-10-39

Moved by Szerlag

Seconded by Kerwin

RESOLVED, That the following retirement request be approved:

Name	Mitchell V Lenczewski
Pension Program	DB
Retirement Date	11-12-11
Department	Police
Service Time	23 years, 10 months

Yeas: All- 4

Abstain: Lenczewski

Investments**Resolution # ER – 2011-10-40**

Moved by Szerlag

Seconded by Pallotta

RESOLVED, That the board buy the following:

5,000 shares of Visa
 5,000 shares of Waters
 5,000 shares of Kohl's
 3,000 shares of Norfolk Southern
 5,000 shares of Pepsi
 5,000 shares of United Parcel
 5,000 shares of Perrigo

Yeas: All- 5

Other Business - Gabriel, Roeder, Smith- Annual Actuary Report

Randy Dziubek answered final questions about the actuary report.

Resolution # ER – 2011-10-40

Moved by Kerwin

Seconded by Lenczewski

RESOLVED, That the actuary collapse the base as suggested in the report but keep the 5 year smoothing.

Yeas: All- 5

Other Business- Change in time for November Meeting

Resolution # ER – 2011-10-41

Moved by Pallotta

Seconded by Szerlag

RESOLVED, That the board change the time of the November Retirement Board Meeting from 12 pm to 1 pm:

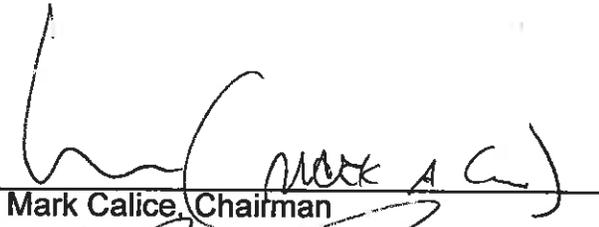
Yeas: All- 5

Public Comment

None.

The next meeting is November 9, 2011 at 1:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:38 p.m.



Mark Calice, Chairman



Monica Ireland, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, November 9, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 1:02 p.m.

Trustees Present: Mark Calice
William R. Need (Ex-Officio)
Steve Pallotta
Mitchell Lenczewski
John Szerlag
Thomas J. Gordon, II

Also Present: Monica Ireland
Thomas Darling, CPA
Justin Breyer
John Grant, UBS
Rebecca Sorenson, UBS

Minutes

Resolution # ER – 2011-11-42

Moved by Pallotta

Seconded by Lenczewski

RESOLVED, That the Revised Minutes of the October 12, 2011 meeting be approved.

Yeas: All-5

Retirement Request

Resolution # ER – 2011-11-43

Moved by Szerlag

Seconded by Gordon

RESOLVED, That the following retirement requests be approved:

Name	Donald M Tullock	Wayne A. Lepola	Cathy A. Brandimore	Susan A Leirstein
Pension Program	DC-DB	DB	DC-DB	DC
Retirement Date	11-12-11	11-12-11	11-12-11	12-03-11
Department	Police	Police	Police	Purchasing
Service Time	39 years 3 months	23 years 10 months	33 years 11 months	23 years 6 months

Name	Stephen L Cooperrider
Pension Program	DB
Retirement Date	12-02-11
Department	Risk Management
Service Time	27 years 9 months

Yeas: All-5

Investments

Resolution # ER – 2011-11-44

Moved by Szerlag

Seconded by Pallotta

RESOLVED, That the board sell the following:

500 shares of IPS

Yeas: All- 5

Other Business - Prior Government Service

Resolution # ER – 2011-11-45

Moved by Gordon

Seconded by Lenczewski

RESOLVED, that Christine Hill receives service credit for 13 years and 7 months of prior government service.

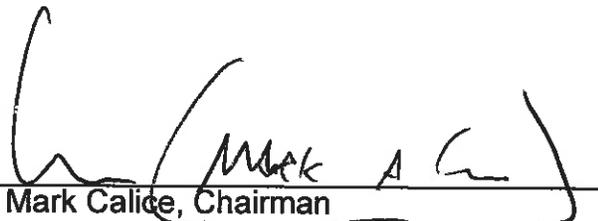
Yeas: All- 5

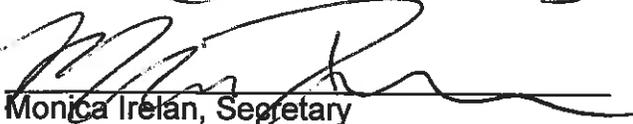
Public Comment

None.

The next meeting is December 14, 2011 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:02 p.m.


Mark Calice, Chairman


Monica Irehan, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, December 14, 2011, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:14 p.m.

Trustees Present: Mark Calice
Wade Fleming
Thomas J. Gordon, II
William R. Need (Ex-Officio)
Milton Stansbury
John Szerlag

Trustees Absent: Steve Pallotta

Also Present: Monica Ireland
Thomas Darling, CPA
Justin Breyer

Minutes

Resolution # ER – 2011-12-46

Moved by Szerlag
Seconded by Gordon

RESOLVED, That the Minutes of the November 9, 2011 meeting be approved.

Yeas: All-5
Absent: Pallotta

Other Business - Impact of Early Retirement Incentive Program

The board discussed looking at the information from the actuary about the ERIP. This will be included in next month's agenda.

Other Business - Impact of Early Retirement Incentive Program

Tom Darling, CPA, presented the Audit Excerpt that pertained to the Retirement System.

Other Business - Prior Government Service

Resolution # ER – 2011-12-47

Moved by Gordon
Seconded by Szerlag

RESOLVED, that Antonio Cicchetti receives service credit for 3 years and 10 months of prior government service.

Yeas: All- 5
Absent: Pallotta

Other Business- Change of Meeting Time

Resolution # ER – 2011-12-47

Moved by Gordon

Seconded by Szerlag

RESOLVED, That the board change the time of the January Retirement Board Meeting from 12 pm to 1:30 pm.

Yeas: All- 5

Absent: Pallotta

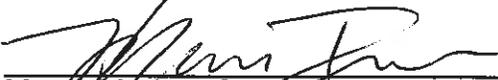
Public Comment

None.

The next meeting is January 11, 2011 at 1:30 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 12:44 p.m.


~~Mark Calice, Chairman~~ — Thomas Gordon


Mopica Irean, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Thursday, February 16, 2012, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:06 p.m.

Trustees Present: Wade Fleming
Thomas J. Gordon, II
Steve Pallotta
Milton Stansbury
John Szerlag

Trustees Absent: Mark Calice
William R. Need (Ex-Officio)

Also Present: Monica Irelan
Thomas Darling, CPA
Justin Breyer
Rebecca Sorenson, UBS

Minutes

Resolution # ER – 2012-02-01

Moved by Fleming
Seconded by Stansbury

RESOLVED, That the Minutes of the December 14, 2011 meeting be approved.

Yeas: All-5
Absent: Calice

Other Business - Quarterly Report- Ending December 2011

Rebecca Sorenson presented the quarterly report to the board.

Other Business - Retirement Board Regular Meeting Schedule for 2012

Resolution # ER – 2012-02-02

Moved by Pallotta
Seconded by Szerlag

RESOLVED, That the board approve the meeting schedule as presented.

Yeas: All-5
Absent: Calice

Investments- Liquidation Recommendations

Resolution # ER – 2012-02-03

Moved by Szerlag
Seconded by Pallotta

RESOLVED, That the board sell the following:

- Sell: 5,000 shares of Laboratory Corp.
- 4,900 shares of Amgen, Inc
- 5,000 shares of Tractor Supply
- 5,000 shares of Monsanto
- 576 shares of Southern Co.
- 4,000 Shares of Coach
- 1,000 shares of Cullen Frost Bankers
- 5,000 shares of Stryker
- 200 shares of Praxair
- 11,119 shares of American Euro (Mutual Fund)
- 14,996 shares of Putnam Convertible (Mutual Fund)

Yeas: All- 5
Absent: Calice

Public Comment

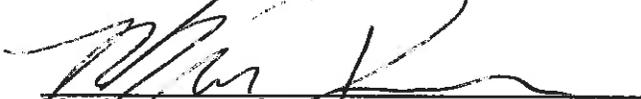
None.

The next meeting is March 14, 2012 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 12:50 p.m.



Thomas Gordon II, Vice-Chairman



Monica Ireland, Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Thursday, March 14, 2012, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:07 p.m.

Trustees Present: Mark Calice (arrived at 12:08 p.m.)
 Thomas J. Gordon, II
 Steve Pallotta
 Milton Stansbury
 John Szerlag
 William R. Need (Ex-Officio)

Trustees Absent: Wade Fleming

Also Present: Thomas Darling, CPA
 Justin Breyer

Minutes

Resolution # ER – 2012-03-04

Moved by Pallotta
 Seconded by Stansbury

RESOLVED, That the Minutes of the February 16, 2012 meeting be approved.

Yeas: All-5
 Absent: Fleming

Other Business -Actuary Evaluation- Discussion of Annual Required Contribution

Thomas Darling presented a proposal to have the Actuary do a two year Annual Required Contribution within the annual Actuarial Evaluation of the Retirement System.

Resolution # ER – 2012-03-05

Moved by Szerlag
 Seconded by Pallotta

RESOLVED, That the board approve a two year Annual Required Contribution within the annual Actuarial Evaluation of the Retirement System.

Yeas: All-5
 Absent: Fleming

Investments-

Resolution # ER – 2012-03-06

Moved by Pallotta

Seconded by Szerlag

RESOLVED, That the board sell the following:

Sell: Sell: 11,00 shares of DG Fastchannel

Buy: 5,000 shares of General Parts Corp. (GPC)

5,000 shares of American Tower (AMT)

5,000 shares of Clean Energy (CLNE)

Yeas: All- 5

Absent: Fleming

The board discussed items to add to the “watch list.”

Public Comment

None.

The next meeting is April 11, 2012 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 12:50 p.m.

(Notes were taken by Thomas Gordon II)

LIQUOR ADVISORY COMMITTEE MINUTES – FINAL APRIL 9, 2012

A regular meeting of the Liquor Advisory Committee was held on Monday, April 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 7:01 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Patrick C. Hall
Andrew Kaltsounis
David S. Ogg

ABSENT: Timothy P. Payne
Bohdan L. Ukraineec

ALSO PRESENT: Officer James Feld
Susan Lancaster, Assistant City Attorney
Pat Gladysz

Resolution to Excuse Committee Members Payne and Ukraineec

Resolution #LC2012-04-009
Moved by Kaltsounis
Seconded by Hall

RESOLVED, That the absence of Committee members Payne and Ukraineec at the Liquor Advisory Committee meeting of April 9, 2012 be **EXCUSED**.

Yes: 5
No: 0
Absent: Payne, Ukraineec

Resolution to Approve Minutes of March 12, 2012 Meeting

Resolution #LC2012-04-010
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the Minutes of the March 12, 2012 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 5
No: 0
Absent: Payne, Ukraineec

Agenda Items

1. **El Patio IV, LLC** requests to Transfer Ownership of escrowed 2011 Class C licensed business, located at 645 Opdyke, Auburn Hills, MI 48326, Oakland County, from Fiero Lanes Inc. to El Patio IV LLC; transfer location (governmental unit) (MCL 436.1531(1) to 2891 E. Big Beaver, Troy, MI 48083, Oakland County, and cancel existing Dance Permit and Specific Purpose Permit (Bowling) {MLCC Req. #632980}. *This is near Big Beaver and Dequindre.*

Present to answer questions from the Committee was Maria De La Paz, an owner of the business.

Ms. De La Paz informed the Committee that this restaurant opened approximately two months ago. They have made minor interior modifications which have not yet received final approval from the Building Department. She and her husband own two other El Patio Restaurants; one is located in Waterford and the other in Farmington Hills. The Farmington Hills location has a liquor license. All employees will be trained for alcohol service.

Officer Feld informed the Committee that the petitioner had one police contact in 2011 in Novi but no charges were filed. There have been no liquor violations at the Farmington Hills restaurant.

Resolution #LC2012-04-011
Moved by Kaltsounis
Seconded by Ogg

RESOLVED, That the Liquor Advisory Committee recommends that the request of El Patio IV, LLC to Transfer Ownership of escrowed 2011 Class C licensed business, located at 645 Opdyke, Auburn Hills, MI 48326, Oakland County, from Fiero Lanes Inc. to El Patio IV LLC; transfer location (governmental unit) (MCL 436.1531(1) to 2891 E. Big Beaver, Troy, MI 48083, Oakland County, and cancel existing Dance Permit and Specific Purpose Permit (Bowling) be **APPROVED**.

Yes: 5
No: 0
Absent: Payne, Ukrainec

Officer Feld advised the Committee on the following:

Rochester Road Ventures, LLC

This item should appear on an Agenda in the next few months.

Assistant City Attorney Lancaster advised the Committee on the following:

Simbad, Inc.

This is a tabled item from the March 12, 2012 meeting. The petitioner has not yet paid their back taxes or water bill. At a future Liquor Advisory Committee meeting, Sergeant Zielinski will advise the Committee regarding the violation history of the business at 336 John R (address of Simbad, Inc.).

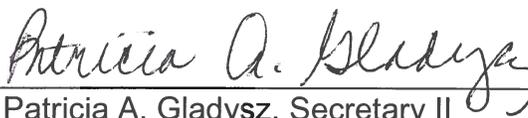
Smoker's Express

The Committee was advised that the business owner completed his five (5) day sentence in the Oakland County Jail and the liquor license was revoked by the MLCC for a period of five (5) days. Due to the occurrence of three violations in one calendar year, City Council should recommend revocation of his liquor license. The recommendation will then be reviewed by the MLCC.

The meeting adjourned at 7:17 p.m.



Max K. Ehler, Chairman



Patricia A. Gladysz, Secretary II

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final Amended April 11, 2012

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, April 11, 2012 at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:07 p.m.

Trustees Present: Mark Calice
Wade Fleming
Thomas J. Gordon, II
Steve Pallotta
Milton Stansbury (arrived at 12:58 pm)
John Szerlag
William R. Need (Ex-Officio)

Trustees Absent:

Also Present: Thomas Darling, CPA
Justin Breyer
Monica Irelan

Minutes

Resolution # ER – 2012-04-07

Moved by Pallotta
Seconded by Gordon

RESOLVED, That the Amended Minutes of the March 14, 2012 meeting be approved.

Yeas: All-5
Absent: Stansbury

Other Business -Statement of Investment Objectives and Policy Guidelines

The board discussed reviewing the investment policy and broker relations report at the June Regular Meeting.

Investments-

Resolution # ER – 2012-04-08

Moved by Szerlag
Seconded by Gordon

RESOLVED, That the board sell the following:

Sell: 5,000 Shares of Green Mountain
Buy: 6,000 shares of DirecTV
5,000 shares of Boeing

Yeas: All- 5
Absent: Stansbury

Other Business -Change of Time for the May Meeting

Resolution # ER – 2012-04-08

Moved by Calice

Seconded by Pallotta

RESOLVED, That the board move the Regular Meeting for May from 12:00 pm to 1:30 pm.

Yeas: All- 6

Absent:

Public Comment

None.

The next meeting is May 9, 2012 at 1:30 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 1:03 p.m.

Chair Lambert called the Zoning Board of Appeals meeting to order at 7:30 p.m. on April 17, 2012, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Glenn Clark
Kenneth Courtney
William Fisher
Allen Kneale
David Lambert
Thomas Strat

Also Present:

Bruce Bloomingdale, Alternate
Orestis Kaltsounis, Alternate
Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney

Clark and Lambert leave the dais; Bloomingdale and Kaltsounis are seated.

2. APPROVAL OF MINUTES – March 20, 2012

Moved by Courtney
Seconded by Fisher

RESOLVED, to approve the March 20, 2012 meeting minutes.

Yes: All present

MOTION PASSED

3. HEARING OF CASES

VARIANCE REQUEST, GAIL MORO, MAEDERS WEST GARDEN CENTER LLC, GPRZ Real Estate LLC, 6530-6550-6566 COOLIDGE HIGHWAY – A variance in order to expand the existing nonconforming use.

Moved by Bartnik
Second by Courtney

RESOLVED, to grant the variance as most recently amended, with the following conditions:

- That trees and shrubs sold on the property shall not exceed 24 inches in height.

- That the outdoor storage of potting soil bags be allowed in the red area adjacent to and east of the greenhouse and indicated on the attached drawing.
- That City staff verify the location of the "white line" referenced in the attached drawing and make it part of the record.

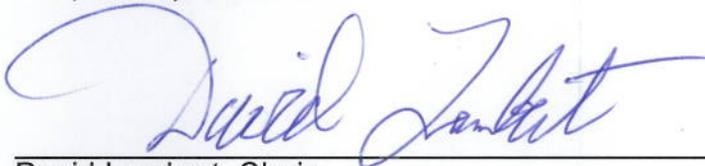
Yes: All

MOTION PASSED

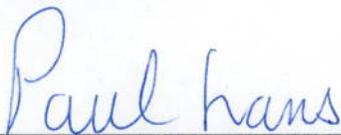
Bloomingtondale and Kaltsounis leave the dais; Clark and Lambert are seated.

5. COMMUNICATIONS – None
6. PUBLIC COMMENT – There was no public comment.
7. MISCELLANEOUS BUSINESS – The Board discussed the working role of the Alternates. It was agreed that the Board would not amend their Rules of Procedure at this time.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 9:06 p.m.

Respectfully submitted,



David Lambert, Chair



Paul Evans, Zoning and Compliance Specialist

**City of Troy Zoning Board of Appeals Minutes
4-17-2012
Page 3**



4.34 ACRES

Field measured 20' from existing building to dashed white line. 04/20/2012. MG

Red area east of greenhouse denotes soil bag storage area

COOLIDGE HIGHWAY
Coolidge Hwy

COOLIDGE HIGHWAY
Coolidge Hwy

CURRENT ASPHALTICEMENT PATHS/ROADS

HOUSE

OFFICE
79'

GREENHOUSE
136'
94'

ARBOR
Elevation=10
26'
24'

ARBOR
Elevation=10
26'
24'

ARBOR
72' Elevation=10
10'

ARBOR
Elevation=10
22'
26'

ARBOR
Elevation=10
22'
26'

HOUSE

150'

43'

43'

43'

20'

21.5'

21.5'

DISPLAY
DISPLAY
DISPLAY
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TRAFFIC COMMITTEE MINUTES – APRIL 18, 2012**FINAL**

A regular meeting of the Troy Traffic Committee was held Wednesday, April 18, 2012 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sarah Binkowski
Ted Halsey
Richard Kilmer
David Ogg
Pete Ziegenfelder

ABSENT: John Diefenbaker
Al Petrusis

Also present: Stevan Popovic, 353 Hickory
Jim Myers, 320 Hickory
Sergeant Michael Szuminski, Troy Police Dept.
Lt. Eric Caloia, Fire Department
Bill Huotari, Deputy City Engineer/Traffic Engineer

2. Minutes – March 21, 2012**RESOLUTION # 2012-04-10**

Moved by Kilmer
Seconded by Binkowski

To approve the March 21, 2012 minutes as printed.

YES: All-5
NO: None
ABSENT: 2 (Diefenbaker, Petrusis)
MOTION CARRIED

REGULAR BUSINESS**3. Request to Remove No Parking Restrictions – Hickory, Plum to Kirkton**

Stevan Popovic of 353 Hickory requested that the No Parking restrictions on the south side of Hickory, from Plum to Kirkton be removed so that residents can park on one side of Hickory. The north side is posted No Parking due to fire hydrants. The south side of Hickory is posted No Parking from 8:00 a.m. to 6:00 p.m., Monday through Saturday. The current No Parking zone on the south side was approved by Traffic Control Order #79-2-P and has been in place since April 16, 1979.

Mr. Popovic was present at the meeting and submitted a petition signed by residents in favor of removing the No Parking signs on the south side of Hickory. This petition was signed by nine

(9) of the seventeen (17) properties with homes. Of these nine, five (5) are on the north side of Hickory while four (4) of ten (10) properties with homes on the south side signed the petition. Mr. Popovic discussed his concerns regarding the lack of on street parking on either side of Hickory and the hardship that it presents to residents.

Jim Myers of 320 Hickory supported leaving the No Parking zone in place. Mr. Myers discussed his concerns that involved Hickory being a narrow road with ditches and the fact that if a car parks fully on the road it is impossible for two vehicles to pass in opposite directions. Mr. Myers also discussed people parking on the south side of Hickory, blocking the mailboxes, and causing mail to not be delivered. He also discussed parked vehicles hindering his ability to use his driveway.

Mr. Kilmer noted that there are cars parking on the south side of Hickory in violation of the posted signs.

Ms. Binkowski asked about removing the No Parking zone on the north side and just limiting the No Parking areas near the fire hydrants.

Lt. Caloia expressed concerns about emergency vehicle access and response times due to the narrow road should parking be allowed on Hickory.

Mr. Ogg requested that Traffic Engineering explore the possibility of moving the mailboxes to the north side of the street.

General discussion among the Traffic Committee members ensued.

Traffic Engineering received two (2) emails opposing the removal of the No Parking zone prior to the meeting. Subsequent to the meeting, Traffic Engineering received two (2) phone calls opposing the removal of the No Parking zone.

A resolution to make No Changes was moved by Kilmer and seconded by Halsey, but the motion failed. A second resolution to allow parking on the south side was moved by Binkowski, but no second was received so the motion was withdrawn.

The item was tabled by the Traffic Committee for reconsideration at the May meeting. Additional information requested by the Traffic Committee was:

1. Width of the street at various locations
2. Possibility of moving the mailboxes to the north side of the street that is already posted No Parking due to fire hydrants.

RESOLUTION # 2012-04-11

Moved by Binkowski

Seconded by Ogg

RESOLVED, that the request to remove the No Parking restrictions on Hickory, between Plum and Kirkton be tabled to the May 18, 2012 Traffic Committee meeting.

YES: 4 (Binkowski, Halsey, Ogg, Ziegenfelder)
NO: 1 (Kilmer)
ABSENT: 2 (Diefenbaker, Petrulis)
MOTION CARRIED

4. Public Comment

There was no additional public comment.

5. Other Business

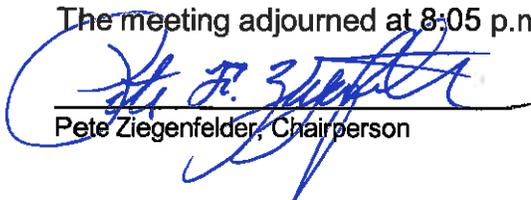
Mr. Halsey reports that a manhole in the northwest corner of Maple and Livernois is sinking. Traffic Engineering will refer this issue to the Department of Public Works.

Mr. Halsey reports that the left turn phase for eastbound Maple to Northbound Livernois does not seem to be operating correctly as he has experienced times when there has been no green phase for left turn motorists at the light. Traffic Engineering will forward the concern to the Road Commission for Oakland County (RCOC) for investigation.

Mr. Ogg asked why there is no longer a left turn light from northbound Dequindre to the Beaumont Hospital driveway. Traffic Engineering will discuss with the RCOC.

7. Adjourn

The meeting adjourned at 8:05 p.m.



Pete Ziegenfelder, Chairperson



Bill Huotari, Recording Secretary

Chair Maxwell called the Special/Study meeting of the Troy City Planning Commission to order at 7:30 p.m. on April 24, 2012 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Tom Krent
Mark Maxwell
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Absent:

Philip Sanzica

Also Present:

Allan Motzny, Assistant City Attorney
R. Brent Savidant, Planning Director
Mark F. Miller, Economic & Community Development Director
Glenn Lapin, Economic Development Specialist

2. APPROVAL OF AGENDA

Resolution # PC-2012-04-024

Moved by: Schultz
Seconded by: Tagle

RESOLVED, To approve the Agenda as printed.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

3. MINUTES

Resolution # PC-2012-04-025

Moved by: Edmunds
Seconded by: Schultz

RESOLVED, To approve the minutes of the April 10, 2012 Regular meeting as published.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Strat presented ZBA report.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported there will be a DDA meeting on May 2 at 7:30am in Lower Level Conference Room at Troy City Hall.

7. PLANNING AND ZONING REPORT

Mr. Savidant stated he is beginning to have more people contact the Planning Department to discuss residential projects.

OTHER ITEMS

8. POTENTIAL ZONING ORDINANCE TEXT AMENDMENT – Drive-throughs for Financial Institutions within the BB Big Beaver District

Mr. Savidant summarized the item. He indicated there was interest from some financial institutions to add drive-throughs within the Big Beaver District. Presently these uses are not permitted.

There was general discussion on this item. The Planning Commission agreed in concept to permit drive-throughs for financial institutions within the Big Beaver District. Some points that were discussed:

- Special Use Approval
- Drive-through not visible from street or separate from main bank building
- Tubes buried underground
- No additional curb cuts for drive-through

9. PLANNING AND ECONOMIC DEVELOPMENT – Presentation by City Staff

Mark F. Miller, Economic & Community Development Director, discussed the City's improved development approval process.

Glenn Lapin, Economic Development Specialist, discussed the City's new approach to economic gardening.

R. Brent Savidant, Planning Director, discussed the culture of the Planning Department and how it has evolved over time. Additionally, he discussed the role of Planning and Zoning in helping to create an environment for investment in Troy.

There was general discussion on this item.

10. PLANNING COMMISSION COMMENT

There was no one present who wished to speak.

11. PLANNING COMMISSION COMMENT

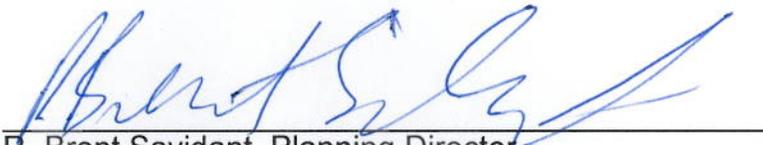
There was general discussion.

The Special/Study meeting of the Planning Commission adjourned at 9:15 p.m.

Respectfully submitted,



Mark Maxwell, Chair



R. Brent Savidant, Planning Director

Chair Maxwell called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on May 8, 2012 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Tom Krent
Mark Maxwell
Philip Sanzica
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Also Present:

R. Brent Savidant, Planning Director
Allan Motzny, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2012-05-026

Moved by: Edmunds
Seconded by: Schultz

RESOLVED, To approve the Agenda as published.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2012-05-027

Moved by: Tagle
Seconded by: Hutson

RESOLVED, To approve the minutes of the April 24, 2012 Special/Study meeting as submitted.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

Linda Kajma of 2196 Niagara Drive, Troy, addressed comments made by Gordon Schepke at the May 7, 2012 City Council meeting.

Mr. Motzny stated censuring a Board member is the purview of the Mayor and City Council, and the Planning Commission has no authority for cause of removal of a Board member.

Chair Maxwell said, after reviewing the tape from the City Council meeting, it is his personal opinion that Mr. Schepke did not say anything slanderous and is entitled to his opinion.

SITE CONDOMINIUM DEVELOPMENT

5. PRELIMINARY SITE PLAN REVIEW – Proposed Cedar Pines Estates No. 2 Site Condominium, 10 units/lots, East Side of Crooks Road, South of South Boulevard, Section 4, Currently Zoned R-1B (One Family Residential) District

Mr. Carlisle gave a brief review on the proposed development. Mr. Carlisle stated the plan meets all requirements of the Zoning Ordinance and recommends approval contingent on the four conditions as noted in his report.

There was general discussion on the proposed curb cuts, tree preservation and stormwater treatment.

Resolution # PC-2012-05-028

Moved by: Hutson
 Seconded by: Schultz

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Cedar Pines Estates No. 2 Site Condominium, 10 units/lots, east side of Crooks, south of South Boulevard, Section 4, within the R-1B (One Family Residential) District, be granted, subject to the following:

1. Approval by the Planning Department of the maximum proposed height, proposed lot coverage, and minimum floor area per unit as part of final site plan approval.
2. Reduce the width of both the curb cut and drive-aisle to a width agreeable with the engineering department.
3. Obtain all required permits identified by the City engineering department; and
4. State what trees, if any, outside of the area surveyed and outside of the 48-foot wide wooded buffer area will remain.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

- 6. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 243) – Drive-Throughs for Financial Institutions within the Big Beaver Zoning District

There was general discussion on the proposed text amendment.

Resolution # PC-2012-05-029

Moved by: Hutson

Seconded by: Schultz

RESOLVED, That the Planning Commission schedule a Public Hearing on the next available meeting date and bring back the item for discussion and a recommendation to City Council.

Yes: All present (9)

MOTION CARRIED

- 7. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

- 8. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

Chair Maxwell discussed the May 22, 2012 Special/Study meeting agenda.

The Regular meeting of the Planning Commission adjourned at 8:00 p.m.

Respectfully submitted,

Mark Maxwell, Chair

Kathy L. Czarnecki, Recording Secretary

Chair Maxwell called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on May 8, 2012 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Donald Edmunds
Michael W. Hutson
Tom Krent
Mark Maxwell
Philip Sanzica
Gordon Schepke
Robert Schultz
Thomas Strat
John J. Tagle

Also Present:

R. Brent Savidant, Planning Director
Allan Motzny, Assistant City Attorney
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2012-05-026

Moved by: Edmunds
Seconded by: Schultz

RESOLVED, To approve the Agenda as published.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2012-05-027

Moved by: Tagle
Seconded by: Hutson

RESOLVED, To approve the minutes of the April 24, 2012 Special/Study meeting as submitted.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

Linda Kajma of 2196 Niagara Drive, Troy, addressed comments made by Gordon Schepke at the May 7, 2012 City Council meeting.

Mr. Motzny stated censuring a Board member is the purview of the Mayor and City Council, and the Planning Commission has no authority for cause of removal of a Board member.

Chair Maxwell said, after reviewing the tape from the City Council meeting, it is his personal opinion that Mr. Schepke did not say anything slanderous and is entitled to his opinion.

SITE CONDOMINIUM DEVELOPMENT

5. PRELIMINARY SITE PLAN REVIEW – Proposed Cedar Pines Estates No. 2 Site Condominium, 10 units/lots, East Side of Crooks Road, South of South Boulevard, Section 4, Currently Zoned R-1B (One Family Residential) District

Mr. Carlisle gave a brief review on the proposed development. Mr. Carlisle stated the plan meets all requirements of the Zoning Ordinance and recommends approval contingent on the four conditions as noted in his report.

There was general discussion on the proposed curb cuts, tree preservation and stormwater treatment.

Resolution # PC-2012-05-028

Moved by: Hutson

Seconded by: Schultz

RESOLVED, That Preliminary Site Condominium Approval, pursuant to Article 8 and Section 10.02 of the Zoning Ordinance, as requested for Cedar Pines Estates No. 2 Site Condominium, 10 units/lots, east side of Crooks, south of South Boulevard, Section 4, within the R-1B (One Family Residential) District, be granted, subject to the following:

1. Approval by the Planning Department of the maximum proposed height, proposed lot coverage, and minimum floor area per unit as part of final site plan approval.
2. Reduce the width of both the curb cut and drive-aisle to a width agreeable with the engineering department.
3. Obtain all required permits identified by the City engineering department; and
4. State what trees, if any, outside of the area surveyed and outside of the 48-foot wide wooded buffer area will remain.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

6. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 243) – Drive-Throughs for Financial Institutions within the Big Beaver Zoning District

There was general discussion on the proposed text amendment.

Resolution # PC-2012-05-029

Moved by: Hutson

Seconded by: Schultz

RESOLVED, That the Planning Commission schedule a Public Hearing on the next available meeting date and bring back the item for discussion and a recommendation to City Council.

Yes: All present (9)

MOTION CARRIED

7. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

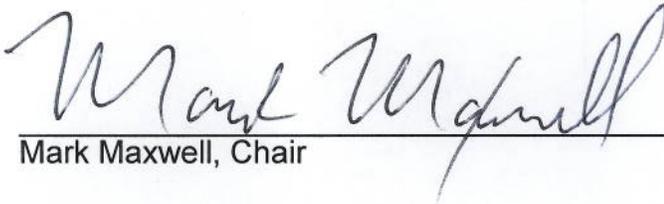
8. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

Chair Maxwell discussed the May 22, 2012 Special/Study meeting agenda.

The Regular meeting of the Planning Commission adjourned at 8:00 p.m.

Respectfully submitted,



Mark Maxwell, Chair



Kathy L. Czarnecki, Recording Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, May 9, 2012 at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 1:30 p.m.

Trustees Present: Mark Calice
Thomas J. Gordon, II
Steve Pallotta
Milton Stansbury
John Szerlag
William R. Need (Ex-Officio)

Trustees Absent: Wade Fleming

Also Present: Thomas Darling, CPA (left at 2:57pm)
Justin Breyer
Monica Irelan

Minutes

Resolution # ER – 2012-05-10

Moved by Pallotta
Seconded by Szerlag

RESOLVED, That the Amended Minutes of the April 11, 2012 meeting be approved.

Yeas: All-5
Absent: Fleming

Other Business – Quarterly Report – UBS Presentation

Rebecca Sorrenson and John Grant presented the quarterly UBS Report

Investments-

Resolution # ER – 2012-05-11

Moved by Pallotta
Seconded by Gordon

RESOLVED, That the board sell the following:

Sell: 2900 shares of Apple
1750 shares of Yum!
5,000 shares of Waste Management
5,000 shares of ARES (after 6/30/12)
Buy: 5,000 shares of Starbucks
5,000 shares of Costco
5,000 shares of Bank of Nova Scotia

Yeas: All- 5
Absent: Fleming

Public Comment

None.

The next meeting is June 13, 2012 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 3:02 p.m.

A regular meeting of the Liquor Advisory Committee was held on Monday, May 14, 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 7:00 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukraineec

ABSENT: Andrew Kaltsounis

ALSO PRESENT: Susan Lancaster, Assistant City Attorney
Jeffrey Oberski, Analyst/Planner
EunJoo Scherlinck, Student Representative
Pat Gladysz

Resolution to Excuse Committee Member Kaltsounis

Resolution #LC2012-05-012
Moved by Hall
Seconded by Ogg

RESOLVED, That the absence of Committee member Kaltsounis at the Liquor Advisory Committee meeting of May 14, 2012 be **EXCUSED**.

Yes: 6
No: 0
Absent: Kaltsounis

Resolution to Approve Minutes of Meeting

Resolution #LC2012-05-013
Moved by Hall
Seconded by Ukraineec

RESOLVED, That the Minutes of the April 9, 2012 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6
No: 0
Absent: Kaltsounis

Agenda Items

1. **Rochester Road Ventures, LLC** requests to transfer ownership of escrowed 2011 Class C licensed business with Outdoor Service (1 Area) and Dance-Entertainment Permit from Mercmiles, Inc; and requests new SDM license to be held in conjunction, and add space to 3946 Rochester Road, Troy, MI 48083, Oakland County {MLCC Req. #628433}. *This is the Mr. B’s Restaurant.*

Present to answer questions from the Committee was James Tavano, operating partner of Rochester Road Ventures.

Mr. Tavano advised the Committee that his corporation had owned the business from 2004 until 2010 and then sold to Mercmiles, Inc. In July of 2011, they regained possession and have been operating under a Management Agreement. The added space mentioned in the request is the space vacated by TCBY and is approximately 1,400 square feet. They are currently operating under the name of Hamlin Pub & Grill with many of the same employees.

Mr. Oberski advised the Committee that there are delinquent tax and water bills. Also, the background investigation revealed that the majority partner, John DeAngelis, was arrested in March 2012 for Reckless Driving and Operating While Intoxicated. The matter is still pending.

Mr. Tavano advised the Committee that they are currently working with the Treasurer’s Office regarding the tax and water bills.

Assistant City Attorney Lancaster advised the Committee that the City Ordinance contains language in connection with the criteria for approval which states “past conviction of the applicant for any of the following: a felony, a crime involving the excessive use of alcoholic liquor” or “the applicant’s excessive use of alcoholic liquor”.

The Committee discussed this issue. They agreed that since the charges of Mr. DeAngelis have not yet been adjudicated, this issue should not be mentioned in the Motion on this item.

Resolution #LC2012-05-014
Moved by Hall
Seconded by Ukraineec

RESOLVED, That the Liquor Advisory Committee recommends that the request of Rochester Road Ventures, LLC to transfer ownership of escrowed 2011 Class C licensed business with Outdoor Service (1 Area) and Dance-Entertainment Permit from Mercmiles, Inc; and a new SDM license to be held in conjunction, and to add space to 3946 Rochester Road, Troy, MI 48083, Oakland County be **APPROVED**.

Yes: 6
No: 0
Absent: Kaltsounis

A Committee member questioned the liquor license at Sanctuary Lake Golf Course and the possibility of alcohol not being available at this location if the management changes. Ms. Lancaster stated that she would research the question.

Ms. Lancaster also advised the Committee that assignments have changed in the City Attorney’s Office. Julie Dufrane, another one of our assistant City Attorneys, will next month assume the responsibility of the Liquor Advisory Committee.

Mr. Oberski advised the Committee that two establishments, Thunderbird Lanes and Hooters, recently received violations for liquor sales to a minor during a decoy operation.

Mr. Oberski also advised the old informational item concerning the California Pizza Kitchen is not yet ready for action.

The meeting adjourned at 7:30 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II



CITY COUNCIL AGENDA ITEM

Date: May 8, 2012

To: John Szerlag, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Mitch Grusnick, City of Troy Building Official
Steve Burns, Building Official SAFEbuilt

Subject: Building Department Activity Report – April, 2012

The following attachment contains a detailed Building Inspection Department Activity Report. The report gives detailed inspection and permit activity as well as valuation for the work. You can also see the previous activity and valuation for comparables for 2011.

Activity levels are increased this year compared to April 2011 in both the residential and commercial sectors compared to the same time period.

Valuation for construction projects for April 2011 was at \$8,507,060. For the month of April 2012 projects are estimated at \$11,266,382 in valuation.

Attachments:

1. April 2012, Activity Report

Preparer of memo\File name\File location

CITY OF TROY

July 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	6	29	7	3	31	1	0	334	82	493	493	
Valuation	\$ 486,891.00	\$ 1,462,955.00	\$ 31,068.00	\$ 562,500.00	\$ 5,471,875.00	\$ -	\$ -	\$ -	\$ -	\$ 8,015,289.00	\$ 8,015,289.00	
Plan Reviews												
Received	26	34	1	2	29					92	92	
Released										0		
Avg. Days to First Comments										0		
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	657	60	214	8	11	113				1063	1063	
Avg. Next Day										0		

August 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	10	39	13	0	22	1	9	396	134	624	1118	
Valuation	\$ 1,458,921.00	\$ 558,660.00	\$ 244,679.00	\$ -	\$ 1,488,500.00	\$ 360,000.00	\$ -	\$ -	\$ -	\$ 4,110,760.00	\$ 12,126,049.00	
Plan Reviews												
Received	8	30	10		21	1				70	162	
Released										0		
Avg. Days to First Comments										0		
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	376	30	160	12	5	49				632	1695	
Avg. Next Day										0		

September 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	8	32	8	2	23	0	1	361	128	563	1682	
Valuation	\$ 1,346,699.00	\$ 407,307.00	\$ 253,464.00	\$ 715,043.00	\$ 1,409,902.00	\$ 18,000.00	\$ -	\$ -	\$ -	\$ 4,150,415.00	\$ 16,276,464.00	
Plan Reviews												
Received	8	27	15	1	22	3				76	238	
Released										0		
Avg. Days to First Comments										0		
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	622	59	230	20	22	94				1047	2742	
Avg. Next Day										0		

October 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	5	35	6	3	36	0	0	370	102	557	2239	

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
Plan Reviews											
Received	5	25	29		36	4				99	337
Released										0	
Avg. Days to First Comments										0	
Inspections											
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved					
Count	680	74	169	27	28	125				1103	3845
Avg. Next Day										0	

November 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	4	19	6	0	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	
Plan Reviews												
Received	4	18	17		29	1	2			71	408	
Released										0		
Avg. Days to First Comments										0		
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	749	33	181	17	15	97				1092	4937	
Avg. Next Day										0		

December 2010

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	4	14	6	0	27	1	0	371	61	484	3316	
Valuation	\$ 626,675.00	\$ 461,134.00	\$ 259,366.00	\$ -	\$ 2,475,450.00	\$ 125,000.00	\$ -	\$ -	\$ -	\$ 3,947,625.00	\$ 30,856,689.00	
Plan Reviews												
Received	4	12	11		24	3	1			55	463	
Released										0		
Avg. Days to First Comments										0		
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	569	42	117	12	8	84				832	5769	
Avg. Next Day										0		
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer						
Count	194	283	2	236	104	13				832	832	
Avg. Next Day										0		

CITY OF TROY - 2011

January

CITY OF TROY - 2011

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	2	16	1	0	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
Plan Reviews												
Received	2	16	3		23	0	0			44	44	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	608	38	113	18	17	93				887	887	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer						
Count	207	307	0	250	108	15				887	887	

February

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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
Plan Reviews												
Received	3	8	2		28	1	0			42	86	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	465	30	104	20	15	119				753	1640	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water					
Count	159	266	2	229	86	9	2			753	1640	

March

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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
Plan Reviews												
Received	2	23	8		28		0			61	147	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	571	29	117	23	9	122				871	2511	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water					
Count	205	320	1	239	97	8	1			871	2511	

April

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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												
Received	12	43	8		29	1	21			114	261	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	571	25	126	17	29	83				851	3362	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	204	293	2	225	101	22	2	2		851	3362	

May

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	3	87	11	0	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	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	635	44	97	31	16	98				921	4283	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	283	285	4	205	110	22	10	2		921	4283	

June

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	7	69	17	0	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		21			147	586	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	675	35	125	37	18	108				998	5281	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	327	311	12	216	101	30	1			998	5281	

C of O	TC of O
26	15

July

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	6	79	18	0	24	2	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

Plan Reviews												
Received	6	93	25		25		2			151	737	92
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	643	34	144	13	22	102				958	6239	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	304	294	12	235	93	19	1			958	6239	
C of O	TC of O											
	29	27										

August

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	8	77	28	0	33	5	4	420	106	681	4299	\$ 3,839
Valuation	\$ 1,850,844.00	\$ 765,630.00	\$ 386,186.00	\$ -	\$ 2,776,958.00	\$ 127,500.00	\$ 20,000.00	\$ -	\$ -	\$ 5,927,118.00	\$ 64,670,474.00	\$ 42,186,474.00
Plan Reviews												
Received	8	105	27		36	2	2			180	917	70
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	754	45	163	13	22	114				1111	7350	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	358	329	13	266	115	26	2	2		1111	7350	
C of O	TC of O											
	31	20										

September

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	3	84	24	0	33	1	0	375	95	615	4914	\$ 4,411
Valuation	\$ 717,935.00	\$ 1,179,523.00	\$ 124,265.00	\$ -	\$ 6,038,861.00	\$ 120,000.00	\$ -	\$ -	\$ -	\$ 8,180,584.00	\$ 72,851,058.00	\$ 46,336,889.00
Plan Reviews												
Received	3	80	28		29	5	14			159	1076	0
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved						
Count	677	57	147	14	26	98				1019	8369	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	346	311	10	226	97	15	3	11		1019	8369	
C of O	TC of O											
	25	28										

CITY OF TROY - 2011

October

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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												
Received	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	9512	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	353	364	9	274	117	22	2	2		1143	9512	
C of O												
	TC of O											
	22	24										

November

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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	\$ -	\$ 111,815.00	\$ -	\$ -	\$ 9,473,226.00	\$ 90,710,445.00	\$ 56,971,489.00
Plan Reviews												
Received	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	10594	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	336	311	14	263	112	33	6	7		1082	10594	
C of O												
	TC of O											
	42	17										

December

	Residential			Commercial			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
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												
Received	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	11525	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				

CITY OF TROY - 2011

Count	268	286	6	217	97	46	11			931	11525
C of O	TC of O										
13	11										

January 2012

	Commercial			Residential			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	0	27	1	4	44	1	6	373	65	521	521	\$ 400
Valuation	\$ -	\$ 4,968,569.00	\$ 40,000.00	\$ 1,011,881.00	\$ 1,104,338.00	\$ -				\$ 7,124,788.00	\$ 7,124,788.00	\$ 2,919,092.00
Plan Reviews												
Received		27	1	4	44	2				78	78	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved	Other					
Count	642	50	142	30		21	102			987	987	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	246	275	13	288	148	14	2	1		987	987	
C of O	TC of O											
22	31											

February 2012

	Commercial			Residential			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	0	37	1	2	54	1	3	296	52	446	967	302
Valuation	\$ -	\$ 7,834,182.00	\$ 140,000.00	\$ 445,125.00	\$ 964,784.00	\$ 5,900.00				\$ 9,389,991.00	\$ 16,514,779.00	\$ 2,742,265.00
Plan Reviews												
Received		34	2	2	54	3				95	173	
Inspections												
	Approved	Canceled	Disapproved	Locked Out	Not Ready	Partial Approved	Other					
Count	673	23	154	26		31	74	4		985	1972	
Inspections by Trade												
	Building	Electrical	Fence	Mechanical	Plumbing	Sewer	Water	Other				
Count	264	318	2	255	123	16	1	6		985	1972	
C of O	TC of O											
32	23											

March 2012

	Commercial			Residential			Misc.	One-Stop	Other	MTD Totals	YTD Totals	Prev. Year
	New	Alt.	Misc.	New	Alt.	Misc.						
Permit Activity												
Count	0	20	1	17	109	4	11	366	70	598	1565	436
Valuation	\$ -	\$ 3,471,210.00	\$ 7,300.00	\$ 1,993,286.00	\$ 1,331,117.00	\$ 128,950.00				\$ 6,931,863.00	\$ 23,446,642.00	\$ 4,941,231.00
Plan Reviews												

**RESOLUTION IN SUPPORT OF FULL REPLACEMENT FUNDING FOR REVENUE LOSS
RESULTING FROM ELIMINATION OF THE PERSONAL PROPERTY TAX IN THE
STATE OF MICHIGAN**

WHEREAS, Personal Property Tax has traditionally been a steady and stable source of revenue for municipalities, which is currently almost \$9 million or 15 percent of Southfield's total tax revenues; and

WHEREAS, Personal Property is generally defined as machines and equipment that is owned by a business and used for operations to generate income; and

WHEREAS, the City of Southfield is opposed to the State Legislature's current proposal to eliminate Personal Property Tax on all businesses with a combined personal property taxable value of less than \$40,000 – resulting in a nearly \$750,000 reduction to the City – without providing tangible replacement revenues; and

WHEREAS, the State's current plan to provide replacement revenues is both nebulous and insufficient – leaving Southfield and municipalities across the state with ever-dwindling tax resources; and

WHEREAS, Southfield's total property tax base has already declined by more than 30 percent in just the past three years; and

WHEREAS, these proposed cuts to Personal Property Tax follow other significant cuts to funds already imposed by the State upon Southfield such as the City's State Shared Revenues, Southfield's second largest single source of revenues after property taxes, which have declined 46 percent or \$4.5 million when compared to levels of just 10 years ago; and

WHEREAS, the City of Southfield's Act 51 state road funding is also down 2.5 percent from the levels of 10 years, while the cost of reconstructing a typical lane mile of roadway has increased by more than 60 percent in the same period; and

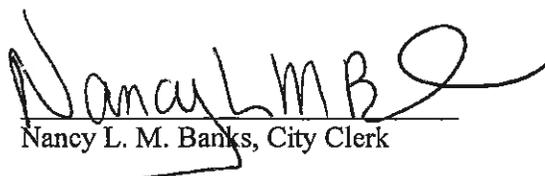
WHEREAS, the City of Southfield fully supports and endorses the Michigan Municipal League's position on replacement revenues: "Replace Don't Erase" when considering the elimination of these vital funds to Michigan municipalities without adequate replacement revenues; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Council of the City of Southfield, County of Oakland, State of Michigan, do hereby formally petition that steady and stable replacement revenues be ensured for Southfield and other Michigan municipalities due to the elimination of Personal Property Tax Revenues.

BE IT FINALLY RESOLVED that the City Clerk is directed to deliver a copy of this resolution to Governor Rick Snyder, State Senator Vincent Gregory, State Representative Rudy Hobbs, County Commissioner Janet Jackson, County Commissioner Nancy Quarles, County Commissioner Helaine Zack, Oakland County Communities, the Michigan Municipal League and Bill Zaagman, Governmental Consultant Services, Inc.

I, Nancy L. M. Banks, the duly elected and qualified City Clerk of the City of Southfield, County of Oakland, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Southfield City Council at a Regular Meeting held on Monday, May 14, 2012 in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

Dated: May 18, 2012


Nancy L. M. Banks, City Clerk

Beth L Tashnick

Subject: FW: SAFEbuilt Client Survey Results



SAFEbuilt Clients,

Last month we sent out a customer satisfaction survey to all of our clients. We received your input and have reviewed the results and comments you provided. We first want to thank all of you that responded for the time and thought that went into your feedback. The intent is for that feedback to help us understand how we are performing today and also improve the way we deliver services tomorrow.

As SAFEbuilt celebrates our twenty-year anniversary in 2012, our clients have given us another reason to celebrate. For the second year in a row, **100% of our clients** reported they are **satisfied with the service** we provide and **would recommend us to others** they know. That is a testament to our team and also to the relationship we have built with all of you over the years. Nearly 70% of our clients responded and we could not be happier with the results. The positive response percentage for the other 11 questions were as follow:

1) SAFEbuilt is meeting my expectations	100%
2) SAFEbuilt interacts well with other departments	100%
3) Issues are handled appropriately and resolved quickly	100%
4) SAFEbuilt keeps me aware of construction activity	96%
5) I receive timely information and reports	94%
6) Staff have the right technical qualifications and experience	98%
7) Plan reviews are completed in a timely manner	96%
8) SAFEbuilt is responsive to inspection requests	98%
9) I am satisfied with the web-based resources available	93%
10) The forms, building guides, and other materials from SAFEbuilt are helpful	98%
11) SAFEbuilt is involved with and cares about my community	98%

In addition to working as a team to address a few of the areas above, we will also be reaching out to those of you that provided feedback around specific issues in your community. We also received a few suggestions about providing additional training for client staff on our software and systems. We will be working on that in the coming weeks as well. As hoped the survey results have pointed out what we are doing well and what we can improve upon moving forward.

Finally, we received a huge number of comments about the quality and professionalism of our staff. Many of our team members were even called out by name and we have shared that feedback with each of them. Our team members are the primary reason for the success we have had over the years. We put a great deal of effort into finding, training, and keeping the right people to serve our communities. It is great to hear that focus is having the desired results. Below are a few of the comments received:

“Safebuilt staff is always willing to go the extra mile to meet the needs of the Town and of its citizens. Terrific service and competent staff.”

“SAFEbuilt is an excellent partner for any municipal government to consider for building services.”

“I don't think that the staff could be any more helpful and at the same time be any more professional in their service to our town. The friendship with your staff is greatly appreciated. Thanks.”

“Inspectors ALWAYS have a very nice attitude towards us wanting to work with us and not against.”

SAFEbuilt could not be happier with the partnerships we have developed in each of the communities we serve across the country. We thank each of you again for the feedback you provided and will work hard to make things even better in your community in the years to come.

David Thomsen
Vice President
SAFEbuilt
(970) 566-2495
www.safebuilt.com

Please visit our LinkedIn page at
<http://www.linkedin.com/company/safebuilt>
to see what others are saying about our
services or share an experience of your own.



CITY COUNCIL AGENDA ITEM

Date: May 23, 2012

To: Michael W. Culpepper, Interim City Manager *MC*

From: Gary Mayer, Chief of Police *GM*
 Captain Gerard Scherlinck *SS #606*

Subject: Application regarding New SDM License for Kamel Management, Inc. (Troy Smokers)

Background

Kamel Management, Inc. requested a New SDM License to be located at 186 W. Maple Road, Troy, MI 48084, Oakland County {MLCC Req. #614894}.

Troy City Council passed a resolution on February 20, 2012 recommending denial of Kamel Management's request. The resolution outlined the concerns about the increased probability of illegal sales of alcohol to minors in an establishment that primarily sells tobacco products. On February 28, the Police Department sent a packet to the MLCC, which included the resolution, along with a recommendation for denial from the Police Department, and a copy of the City Council Agenda Item which explained the reason for the recommended denial.

The Police Department reviewed the MLCC website to find out the status of Kamel Management's request. The website indicated that the MLCC approved Kamel Management's request. A follow-up phone call to the MLCC confirmed that Kamel Management's request for an SDM liquor license request was approved. The MLCC will issue the liquor license once they receive some fees and documents from Kamel Management.

As of May 23, 2012, the liquor license has not been issued yet to Kamel Management, Inc. because the MLCC has not yet received the necessary fees and documents from them.

Reviewed and approved:

L. Grigg Blum

 Lori Grigg Blum, City Attorney

Prepared by: Jeff Oberski