

# **AGENDA**

**Regular Meeting of the**

## **CITY COUNCIL OF THE CITY OF TROY**

**MARCH 21, 2005**

**CONVENING AT 7:30 P.M.**

**Submitted By  
The City Manager**

TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

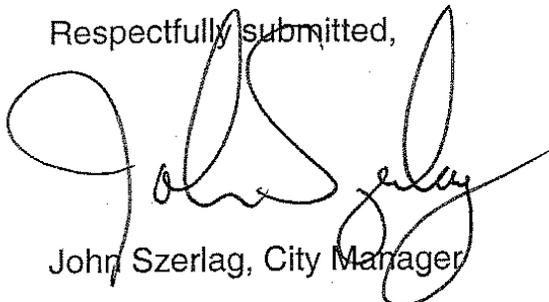
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

### **Goals**

1. Minimize cost and increase efficiency of City government.
2. Retain and attract investment while encouraging redevelopment.
3. Effectively and professionally communicate internally and externally.
4. Creatively maintain and improve public infrastructure.
5. Protect life and property.

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

Respectfully submitted,



John Szerlag, City Manager



## CITY COUNCIL

### AGENDA

March 21, 2005 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**CALL TO ORDER:** 1

**INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Jim Loller - First Baptist Church** 1

**ROLL CALL:** 1

**CERTIFICATES OF RECOGNITION:** 1

A-1 Presentations: 1

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**CALL TO ORDER:****INVOCATION & PLEDGE OF ALLEGIANCE:** Pastor Jim Loller - First Baptist Church**ROLL CALL:**

Mayor Louise E. Schilling  
Robin Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine

**CERTIFICATES OF RECOGNITION:**

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**A-1 Presentations:**

- a) Presentation by Dr. Janet Jopke of Troy School District – Millage Renewal

**CARRYOVER ITEMS:**

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**B-1** No Carryover Items

**PUBLIC HEARINGS:**

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**C-1** No Public Hearings

**POSTPONED ITEMS:**

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**D-1** No Postponed Items

**CONSENT AGENDA:**

*The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 9 "E".*

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

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

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**E-1b Address of "E" Items Removed for Discussion by City Council and/or the Public**

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

Resolution #2005-03-

RESOLVED, That the Minutes of the Regular Meeting of March 7, 2005 at 7:30 PM be **APPROVED** as submitted.

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**E-3 Proposed City of Troy Proclamation(s): None Proposed**

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**E-4 Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Membership Renewals Over \$10,000 – 2004-05 Michigan Municipal League Membership Renewal**Suggested Resolution

Resolution #2005-03-

RESOLVED, That approval is **GRANTED** to pay the 2004/05 Michigan Municipal League membership fee covering the time period of May 1, 2005 through April 30, 2006 in the amount of \$12,709.00.

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**E-5 Standard Purchasing Resolution 2: Bid Award - Lowest Bidder Meeting Specifications – Printing/Distribution of Water & Sewer Bills**

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Suggested Resolution

Resolution #2005-03-

RESOLVED, That a one-year contract to provide Laser Printing and Distribution of the City of Troy Water and Sewer Bills, with an option to renew for three additional one-year periods is hereby **AWARDED** to the lowest acceptable bidder meeting specifications, Automated Computer Methods, Inc. of McHenry, IL, for an estimated cost of \$11,616.00 per year, plus the actual cost of first class postage, at unit prices contained in the bid tabulation opened March 2,

2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of April 30, 2006.

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**E-6 Request for Acceptance of Four (4) Permanent Storm Drain/Sewer Easements for the Louis/Troy Street Rear Yard Drain Project – Section 22**

Suggested Resolution

Resolution #2005-03-

RESOLVED, That the Four (4) Permanent Easements from property owners Rahul Alawani and Smita Khedkar, having Sidwell #88-20-22-352-019; Shailesh A. and Manisha S. Patel, having Sidwell #88-20-22-352-020; Feng Qing and Xiu Yan, having Sidwell #88-20-22-352-021; and Amy Tang, having Sidwell #88-20-22-352-024, are hereby **ACCEPTED** for the construction, operation, maintenance and repair of storm drain/sewer; and

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

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**E-7 Private Agreement for Northfield & Wattles Property Splits – Project No. 04.942.3**

Suggested Resolution

Resolution #2005-03-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Michael Agnetti, is hereby **APPROVED** for the installation of sanitary sewer, water main, storm sewer and soil erosion on the site and in the adjacent right-of-way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-8 Summer Maintenance Agreement – Road Commission for Oakland County (R.C.O.C.)**

Suggested Resolution

Resolution #2005-03-

RESOLVED, That the Summer Maintenance Agreement between the Board of County Road Commissioners of the County of Oakland and the City of Troy, which becomes effective on April 1, 2005, with payment by the Road Commission for Oakland County to the City of Troy in the amount of \$34,389.01, is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-9 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidders - Ammunition**

Suggested Resolution

Resolution #2005-03-

RESOLVED, That one (1) year contracts to furnish requirements of ammunition with an option to renew for one additional year, are hereby **AWARDED** to the lowest acceptable bidders, TJ Conevera's, Inc. of Rockford, IL and Michigan Ammo Co, Inc. of Ecorse, MI, for an estimated annual cost of \$21,125.00 and \$49,000.00 respectively, at unit prices contained in the bid tabulation opened on February 16, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-10 Request for Acceptance of One (1) Permanent Water Main Easement and One (1) Temporary Construction Permit for the Troy Court Water Main Project #01.502.5 – Section 34**

Suggested Resolution  
Resolution #2005-03-

RESOLVED, That the One (1) Permanent Water Main Easement from property owner R.A.G., INC., having Sidwell #88-20-34-154-027, with a consideration of \$700.00 and the one (1) Temporary Construction Easement from Metro Realty Holding, having Sidwell #88-20-34-152-025, with a consideration of \$500.00, are hereby **ACCEPTED**, and payment of the stated consideration is **APPROVED**, for the construction, operation, maintenance and repair of the Troy Court Water Main improvement project; and

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

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**E-11 Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Initial Issue Police Uniforms and Equipment**

Suggested Resolution  
Resolution #2005-03-

RESOLVED, That a contract to supply two-year requirements of initial issue police uniforms and equipment for newly hired Police Department uniformed employees, with an option to renew for two one-year periods is hereby **AWARDED** to the lowest bidder meeting specifications, Metropolitan Uniform Company, 438 Macomb St., Detroit, MI 48226-2383 at an estimated total cost of \$1,620.00 per employee, at unit prices contained on the attached bid tabulation dated February 25, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the contract is estimated at ten (10) new officers each year; however, the number may increase or decrease depending upon the need for additional employees.

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**E-12 Request for Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County**

Suggested Resolution

Resolution #2005-03-

RESOLVED, That the City Council hereby **AUTHORIZES** renewal of the City of Troy's membership in the Traffic Improvement Association, at a cost to the City of \$26,500.00. Funds are available in the 2003-2004 Traffic Engineering budget, Account No. 446.7958.

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### **E-13 Troy Racquet Club Rates**

#### Suggested Resolution

Resolution #2005-03-

RESOLVED, That the 2005-2006 rates for membership and court time for Troy Racquet Club are hereby **APPROVED** as stated in the report from the Parks and Recreation Department dated March 7, 2005; a copy of which shall be **ATTACHED** to and made a part of the original Minutes of this meeting.

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

*Public comment limited to items not on the Agenda in accordance with the Rules of Procedure of the City Council, Article 16 - Members of the Public and Visitors.*

### **REGULAR BUSINESS:**

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 11 "F" of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. 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.*

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### **F-1 Appointments to Boards and Committees: a) Mayoral Appointments: None; b) City Council Appointments: Cable Advisory Committee; Historic District Commission**

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

**(a) Mayoral Appointments - None****(b) City Council Appointments**Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

**Cable Advisory Committee**

Appointed by Council (7) – 3 years

Term expires 02-28-2008

**CURRENT MEMBERS**

<b>NAME</b>	<b>TERM EXPIRES</b>
Bixby, Jerry L	02-28-06
Butt, Shazad	11-30-05
Hughes, Richard	02-28-06
Marinos, Penny	02-28-07
Manzon, Alan	09-30-06
Lin, Fan (Student)	07-01-05
Voigt, W Kent	02-28-07
Wehrung, Bryan H	02-28-05

**INTERESTED APPLICANTS**

<b>NAME</b>	<b>DATE APPLIED</b>	<b>DATE SENT TO COUNCIL</b>
Godlewski, W S	12/28/01-07/01/03- 07/2005	01/07/02- 07/07/03
Kuschinsky, Dick	10/11/01-06/19/03 06/2005	11/05/01
Payne, Timothy P	02/25/04-02/2006	03/08/04
Powers, Brian M	10/15/02-10/2004	10/21/02
Pritzloff, Mark	04/17/03-04/2005	04/28/03
Shier, Frank	02/18/03-02/2005	03/03/03
Solomon, Mark R	01/21/05	02/07/05
Victor, Robert	06/03/03-06/2005	02/02/04
Wattles, Brian J	07/10/01	07/23/01
Weisgerber, William	07/14/03-07/2005	07/21/03
Wheeler, Nancy	03/08/04-03/2006	04/12/04

**Historic District Commission**

One member must be an architect.

Appointed by Council (7) – 3 years Two members-Historical Society recommendations.  
 One member – Historical Commission recommendation.

	Term expires 03-01-08
(Historical Commission)	Term expires 03-01-08
(Historical Society)	Term expires 03-01-08

**CURRENT MEMBERS**

NAME	TERM EXPIRES
Marjorie A. Biglin	03/01/07
Wilson Deane Blythe (Does not seek reappointment)	03/01/05
Barbara Chambers (Historical Commission)	03/01/05
Robert Hudson	05/15/06
Paul C. Lin (Architect)	05/15/06
Ann Partlan (Historical Society)	03/01/05
Muriel Rounds	05/15/06
Vilin Zhang (Student)	07/01/05

**INTERESTED APPLICANTS**

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Kerry S. Krivoshein	08/12/99-06/14/01-05/2003	07/09/01
Al Petrusis	02/11/03-07/31/03-07/2005	02/17/03-08/18/03
Nancy Wheeler	03/08/04-03/2006	04/12/04

Yes:  
 No:

**F-2 Standard Purchasing Resolution 3: Exercise Renewal Option – Landscape Maintenance Services**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

WHEREAS, On April 8, 2002, a three-year contract with an option to renew for two (2) additional one-year periods to provide upgraded landscape maintenance services for the Troy Civic Center and Downtown Development Authority was awarded to Torre & Bruglio, the highest scoring bidder as a result of a best value process (Resolution #2002-04-213); and

WHEREAS, Torre & Bruglio has agreed to exercise the first of two one-year options to renew under the same prices, terms, and conditions as the 2004 season.

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Torre & Bruglio to provide upgraded landscape maintenance services for an estimated cost of \$209,014.00, at unit prices contained on the tabulation opened January 25,

2002, a copy of which shall be **ATTACHED** to the original Minutes of this meeting. In addition, approval is **GRANTED** to purchase annual flowers for the medians on Big Beaver from I-75 to Rochester Road and on Rochester Road medians adjoining Big Beaver Road for an estimated cost of \$29,764.00.

Yes:

No:

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**F-3 Bid Waiver – Resale Merchandise for Sylvan Glen and Sanctuary Lake Golf Courses**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

WHEREAS, The golf division of the Parks and Recreation department has expanded their operation to include the pro shop at Sanctuary Lake Golf Course; and

WHEREAS, The golf division stocks merchandise for resale at both Sanctuary Lake and Sylvan Glen golf courses; and

WHEREAS, The manufacturers of golf products have agreed to sell the City merchandise for resale at wholesale prices.

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and contracts to purchase merchandise for resale directly from the manufacturers at wholesale prices is hereby **APPROVED** to Titleist, Footjoy and Nike Golf, not to exceed \$20,000.00 per manufacturer per fiscal year.

Yes:

No:

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**F-4 Resolution Opposing Elimination of the Community Development Block Grant (CDBG) Program**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

WHEREAS, The Community Development Block Grant (CDBG) program was enacted and signed into law by President Gerald Ford as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, The CDBG program has as its primary objective "...the development of viable urban communities, by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and

WHEREAS, The CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing, public service and neighborhood revitalization needs; and

WHEREAS, Throughout its 30-year history, the CDBG program has developed a strong partnership among the federal, state and local governments, business and the non-profit sector which carries out activities that improve the lives and neighborhoods of low and moderate income families; and

WHEREAS, This community receives a formula share of CDBG funds through the Oakland County, Michigan urban county CDBG program and our residents participate in the Oakland County CDBG Home Improvement and Housing Counseling programs; and

WHEREAS, This community uses annual CDBG funds in the amount of \$199,253 to benefit our low and moderate income residents by funding installation of storm drains and catch basins to relieve localized flooding, pay street improvement special assessments, pay critical special assessments to install sanitary sewers upon failure of their septic systems, and assist low and moderate income senior citizen and disabled homeowners each year with their yard maintenance and snow and ice removal.

WHEREAS, President Bush has proposed the elimination of the CDBG program in his fiscal year 2006 budget; and

WHEREAS, Should such a proposal be enacted, it would severely diminish our community's capacity to address the necessary housing and public service needs of our low and moderate income residents and to revitalize our neighborhoods, public facilities and infrastructures for their benefit.

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy hereby calls on the Congress to **PRESERVE** the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide a FY2006 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in formula funding.

BE IT FURTHER RESOLVED, That copies of this resolution be **CONVEYED** to the appropriate elected and appointed officials of the Federal, State and Local governments and national organizations.

Yes:

No:

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**F-5 Bid Waiver – One-Year Requirements of Asphalt Paving Materials for the Public Works Department**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

WHEREAS, The Public Works department of the City of Troy routinely performs seasonal street maintenance activities on local and major roads; and

WHEREAS, The suppliers of the hot asphalt material for road repairs need to be within close proximity of Troy city limits; and

WHEREAS, Only two known suppliers meet the criteria for plant location in order for material to be usable according to Michigan Department of State Highway Standards.

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and one-year contracts to purchase asphalt paving materials from Ajax Materials Corporation of Rochester Hills as primary supplier of hot asphalt, and Barrett Paving Materials Inc. of Troy for Item 6.) Tack Coat, at unit prices as detailed in Appendix I; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the City is **AUTHORIZED** to use reciprocity between Ajax Materials and Barrett Paving in the event of a plant closing, inability to meet delivery times or supply material as specified.

Yes:

No:

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**F-6 Request for Approval of Purchase Agreement for Right-of-Way for Big Beaver Road Improvements – Rochester to Dequindre Project No. 01.105.5 – TBB Associates, L.L.C. Sidwell #88-20-25-229-028**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That the Agreement to Purchase between TBB Associates, L.L.C., and the City of Troy, having Sidwell #88-20-25-229-028 for the acquisition of right-of-way from the property at 2966 East Big Beaver Road, is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the right-of-way in the Agreement referenced above in the amount of \$15,000.00, plus closing costs.

Yes:

No:

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**F-7 Increases to Building Permit Fees**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That the revisions to the permit fee schedule, as indicated in the attached memorandum are hereby **ADOPTED**. Said fee revisions shall apply to permit applications submitted after May 1, 2005.

Yes:

No:

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**F-8 Appointment of a Temporary One-Time Voting Delegate - SEMCOG Meeting**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That \_\_\_\_\_ is hereby **DESIGNATED** as a temporary one-time voting delegate and Doug Smith is hereby **DESIGNATED** as a temporary one-time voting alternate delegate for the City of Troy to serve on the Southeast Michigan Council of Governments (SEMCOG) General Assembly with terms ending on April, 1, 2005, at which time the designation of delegate and alternate will return to Robin Beltramini and David Eisenbacher respectively.

Yes:

No:

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**F-9 Request for Approval of Purchase Agreement for Acquisition of Property Adjacent to Historic Green – Danny E. Lee and Diane M. Lee – Sidwell #88-20-16-478-026**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That the Agreement to Purchase between Danny E. Lee and Diane M. Lee, and the City of Troy, having Sidwell #88-20-16-478-026 for the acquisition of their property at 109 Lange, is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That authorization is hereby **GRANTED** to purchase the property in the Agreement referenced above in the amount of \$290,000.00, plus closing costs.

Yes:

No:

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**F-10 Standard Purchasing Resolution 8: Best Value Process Award – Audit Services**

Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

RESOLVED, That a three-year contract to provide Audit Services for years 2005, 2006, and 2007 with an option to renew for three additional years is hereby **AWARDED** to Doeren Mayhew of Troy, Michigan, the lowest bidder with the highest score, as the result of a Best Value process at an estimated annual cost of \$55,695.00, as outlined in the tabulation opened February 4, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of proper contract and proposal documents, including insurance certificates and all other specified requirements.

Yes:

No:

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### **F-11 Labor Attorney Fees and Agreement**

#### Suggested Resolution

Resolution #2005-03-

Moved by

Seconded by

WHEREAS, Craig Lange, Roumell, Lange and Cholack has provided the City of Troy with excellent outside labor counsel for many years and has requested a rate increase from \$145 to \$155 per hour; and

WHEREAS, The City Attorney has determined that the rate charged by Lange & Cholack is reasonable; and

WHEREAS, It is the determination of the City Manager and City Council of the City of Troy that no benefit would result to the City to solicit sealed proposals;

NOW, THEREFORE, BE IT RESOLVED, That the Agreement for Labor Council Services, and rate charge of \$155 per hour requested by Craig Lange, Roumell, Lange & Cholack, is hereby **APPROVED** effective March 1, 2005.

Yes:

No:

### **MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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#### **G-1 Announcement of Public Hearings:**

- a) Northeast Corner of Livernois and Maple Road, Section 27 – B-1 to H-S (Z-700) – April 4, 2005

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#### **G-2 Green Memorandums:**

- a) Designation of Limited Public Forums

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**COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**

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**H-1 No Council Referrals Advanced**

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**COUNCIL COMMENTS:**

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**I-1 No Council Comments Advanced**

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**REPORTS:**

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

- a) Traffic Committee/Final – November 17, 2004
- b) Parks & Recreation Advisory Board/Final – January 13, 2005
- c) Traffic Committee/Final – January 19, 2005
- d) Advisory Committee for Persons with Disabilities/Draft – February 2, 2005
- e) Advisory Committee for Persons with Disabilities/Final – February 2, 2005
- f) Advisory Committee for Senior Citizens/Final – February 3, 2005
- g) Library Board/Final – February 4, 2005
- h) Employees' Retirement System Board of Trustees/Final – February 9, 2005
- i) Board of Zoning Appeals/Draft – February 15, 2005
- j) Planning Commission Special/Study Meeting/Draft – February 22, 2005
- k) Planning Commission Special/Study Meeting/Final – February 22, 2005
- l) Advisory Committee for Senior Citizens/Draft – March 3, 2005
- m) Library Board/Draft – March 10, 2005
- n) Parks & Recreation Advisory Board/Draft – March 10, 2005

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**J-2 Department Reports:**

- a) Monthly Financial Report – February 28, 2005

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**J-3 Letters of Appreciation:**

- a) Letter from Terence B. Desmond to Sergeant James Clark Commending the Troy Police Department.

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- a) Proposed Resolution from Royal Oak Re: Request for MDOT to Consider Further Reconfigurations of I-75 Ramp at Eleven Mile Road

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**J-5 Calendar**

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**J-6 DDA Financing, Letter from the Department of Treasury to Victor Lenivov**

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**J-7 Parks and Recreation Advisory Board Action**

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**STUDY ITEMS:**

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K-1 No Study Items Submitted

**PUBLIC COMMENT:** Address of “K” Items

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. 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.*

**CLOSED SESSION:**

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L-1 Closed Session

Suggested Resolution

Resolution #2005-02-

Moved by

Seconded by

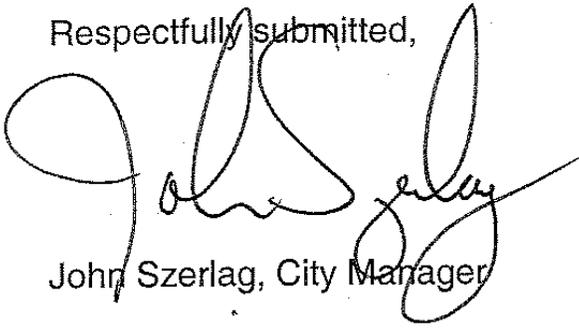
BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), COBASYS, LLC. V. City of Troy – Pending Litigation.

Yes:

No:

**RECESSED****RECONVENED****ADJOURNMENT**

Respectfully submitted,

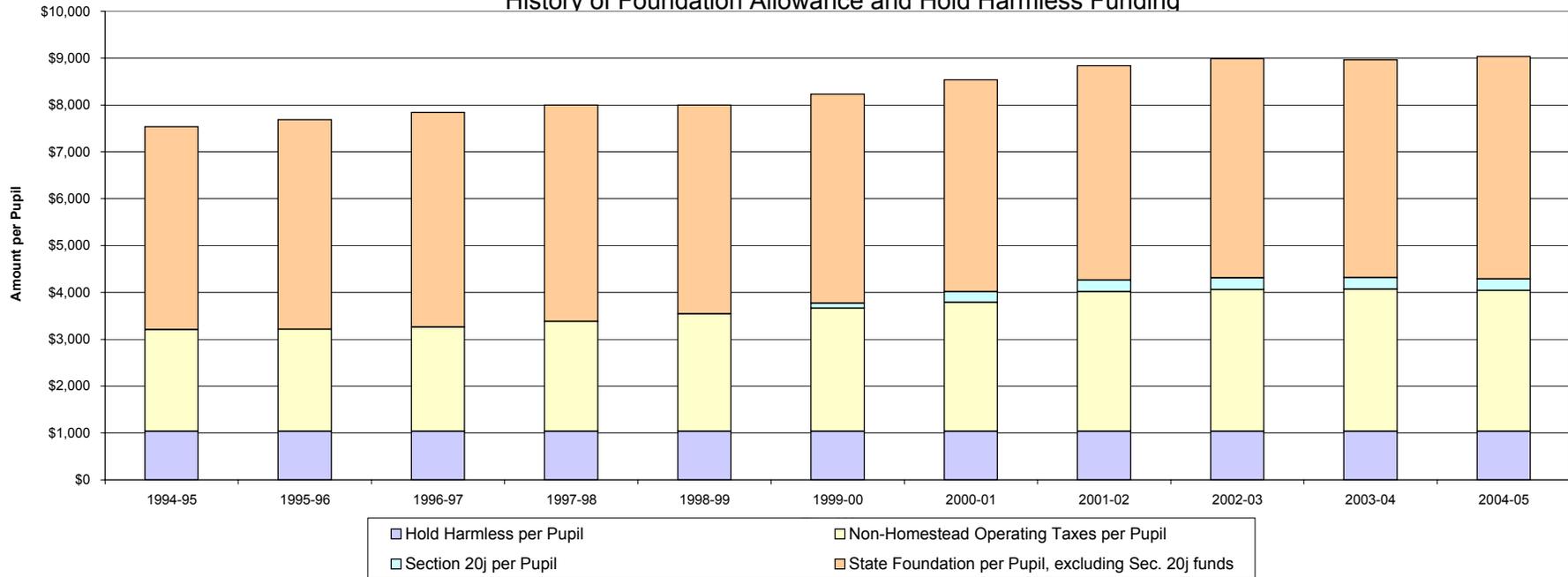


John Szerlag, City Manager

**SCHEDULED CITY COUNCIL MEETINGS:**

- Monday, April 18, 2005 ..... Regular City Council
- Monday, April 25, 2005: 6:30 PM ..... Special/Study/Budget City Council
- Monday, April 25, 2005 ..... Regular City Council
- Monday, May 02, 2005: 6:30 PM ..... Special/Study/Budget City Council
- Saturday, May 7, 2005: 9:00 AM ..... Special/Study/Budget City Council
- Monday, May 9, 2005 ..... Regular City Council
- Tuesday, May 10, 2005: 7:30 PM ..... Special/Study City Council
- Monday, May 16, 2005 ..... Regular City Council
- Monday, May 23, 2005 ..... Regular City Council

### Troy School District History of Foundation Allowance and Hold Harmless Funding



	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
<b>Hold Harmless per Pupil</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>	<b>\$ 1,034.18</b>
<b>Homestead Hold Harmless Operating Taxes</b>	<b>\$ 12,033,718</b>	<b>\$ 12,258,136</b>	<b>\$ 12,429,809</b>	<b>\$ 12,461,869</b>	<b>\$ 12,478,416</b>	<b>\$ 12,500,134</b>	<b>\$ 12,488,758</b>	<b>\$ 12,495,997</b>	<b>\$ 12,460,835</b>	<b>\$ 12,471,177</b>	<b>\$ 12,554,945</b>
<b>Homestead Hold Harmless Operating Mills</b>	<b>10.1534</b>	<b>8.8611</b>	<b>8.8611</b>	<b>8.7664</b>	<b>8.0895</b>	<b>7.7517</b>	<b>7.3876</b>	<b>6.9237</b>	<b>6.5969</b>	<b>6.2943</b>	<b>6.0265</b>
<b>Non-Homestead Operating Taxes per Pupil</b>	<b>\$ 2,175.43</b>	<b>\$ 2,181.16</b>	<b>\$ 2,229.28</b>	<b>\$ 2,347.36</b>	<b>\$ 2,510.28</b>	<b>\$ 2,627.34</b>	<b>\$ 2,753.29</b>	<b>\$ 2,981.79</b>	<b>\$ 3,026.13</b>	<b>\$ 3,033.99</b>	<b>\$ 3,004.04</b>
<b>Non-Homestead Operating Taxes</b>	<b>\$ 25,313,295</b>	<b>\$ 25,853,257</b>	<b>\$ 26,793,692</b>	<b>\$ 28,285,731</b>	<b>\$ 30,289,085</b>	<b>\$ 31,756,702</b>	<b>\$ 33,248,697</b>	<b>\$ 36,028,950</b>	<b>\$ 36,461,866</b>	<b>\$ 36,586,940</b>	<b>\$ 36,469,090</b>
<b>Non-Homestead Operating Mills</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>	<b>18.0000</b>
<b>Section 20j per Pupil</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 110.06</b>	<b>\$ 231.18</b>	<b>\$ 248.18</b>	<b>\$ 248.18</b>	<b>\$ 248.18</b>	<b>\$ 248.18</b>
<b>Total Section 20j Revenue</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,300,030</b>	<b>\$ 2,724,639</b>	<b>\$ 2,932,748</b>	<b>\$ 2,922,414</b>	<b>\$ 2,922,352</b>	<b>\$ 2,920,237</b>
<b>State Foundation per Pupil, excluding Sec. 20j funds</b>	<b>\$ 4,324.57</b>	<b>\$ 4,471.84</b>	<b>\$ 4,578.72</b>	<b>\$ 4,614.64</b>	<b>\$ 4,451.72</b>	<b>\$ 4,462.60</b>	<b>\$ 4,515.53</b>	<b>\$ 4,570.03</b>	<b>\$ 4,675.69</b>	<b>\$ 4,643.83</b>	<b>\$ 4,747.78</b>
<b>State Foundation Operating Revenue, excluding Sec. 20j funds</b>	<b>\$ 50,320,705</b>	<b>\$ 53,004,752</b>	<b>\$ 55,031,660</b>	<b>\$ 55,606,369</b>	<b>\$ 53,714,407</b>	<b>\$ 52,639,372</b>	<b>\$ 51,804,935</b>	<b>\$ 52,286,943</b>	<b>\$ 53,414,949</b>	<b>\$ 53,077,540</b>	<b>\$ 54,717,768</b>
<b>State Education Tax Mills</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>6.0000</b>	<b>5.0000</b>	<b>6.0000</b>
<b>Total Foundation Allowance</b>	<b>\$ 7,534.18</b>	<b>\$ 7,687.18</b>	<b>\$ 7,842.18</b>	<b>\$ 7,996.18</b>	<b>\$ 7,996.18</b>	<b>\$ 8,234.18</b>	<b>\$ 8,534.18</b>	<b>\$ 8,834.18</b>	<b>\$ 8,984.18</b>	<b>\$ 8,960.18</b>	<b>\$ 9,034.18</b>
<b>Total State/Local Operating Revenue</b>	<b>\$ 87,667,718</b>	<b>\$ 91,116,145</b>	<b>\$ 94,255,161</b>	<b>\$ 96,353,969</b>	<b>\$ 96,481,908</b>	<b>\$ 96,896,208</b>	<b>\$ 97,542,389</b>	<b>\$ 100,811,890</b>	<b>\$ 102,337,650</b>	<b>\$ 102,135,656</b>	<b>\$ 103,741,803</b>
<b>General Fund Budgeted Expenditures</b>	<b>\$ 92,171,605</b>	<b>\$ 98,763,023</b>	<b>\$ 102,057,414</b>	<b>\$ 100,586,770</b>	<b>\$ 105,475,082</b>	<b>\$ 115,548,712</b>	<b>\$ 115,751,824</b>	<b>\$ 120,554,676</b>	<b>\$ 126,898,311</b>	<b>\$ 131,707,001</b>	<b>\$ 132,183,027</b>

# 2005 Millage Renewal FACT SHEET

Dear Friends:

The Board of Education voted unanimously to place a millage renewal on the May 3 annual school election ballot. This millage renewal is absolutely critical to the continued success of the Troy School District and the vitality of our community. Strong schools translate into strong property values in the Troy School District.

The millage is expiring after ten years, and residents will be asked to consider the renewal of our hold-harmless and our non-homestead millages for ten years. This is not an increase in our current property tax rates. The revenue provided represents approximately forty percent of our operational budget, an estimated \$51 million. The district cannot survive without this renewal.

Last year the voters approved a \$119 million bond issue. This bond issue is for bricks, mortar, and technology. The bond issue will keep our schools in great shape for the next decade. This renewal is for operational dollars. It is not expected that the voters will be asked to consider financial issues for the next decade.

A comprehensive communication plan has been developed for our community. Community-wide presentations will be scheduled over the next three months. A special Web site, <http://www.troy.k12.mi.us/renewal/index.htm>, is available for more information.

If you have any questions or concerns, please feel free to contact me at 248.823.4003. The success of the Troy Schools depends on your support.

Sincerely,



Janet H. Jopke, Ed.D.  
Superintendent of Schools

## **Q. Why do we need a millage renewal?**

A. Troy's authorized millage is scheduled to expire in December, 2005. Without a renewal of this millage, the Troy School District will lose more than 40 percent of its operational budget. Devastating reductions in programs and services would have to be made.

## **Q. Is this a rate increase?**

A. NO! The rate on this renewal is the same as you are currently paying.

## **Q. What exactly will I be voting for?**

A. This is a ten-year renewal to maintain our current level of funding. The following is the actual ballot language: "*Shall the total limitation on the amount of taxes for operating purposes which may be assessed against all property, exempting therefrom principal residence and qualified agricultural property as defined by law, in Troy School District, Oakland County, Michigan, be renewed by 18 mills (\$18.00 on each \$1,000.00 of taxable valuation) and against all principal residences and qualified agricultural property by 6.0265 mills (\$6.0265 on each \$1,000 of taxable valuation), both millages to be for a period of 10 years, 2006 to 2015, inclusive; the estimate of the revenue the school district will collect from combined local property taxes authorized herein if the millage is approved and levied in 2006 is approximately*

*Please see next page*

## **Community Presentations**

Monday, Feb. 21	Smith Middle School
Thursday, March 10	Boulan Park Middle School
Wednesday, April 13	Larson Middle School
Monday, April 25	Baker Middle School

\*All meetings will begin at 7 p.m.

## Millage Renewal Overview

- Troy voters will consider a renewal of 6.0265 in “hold harmless” millage and 18 mills in non-homestead millage.
- The millage renewal **will not** increase the current property tax rate in the Troy School District.
- The millage represents \$51 million - or approximately 40 percent - of the Troy School District’s annual operating budget.
- The annual school election is scheduled for Tuesday, May 3. Polls will be open from 7 a.m. to 8 p.m.
- For updated information, visit the Troy School District Web site at <http://www.troy.k12.mi.us>.

*From the previous page*  
\$51,781,740 (this is a renewal of a portion of previously authorized millage which will expire with the 2005 tax levy and will be levied only to the extent necessary to receive its per-pupil foundation allowance)?

### **Q. What is the difference between homestead and non-homestead millage rates?**

A. Since the passage of Proposal A in 1994, there is a difference on tax rates between homesteads (primary residences) and non-homesteads (business, industrial, second homes, and some agricultural properties). In Troy, the homestead millage rate is 6.0265 hold-harmless mills plus 6 State Education Tax mills (S.E.T.) and 4.13 Debt mills.

### **What are hold-harmless mills?**

A. The law allows the Troy School District, after approval by voters,

to levy a hold-harmless millage on homesteads only, amounting to \$1034.18 per pupil. In 1994 voters approved 10.1534 mills, which needs to be renewed. The renewal millage levy has been reduced to 6.0265 mills because of the increase in the value on homesteads. The dollar amount remains constant. The millage is adjusted annually but can never go higher than 6.0265 mills.

### **Q. What is the State Education Tax (S.E.T.)?**

A. The State Education Tax of 6 mills is levied by the state on all taxable property. These mills are collected locally and sent to Lansing for distribution to all Michigan school districts.

### **Q. What is the non-homestead millage?**

A. The 18 mills are subject to voter approval and are levied on all non-homestead properties

(business, industrial, second homes, and some agricultural). This millage remains here in Troy and amounts to an estimated \$36 million.

### **Q. What if the millage renewal fails?**

A. If the millage renewal (which is not an increase) were to fail, the district would lose more than 40 percent of its operational budget. The per-pupil expenditure would decrease from \$9,034.18 (or 6th in Oakland County) to \$4,747.78 (or lowest in the county). This drop would occur because the district could not levy the hold-harmless and the non-homestead millages it is now allowed by the state. A revenue loss of this magnitude would require the district to drastically reduce its programs and services.

### **Q. What is a mill?**

A. A mill is \$1 for every \$1,000 of Taxable Value.

### **Q. What is State Equalized Valuation (SEV)?**

A. SEV is 50 percent of the market value of a piece of property.

### **Q. What is Taxable Value?**

A. Proposal A capped the Taxable Value increase at the rate of inflation or five percent, whichever is less. Every property owner receives an assessment notice from the city. This notice may show an SEV that is higher than the taxable value. Assessment increases are capped at the rate of inflation or five percent. When the property is sold, the new property owner will pay taxes on the higher

SEV amount. Your Taxable Value can never increase more than five percent annually.

**Q. What are operating mills?**

A. Operating mills are used to support the day-to-day operations of the district. Paper, pencils, textbooks, equipment, utilities, transportation, staff costs, etc. all fall under the category of operating millage.

**Q. When will we vote?**

A. Tuesday, May 3, 2005. The Board of Education has called this millage renewal election in conjunction with the state-mandated school election.

**Q. What about using bond money to operate the district?**

A. Debt (bond) funds are collected to cover the costs of bonds issued for specific construction and renovation projects. By law, these funds cannot be used for the day-to-day operations of the district.

**Q. Will this millage renewal mean an increase for business owners and those with second homes?**

A. No. The two variables used to determine property taxes are millage rate and Taxable Value. The 18-mill rate will not result in a tax increase; however, a change in Taxable Value, which is determined by the municipal assessor, may result in an increase in taxes to business owners and to those with second homes. Your primary residence will not be affected by the 18 mills.

**Q. What has the district done to reduce spending?**

A. Over the past two years, the

## Troy Schools Get Results

**The Troy School District has the highest composite MEAP scores in Oakland County.**

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**Athens and Troy High Schools were named two of the top 96 U.S. high schools by *U.S. News and World Report*.**

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**All schools meet the stringent requirements of the North Central Association.**

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**National and state-recognized exemplary schools. All schools are now Michigan Blue Ribbon exemplary schools.**

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**Thirty-five National Merit and Achievement semifinalists.**

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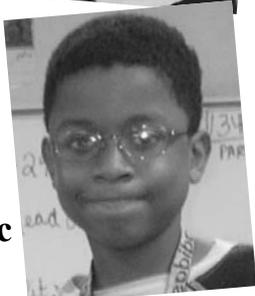
**More than \$6 million in scholarships were received by the Class of 2004.**

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**The Troy School District was named by *Expansion Management* as one of Michigan's best school districts to relocate a business based on academic excellence.**

---

**A 99 percent graduation rate, with 95 percent of those graduates going on to higher education.**



*From the previous page*

Troy School District has reduced its operating budget by more than \$7 million. Since the district receives the majority of its funding from the State of Michigan, the current economic crisis at the state level has severely impacted school funding. The Troy School District has not received an increase in revenue from the State of Michigan the past three school years, despite increasing utility, staff and material costs. In addition, the State of Michigan has made mid-year cuts in school funding over the past two years. The Troy Board of Education has ensured that the reductions were in areas that did not impact student achievement. However, further cuts in school funding or frozen foundation allowances will severely impact the district's ability to fund its current programming.

**Q. Who can vote in the May 3 election?**

A. Registered voters who have

Foundation Grants		
Rank	School District	Expenditure
1	Bloomfield Hills	\$11,955
2	Birmingham	\$11,878
3	Southfield	\$10,959
4	Lamphere	\$10,437
5	Farmington	\$10,069
6	Troy	\$9,034
7	West Bloomfield	\$8,886
8	Royal Oak	\$8,851
9	Novi	\$8,591
10	Walled Lake	\$8,438
11	Avondale	\$8,267
12	Clarenceville	\$8,075
13	Clawson	\$7,819
14	Rochester	\$7,807
15	Lake Orion	\$7,759
16	Berkley	\$7,649
17	Ferndale	\$7,609
18	Oak Park	\$7,586
19	Hazel Park	\$7,234
20	Waterford	\$7,068
21	Oxford	\$6,958
22	Clarkston	\$6,884
23	Pontiac	\$6,884
24	Huron Valley	\$6,884
25	South Lyon	\$6,756
26	Madison Heights	\$6,728
27	Holly	\$6,700
28	Brandon	\$6,700
	<b>*Troy</b>	<b>\$4,747</b>

\*Troy would drop from 6th to 28th (lowest) in Oakland County should the renewal millage not be approved on May 3, 2005.

Source: The State of Michigan

lived in the Troy School District for 30 days prior to the election are eligible to vote. The deadline

to register is April 4. Citizens who are not registered to vote can register at the City offices, Secretary of State offices, and any school in the Troy School District.

**Q. I do not have students in the Troy School District. How will a positive vote for the millage renewal help me?**

A. Citizens without students support local schools for various reasons. Specifically, a quality school district helps maintain property values. Troy-area residents value top quality schools. Tax renewal decisions maintain the program and services that enhance property values and ensure that today's children will be able to claim tomorrow's future.

**Q. Where can I get more information?**

A. Call any school principal or the district's Administrative Office at (248) 823-4000. Additional information is also on the Troy School District Web site at <http://www.troy.k12.mi.us>.



For more information on the Troy School District visit [www.troy.k12.mi.us](http://www.troy.k12.mi.us)

**TROY**  
SCHOOL DISTRICT

A Regular Meeting of the Troy City Council was held Monday, March 7, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Pastor Paul Lehman – Glen Oaks Alliance Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

**PRESENT:** Mayor Louise E. Schilling  
Robin E. Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak (Absent)  
David A. Lambert  
Jeanne M. Stine (Absent)

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### **Resolution to Excuse Council Members Howrylak and Stine**

Resolution  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That Council Member Howrylak's absence at the Regular City Council meeting of March 7, 2005 is **EXCUSED** due to being out of the county and that Council Member Stine's absence at the Regular City Council meeting of March 7, 2005 is **EXCUSED** due to illness.

### **Vote on Resolution to Separate**

Resolution #2005-03-105  
Moved by Lambert  
Seconded by Beltramini

RESOLVED, That the Resolution to excuse Council Members Howrylak and Stine's absence be **SEPARATED** for voting purposes.

Yes: All-5  
No: None  
Absent: Howrylak, Stine

### **Vote on Resolution to Excuse Council Member Howrylak**

Resolution #2005-03-106  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That Council Member Howrylak's absence at the Regular City Council meeting of March 7, 2005 is **EXCUSED** due to being out of the county.

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

**MOTION CARRIED**

**Vote on Resolution to Excuse Council Member Stine**

Resolution #2005-03-107  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That Council Member Stine's absence at the Regular City Council meeting of March 7, 2005 is **EXCUSED** due to illness.

Yes: All-5  
No: None  
Absent: Howrylak, Stine

**CALL TO ORDER:**

**CERTIFICATES OF RECOGNITION:**

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A-1 **Presentations: No Presentations**

**CARRYOVER ITEMS:**

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B-1 **No Carryover Items**

**PUBLIC HEARINGS:**

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C-1 **No Public Hearings**

**POSTPONED ITEMS:**

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D-1 **Special Meeting – City Manager and City Attorney Evaluations**

Postponed Resolution  
Moved by Schilling  
Seconded by Broomfield

RESOLVED, That a Special meeting of the Troy City Council be **SCHEDULED** in the Council Boardroom on Monday, March 7, 2005 for the purpose of scheduling a Closed Session at 6:00 PM for the City Manager's evaluation and at 6:45 PM for the purpose of the City Attorney's evaluation.

**Vote on Resolution to Amend by Substitution**

Resolution #2005-03-108  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** it in its entirety and **SUBSTITUTE** with: "RESOLVED, That the Troy City Council **SHALL MEET** in Closed Session on Monday, April 4, 2005 at 6:00 PM in the City Council Boardroom, to conduct a personnel evaluation of Troy City Manager John Szerlag, pursuant to MCL 15.268 (a); and

BE IT FURTHER RESOLVED, That the Troy City Council **SHALL MEET** in Closed Session on Monday, April 4, 2005 at 6:45 PM in the City Council Boardroom, to conduct a personnel evaluation of Troy City Attorney Lori Grigg Bluhm, pursuant to MCL 15.268 (a)."

Yes: All-5  
No: None  
Absent: Howrylak, Stine

**Vote on Resolution as Amended by Substitution**

Resolution #2005-03-109  
Moved by Schilling  
Seconded by Broomfield

RESOLVED, That the Troy City Council **SHALL MEET** in Closed Session on Monday, April 4, 2005 at 6:00 PM in the City Council Boardroom, to conduct a personnel evaluation of Troy City Manager John Szerlag, pursuant to MCL 15.268 (a); and

BE IT FURTHER RESOLVED, That the Troy City Council **SHALL MEET** in Closed Session on Monday, April 4, 2005 at 6:45 PM in the City Council Boardroom, to conduct a personnel evaluation of Troy City Attorney Lori Grigg Bluhm, pursuant to MCL 15.268 (a).

Yes: All-5  
No: None  
Absent: Howrylak, Stine

**CONSENT AGENDA:**

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

Resolution #2005-03-110  
Moved by Lambert  
Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: All-5

---

No: None  
Absent: Howrylak, Stine

---

**E-1b Address of "E" Items Removed for Discussion by City Council and/or the Public**

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

Resolution #2005-03-110-E-2

RESOLVED, That the Minutes of the Regular Meeting of February 28, 2005 at 7:30 PM be **APPROVED** as submitted.

---

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

Resolution #2005-03-110-E-3

- a) National Surveyor's Week – March 13-19, 2005
- b) Recognition of Ruth I. Haugh on the Occasion of Her 90<sup>th</sup> Birthday
- c) Recognition of Lorraine Dietz on the Occasion of Her 100<sup>th</sup> Birthday

---

**E-4 Application for a New SDM License for Linens n' Things****a) New License**

Resolution #2005-03-110-E-4a

RESOLVED, That the request from LNT West, Inc., for a new SDM license located at 790 E. Big Beaver Rd., Troy, Michigan 48083, in Oakland County [MLCC REQ ID# 276831] be **CONSIDERED** for approval.

It is the consensus of this legislative body that the application be recommended "above all others" for issuance.

**b) Agreement**

Resolution #2005-03-110-E-4b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with LNT West, Inc., for a new SDM license located at 790 E. Big Beaver Rd., Troy, Michigan 48083, in Oakland County [MLCC REQ ID# 276831] and the Mayor and City Clerk are **AUTHORIZED** to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

---

**E-5 Standard Purchasing Resolution 3: Exercise Renewal Option – Topsoil**

Resolution #2005-03-110-E-5

WHEREAS, On May 24, 2004, a contract to provide one-year requirements of Topsoil with an option to renew for one additional year was hereby awarded to the low bidder, Sterling Topsoil & Grading, Inc. of Sterling Heights, Michigan (Resolution 2004-05-268-E6), and

WHEREAS, The awarded bidder has agreed to exercise the one-year option to renew under the same prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Sterling Topsoil & Grading, Inc. to provide topsoil under the same contract prices, terms, and conditions for one-year expiring December 31, 2005.

---

**E-6 Traffic Committee Recommendations – February 16, 2005**

Resolution #2005-03-110-E-6

**a) Installation of YIELD Signs on Millburn at Brinston and on Millburn at Prescott**

RESOLVED, that Traffic Control Order #05-03-SS-(Y) be **ISSUED** for installation of YIELD signs on Millburn at Brinston and on Millburn at Prescott.

**b) Installation of NO STOPPING, STANDING, PARKING Signs on South Side of Timberview Between Livernois and Millpond**

RESOLVED, that Traffic Control Order #05-01-P be **ISSUED** for installation of NO STOPPING, STANDING, PARKING signs on the south side of Timberview between Livernois and Millpond.

**c) Installation of NO PARKING ZONE Signs on the East Side of Millpond, 50 Feet North and South of Timberview**

RESOLVED, that Traffic Control Order #05-02-P be **ISSUED** for installation of NO PARKING ZONE signs on the east side of Millpond, 50 feet north and south of Timberview.

**d) Installation of STOP Sign on Timberview at Millpond**

RESOLVED, that Traffic Control Order #05-04-SS be **ISSUED** for installation of a STOP sign on Timberview at Millpond.

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**E-7 Approval of Michigan Department of Transportation (MDOT) Amendatory Contract 05-5032 for Demolition Work – Troy Project No. 01.105.5 – Big Beaver, Rochester to Dequindre**

Resolution #2005-03-110-E-7

RESOLVED, That Amendatory Contract No. 05-5032 to MDOT Contract No. 02-5394 between the City of Troy and the Michigan Department of Transportation for Demolition Work for Big

Beaver Road, from Rochester Road to Dequindre Road, Project No. 01.105.5, is hereby **APPROVED** at an estimated cost to the City of Troy not to exceed \$30,500, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

---

**E-8 Standard Purchasing Resolution 2: Bid Award: Lowest Bidders Meeting Specifications – Home Chore Lawn and Yard Services**

Resolution #2005-03-110-E-8

RESOLVED, That contracts to provide for one (1) year requirements of lawn and yard services for the Home Chore Program are hereby **AWARDED** to the lowest acceptable bidders meeting specifications, G.D.M. Lawn Care for Proposal A, and Ground EFX Land & Lawn, LLC for Proposal B, for an estimated cost of \$33,810.00 and \$9,702.00 respectively, at unit prices contained in the bid tabulation opened January 25, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of December 31, 2005.

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

---

**E-9 Standard Purchasing Resolution 1: Award to Low Bidder – Vehicle Graphics**

Resolution #2005-03-110-E-9

RESOLVED, That a two-year contract to provide Police and Fire Departments with vehicle graphic material and/or installation, with an option to renew for two additional years, is hereby **AWARDED** to the low total bidder, Majik Graphics Inc. of Clinton Township, MI at unit prices contained in the bid tabulation opened November 5, 2004, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of February 28, 2007.

BE IT FURTHER RESOLVED, That bids received for Item 1b., installation of letters and numbers only one (1) police undercover vehicle and Item #3., the purchase of Graphics only for the Motor Pool are hereby **REJECTED** and prices can be obtained through an informal quote process following standard purchasing procedures.

BE IT FINALLY RESOLVED, That the award is contingent upon contractor submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

---

**E-10 Standard Purchasing Resolution 3: Exercise Renewal Options – Aggregates**

Resolution #2005-03-110-E-10

WHEREAS, On April 19, 2004, one-year contracts for Aggregates with an option to renew for one additional year was awarded to low bidders, Tri-City Aggregates, Inc (Resolution #2004-04-215-E5) and subsequently to United Soils, Inc as a result of a rescind/re-award on June 21, 2004 (Resolution #2004-06-346) and;

WHEREAS, Both awarded bidders have agreed to exercise the option to renew under the same unit prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contracts are hereby **EXERCISED** with Tri-City Aggregates, Inc. and United Soils, Inc. for Aggregates under the same contract prices, terms, and conditions expiring April 30, 2006.

---

**E-11 Standard Purchasing Resolution 11: Rejection of Bids – Flynn Park Sports Lighting**

Resolution #2005-03-110-E-11

RESOLVED, That bids received to provide all labor, materials, and equipment to remove existing lighting and install a new sport lighting system on four ball diamonds at Flynn Park, which opened February 2, 2005, are hereby **REJECTED**.

**PUBLIC COMMENT:** Limited to Items Not on the Agenda

**REGULAR BUSINESS:**

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**F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Downtown Development Authority (Unable to fill Student Representative position due to conflict with meeting hours and school hours); b) City Council Appointments: None.**

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**F-2 Interagency Agreement – Rouge River National Wet Weather Demonstration Project – Round VI-Part B – Detention Pond Retrofits and Best Management Practice (BMP) Analysis (RVIB-21)**

Resolution #2005-03-111  
 Moved by Beltrami  
 Seconded by Lambert

RESOLVED, That the City enter into an agreement with the Wayne County Department of Environment/Rouge River National Wet Weather Demonstration Project for a demonstration project of Detention Pond Retrofits and Best Management Practice (BMP) Analysis, Project No. 05.302.6 with the City share being \$305,000 of the total \$610,000 project cost. The City of Troy's share would be funded by the Capital Drains account in the amount of \$255,000 plus an estimated \$50,000 staff cost soft match.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to execute the agreement, a copy of which shall be **ATTACHED** to and made a part of the original Minutes of this meeting.

Yes: All-5  
 No: None

Absent: Howrylak, Stine

---

**F-3 Veterans' Plaza for National Day of Prayer Event**

**Suggested Resolutions as Requested by Petitioner:**

a) **National Day of Prayer-Christian Observance on May 5, 2005 at the Troy Veteran's Plaza**

Resolution

Moved by Broomfield

Seconded by Lambert

RESOLVED, That Troy City Council hereby **GRANTS** the request of Lori Wagner, National Day of Prayer Coordinator for the City of Troy's National Day of Prayer Task Force, to hold National Day of Prayer-Christian observance at the Troy Veteran's Plaza on Thursday, May 5, 2005 from 12:00 PM until 1:00 PM; and

BE IT FURTHER RESOLVED, That the Troy Veteran's Plaza be available for additional organizations to celebrate National Day of Prayer, on Thursday, May 5, 2005, after 1:00 PM under the same conditions as set forth for the request of Lori Wagner; and

BE IT FINALLY RESOLVED, That any requests to use the Troy Veteran's Plaza shall be submitted to the Troy City Manager on or before April 12, 2005.

**Vote on Resolution to Amend**

Resolution #2005-03-112

Moved by Schilling

Seconded by Lambert

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** "City of" in the first RESOLVED.

Yes: All-5

No: None

Absent: Howrylak, Stine

**Vote on Resolution as Amended**

Resolution #2005-03-113

Moved by Broomfield

Seconded by Lambert

RESOLVED, That Troy City Council hereby **GRANTS** the request of Lori Wagner, National Day of Prayer Coordinator for the Troy National Day of Prayer Task Force, to hold National Day of Prayer-Christian observance at the Troy Veteran's Plaza on Thursday, May 5, 2005 from 12:00 PM until 1:00 PM; and

BE IT FURTHER RESOLVED, That the Troy Veteran's Plaza be available for additional organizations to celebrate National Day of Prayer, on Thursday, May 5, 2005, after 1:00 PM under the same conditions as set forth for the request of Lori Wagner; and

BE IT FINALLY RESOLVED, That any requests to use the Troy Veteran's Plaza shall be submitted to the Troy City Manager on or before April 12, 2005.

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

**MOTION FAILED**

**Resolution to Celebrate a National Day of Prayer**

Resolution  
Moved by Eisenbacher  
Seconded by Lambert

RESOLVED, That the front lawn area of City Hall be divided into at least five multiple spaces between the hours of 12:00 PM and 1:00 PM on Thursday, May 5, 2005 to be used for the purpose of celebrating National Day of Prayer and that the Troy Veteran's Plaza located directly in front of City Hall be reserved for an inter-faith celebration if requested.

**Vote on Resolution to Amend by Substitution**

Resolution #2005-03-114  
Moved by Eisenbacher  
Seconded by Beltramini

RESOLVED, That the Resolution be **AMENDED** by **STRIKING** it in its entirety and **SUBSTITUTED** with, "RESOLVED, That City Staff **SELECT** a site as a place for public gatherings and **PROPOSE** language for governing public gathering for consideration at the Regular City Council Meeting scheduled for Monday, April 4, 2005."

Yes: All-5  
No: None  
Absent: Howrylak, Stine

**Vote on Resolution as Substituted**

Resolution #2005-03-115  
Moved by Eisenbacher  
Seconded by Lambert

RESOLVED, That City Staff **SELECT** a site as a place for public gatherings and **PROPOSE** language for governing public gathering for consideration at the Regular City Council Meeting scheduled for Monday, April 4, 2005.

Yes: All-5

No: None  
Absent: Howrylak, Stine

**b) Installation of a Banner at 500 W. Big Beaver**

Resolution #2005-03-116  
Moved by Broomfield  
Seconded by Lambert

RESOLVED, That Troy City Council hereby **GRANTS** the request from Lori Wagner, National Day of Prayer Coordinator for the Troy National Day of Prayer Task Force, to install a 3 foot x 10 foot vinyl banner which reads “Annual National Day of Prayer – 1<sup>st</sup> Thursday of May” at 500 W. Big Beaver in accordance with Section 14.00 of the Sign Ordinance of the City of Troy.

Yes: All-5  
No: None  
Absent: Howrylak, Stine

The meeting **RECESSED** at 9:07 PM.

The meeting **RECONVEND** at 9:18 PM.

---

**F-4 Amendment to Chapter 30 – Troy Municipal Golf Course and Revisions  
Concerning Sanctuary Lake Municipal Golf Course**

Resolution  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That an ordinance amendment to Chapter 30 – Troy Municipal Golf Course, is hereby **ADOPTED** as recommended by the City Administration; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting; and

RESOLVED, That Chapter 30, be further **AMENDED** by **INSERTING** quotation marks around all occurrences of “net revenues” and that the word “sales of” be **STRICKEN** as it appears in Chapter 30, Section 10 c; and

RESOLVED, That the title for Agenda Item F-4 be **AMENDED** by **INSERTING** “Amendment to Chapter 30 – Troy Municipal Golf Course and” **BEFORE** “Revisions Concerning Sanctuary Lake Municipal Golf Course; and

BE IT FINALLY RESOLVED, That the Addendum to the Agreement – Food Service at Sanctuary Lake Golf Course between the City of Troy and Emerald Services I, L.L.C. as corrected and laid on the table be hereby **APPROVED**, the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy shall be **ATTACHED** to the original Minutes of this meeting.

**Vote on Resolution to Amend**

Resolution #2005-03-117  
 Moved by Eisenbacher  
 Seconded by Lambert

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, “RESOLVED, That City Staff **REVIEW** Chapter 30 in its entirety and **PROVIDE** further recommendations for consideration at the Regular City Council Meeting scheduled for Monday, July 11, 2005.”

Yes: All-5  
 No: None  
 Absent: Howrylak, Stine

### **Vote on Resolution as Amended**

Resolution #2005-03-118  
 Moved by Beltramini  
 Seconded by Lambert

RESOLVED, That an ordinance amendment to Chapter 30 – Troy Municipal Golf Course, is hereby **ADOPTED** as recommended by the City Administration; a copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting; and

RESOLVED, That Chapter 30, be further **AMENDED** by **INSERTING** quotation marks around all occurrences of “net revenues” and that the word “sales of” be **STRICKEN** as it appears in Chapter 30, Section 10 c; and

RESOLVED, That the title for Agenda Item F-4 be **AMENDED** by **INSERTING** “Amendment to Chapter 30 – Troy Municipal Golf Course and” **BEFORE** “Revisions Concerning Sanctuary Lake Municipal Golf Course; and

RESOLVED, That City Staff **REVIEW** Chapter 30 in its entirety and **PROVIDE** further recommendations for consideration at the Regular City Council Meeting scheduled for Monday, July 11, 2005.

BE IT FINALLY RESOLVED, That the Addendum to the Agreement – Food Service at Sanctuary Lake Golf Course between the City of Troy and Emerald Services I, L.L.C. as corrected and laid on the table be hereby **APPROVED**, the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents; a copy shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-5  
 No: None  
 Absent: Howrylak, Stine

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**F-5 Special/Joint Meeting with City Council and Planning Commission for March 28, 2005 to Discuss Zoning Ordinance Text Amendment (ZOTA 215-A) – Article 04.20.00 and Articles 40.55.00-40.59.00, Pertaining to Accessory Buildings and Definitions and Provisions**

---

Resolution #2005-03-119  
Moved by Beltramini  
Seconded by Broomfield

WHEREAS, City Council referred ZOTA 215-A to the Planning Commission to address garage door height, footprint ratios, further rationale of the number of detached buildings, and that staff make changes in regard to greenhouses;

WHEREAS, The Planning Commission and City Management conducted an interest-based approach to identify common interests related to garage/accessory structure door heights, and determined that different there are different interests;

WHEREAS, The Planning Commission and City Management could not develop a unified recommendation related to garage/accessory structure door heights.

NOW, THEREFORE, BE IT RESOLVED, That a Joint City Council and Planning Commission Special Meeting be **SCHEDULED** for March 28, 2005 at 7:30 PM at the Fire/Police Training Center, 4850 John R, Troy, Michigan. The purpose of the meeting is to conduct an interest-based approach to determine the interests of the City Council, Planning Commission and City Management; with the overall purpose of providing direction to both the Planning Commission and City Management in the process of formulating a ZOTA 215-A recommendation to City Council that addresses size/footprint of accessory structures, garage door heights and related issues.

Yes: All-5  
No: None  
Absent: Howrylak, Stine

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**F-6 2005 Magic of Fall – Troy Daze Festival Schedule – Fees – Removed by City Management**

## **MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings: No Announcements Submitted**

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**G-2 Green Memorandums:**

- a) Mission, Vision and Values for Troy Employees
- b) Standard Purchasing Resolution 8: Best Value Process Award – Audit Services
- c) Standard Purchasing Resolution 3: Exercise Renewal Option – Landscape Maintenance Services

Noted and Filed

## **COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**

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**H-1 No Council Referrals Advanced**

**COUNCIL COMMENTS:****I-1 No Council Comments Advanced****Vote on Resolution to Suspend Rules of Procedure**

Resolution #2005-03-120

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the Troy City Council hereby **SUSPENDS** their Rules of Procedure, in accordance with Article 22 – Suspend Rules, to discuss and take action on agenda item placed on the table regarding “*Request for Special Event to be held on Civic Center Grounds*” under Article 15 - Council Comments.

Yes: All-5

No: None

Absent: Howrylak, Stine

**Vote on Resolution for Request for a Special Event to be Held on Civic Center Grounds**

Resolution #2005-03-121

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the request from State Representative, Robert Gosselin for permission to hold an outdoor Special Event for the display of the *10 Commandments Monument* in the east parking lot of Troy City Hall for a three (3) hour period on Saturday, March 19, 2005 from Noon until 3:00 PM is hereby **APPROVED**.

Yes: Beltramini, Broomfield, Eisenbacher, Lambert

No: Schilling

Absent: Howrylak, Stine

**MOTION CARRIED****REPORTS:****J-1 Minutes – Boards and Committees:**

- a) Troy Youth Council/Final – January 19, 2005
- b) Troy Daze Advisory Committee/Final – January 25, 2005
- c) Planning Commission Special/Study/Final – February 1, 2005
- d) Planning Commission/Final – February 8, 2005
- e) Troy Daze Committee/Final – February 8, 2005
- f) Employees’ Retirement System Board of Trustees/Draft – February 9, 2005
- g) Board of Zoning Appeals/Draft – February 15, 2005
- h) Troy Ethnic Issues Advisory Board/Draft – February 15, 2005
- i) Troy Daze Advisory Committee/Draft – February 22, 2005
- j) Troy Youth Council/Draft – February 23, 2005

Noted and Filed

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**J-2 Department Reports: No Department Reports Submitted**

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**J-3 Letters of Appreciation:**

- a) Letter to Chief Nelson from Kelly Sigmon, Senior Plan Manager, Royal Oak Processing and Distribution Center, United States Postal Service, Thanking the Troy Fire Department for Its Role in the Installation of Biohazard Detection Equipment  
Noted and Filed

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

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**J-5 Calendar**

Noted and Filed

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**J-6 Nancy Cook v. City of Troy**

Noted and Filed

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**J-7 Website Updates – E-Agenda Packet Format and Public Hearings**

Noted and Filed

**STUDY ITEMS:**

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**K-1 Charnwood Hills Options Relative to Sanitary Sewer Installation**

**PUBLIC COMMENT: Address of “K” Items**

**CLOSED SESSION:**

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**L-1 Closed Session – No Closed Session Requested**

The meeting **RECESSED** at 9:53 PM.

The meeting **RECONVENED** at 11:34 PM.

The meeting **ADJOURNED** at 11:35 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk

March 9, 2005

TO: John Szerlag, City Manager

FROM: Mary Redden, Administrative Assistant to City Manager

SUBJECT: Agenda Item: Standard Purchasing Resolution 9:  
Approval to Expend Funds for Membership Dues  
and Membership Renewals Over \$10,000 -  
2005/06 Michigan Municipal League Membership Renewal

It is recommended that the attached membership invoice to the Michigan Municipal League be paid in the amount of \$12,709. These dues cover the time period of May 1, 2005 through April 30, 2006.



MICHIGAN MUNICIPAL LEAGUE  
MEMBERSHIP RENEWAL INVOICE  
2004 - 2005

CITY OF TROY

Id: 492

Date: March 4, 2005

Membership Period: May 1, 2005 - April 30, 2006

2002-2003 State Shared Revenue:	\$7,618,966
* Michigan Municipal League Dues	\$10,417
** Environment Affairs Assessment	1,250
*** Legal Defense Fund	1,042
<b>Total due by May 1, 2005</b>	<b>\$12,709</b>

**Please sign, date and return one invoice copy with your payment.**

Make checks payable to the Michigan Municipal League and mail to the address below. Thank you.

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

\_\_\_\_\_  
(Date)

- \* See reverse side
- \*\* See reverse side
- \*\*\* See reverse side

Michigan Municipal League  
P.O. Box 7409  
Ann Arbor, MI 48106-7409  
800.653.2483



**MICHIGAN  
MUNICIPAL  
LEAGUE**

March 4, 2005

**President**

MARGENE ANN SCOTT  
Councilmember, Madison Heights

**Vice President**

ROBERT B. JONES  
Mayor, Kalamazoo

**Trustees**

ALEX R. ALLIE  
City Manager, Huntington Woods

VICKI BARNETT  
Mayor, Farmington Hills

KATHLEEN BUCKNER  
Mayor Pro Tem, Center Line

MICHAEL J. CZYMBOR  
City Administrator, Milan

DEBORAH L. DOYLE  
Councilmember, Durand

BARBARA HOLT  
Commissioner, Walker

JERRY IRBY  
Mayor, Marquette

KWAME M. KILPATRICK  
Mayor, Detroit

MICHAEL N. MATHENY  
Mayor, Grand Blanc

FLORENCE E. SCHRADER  
Treasurer, Ubyly

CLARA SHEPHERD  
Commissioner, Muskegon

JOHN C. SIIRA  
City Manager, Wakefield

GLADYS A. SOLOKIS  
Mayor, Gaylord

WILLIAM R. STEWART  
City Manager, Coldwater

KARL S. TOMION  
City Manager, Midland

JOHN J. ZECH  
City Manager, Wayne

**Executive Director**

GEORGE D. GOODMAN

Mrs. Tonni L. Bartholomew  
Troy City Clerk  
500 W. Big Beaver Rd.  
Troy, MI 48084-5254

Dear Mrs. Bartholomew:

Enclosed are your 2004-2005 Michigan Municipal League membership renewal invoice and member plaque insert. The state shared revenue figures used for calculating your dues are accurate to the best of our knowledge.

In the past year the MML has educated and trained over 2,100 municipal officials and employees in many aspects of public sector activity and responsibility. Our annual convention and legislative conference continue to be successful and productive events with well over 600 attendees at each.

Our legislative endeavors saw the successful override of the state shared revenue veto thereby retaining larger percentages of revenues available to municipalities than had the veto been sustained. Also, several millions of dollars in grants should be made available to municipalities for funding personal property tax audits. This should help municipalities recoup some of the millions of dollars in personal property taxes that are uncollected in Michigan each year. These are just a few examples of work vigorously undertaken or supported by the League for the benefit of its members.

We continue to update our communication efforts via the Web for the convenience of the membership. We now have a "member only" section at our Web site ([www.mml.org](http://www.mml.org)) which is being continually enhanced. Many of the over 2200 information requests we processed last year came to us online.

The trustees, staff and I thank you for your ongoing support of the League and the work it does on behalf of Michigan's cities and villages.

Please feel free to contact me or any of the MML staff should you have any questions.

Sincerely,

George D. Goodman  
Executive Director

Enc.

A member of the National League of Cities

**Web Address**

[www.mml.org](http://www.mml.org)

**Headquarters Office**

1675 Green Road, P.O. Box 1487  
Ann Arbor, MI 48106-1487  
Phone: 734-662-3246  
Fax: 734-662-8083

**Lansing Office**

320 N. Washington Square, Suite 110  
Lansing, MI 48933-1288  
Phone: 517-485-1314  
Fax: 517-372-7476

**Northern Field Office**

200 Minneapolis Avenue  
Gladstone, MI 49837-1931  
Phone: 906-428-0100  
Fax: 906-428-0101

March 14, 2005

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
Timothy L. Richnak, Public Works Director

RE: **Agenda Item** – Standard Purchasing Resolution #2 – Bid Award:  
Lowest Bidder Meeting Specifications – Printing/Distribution of  
Water & Sewer Bills

**RECOMMENDATION**

On March 2, 2005, eight (8) proposals were opened to provide production, printing, and distribution of the City of Troy Water and Sewer Bills for one (1) year, with three (3) one-year options to renew. City management recommends awarding the contract to the lowest acceptable bidder meeting specifications, Automated Computer Methods Inc. of McHenry, IL, for an estimated cost of \$11,616.00 per year, plus the actual cost of first class postage, at unit prices contained in the attached bid tabulation.

<b>DESCRIPTION</b>	<b>UNIT PRICE</b>
<b>CUSTOMER BILLING SUMMARY:</b>	
Laser Print, Water/Sewer Bill	\$.050
Fold, Insert, Sort & Mail	\$.020
Printing - #9 Reply Envelope	\$.017
Printing - #10 Envelope	\$.0185
<b>COST PER BILL:</b>	<b>\$.1055</b>

**EXPLANATION OF BID NOT MEETING SPECIFICATIONS**

After reviewing the bid proposal from Miami Systems, the apparent low bidder, and performing a reference check with cities with contracts similar to ours, it was discovered that the data processing time once the file was sent to the vendor, took up to four days or longer to process and deliver the bills to the post office. Our time-frame requirement is sixty hours. Also, there were numerous errors when the bills were completed and mailed, resulting in additional City staff hours to correct the problems.

**SUMMARY**

Automated Computer Methods, Inc. has the ability to generate bills monthly, meet our processing time requirements, and deliver them to the post office in a timely manner. The file will be sent electronically either via e-mail or an ftp site provided by the vendor. The work will be done in-house, with sub-contractors providing

March 14, 2005

To: John Szerlag, City Manager

Re: Bid Award – Printing/Distribution of Water & Sewer Bills

**SUMMARY** - Continued

the forms and envelopes. They have handled numerous mailing and printing projects for Government Agencies, as well as the private sector, and have been in business for over 21 years. Automated Computer Methods, Inc. will also attach the bar codes, or OCR lines that are necessary as well as being CASS Certified (Coding Accuracy Support System certification by the US Postal Service in cooperation with the mailing industry), and will include any inserts that will be mailed with the monthly bills. They have a proven track record to meet deadlines, and will work with us regarding any issues that arise.

**BUDGET**

Funds are available from the Water Department operating budgets.

118 Vendors Notified via the MITN System

8 Bid Responses Rec'd

1 Bid did not meet specifications

1 No Bid: Company couldn't get estimate quick enough.

Prepared by: Ann Tyrrell, Office Coordinator

VENDOR NAME:

* <b>ACM, INC</b>	LASON	CENTRON DATA	LASERTEC INC
AUTOMATED	SYSTEMS INC	SERVICES INC	
COMPUTER METHODS INC			
#14090	#632022251	#507137872	#649255192
\$ 2,100	\$ 2,100	\$ 2,100	\$ 2,100

CHECK #:

CHECK AMOUNT:

**PROPOSAL:** FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO PROVIDE ONE-YEAR REQUIREMENTS OF LASER PRINTING AND DISTRIBUTION OF THE CITY OF TROY'S WATER AND SEWER BILLS, WITH AN OPTION TO RENEW FOR THREE(3) ADDITIONAL ONE-YEAR PERIODS.

EST QTY	SERVICE DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	One Time, Account Set-Up	\$ 200.00	\$ 125.0000	\$ 300.0000	\$ -
109,400	Laser Print Water / Sewer Bills	\$50.00/M	\$ 0.0393	\$ 0.0390	\$ 0.0800
109,400	Fold, Insert, Sort and Mail	\$20.00/M	\$ 0.0300	\$ 0.0640	Included
102,000	Printing on #9 Envelopes	\$17.00/M	\$ 0.0185	\$ 0.0040	\$ 0.0200
109,400	Printing on #10 Envelopes	\$18.50/M	\$ 0.0210	\$ 0.0050	\$ 0.0190
	ESTIMATED TOTAL COST:	* \$ 11,615.90	11,890.82	12,523.20	\$ 12,870.60
	PROCESSING TIME: 60 Hours				
	Can Meet	XX	XX	XX	XX
	Cannot Meet				
	SERVICE FACILITY:				
	Location	McHenry, IL	Livonia, MI	Norton Shores	Sterling Heights
	24-Hour Phone Number	(815)861-1957	(734)632-1600	(800)732-8787	(586)274-4500
	Hours of Operation	8:30-5pm	24/7	24/5	24
	TERMS:	Net 30 Days	30 Days Net	Net 30	30 Days
	DELIVERY / COMPLETION:	60 Hours After Receipt of Electronic File			
	EXCEPTIONS:	Blank	Blank	None	Postage must be prepaid. There is no relevant MSDS Letter of Understanding attached to bid
	ACKNOWLEDGEMENT: Completed Y or N	Yes	Yes	Yes	Yes
	VENDOR QUESTIONNAIRE:				
	Attached	XX	XX	XX	XX
	Not Attached				
	COST BREAKDOWN - SUPPLY INVENTORY				
	Attached	All Pricing			
	Not Attached	Listed on page	XX	XX	XX
		one of Bid			

NO BIDS:

Moore Wallace

\* DENOTES LOWEST ACCEPTABLE BIDDER

ATTEST:

Ann Tyrrell

MaryAnn Hays

Linda Bockstanz

Jeanette Bennett

Purchasing Director

VENDOR NAME:

RENKIM	MATRIX	RBF
CORPORATION	IMAGING	INC
SOLUTIONS		
#654963892	#31313	#620709692
\$ 2,100	\$ 2,100	\$ 2,100

CHECK #:

CHECK AMOUNT:

**PROPOSAL:** FURNISH ALL LABOR, MATERIALS, AND EQUIPMENT TO PROVIDE ONE-YEAR REQUIREMENTS OF LASER PRINTING AND DISTRIBUTION OF THE CITY OF TROY'S WATER AND SEWER BILLS, WITH AN OPTION TO RENEW FOR THREE(3) ADDITIONAL ONE-YEAR PERIODS.

EST QTY	SERVICE DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	One Time, Account Set-Up	\$ 825.00	\$ 250.00	N/A
109,400	Laser Print Water / Sewer Bills	0.0486	\$ 0.0550	\$ 0.0680
109,400	Fold, Insert, Sort and Mail	0.03037	\$ 0.0550	\$ 0.0510
102,000	Printing on #9 Envelopes	0.01625	\$ 0.0230	\$ 0.0200
109,400	Printing on #10 Envelopes	0.01725	\$ 0.0170	\$ 0.0210
ESTIMATED TOTAL COST:		\$ 13,008.97	16,489.80	17,356.00
PROCESSING TIME: 60 Hours				
Can Meet		XX	XX	XX
Cannot Meet				
SERVICE FACILITY:				
Location		Southgate, MI	Sanborn, NY	Lansing, MI
24-Hour Phone Number		(734)374-8300	(716)504-9700	(269)327-3871
Hours of Operation		7am-11pm	24Hrs M-F	7:30-11pm
TERMS:		Blank	Net 30 Days	Net 30
DELIVERY / COMPLETION:		60 Hours After Receipt of Electronic File		
EXCEPTIONS:		Blank	Blank	Blank
ACKNOWLEDGEMENT: Completed Y or N		Yes	Yes	Yes
VENDOR QUESTIONNAIRE:				
Attached		XX	XX	XX
Not Attached				
COST BREAKDOWN - SUPPLY INVENTORY				
Attached		XX	XX	XX
Not Attached				

DMS:

Miami Systems - \$11,095.80

Reason: Difficulty meeting 60 hour processing time



## Downloading History for ITB-COT 04-62 UtilityBil

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/14/2005.

<b>Document Title:</b>	Laser Printing & Distribution of Water & Sewer Bills
<b>Date Issued:</b>	2/8/2005
<b>Close Date:</b>	3/2/2005

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
10991	360 Services International	E-mail	2/8/2005	
11680	A-1 Business Products	E-mail		
20263	AB Data, Ltd.	Free	2/10/2005	
15288	Accelerated Press, Inc.	Free	2/9/2005	
13053	Accuform Printing & Graphics, Inc.	Free	3/1/2005	
10693	ACE Computer Essentials, Inc.	E-mail		
16603	Ad-Tech Agency Inc.	E-mail		
12742	Addison Graphic Solutions, Inc.	E-mail	2/8/2005	
13431	Advantage Communications Group	E-mail		
10325	Aielli Construction Company, Inc.	Free	2/14/2005	
19786	America's Finest Printing & Graphics	E-mail	2/9/2005	
11147	American Mailers	E-mail		
19476	Ann Arbor Printing & Mailing Service	E-mail	2/8/2005	
15460	Arbor Press	E-mail		
16873	AUTOMATED COMPUTER METHODS INC	E-mail	3/7/2005	
10717	Blue Pencil Creative Group, Ltd.	E-mail		
15019	Brodie Corporation	E-mail		
10682	C & R Maintenance d/b/a Rizzo Services	E-mail	2/8/2005	
16815	C.A.P. Printing L.L.C.	Free	2/14/2005	
13422	Centron Data Services, Inc.	E-mail	2/18/2005	
19258				

	Color Q LLC	E-mail	2/8/2005	
16318	Comda International Calendar Co.	E-mail		
16718	Commercial Blueprint, Inc.	E-mail		
13813	Commercial Communications, Inc	E-mail		
17878	Compton Printing	E-mail		
10469	COUGAR PRINTING & GRAPHICS, INC.	E-mail		
10276	CPM Services Group, Inc	E-mail		
16712	Data Direction Inc.	Free	2/23/2005	
10868	Dearborn Lithograph, Inc.	E-mail		
11544	Dearborn Offset Printing, Inc.	E-mail		
13468	DESIGN GROUP	Free	2/21/2005	
19864	DIVERSIFIED UTILITY SERVICES	Free	2/19/2005	
19136	Dodaj Enterprises	E-mail		
16733	E.J. Steve	E-mail		
15621	ECON MARKETING SERVICES INC	E-mail	2/8/2005	
20474	Econobuild	E-mail	3/2/2005	
10981	Ed Luberda	E-mail		
17995	Empire Printing	E-mail		
10318	Entire Reproductions and Imaging Solutions	E-mail		
15795	Epoch Technologies, Inc	Free	2/18/2005	
12661	Executive Printing Services	Free	2/18/2005	
19341	FIRST IMPRESSION PRINTING	E-mail		
14027	Five Star Graphics Inc dba Graphic Image	E-mail		
12125	Flamingo Kid Signs, Inc.	E-mail	2/26/2005	
11444	Fudge Business Forms, Inc.	E-mail	2/8/2005	
15657	Grand River Printing & Imaging	E-mail		
12922	Graphic Enterprises, Inc.	E-mail	2/8/2005	
19815	Graphics East, Inc.	Fax		
19666	Greatland Corporation	E-mail		
17036	greko print & imaging inc.	Fax		
17858	Herald Publishing Company, Inc.	E-mail		
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail	3/1/2005	
19788	Identification Resources, Inc.	E-mail		
16060	Imperial Graphics & Design	E-mail		
11388	Inco Graphics	E-mail	2/8/2005	
15511	Inland Press	E-mail		
19591	Innovated Capital Solutions	E-mail		
18146	J & M Reproduction Corporation	E-mail		
18476	John Henry Company	E-mail		
11116	Johnston Lithograph	Fax		
20189	Kanne & Associates	Free	2/9/2005	

13781	Kimcraft Printers, Inc	E-mail		
11891	Kinko's	E-mail		
12808	Lasertec	E-mail	2/24/2005	
10734	Lason Inc.	E-mail	2/11/2005	
17321	Lighthouse Graphic Services	E-mail		
19604	M-Press, Inc.	Free	2/16/2005	
14525	Maro Enterprises LLC	E-mail		
19927	Mass Mailing	Free	2/10/2005	
17065	Master Business Forms Company	Fax		
17245	Matrix Imaging Solutions	E-mail	2/8/2005	
18734	Matrix Printing Systems, Inc.	E-mail		
17763	Mays Printing Company Inc.	E-mail		
11598	Media Connection Advertising Inc	E-mail		
12333	Messenger Printing Service	E-mail		
12030	Miami Systems Corporation	Free	2/10/2005	
18678	Miller Corp LLC	E-mail		
17889	MK & Company	E-mail		
15976	Moore Wallace Inc	E-mail	2/28/2005	
13485	Morning Star Publishing Company	E-mail		
16101	Mort Crim Communications, Inc.	E-mail		
19622	MSX International	E-mail		
15485	Nu-Tech Graphics & Systems Inc.	Fax	2/17/2005	
18380	OccuMed3	E-mail		
18547	Office Furniture Services	E-mail		
10412	Orion Business Services - dba PrintPro Systems	E-mail		
14166	P&S INC	E-mail		
12480	Paper Express Inc.	Free	2/10/2005	
10331	PC Photo Imaging	E-mail		
14369	Perfect Promotion Inc.	E-mail		
12743	PK Specialties	E-mail		
13644	Presort Services, Inc.	Free	2/22/2005	
19600	Print-Tech Inc.	E-mail	2/8/2005	
10596	Printwell, Inc.	E-mail		
12047	R.b. Printing Service	Fax		
20273	RBF Inc.	E-mail	2/15/2005	
10129	Robot Printing and Communications	E-mail		
10038	Rotary Multiforms, Inc	E-mail	2/22/2005	
16041	S & N Aziza Inc dba Eastern Graphics & Printing	Fax		
12933	Select Graphics Corporation	E-mail	2/8/2005	
11448	Signature Press, Inc.	E-mail		
11956	Sir Speedy Printing	E-mail		

12886	Sky Promotions/Benquin Business	E-mail		
16450	SourceMaster	E-mail		
16388	Standard Office Solutions, INC	E-mail		
13123	Stephens Nu-Ad	E-mail		
18307	Stoffel Seals Corporation	E-mail		
16967	Target Information Management	E-mail		
18415	Technology Integration Group	Free	2/18/2005	
18035	The EGT Group, Inc.	E-mail		
16663	The Job Shop Ink Inc.	E-mail		
17735	The Quintek Group	E-mail		
12437	The Reliance Group	E-mail		
12760	Utley Brothers, Inc.	E-mail		
15948	West Metro Printing Co.	E-mail		
11610	Westside Reprographics	E-mail		
15986	WHITLOCK BUSINESS SYSTEMS	E-mail		
16881	Zip Printing	E-mail		

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March 14, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services  
Douglas J. Smith, Real Estate & Development Director

RE: AGENDA ITEM - REQUEST FOR ACCEPTANCE of 4 Permanent Storm Drain/Sewer Easements for the Louis/Troy Street Rear Yard Drain Project – Section 22

In connection with the installation of a rear and side yard drainage project affecting properties located north of Hartland, between Louis and Troy Streets in Section 22, the Real Estate and Development Department has received four permanent easements from the following property owners:

	<b>OWNER NAME</b>	<b>ADDRESS</b>	<b>SIDWELL NO.</b>
1	Rahul Alawani and Smita Khedkar	3312 Louis	88-20-22-352-019
2	Shailesh A. and Manisha S. Patel	3304 Louis	88-20-22-352-020
3	Feng Qing and Xiu Yan	3296 Louis	88-20-22-352-021
4	Amy Tang	3293 Troy	88-20-22-352-024

The consideration of each document is \$1.00. In order for the Streets and Drains Department to proceed with the project, we recommend that City Council accept the attached easements.

# Louis/Troy Rear Yard Drain Project



PERMANENT EASEMENT

Sidwell #88-20-22-352-019  
Resolution #

Rahul Alawani and Smita Khedkar, husband and wife, Grantors, whose address is 3312 Louis, Troy, MI 48083 for and in consideration of the sum of: One 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 storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

**T** he East 10.00 feet of Lot 127, except the South 13.11 feet of "Eysters Beaver Gardens", as recorded in Liber 26, Page 14, Oakland County, Michigan records. Said plat being part of the SW ¼ of Section 22, Town 2 North, Range 11 East, City of Troy. Containing 987 Square Feet or 0.023 Acres more or less.

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

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 2 signature(s) this 14th day of February A.D. 2005.

Signed by:

Rahul Alawani (L.S.)  
\*Rahul Alawani

Smita Khedkar (L.S.)  
\*Smita Khedkar

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 14th day of February, 2005, by Rahul Alawani and Smita Khedkar, husband and wife.

Larysa Figol  
\* LARYSA FIGOL  
Notary Public, OAKLAND County, Michigan

My Commission Expires MAR. 2, 2006  
ACTING IN OAKLAND COUNTY

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**

PERMANENT EASEMENT

Sidwell #88-20-22-352-020  
Resolution #

Shailesh A. Patel and Manisha S. Patel, husband and wife, Grantors, whose address is 3304 Louis, Troy, MI 48083 for and in consideration of the sum of: One 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 storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

The East 10.00 feet of the North 48.45 feet of Lot 126 and the East 10.00 feet of the South 13.11 feet of Lot 127 of "Eysters Beaver Gardens", as recorded in Liber 26, Page 14, Oakland County, Michigan records. Said plat being part of the SW ¼ of Section 22, Town 2 North, Range 11 East, City of Troy. Containing 616 Square Feet or 0.014 Acres more or less.

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

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 2 signature(s) this 22nd day of October, A.D. 2004.

Signed by:

Shailesh A. Patel (L.S.)  
\*Shailesh A. Patel

Manisha Patel (L.S.)  
\*Manisha S. Patel

STATE OF MICHIGAN )  
COUNTY OF OKLAND )

The foregoing instrument was acknowledged before me this 22nd day of October, 2004, by Shailesh A. Patel and Manisha S. Patel, husband and wife.

Larysa Figol  
\* LARYSA FIGOL  
Notary Public, OKLAND County, Michigan

My Commission Expires MAR. 2, 2006

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

PERMANENT EASEMENT

Sidwell #88-20-22-352-021  
Resolution #

Feng Qing and Xiu Yan, husband and wife, Grantors, whose address is 3296 Louis, Troy, MI 48083 for and in consideration of the sum of: One 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 storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

The East 10.00 feet of Lot 126 except the North 48.45 feet of "Eysters Beaver Gardens", as recorded in Liber 26, Page 14, Oakland County, Michigan records. Said plat being part of the SW ¼ of Section 22, Town 2 North, Range 11 East, City of Troy. Containing 616 Square Feet or 0.014 Acres more or less.

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

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 2 signature(s) this 29<sup>th</sup> 2004 day of October A.D. 2004.

Signed by:

[Signature] (L.S.)  
\*Feng Qing

[Signature] (L.S.)  
\*Xiu Yan

STATE OF MICHIGAN )  
COUNTY OF Oakland )

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of October, 2004, by Feng Qing and Xiu Yan, husband and wife.

[Signature]  
\*  
Notary Public, Macomb County, Michigan  
My Commission Expires 12/12/2004

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**

PERMANENT EASEMENT

Sidwell #88-20-22-352-024

Resolution #

Amy Tang, Grantor, whose address 3293 Troy, Troy, MI 48083 for and in consideration of the sum of: One 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 storm drain/sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

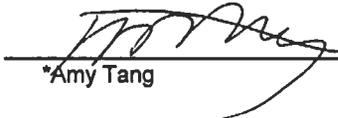
The West 10.00 feet of Lot 105 except the North 48.47 feet of "Eysters Beaver Gardens", as recorded in Liber 26, Page 14, Oakland County, Michigan records. Said plat being part of the SW ¼ of Section 22, Town 2 North, Range 11 East, City of Troy. Containing 615 Square Feet or 0.014 Acres more or less.

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

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.

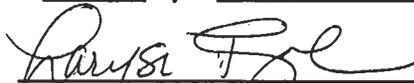
IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21st day of October A.D. 2004.

Signed by:

  
\_\_\_\_\_  
\*Amy Tang (L.S.)

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21st day of October, 2004, by Amy Tang.

  
\_\_\_\_\_  
Notary Public, OAKLAND County, Michigan  
ACTING IN MACOMB COUNTY  
My Commission Expires MAR. 2, 2006

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**

February 28, 2005

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services  
Steven Vandette, City Engineer *SV*

SUBJECT: Agenda Item - Private Agreement for Northfield & Wattles Property  
Splits  
Project No. 04.942.3

The Engineering Department has reviewed and approved plans for this project, which includes sanitary sewer, water main, storm sewer and soil erosion.

The Owner has provided a letter of credit for escrow and cash fees in the amount of the estimated cost of public improvements, as required.

Approval is recommended.

G:\Projects\Projects - 2004\04.942.3 - Wattles - Northfield Property Split\Private Agreement Cover Letter.doc

cc: Tonni Bartholomew, City Clerk (Original Agreement)  
James Nash, Financial Services Director

Prepared by: G. Scott Finlay, P.E.  
Civil Engineer

Enclosed Private Agreement, Detailed Summary, Sketch

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 04.942.3

PROJECT LOCATION: SE 1/4 Sec. 17

RESOLUTION NO. \_\_\_\_\_

DATE OF COUNCIL APPROVAL: \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENT;** That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Michael Agnetti whose address is 2977 Lovington, Troy, MI 48083 and whose telephone number is 248-515-9061 hereinafter referred to as "Owners".

**WITNESSETH, FIRST:** That the City agrees to allow the installation of Sanitary Sewer, Water Main Storm Sewer and Soil Erosion in accordance with plans prepared by Fazal Khan & Associates, Inc. whose address is 43345 Schoenherr, Sterling Heights, MI 48313 and whose telephone number is 586-739-8007, and approved prior to construction by the City specifications of the City shall be complied with for this construction.

**SECOND:** That the Owners agree to contribute the approximate contract price of \$ 68,730.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

- Cash
- Certificate of Deposit
- Irrevocable Bank Letter of Credit
- Check
- Performance Bond & 10% Cash

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. In addition, the owners agree to contribute the following cash fees:

* Plan Review and Construction Inspection Fee (Public Improvements)	\$	5,567.13
Engineering Review Fee (Private Improvements)	\$	
Water Main Testing Fee	\$	650.00
Street Cleaning/Road Maintenance (Refundable)	\$	5,000.00
<b>TOTAL:</b>	<b>\$</b>	<b>\$11,217.13</b>

\* 8.1% (.081) of approximate contract price

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT NO. 04.942.3

PROJECT LOCATION:

SE 1/4 Sec. 17

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

**THIRD:** The owners may contract for construction of said improvement or may have the City advertise for bids. In the even the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

**FOURTH:** Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$ 79,947.13 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

**FIFTH:** Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

**SIXTH:** Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements for such public utilities as required by the City Engineer.

CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)

PROJECT NO. 04.942.3

PROJECT LOCATION:

SE 1/4 Sec. 17

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

OWNERS

CITY OF TROY

By: *Michael Agnetti*

By:

MICHAEL AGNETTI

\_\_\_\_\_

Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 28<sup>th</sup> day of February, A.D. 2005, before me personally appeared Michael John Agnetti known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

*Laurel Nottage*

NOTARY PUBLIC, Oakland County, Michigan  
*Acting in Oakland County*

My commission expires: 10/12/11

DETAILED SUMMARY OF REQUIRED ESCROW DEPOSITS AND CASH FEES  
PRIVATE AGREEMENT FOR NORTHFIELD & WATTLE PROPERTY SPLITS  
PROJECT No. 04.942.3

The estimated costs of public improvements for the aforementioned project are as follows:

**Escrow Deposits:**

Sanitary Sewer	19,860.00
Water Main	31,660.00
Storm Sewer	17,210.00

**Total Escrow Deposits: (check)**

**\$ 68,730.00**

**Cash Fees:**

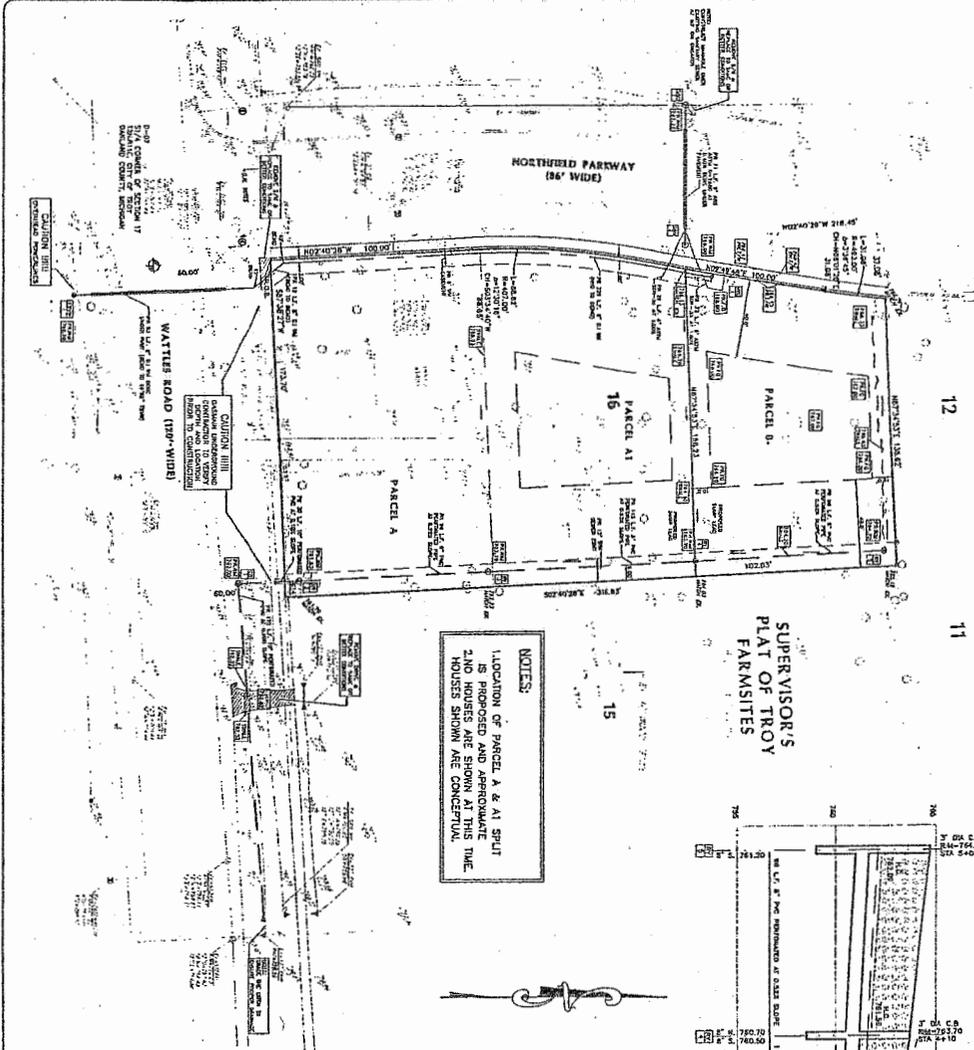
Review & Inspection	\$5,567.13
Engineering Review	
Water Main Testing Fee	650.00
Street Cleaning/Road Maintenance	<u>5,000.00</u>

**Total Cash Fees: (check)**

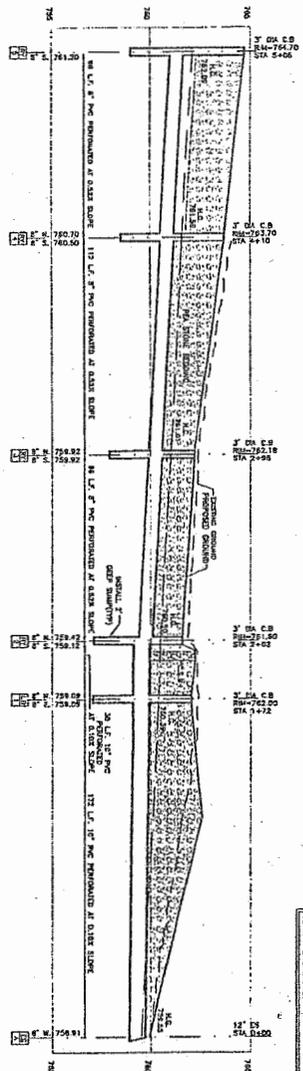
**\$ 11,217.13**

**GRADING AND UTILITY PLAN**  
 PART OF THE SECTION 17, T2N, R11E,  
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

THIS PLAN IS A PRELIMINARY PLAN OF THE CITY OF TROY, MICHIGAN, AND IS NOT TO BE USED FOR CONSTRUCTION. THE CITY ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY ENGINEERING DEPARTMENT'S STANDARDS AND SPECIFICATIONS. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.



**SOMERSET PLACE EAST SUBDIVISION**



**STORM SEWER QUANTITIES**

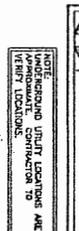
- 8" PVC PERFORATED PIPE = 304 L.F.
- 10" PVC PERFORATED PIPE = 203 L.F.
- 3" DIA. STRUCTURES = 4 EACH
- 12" CURB END-SECTION = 1 EACH

**SANITARY SEWER QUANTITIES**

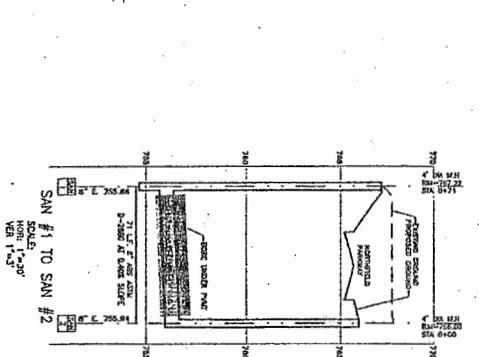
- 8" ABS PIPE = 71 L.F.
- 6" SDR-35 = 61 L.F.
- 510 MANHOLE PUMP = 2 EACH
- 18" DIA. MANHOLE PUMP = 1 EACH

**WATERMAIN QUANTITIES**

- 8" DI. W.M. = 203 L.F.
- 48" HDPEBWT = 1 EACH
- 18" DIA. W.M. = 71 EACH
- CONNECTION = 1 EACH



**NOTES:**  
 1. LOCATION OF PARCELS A & A1 SPLIT INTO TWO HOUSES ARE SHOWN AT THIS TIME.



**STORM SEWER CALCULATIONS**

STATION	MANHOLE	PIPE SIZE	LENGTH	INVERT	OUTLET	DEPTH	MANHOLE	PIPE SIZE	LENGTH	INVERT	OUTLET	DEPTH	MANHOLE	PIPE SIZE	LENGTH	INVERT	OUTLET	DEPTH	MANHOLE	PIPE SIZE	LENGTH	INVERT	OUTLET	DEPTH
1+00	1	8"	100	1.00	1+100	1.00	1	8"	100	1.00	1+200	1.00	1	8"	100	1.00	1+300	1.00	1	8"	100	1.00	1+400	1.00

February 16, 2005

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services  
Lori G. Bluhm, City Attorney  
Timothy L. Richnak, Public Works Director ~~TK~~

SUBJECT: Agenda Item - Summer Maintenance Agreement – R.C.O.C.

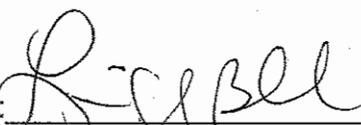
In February of 1998 the City of Troy and the Road Commission for Oakland County entered into a Summer Maintenance Contract to have the City sweep Big Beaver Road. The following year after a satisfactory performance evaluation, both parties agreed to enter into a summer maintenance contract to have the City take over street sweeping operations of all county roads in the City of Troy.

This process has continued to result in uniformity in the street sweeping citywide. The Road Commission will pay us the same amount as they would have paid their contractor for the calendar year 2005, which represents an increase of 2% over 2004, from \$117.00 to \$119.34 per curb mile, for a grand total increase from \$33,714.72 to \$34,389.01. This figure will cover our costs in providing the service as delineated in the agreement.

It is my recommendation that we approve this contract.

cc: Tonni Bartholomew, City Clerk  
(Original Contract and copy)

Reviewed as to Form and Legality:

 3/8/05  
Lori G. Bluhm, City Attorney Date

January 4, 2005

Mr. Tim Richnak  
Director of Public Works  
City of Troy  
500 West Big Beaver Road  
Troy, MI 48084

RE: 2005 Summer Maintenance Agreement

Dear Mr. Richnak:

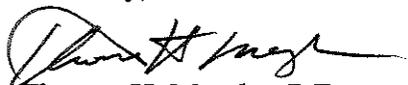
Attached are two copies of a Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for sweeping on certain roads in the City of Troy (see Exhibit A).

If the agreement is satisfactory, please attach certified copies of the resolution of approval by your City Council, and return the two signed copies to this office for approval by the Board of Road Commissioners. One fully signed copy will be returned to you.

Please submit your proof of liability insurance that covers this agreement and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. As your current Certificate of Membership in the Michigan Municipal Workers Compensation Fund expires in June, I would appreciate it if you would forward a new certificate at that time. If there are any changes in the coverage during the term of this agreement, we must be notified of these changes.

The Board of Road Commissioners and I want to extend our appreciation to you, the City Council and your road employees, for the fine work that has been done in connection with past contracts, and we want to continue to cooperate with you in any way we can.

Sincerely,



Thomas H. Meszler, P.E.  
Director of Highway Maintenance

THM/sll

Attachment



QUALITY LIFE THROUGH GOOD ROADS:  
ROAD COMMISSION FOR OAKLAND COUNTY  
"WE CARE"

**Board of Road Commissioners**

**Richard G. Skarritt**  
Chairman

**Rudy D. Lozano**  
Vice-Chairman

**Larry P. Crake**  
Commissioner

**Brent O. Bair**  
Managing Director

**Gerald M. Holmberg**  
Deputy Managing Director  
County Highway Engineer

Highway Maintenance  
Department

2420 Pontiac Lk. Rd.  
Waterford, MI  
48328

248-858-4881

FAX  
248-858-7607

TDD  
248-858-8005

www.rcocweb.org

# SUMMER MAINTENANCE AGREEMENT

## CITY OF TROY

This Agreement made and entered this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between the Board of County Road Commissioners of the County of Oakland, hereinafter referred to as the "Board," and the City of Troy, hereinafter referred to as the "City."

WHEREAS, certain county primary roads, being a part of the Oakland County primary road system, in accordance with the provisions of 1951 PA 51, as amended, are located within or adjacent to the City; and

WHEREAS, the parties hereto wish to enter into a written contract providing for certain maintenance by the City of certain county primary roads within the City, as more fully described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the City hereby agrees to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board agrees to participate in the cost thereof as provided in Section II of this Agreement.

NOW, THEREFORE, for and in consideration of the mutual undertaking of the parties hereto, it is mutually understood and agreed as follows:

### I

As used herein, the terms "Maintenance" and "Maintain" shall be construed to include only those items of work and service specifically itemized in exhibit B, as attached hereto and made a part thereof. All Maintenance work performed by the City shall be in accordance with the Board's minimum maintenance standards.

### II

In consideration of the assumption of said Maintenance by the City, the Board agrees to pay to the City, the sum of \$34,389.01.

### III

The City shall keep accurate and uniform records of all Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement.

### IV

The Board has determined and specified the equipment and personnel necessary to provide the Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall sweep the roads a minimum of four (4) times under this Agreement.

## V

It is specifically understood and agreed by the City and the Board that by undertaking to perform Maintenance of certain county primary roads, the City does not assume the Board's legal duty to keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work/service performed as listed in Exhibit B, and the City hereby further agrees to hold harmless, represent, defend and indemnify the Board, its officials and employees from any and all claims and suits that may be made, filed, or instituted against the Board and its employees arising out of the City's performance or non-performance of the activities listed in Exhibit B, which are the subject matter of this Agreement.

The Board agrees that it will do nothing to prejudice the City in this regard. The City shall not be responsible hereunder for the maintenance of items not included in the work/services set forth in Exhibits A & B.

## VI

The City acknowledges that it has provided, and will provide during the term of this Agreement, automobile and general liability insurance coverage, in the amount of \$2,000,000 single limit, Bodily Injury and Property Damage, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, as well as statutory Workers' Compensation Insurance. Coverage shall be in accordance with the requirements set forth in Exhibit C, attached hereto and made a part of hereof.

The City shall not cancel, reduce, or non-renew the coverage of any insurance required by this section without 30 days prior written notice to the Board. All insurance provided in accordance with this section shall include an endorsement whereby the insurer shall agree to notify the Board immediately of non-renewal or any reduction or cancellation of any coverage.

A copy of the Certificate of Insurance is attached hereto, made a part hereof, and marked Exhibit D.

## VII

The City further agrees to comply with all relevant laws of the State of Michigan for safeguarding the air and waters of the State. The City will be responsible for the proper disposal of the solid waste and other debris related to the Maintenance and the costs associated therewith.

## VIII

In accordance with 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a handicap that is unrelated to the individual's ability to perform the duties of the particular job or position and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Maintenance activities will be executed annually by the parties hereto.

The terms and conditions of this Agreement shall become effective on April 1, 2005 and shall continue in full force and effect until a subsequent summer maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent summer maintenance agreement has not been executed by the parties hereto, on or before April 1, 2006, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its regular meeting of \_\_\_\_\_, and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_, (Copy attached as Exhibit E).

Witnesses:

CITY OF TROY  
A Municipal Corporation

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF OAKLAND,  
A Public Body Corporate

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

CITY OF TROY

EXHIBIT A

PRIMARY ROADS TO BE MAINTAINED

1.	Maple Road from Coolidge to Dequindre	9.97 Miles
2.	Big Beaver from Adams to Dequindre	21.96 Miles
3.	Long Lake from Adams to Dequindre	7.2 Miles
4.	South Boulevard from Adams to Dequindre	.48 Miles
5.	Crooks Road from Elmwood to South Boulevard	13.65 Miles
6.	Livernois from Maple to South Boulevard	4.35 Miles
7.	John R from 14 Mile to South Boulevard	5.05 Miles
8.	Dequindre from South Boulevard to 14 Mile	7.75 Miles
9.	Adams from South Boulevard to South of Big Beaver	<u>1.63</u> Miles

Total 72.04 Miles

72.04 Miles X Frequency (4) X \$119.34/curb mile = \$34,389.01

CITY OF TROY

EXHIBIT B

WORK/SERVICE TO BE PERFORMED:

1. Sweep all roads listed in Exhibit A, both directions of travel and around islands, where applicable.

## EXHIBIT C

### LIABILITY AND INSURANCE REQUIREMENTS

The Consultant, prior to beginning work, shall file with the Road Commission for Oakland County copies of completed certificates of insurance, as evidence that he carries adequate insurance, satisfactory to the ROAD COMMISSION. Insurance coverage shall be provided in accordance with the following:

- a. Worker's Compensation Insurance – To provide protection for the Consultant's employees, to the statutory limits of the State of Michigan, and \$100,000 employer's liability. The indemnification obligation under this section, shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the consultant under worker's disability compensation coverage established by law.
- b. Bodily Injury and Property Damage – To afford protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

- 1. Bodily Injury and Property Damage Other Than Automobile (Comprehensive General Liability including contractual liability coverage) – The minimum limits of property damage and bodily injury liability covering each contract shall be:

Single Limit: Bodily Injury and Property Damage Liability:

Each Occurrence:	\$2,000,000
Aggregate:	\$2,000,000

- 2. Bodily Injury Liability and Property Damage Automobiles (Comprehensive Auto Liability) – The minimum limits of bodily injury liability and property damage liability shall be:

Single Limit; Bodily Injury and Property Damage Liability:

Each Occurrence	\$2,000,000
-----------------	-------------

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Professional Liability (Errors and Omissions) – To afford professional liability protection against all claims arising out of the work. The minimum limits of professional liability shall be \$2,000,000. However, policies are subject to review by the Road Commission prior to beginning work.
- d. Excess and Umbrella Insurance – The consultant may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- e. Notice – The Consultant shall not cancel, reduce, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance must include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the Consultant. The Consultant shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the Consultant cannot secure the required insurance within 30 days, the Board reserves its right to terminate the contract.
- f. Reports – The Consultant or his insurance carrier shall report all claims received, claims investigations made and disposition of claims to the County Highway Engineer.

**RISK**Michigan Municipal  
**MANAGEMENT  
AUTHORITY****CERTIFICATE OF COVERAGE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

1. Liability coverage for general liability, automobile (including Michigan no-fault) law enforcement and public officials liability; in the sum of \$15,000,000 each occurrence inclusive of loss adjustment and defense costs.
2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
4.  Information only
5.  The entity named below is included in the scope of protection as additional insured and loss payee, only as respects claims arising from the purchase or lease of vehicles or other property. Losses, if any, will be adjusted with the member and payable to the member and the following, as their interest may appear:
6.  Other (as described here): *The scope of protection includes the Road Commission for Oakland County as additional insured, only with respect to claims which may arise from work done by the City of Troy in conjunction with the Summer Road Maintenance Agreement.*

Authority membership and coverage are continuous in nature, and bear no expiration or termination date, however, should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority will endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice will impose no obligation or liability of any kind upon the Authority, or its representatives.

**Certificate Holder:**

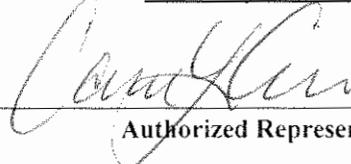
Road Commission for Oakland County  
2420 Pontiac Lake Road  
Waterford, MI 48328

**Member:**

City of Troy - Member #137  
500 West Big Beaver Road  
Troy, MI 48084-5285

**Distribution:**

MMRMA Underwriting  
Stephen Cooperrider, City of Troy

**Effective Date of Membership:** 11/8/90**Date Issued:** February 11, 2005

---

**Authorized Representative**



Michigan Municipal League  
Workers' Compensation Fund

**CERTIFICATE OF MEMBERSHIP**

The Michigan Municipal League Workers' Compensation Fund, approved by the Director of the Bureau of Workers' Disability Compensation as a group self-insured, certifies that

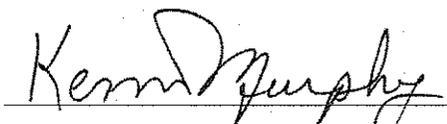
**City of Troy**

is a member in good standing of the Fund,  
for the year expiring  
**June 30, 2005**

and as such is approved by the Bureau as a self-insurer.  
Employer's liability coverage of

**\$500,000**

is included.

  
July 1, 2004

Effective Date

**NOTE:** This certificate is proof that your entity has complied with The Workers' Disability Compensation Act by becoming a Member of the Michigan Municipal League Workers' Compensation Fund. Copies of this certificate may be provided to third parties as evidence that the required worker compensation coverage is in place.

March 14, 2005

TO: John Szerlag, City Manager

FROM: Jeanette Bennett, Purchasing Director  
Charles Craft, Chief of Police

SUBJECT: **Agenda Item** – Standard Purchasing Resolution 2: Bid Award –  
Lowest Acceptable Bidders – Ammunition

### **RECOMMENDATION**

On February 16, 2005, bids were opened to furnish a one-year contract for ammunition with an option to renew for one additional year. City management recommends awarding contracts to the lowest acceptable bidders as follows: TJ Conevera's Inc., of Rockford, IL for Duty Ammunition and Michigan Ammo Co, Inc. of Ecorse, MI for Lead-Free Ammunition for an estimated annual cost of \$21,125.00 and \$49,000.00 respectively, at unit prices contained in the attached bid tabulation.

### **EXPLANATION OF BID NOT MEETING SPECIFICATIONS**

The Hunting Shack of Stevensville, MT, provided an alternate bid for lead-free ammunition, which does not meet specifications for factory issued, quality controlled ammunition.

In the past, the Police Department has had negative experiences in using less expensive practice ammunition in an effort to save costs. The less expensive ammunition proved to be extremely unreliable causing misfires and weapon malfunctions. This necessitated the Police Department to use only ammunition loaded by a nationally recognized manufacturer, for both practice, as well as use on the street. Unfortunately today, there is no lead-free duty ammunition available, which forces the Police Department to use two different types of ammunition, one without lead for practice training and one with lead for on-duty.

### **SUMMARY**

The Police Department is changing over to lead-free ammunition for training purposes to reduce the risk of contamination. Currently, the State Contract does not offer lead-free ammunition in our required specification. Therefore, the Police Department has established annual contracts with distributors to purchase the needed ammunition.

### **BUDGET**

Funds for these purchases are limited to the amount of monies budgeted in each fiscal year for Ammunition, Account #322.7740.012.

40 Vendors Notified via MITN System  
12 Bid Responses Rec'd  
1 Bid did not meet specifications  
1 No Bid: Company does not handle type of product specified.

Prepared by: Sergeant Michael Bjork, Training Section Supervisor

VENDOR NAME:

TJ CONEVERA'S INC

TJ CONEVERA'S INC

MICHIGAN AMMO CO INC

EST QTY ROUNDS	DESCRIPTION	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL
200,000	<u>LEAD-FREE AMMUNITION</u> Winchester Super Clean NT 100 grain - 9mm caliber Rds per Case	\$ 124.50	\$ 49,800.00	\$ 124.50	\$ 49,800.00	\$ 245.00	\$ 49,000.00
	Quoting on: Manufactured by:	500		500		1000	
	<u>DUTY AMMUNITION</u> Winchester Ranger SXT 40 Smith & Wesson 165 Grain Jacketed hollow point or approve alternate Rds per Case	\$ 84.50	\$ 21,125.00			\$ 91.65	\$ 22,912.50
		500				500	
<b>ESTIMATED TOTAL AWARDED ITEMS:</b>			\$ 21,125.00				\$ 49,000.00
<b>ESTIMATED GRAND TOTAL --</b>			\$ 70,925.00		N/A		\$ 71,912.50

CONTACT INFORMATION:

Hrs of Operation:  
 24 Hr. Phone #:

Mon-Fri 8-5pm  
 (815)239-1569  
 (800)858-8067

M/F 7-3:30pm  
 (313)383-4430

TERMS:

Net 30 Days

30 Days Net

WARRANTY:

N/A

Satisfaction Guaranteed

DELIVERY:

60+ Days ARO

30 Days ARO

30 Days

EXCEPTIONS:

SC40NT is currently  
 unavailable & at this date  
 has no production date.

Practice rounds lead-free  
 frangible international cartridge

ACKNOWLEDGEMENT: Y or N

Yes

Yes

NO BIDS:  
 US Cavalry

**BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS**

ATTEST:  
 Cheryl Morrell  
 Sgt Michael Bjork  
 Linda Bockstanz

PROPOSAL - One Year Requirements of Ammunition with an Option to Renew  
 for one (1) Additional Year

Jeanette Bennett  
 Purchasing Director

VENDOR NAME:

TJ CONEVERA'S INC

MICHIGAN POLICE

VANCE OUTDOORS INC

EQUIPMENT CO

dba VANCE'S LAW ENFORCEMENT

EST QTY ROUNDS	DESCRIPTION	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL
200,000	<u>LEAD-FREE AMMUNITION</u> Winchester Super Clean NT 100 grain - 9mm caliber Rds per Case	\$ 271.00	\$ 54,200.00	\$ 129.80	\$ 51,920.00	NO BID	
	Quoting on: Manufactured by:	(\$135.50 for 500/cs) 1000		500			
	<u>DUTY AMMUNITION</u> Winchester Ranger SXT 40 Smith & Wesson 165 Grain Jacketed hollow point or approve alternate Rds per Case	\$ 84.50	\$ 21,125.00	\$ 89.95	\$ 22,487.50	\$ 103.72	\$ 25,930.00
		500		500		500	
<b>ESTIMATED GRAND TOTAL --</b>			<b>\$ 75,325.00</b>		<b>\$ 74,407.50</b>		<b>N/A</b>

CONTACT INFORMATION:

Hrs of Operation:  
 24 Hr. Phone #:

Mon-Fri 8-5pm  
 (815)239-1569  
 (800)858-8067

Mon-Fri 8:30-5pm  
 (313)610-9903

M/F 10-8PM Sat 10-6pm  
 (614)327-7350

TERMS:

Net 30 Days

Net 30 Days

Net 30 Days

WARRANTY:

N/A

One Year

Factory Warranty

DELIVERY:

30 Days ARO

30 Days

14 to 45 Days ARO

EXCEPTIONS:

Availability problems w/SC40NT  
 Alternate - ICC 040-125TFP-M

None

Blank

ACKNOWLEDGEMENT: Y or N

Yes

Yes

Yes

VENDOR NAME:

CMP DISTRIBUTORS INC	CMP DISTRIBUTORS INC	CMP DISTRIBUTORS INC
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EST QTY ROUNDS	DESCRIPTION	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL
200,000	<u>LEAD-FREE AMMUNITION</u> Winchester Super Clean NT 100 grain - 9mm caliber Rds per Case	\$ 259.00	\$ 51,800.00	\$ 259.00	\$ 51,800.00	\$ 259.00	\$ 51,800.00
	Quoting on:	(\$129.50 for 500/cs) 1000		(\$129.50 for 500/cs) 1000		(\$129.50 for 500/cs) 1000	
	Manufactured by:	BC40NT3 Federal		BC40NT3 Federal		BC40NT3 Federal	
125,000	<u>DUTY AMMUNITION</u> Winchester Ranger SXT 40 Smith & Wesson 165 Grain Jacketed hollow point or approve alternate Rds per Case	\$ 189.00	\$ 23,625.00	\$ 244.00	\$ 30,500.00	\$ 272.00	\$ 34,000.00
		(\$94.50 for 500/cs) 1000		(\$122.00 for 500/cs) 1000		(\$136.00 for 500/cs) 1000	
<b>ESTIMATED GRAND TOTAL --</b>			<b>\$ 75,425.00</b>		<b>\$ 82,300.00</b>		<b>\$ 85,800.00</b>

CONTACT INFORMATION:

Hrs of Operation:  
 24 Hr. Phone #:

Mon-Fri 9-5pm (517)974-4276	Mon-Fri 9-5pm (517)974-4276	Mon-Fri 9-5pm (517)974-4276
--------------------------------	--------------------------------	--------------------------------

TERMS:

Net 30	Net 30	Net 30
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WARRANTY:

Blank	Blank	Blank
-------	-------	-------

DELIVERY:

15-30 Days ARO	15-30 Days ARO	15 to 30 Days ARO
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EXCEPTIONS:

Federal P40HST3 .40 Caliber 165 grain HST Hollow Point	Federal LE40T3 .40 Caliber 165 grain Tactical Hollow Point (Bonded)	Spec 53970 .40 Caliber 165 grain Gold Dot Hollow Point (Bonded)
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ACKNOWLEDGEMENT: Y or N

Yes	Yes	Yes
-----	-----	-----

VENDOR NAME:

CMP DISTRIBUTORS INC

THE HUNTING SHACK INC

THE HUNTING SHACK INC

EST QTY ROUNDS	DESCRIPTION	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL	UNIT PRICE PER CASE	TOTAL
200,000	<u>LEAD-FREE AMMUNITION</u> Winchester Super Clean NT 100 grain - 9mm caliber Rds per Case Quoting on: Manufactured by:	\$ 259.00	\$ 51,800.00	\$ 169.43	\$ 67,772.00	(\$224.96)	<b>DMS</b>
		(\$129.50 for 500/cs) 1000		500		(\$112.48 for 500/cs) 1000	
		BC40NT3				40-RR-14New	
		Federal				HSM Inc	
125,000	<u>DUTY AMMUNITION</u> Winchester Ranger SXT 40 Smith & Wesson 165 Grain Jacketed hollow point or approve alternate Rds per Case	\$ 259.00	\$ 32,375.00	\$ 116.10	\$ 29,025.00	\$ 118.57	\$ 29,642.50
		(\$129.50 for 500/cs) 1000		500		500	
<b>ESTIMATED GRAND TOTAL --</b>			<b>\$ 84,175.00</b>		<b>\$ 96,797.00</b>		<b>N/A</b>

CONTACT INFORMATION:

Hrs of Operation:  
 24 Hr. Phone #:

Mon-Fri 9-5pm  
 (517)974-4276

Mon-Fri 8-5pm  
 (406)239-0903

Mon-Fri 8-5pm  
 (800)856-2857

TERMS:

Net 30

Net 30

Net 30

WARRANTY:

Blank

ATTACHED TO BID

One Year

DELIVERY:

15-30 Days ARO

30 Days ARO

Approx 30 Days ARO

EXCEPTIONS:

Federal P40HS3G .40 Caliber  
 165 grain Hydra Shok  
 Hollow Point

None

Blank

ACKNOWLEDGEMENT: Y or N

Yes

Yes

Yes

**DMS:**

The Hunting Shack - (\$44,992.00) Lead-Free Ammunition

Reason: Not factory issued and quality controlled



## Downloading History for ITB-COT 05-01 Ammunition

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/11/2005.

<b>Document Title:</b>	Ammunition for City of Troy Police Department
<b>Date Issued:</b>	1/20/2005
<b>Close Date:</b>	2/16/2005
<b>Date Amendment #1 was Issued:</b>	2/3/2005

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
20101	100% Complete Electric	Free	1/31/2005	
13440	Advance Glove & Safety Co., Inc.	E-mail		
19492	Advantage Police Supply	Free	1/30/2005	
19825	All-Tronics, Inc.	Free	1/21/2005	
19732	ANN ARBOR AUTO SUPPLY,INC	E-mail	2/7/2005	
10497	ATD-AMERICAN CO	E-mail	1/24/2005	
14650	cmp distributors inc.	E-mail	2/14/2005	#1 2/14/2005
11902	copstuffbydk	Free		#1 2/14/2005
18806	Cynergy Wireless Products, Inc.	E-mail		
18048	Davidson's	E-mail		
13468	DESIGN GROUP	Free	1/20/2005	
13037	Galls Incorporated	E-mail		
15640	GT Distributors	E-mail		
11071	Hamilton Uniforms	E-mail		
19574	Hardin Geotechnologies, Inc.	E-mail	2/10/2005	
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail	2/15/2005	
18765	I.F. Metalworks	E-mail	1/27/2005	
19591	Innovated Capital Solutions	E-mail		
11712	LESLIE TIRE SERVICE INC.	E-mail	2/12/2005	
12709				

	LVC Technologies, Inc.	E-mail	2/2/2005	#1 2/4/2005
10172	Metropolitan Uniform	E-mail		
15630	Michigan Ammo Co. Inc.	E-mail	1/24/2005	#1 2/4/2005
14496	Michigan Police Equipment Co.	E-mail	1/21/2005	#1 2/15/2005
12149	National Alliance of Cabling & Technology	Free	1/21/2005	
12190	New York Police Supply Inc.	E-mail		
10504	Precision Data Products Inc.	Free		#1 2/11/2005
13312	Public Safety Communications, LLC	E-mail		
15345	Safety Systems Corporation	E-mail	2/4/2005	
10201	Schleede-Hampton Associates, Inc.	Free	2/3/2005	
15992	Sinacori Landscaping, Inc.	Fax	2/2/2005	
10906	Sound Planning Communications, Inc.	Free	1/25/2005	
16233	Sterling Fire and Rescue Corp, DBA Michigan First	E-mail		
10748	Streicher's (Corporate)	E-mail		
17632	The Hunting Shack, Inc	Free	2/15/2005	#1 2/15/2005
10193	TJ Conevera's, Inc.	Free	2/2/2005	#1 2/7/2005
11127	U.S. Cavalry, Inc.	E-mail	2/3/2005	
12398	United Rentals	Free	2/7/2005	
19533	Universal Graphics & Imaging	Free		#1 2/9/2005
19042	Vance Outdoors, Inc.	Free	2/18/2005	#1 2/18/2005
18735	Vance's Law Enforcement	Free	2/7/2005	

[Return to Main Menu](#)

[Return to Report Menu](#)

March 15, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services  
Douglas J. Smith, Real Estate & Development Director

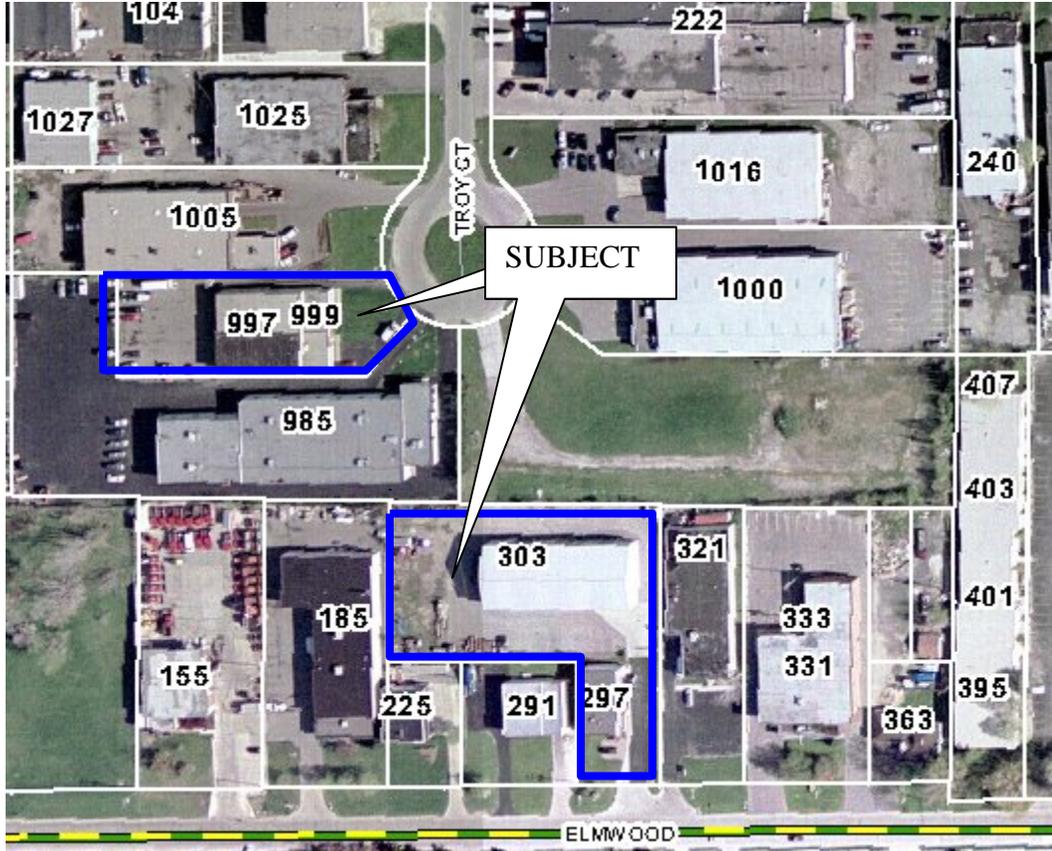
RE: AGENDA ITEM - REQUEST FOR ACCEPTANCE of 1 Permanent Water Main Easement and 1 Temporary Construction Permit for the Troy Court Water Main Project #01.502.5 – Section 34

In connection with the Troy Court Water Main improvement project affecting properties located on Elmwood Street and Troy Court in Section 34, the Real Estate and Development Department has received one permanent easement and one Temporary Construction Permit from the following property owners:

	<b>OWNER</b>	<b>ADDRESS</b>	<b>SIDWELL #</b>	<b>EASEMENT TYPE</b>	<b>CONSIDERATION</b>
1	R.A.G., INC.	297 Elmwood	88-20-34-154-027	Permanent	\$700.00
2	Metro Realty Holding	999 Troy Court	88-20-34-152-025	Temporary	\$500.00

In order for the Water Department to proceed with the Troy Court water main improvement project, we recommend that City Council accept the attached easements and authorize the payment of the agreed amount as shown.

# TROY COURT WATER MAIN



REGRAVING AND TEMPORARY CONSTRUCTION PERMIT

Sidwell # 88-20-34-152-025  
Project # 01.502.5  
Resolution #

Metro Realty Holding, a Registered Michigan Co-Partnership, Grantor(s), whose address is 6514 Castle Drive, Birmingham, MI 48010 for and in consideration Five Hundred and no/100 Dollars (\$500.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, hereinafter called the CITY, whose address is 500 West Big Beaver Road, Troy, Michigan, hereby grants to the CITY, during the construction of and for a period of six (6) Months after completion of water main the right to move men, equipment, and materials on and through, and to store equipment, materials, and excavated matter on the following described property, located in the City of Troy, to-wit:

SEE ATTACHED EXHIBIT "A"

IN FURTHER CONSIDERATION, the premises so disturbed by reason of the exercise of any of the foregoing powers, shall be reasonably restored to its original condition by the City.

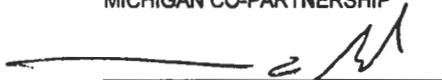
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representative, successors, and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures(s) this 9 day of March, 2005.

In presence of  
WITNESS

METRO REALTY HOLDING, A REGISTERED  
MICHIGAN CO-PARTNERSHIP

\_\_\_\_\_ Not Required \_\_\_\_\_

  
\_\_\_\_\_  
By: David G. Miles  
Its: Managing Partner

(L.S.)

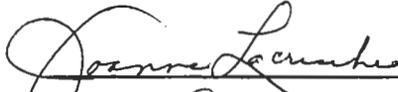
\_\_\_\_\_ Not Required \_\_\_\_\_

\_\_\_\_\_ (L.S.)

STATE OF MICHIGAN  
COUNTY OF OAKLAND

On this 9 day of March, 2005, before me a Notary Public in and for said county, personally appeared David G. Miles

\_\_\_\_\_ to me known to be the same person(s) described in and who executed the within instrument, who then acknowledged the same to be his free act and deed.

  
\_\_\_\_\_  
Notary Public, Oakland County, Michigan  
Acting in Oakland County  
My Commission Expires 9/18/2006

Prepared by: Dennis C. Stephens  
500 West Big Beaver  
Troy, MI 48084

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

JOANNE LOCRICCHIO  
Notary Public, Oakland County, MI  
My Commission Expires Sep. 18, 2006

**EXHIBIT "A"**

**Section 34**

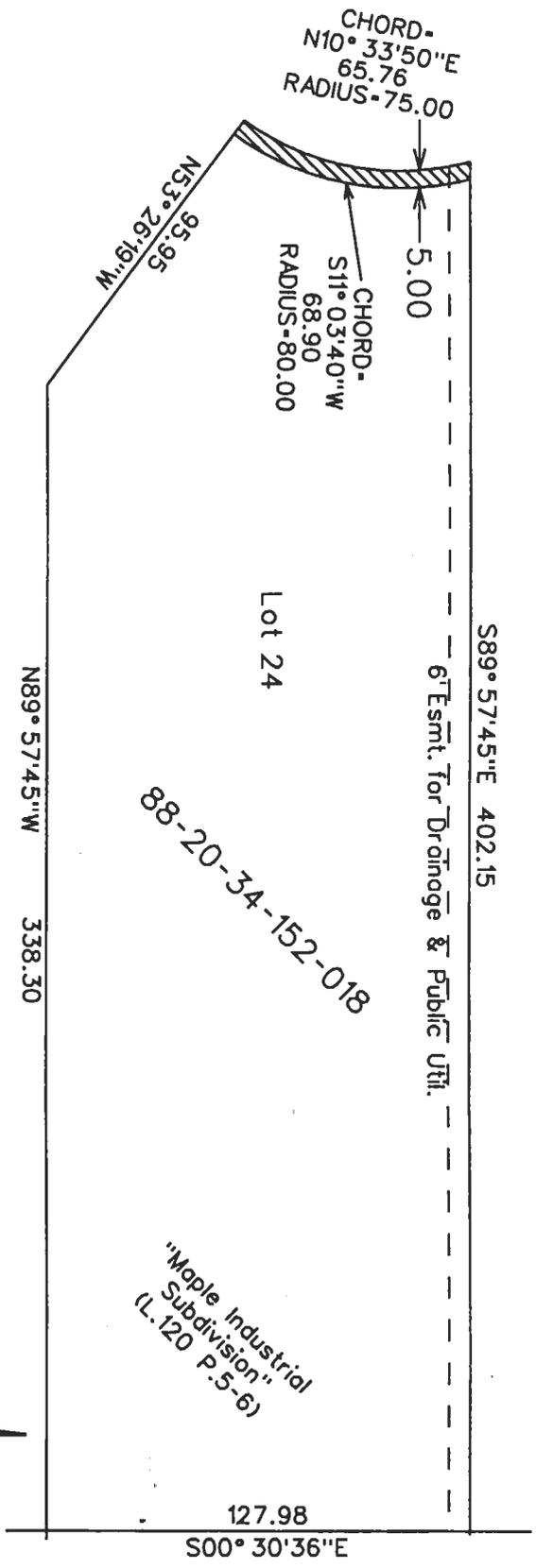
**5' Wide Temporary Grading Permit for Watermain**

**Parcel: 88-20-34-152-025**

Part of Lot 22 of "Maple Industrial Subdivision", a subdivision of part of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 34, T2N-R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 120, Page 5-6 of Oakland County records. Described as beginning at the Northeast corner of said Lot 22 that is common with the Southeast corner of Lot 21 of said plat; thence, along the northeasterly line of said lot, on a curve to the left having a radius of 75.00 feet, a central angle of 35 degrees 40 minutes 36 seconds, and a chord bearing and distance of South 35 degrees 10 minutes 07 seconds East 45.95 feet; thence South 36 degrees 21 minutes 00 seconds West 5.00 feet; thence along a curve to the right having a radius of 80.00 feet, a central angle of 36 degrees 50 minutes 05 seconds, and a chord bearing and distance of North 34 degrees 37 minutes 55 seconds West 50.55 feet to the north line of said lot 22; thence, along said north line, North 89 degrees 59 minutes 30 seconds East 5.00 feet to the point of beginning. Containing 245 Square Feet or 0.006 Acres more or less.



•1000 Troy Court



Parcel # 3

Graphic Scale: 1"=50'



**Proposed Temporary Grading Permit Sketch**  
 CITY OF TROY  
 OAKLAND COUNTY, MICHIGAN

Temporary Grading Permit  
 Area-348 Sq.Ft.



DOCUMENT PREPARED BY  
 George J. Boffard III  
 LAND SURVEYOR

NO.	SCALE	DATE	BY	CHKD.	FILE
101	1"=50'	2-07-05	STEVEN J. VANDETTTE		See Above
10F1			STEVEN J. VANDETTTE		1

Sidwell # 88-20-34-154-027

Project # 01.502.5

Resolution #

R.A.G., INC., a Michigan Corporation, Grantor, whose address is 297 Elmwood, Troy, MI 48083 for and in consideration of the sum of: Seven Hundred and no/100 Dollars (\$700.00) 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 watermain, 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 14<sup>th</sup> day of MARCH 2005.

In presence of:  
WITNESS

R.A.G., INC., A MICHIGAN CORPORATION

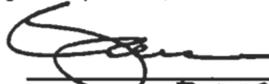
\_\_\_\_\_ Not Required \_\_\_\_\_

By  (L.S.)  
REGIS A. GULLY - PRESIDENT

\_\_\_\_\_ Not Required \_\_\_\_\_

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 14<sup>th</sup> day of MARCH, 2005, by REGIS A. GULLY, President of R.A.G., INC., a Michigan Corporation, on behalf of the corporation.

  
\_\_\_\_\_  
ROBERT L. STEFANI

Notary Public, OAKLAND County, Michigan  
Acting in OAKLAND County  
My Commission Expires 9/22/07

(Corporations)

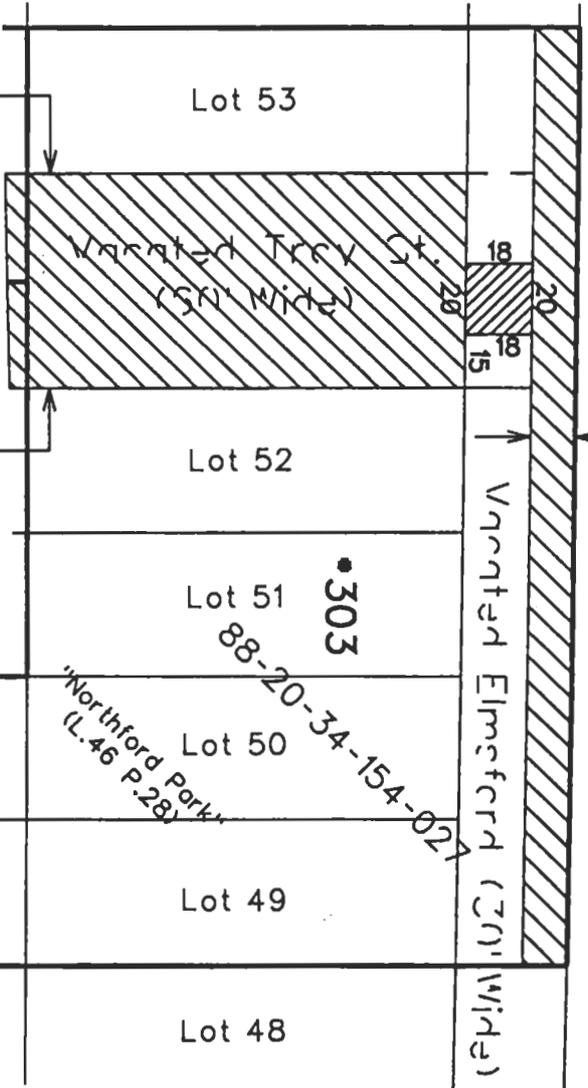
Prepared by:  
Dennis C. Stephens  
500 West Big Beaver  
Troy, Michigan 48084

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

**EXHIBIT "A"****Section 34****18' X 20' Wide Permanent Easement for Watermain****Parcel: 88-20-34-154-027**

Part of vacated Elmsford Ave. as recorded in Liber 4935, Page 574 of "Northford Park", a subdivision of part of the Northwest  $\frac{1}{4}$  of Section 34, T2N-R11E, City of Troy, Oakland County, Michigan, as recorded in Liber 46, Page 28 of Oakland County records. Described as commencing at the Northwest corner of Lot 52 of said plat also being on the south line of said vacated Elmsford Ave.; thence, along the said south line, North 89 degrees 14 minutes 20 seconds West 15.00 feet to the point of beginning; thence, continuing North 89 degrees 14 minutes 20 seconds West, along said south line, 20.00 feet; thence North 00 degrees 02 minutes 19 seconds West 18.00 feet to the south line of an existing 12 feet wide public utility easement as recorded in Liber 4935, Page 574 of Oakland County, Michigan records; thence South 89 degrees 14 minutes 20 seconds East, along said south line, 20.00 feet; thence South 00 degrees 02 minutes 19 seconds East 18.00 feet to the point of beginning. Containing 360 Square Feet or 0.008 Acres more or less.

Existing 12' Esmt. for Public Util.  
(Liber 4935, Page 574)



Existing 60' Esmt. for Public Util.  
(Liber 5254, Page 497)

Elmwood

Permanent Watermain  
Easement  
Area=360 Sq.Ft.



**Parcel #8**  
Graphic Scale: 1"=50'  
0 25' 50' 100'

CITY OF TROY  
OKLAND COUNTY, MICHIGAN

**Proposed Easement Sketch**

DATE		REV.		CONTRACT No.	
DRAWN BY					
CHECKED					
FILE					
SCALE		DATE		DATE	
1"=50'		GJB III		2-07-05	
VER.		DATE		DATE	
STEVEN J VANDETTIE		10F1		JOB No.	
CIVIL ENGINEER					
PROJ. PREPARED BY					
George J. Bolford III					
LAND SURVEYOR					

March 8, 2005

TO: John Szerlag, City Manager

FROM: Jeanette Bennett, Purchasing Director  
Charles T. Craft, Chief of Police

SUBJECT: **Agenda Item:** Standard Purchasing Resolution 2: Bid Award -  
Lowest Bidder Meeting Specifications - Initial Issue Police Uniforms  
and Equipment

**RECOMMENDATION:**

On February 25, 2005, the City of Troy Purchasing Department received five bids to supply two year requirements of initial issue police uniforms and equipment for newly hired Police Department uniformed employees, with an option to renew for two-one year periods. City management recommends awarding a contract to the lowest bidder meeting specifications, Metropolitan Uniform Company, 438 Macomb St., Detroit, MI 48226-2383 at an estimated total cost of \$1,620.00 per employee, at unit prices contained on the attached bid tabulation. The contract estimates ten (10) new officers each year.

The Police Department hires the majority of its new employees as replacements for retiring employees. Although ten new hires per year is a reasonable estimate, the Police Department cannot predict, with any greater accuracy, the number of retirements, or the need for replacement or additional employees for various other reasons during the length of this contract.

**EXPLANATION OF BIDS NOT MEETING SPECIFICATIONS:**

Safety & Security International, 1664 Mallory Lane, Brentwood, TN 37027 was the apparent low total bidder at an estimated cost of \$1,512.50 per employee. The company bid on each of the 33 initial issue uniform and equipment items listed in the bid proposal. However, many of their quotes were for items from manufacturers other than those specified. In addition, and most importantly, the company does not have a store location within 25 miles of the City of Troy, as required by the specifications. This was specified to accommodate employees wanting to pick up items at the store to speed delivery time.

Two other vendors, Michigan State Industries and CMP Distributors, Inc. were not considered for award because the companies did not bid a majority of the contract items as required in the bid document. The intent of this contract was to establish one provider for all initial issue uniform items.

March 8, 2005

To: John Szerlag, City Manager

Re: Bid Award – Lowest Acceptable Bidder – Police Uniforms, Initial Issue

**SUMMARY:**

Metropolitan Uniform Company was the lowest bidder meeting specifications. The company met all of the Police Department's specifications for the 33 initial issue uniform and equipment items listed in the bid proposal. The company has two stores conveniently located within 25 miles of the City of Troy, with an inventory of specified police uniform items valued at \$500,000.00.

**BUDGET:**

Funds are available for the purchase of initial issue uniforms and equipment in the Police Department Uniform Patrol Clothing Allowance Account #315.7768.

90 Vendors Notified via MITN System

5 Bid Responses Rec'd

3 Bids did not meet specifications

2 No Bids: (1) Company does not offer the products specified.

(1) Company's schedule does not permit performance of the specifications.

Prepared by: Lt Michael Lyczkowski

VENDOR NAME:			* METROPOLITAN	HARWOOD	DMS	
			UNIFORM CO	UNIFORMS	SAFETY &	
					SECURITY	
					INTERNATIONAL	
ITEM	QTY (EA)	DESCRIPTION	PRICE/EA	PRICE/EA	PRICE/EA	PRICE/EA
1.	20	<b>Navy Blue Ties</b> Dark Navy, 75% polyester, 25% wool, Mfr: Broome	\$ 2.99	\$ 3.00	\$ 3.25	
2.	40	<b>Shirts (Long Sleeve) w/Patches</b> Dark Navy, 65% Dacron 35% Rayon Mfr: Flying Cross	\$ 44.99	\$ 46.50	Horace Small \$ 39.00	
3.	40	<b>Shirts (Short Sleeve) w/Patches</b> Dark Navy, 65% Dacron 35% Rayon Mfr: Flying Cross	\$ 39.99	\$ 43.50	Horace Small \$ 34.00	
4.	30	<b>Duty Uniform Pants</b> 55% Dacron, 45% worsted wool Mfr: Fecheimer	\$78.50 / \$59.99	\$ 67.00	Horace Small \$ 44.00	
5.	10	<b>Pair of smooth toe oxford Shoes</b>	\$ 59.99	\$ 65.00	Rocky \$ 44.00	
6.	10	<b>Blauer Winter Duty Jacket</b> Navy blue, hip length Mfr: Blauer	\$ 199.99	\$ 225.00	New Port Harbor \$ 140.00	
7.	20	<b>Silver Name Bars - Shirt</b>	\$ 3.99	\$ 5.00	Blackinton \$ 6.50	
8.	10	<b>Sliver Name Bars - Jacket</b>	\$ 3.99	\$ 5.00	Blackinton \$ 13.25	
9.	10	<b>Police Insignia Tie Bar</b>	\$ 4.99	\$ 5.00	Blackinton \$ 20.00	
10.	10	<b>Fatigue Pants</b> Dark Navy blue - tactical twill fabric Mfr: Elbeco	\$ 39.99	\$ 46.00	Atlanco \$ 50.00	
11.	10	<b>Fatigue Shirt w/Patches</b> Mfr: Elbeco	\$ 35.99	\$ 35.00	Atlanco \$ 68.00	
12.	10	<b>Garrison Hat w/tubular plastic grommet</b> Navy Blue, slouch style, round top Mfr: Keystone	\$ 29.99	\$ 49.90	\$ 50.00	
13.	10	<b>Raincoat, Black/Orange reversible</b> Mfr: Rainfair	\$ 48.99	\$ 45.00	Neese \$ 68.00	
14.	10	<b>Raincover for Garrison Hat</b> Mfr: Rainfair	\$ 6.25	\$ 6.00	Neese \$ 4.75	
15.	10	<b>Velcro Garrison Belt</b> Mfr: Bianchi Style: B8V	\$ 16.99	\$ 29.95	\$ 45.00	
16.	10	<b>Woodland Camo Fatigue Pants</b> (Academy Recruits Only)	\$ 19.99	\$ 25.00	Propper \$ 27.00	

VENDOR NAME:			* METROPOLITAN UNIFORM CO	HARWOOD UNIFORMS	DMS SAFETY & SECURITY	
					INTERNATIONAL	
EST						
ITEM	QTY (EA)	DESCRIPTION	PRICE/EA	PRICE/EA	PRICE/EA	PRICE/EA
17.	20	Tan Khaki Academ Uniforms (Academy Recruits Only)	\$21.99/set	\$22.00/set	Red Kap \$ 33.75	
18.	10	Uncle Mikes Mirage Ultra Gunbelt	\$ 31.00	\$ 32.50	\$ 31.00	
19.	10	Uncle Mikes Mirage Pro-3 Holster	\$ 56.50	\$ 65.00	\$ 65.25	
20.	10	Uncle Mikes Mirage Double Mag.Carrier	\$ 24.99	\$ 25.00	\$ 22.75	
21.	10	Uncle Mikes Mirage Single Handcuff Case	\$ 16.99	\$ 18.00	\$ 17.25	
22.	10	Uncle Mikes Mirage Key Holder	\$ 11.99	\$ 11.75	\$ 5.00	
23.	10	Uncle Mikes Mirage 21" ASP Baton holder	\$ 10.99	\$ 12.00	\$ 11.00	
24.	10	Uncle Mikes Mirage Chemical Spray holder	\$ 15.99	\$ 18.95	\$ 16.50	
25.	10	Uncle Mikes Mirage Latex Glove	\$ 13.99	\$ 13.95	\$ 13.75	
26.	40	Uncle Mikes Mirage Keepers	\$ 1.99	\$ 2.00	\$ 7.50	
27.	10	Uncle Mikes Mirage Pouch Style Radio Hld	\$ 29.99	\$ 31.90	\$ 30.25	
28.	10	Aluminum Ticket Book Cover	\$ 15.99	\$ 17.25	\$ 18.50	
29.	10	Aluminum Possebox Clipboard	\$ 20.99	\$ 22.50	\$ 22.00	
30.	10	Streamlight Stinger Flashlight	\$ 79.99	\$ 90.00	\$ 87.25	
31.	10	Leather Badge Wallet	\$ 20.99	\$ 21.00	\$ 21.25	
32.	10	21" ASP Baton	\$ 58.99	\$ 58.00	\$ 58.25	
33.	10	Set of Handcuffs (Chain or Hinge)	\$ 24.99	\$ 22.75	\$ 21.50	
TAILORING CHARGES:			Flashlight/SAP Pockets Tapering of Shirts	\$10.00 \$6.50	Included	
ESTIMATED TOTAL COST PER OFFICER:			\$ 1,619.84	\$ 1,701.40	\$ 1,512.50	
ESTIMATED TOTAL COST FOR INITIAL ITEMS --			\$ 16,198.40	\$ 17,014.00	DMS	
INVENTORY LOCATED AT			\$ 500,000.00	\$ 100,000.00	\$ 250,000.00	
STORE LOCATION: W/I 25 Miles of Troy			DETROIT	WATERFORD	Brentwood TN	
			22.5 Miles	YES	n/a	
TERMS			Net 30 Days	Net 30	Net 30	

VENDOR NAME:	* METROPOLITAN UNIFORM CO	HARWOOD UNIFORMS	DMS	
			SAFETY & SECURITY	INTERNATIONAL
WARRANTY	Manufacturers	100%	12 Months	
EXCEPTIONS	NONE	BLANK	Product Specification Substitutions	
ACKNOWLEDGEMENT: Y or N	YES	YES	YES	

NO BIDS:

The Glove Store  
US Cavalry

\* DENOTES LOWEST ACCEPTABLE BIDDER

DMS:

Michigan State Industries and CMP Distributors, Inc  
 Reason: Companies did not bid a majority of the contract as required.  
Safety & Security International  
 Reason: Many items not as specified and no store location within 25 miles of Troy for item pick-up.

ATTEST:

Lt Michael Lyczkowski  
Cheryl Morrell  
Linda Bockstanz

\_\_\_\_\_  
 Jeanette Bennett  
 Purchasing Director



## Downloading History for ITB-COT 05-02 P.Uniforms

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 3/7/2005.

<b>Document Title:</b>	Police Uniforms - Initial Issue
<b>Date Issued:</b>	2/1/2005
<b>Close Date:</b>	2/25/2005

Click on the table headings for "Account Number" or "Company name" to re-sort this report by that column. You may also click on any vendor account number to view their account information.

Acct #	Company Name	Service	Date Obtained Document	Date Obtained Amendments
17932	A. J. Bros. LLC	E-mail		
12214	A.T.C. Uniforms Inc.	E-mail		
19752	Accelerated Graphics	Free	2/7/2005	
16603	Ad-Tech Agency Inc.	E-mail		
19492	Advantage Police Supply	Free	2/18/2005	
12399	Alert Emergency Equipment Group, Inc	E-mail		
12522	ALLIE BROTHERS UNIFORMS	E-mail		
18414	Ambulance Reimbursement Systems	E-mail		
10719	APOLLO FIRE EQUIPMENT CO.	E-mail		
10815	ARAMARK - WearGuard Corporation	E-mail		
13620	Aramark Uniform Services	E-mail		
10497	ATD-AMERICAN CO	E-mail	2/9/2005	
17989	Austin Embroidery and Screenprinting	E-mail		
19715	Authentic Promotions.com	E-mail	2/1/2005	
15033	Brigade Quartermasters, Ltd	E-mail	2/1/2005	
14466	Brighton Diesel Diagnostics, Inc.	E-mail		
11702	Cadillac Overall Supply	E-mail		
13474	Cintas Corporation	E-mail		
12786	Circle K Service	E-mail		
14650	cmp distributors inc.	E-mail	2/14/2005	
13224	Continental Linen Services	E-mail		

18794	Creative Design & Embroidery	E-mail		
18990	Cuda Uniform, Inc	Fax		
18758	D&L Embroidery	E-mail	2/2/2005	
10669	Douglass Safety Systems	E-mail		
16733	E.J. Steve	E-mail		
13533	Emergency Medical Products	E-mail		
12983	Excellent Police Equipment, Inc	E-mail	2/3/2005	
18961	Extraordinary Ideas	E-mail	2/2/2005	
14675	Fechheimer Brothers Co.	E-mail		
15636	Fisher Safety	E-mail		
13037	Galls Incorporated	E-mail	2/18/2005	
17906	General Linen and Uniform Service	E-mail		
17238	Gold-Mark Promotions	E-mail	2/1/2005	
13400	Gordon International	E-mail		
18218	Gould & Goodrich	E-mail		
11071	Hamilton Uniforms	E-mail		
17466	hanselman's service inc	E-mail		
11885	Harwood Tuxedo & Uniforms, Inc.	E-mail	2/3/2005	
19056	Helmet Pro	E-mail	2/21/2005	
11766	HES STALLINGS-JULIEN SALES & SERVICE	E-mail		
19788	Identification Resources, Inc.	E-mail		
17444	ImageNation Inc.	E-mail		
16060	Imperial Graphics & Design	E-mail		
19591	Innovated Capital Solutions	E-mail		
10365	JEM Industries Inc.	E-mail		
19980	JMB Mechanical	E-mail	2/1/2005	
12429	K2id, LLC	E-mail		
10039	KelGraphics	E-mail	2/21/2005	
19478	L & L Uniforms & Embroidery, Inc.	Fax		
19813	Labor Ready, Inc	E-mail		
20207	Lion Apparel	Free	2/7/2005	
13143	maurer's	E-mail		
18911	McNish Sporting Goods & Trophies, Inc.	E-mail		
11598	Media Connection Advertising Inc	E-mail		
10172	Metropolitan Uniform	E-mail	2/7/2005	
18550	michigan industrial shoe	E-mail		
11241	Michigan State Industries	Free	2/22/2005	
17889	MK & Company	E-mail		
10476	National Dry Goods	Fax		
12190	New York Police Supply Inc.	E-mail		
18380	OccuMed3	E-mail		
17802	PBS SERVICES	E-mail		

14369	Perfect Promotion Inc.	E-mail		
12224	Prizm	E-mail		
13312	Public Safety Communications, LLC	E-mail	2/22/2005	
10098	Quanta Enterprises, LLC.	E-mail		
10842	Quartermaster, Inc.	E-mail		
17958	Rainbow Sports & Trophies	E-mail		
15189	Regina's All-Star Apparel & Accessories, Inc.	E-mail	2/24/2005	
11105	Robinson Textiles, Inc.	E-mail		
18144	Safety & Security International	Free	2/3/2005	
15345	Safety Systems Corporation	E-mail	2/1/2005	
16769	SHAHEEN CHEVROLET	Free	2/16/2005	
12886	Sky Promotions/Benquin Business	E-mail		
16852	Slick Shirts Screen Printing Inc.	Fax		
14419	Sport Club Cafe inc.	E-mail	2/21/2005	
13958	Superior Uniform Sales, Inc.	E-mail		
18943	SupTex Inc.	E-mail		
12135	Sure-Fit Laundry Co, Inc	Fax		
11475	Swann's Clothing	Fax		
12437	The Reliance Group	E-mail	2/15/2005	
20277	Transcon Manufacturing	Free	2/11/2005	
11127	U.S. Cavalry, Inc.	E-mail	2/22/2005	
12607	Uniforms Manufacturing, Inc.	E-mail		
10281	Uniforms Plus	Free	2/10/2005	
13359	Unitex Direct, Inc.	E-mail	2/1/2005	
17037	Uniwear	E-mail		
20229	VF Imagewear	E-mail	2/8/2005	
14561	Work'n Gear	E-mail	2/1/2005	

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March 14, 2005

TO: John Szerlag, City Manager

FROM: Laura Fitzpatrick, Acting Asst. City Manager/Services  
Steve Vandette, City Engineer SJV  
John Abraham, Traffic Engineer  
Charles Craft, Chief of Police CC

SUBJECT: Agenda Item - Request for Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Recommendation:

Request Council authorization to renew membership in the Traffic Improvement Association, at a cost to the City of \$26,500 for 2005. This membership fee is calculated based on the Act 51 monies allocated to member municipalities. We have included this item in the Traffic Engineering budget for 2004-2005 under account #446.7958.

Background:

The City has been a member of the TIA since 1975. The TIA is a private non-profit organization that is responsive to the problems and needs of local traffic officials. They also perform area-wide programs such as the Drunk Driving Project, which resulted in 20% fewer alcohol-related accidents in Oakland County. TIA has been a source of traffic facts, including traffic crashes and traffic operations data. TIA has also recently taken over processing of crash reports from the Michigan State Police to ensure more timely and more accurate crash data. In the past year, the City obtained citywide traffic crash statistics (including the intersection and road segment crash reports and ranking), county traffic crash trends, location-specific crash details, and alcohol-related statistics for the City. TIA continues to work with the Corradino Group, consultant for the I-75 corridor study that aims at improving safety and efficiency of traffic on I-75 in Oakland County. TIA also works with our adjacent communities to improve traffic in the general area, that can be a secondary benefit to the City.

TIA also works with the Troy Police Department on several enforcement-related projects and grants. They facilitated our Police Department receiving in excess of \$20,000 last year in federal funds for alcohol and seat belt enforcement. TIA also keeps the enforcement and traffic engineering community updated on new Traffic Improvement issues through their quarterly "Early Birds Meeting".

JKA/In



**TRAFFIC IMPROVEMENT ASSOCIATION**

2187 Orchard Lake Rd., Suite 140, Sylvan Lake, MI 48320-1778  
(248) 334-4971 • FAX (248) 334-2060

**BOARD OF DIRECTORS**

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Oakland University

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AAA Michigan

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Senior Vice President  
The Taubman Company, Inc.

January 19, 2005

Steven Vandette  
City Engineer  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

Dear Mr. Vandette:

Enclosed is the 2005 request for Traffic Improvement Association's (TIA) membership support from our local communities. As in the previous years, this membership fee is based on one-half of one percent of the FY03-04 ACT 51 gas-weight tax revenues. This year the amount requested from the City of Troy is \$26,500.

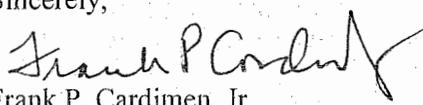
TIA celebrates its 38<sup>th</sup> anniversary in March 2005. We are proud of our efforts with our 65 community members, 45 law enforcement agencies, 12 district courts, schools, businesses and citizens.

During the past year TIA has focused on 1) providing more current, accurate traffic crash data so that we can provide our communities, the Road Commission for Oakland County and MDOT with important information to help solve some of our traffic problems. (TIA met that objective and had 2003 crash data available in May 2004 and will have 2004 crash data analyses to our communities by April 2005.) 2) TIA began to place scanned UD-10 crash data forms on our web page for purchase by insurance companies, police departments and approved individuals. This has proved successful but in 2005 we plan to present to each community and TIA with a funding opportunity in a joint venture with TRACView.

In spite of all of our efforts, Oakland County reported its traffic fatalities in 2003 at 91, and 29 of these were alcohol-related deaths. There were more than 43,000 traffic crashes recorded in Oakland County last year and serious injuries continued to climb. Even though Oakland County has better traffic safety rates than other counties in Michigan and the US, we still have much to do to help save lives and reduce serious injuries caused by traffic crashes.

On behalf of TIA, our Board of Directors and the citizens of Oakland County, I thank you for your continued support of our efforts and the trust you show in TIA. We strive to be worthy of this trust. I encourage you to call me if you have any questions or comments at 248-334-4971.

Sincerely,

  
Frank P. Cardimen, Jr.  
President

FPC/cb  
Enclosure (Invoice)

**RECEIVED**

JAN 25 2005

**ENGINEERING**

**CELEBRATING TRAFFIC SAFETY SERVICES  
SINCE 1967**

# TRAFFIC IMPROVEMENT ASSOCIATION

2187 ORCHARD LAKE ROAD, STE. 140  
SYLVAN LAKE, MICHIGAN 48320-1778  
(248) 334-4971 (248) 334-2060 FAX

# INVOICE

---

**CLIENT NAME:**

**INVOICE DATE:** 01/19/05

CITY OF TROY  
STEVE VANDETTE, CITY ENGINEER  
500 W BIG BEAVER RD  
TROY, MI 48084

**TERMS:** DUE UPON RECEIPT

**INVOICE TOTAL:** \$26,500.

---

DATE	DESCRIPTION	AMOUNT
1/19/05	INVOICING FOR TIA ANNUAL SUPPORT BASED ON 0.5% OF ACT 51 GAS-WEIGHT TAX REVENUES FOR FY2003-04, PER ATTACHED LETTER.	\$26,500.

March 7, 2005

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services  
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item: Troy Racquet Club Rates

Recommendation

City management is requesting approval of the proposed 2005-2006 rates for the Troy Racquet Club.

The attached letter from Don Pierce, Troy Racquet Club, requests approval of membership rates and the hourly court time rates for the 2004-2005 season. The rate schedule reflects an increase of \$1/hour for all hourly rates except 7 - 8 a.m. Mon. - Fri. and Friday evenings. Membership rates for residents are proposed to increase \$10 for individuals and \$20 for the family rate. No increase is proposed for junior membership.

Background

The lease between the City of Troy and the Troy Racquet Club, LLC requires City Manager or City Council approval of requests for rate changes. Council has historically approved rate change requests.

**Troy Racquet Club**  
c/o 801 W. Big Beaver Road, Suite 500  
Troy, Michigan 48084  
Telephone: (248) 362-1300  
Facsimile: (248) 362-1358  
e-mail: dpierce@dflaw.com

March 3, 2005

Ms. Carol Anderson, Supervisor  
Department of Parks & Recreation  
City of Troy  
500 West Big Beaver Road  
Troy, Michigan 48084

Re: Troy Racquet Club Rates for 2005/2006 Season

Dear Ms. Anderson:

Pursuant to the Lease between the City of Troy and Troy Racquet Club, LLC, we are required to submit requests for rate changes to the City of Troy. Section 7 requires that such requests must be approved by the City Manager or the City Council. In accordance with past practice, I am, therefore, submitting the rate increase request to your office for processing in the manner you deem appropriate.

The membership rate increases would not apply to our members who purchase memberships for next year before our current season ends. For those members, there will not be an increase in membership costs.

Monday through Friday

<u>Time</u>	<u>Current Hourly Rate</u>	<u>Proposed Hourly Rate</u>
7 - 8 a.m.	\$20.00	\$20.00
8 - 9 a.m.	20.00	21.00
9 a.m. - 3 p.m.	26.00	27.00
3 - 4 p.m.	23.00	24.00
4 - 5 p.m.	26.00	27.00
5 - 6 p.m.	27.00	28.00
6 - 9 p.m.	30.00 (Fri. 27.00)	31.00 (Fri. 27.00)
10 - 11 p.m.	19.00	20.00 (generally closed Fri.)

Saturday and Sunday

<u>Time</u>	<u>Current Hourly Rate</u>	<u>Proposed Hourly Rate</u>
7 - 8 a.m.	\$26.00	\$27.00
8 a.m. - 5 p.m.	29.00	30.00
5 p.m. to close	25.00	26.00

Membership Rates: Troy resident membership fees are:

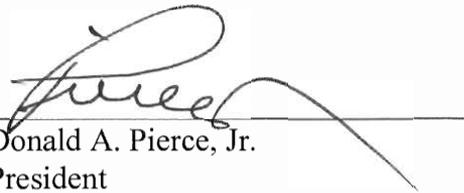
	<u>Current Membership Rate</u>	<u>Proposed Membership Rate</u>
Individual	\$100.00	\$110.00 ✓
Family	150.00	\$170.00 ✓
Junior	40.00	No Change

Non-residents pay 50% more for memberships than Troy residents do.

Very truly yours,

TROY RACQUET CLUB

By:



Donald A. Pierce, Jr.

Its:

President

DAP/jd

cc: Ms. Kathy DelDotto,  
Manager, Troy Racquet Club

**APPROVED  
CITY OF TROY**

By: \_\_\_\_\_ (sign)

\_\_\_\_\_ (print)

March 1, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/ Services  
Jeanette Bennett, Purchasing Director  
Carol K. Anderson, Parks and Recreation Director

SUBJECT: **Agenda Item** – Standard Purchasing Resolution 3: Exercise  
Renewal Option – Landscape Maintenance Services

### **RECOMMENDATION**

The Parks and Recreation Department recommends approval of a one-year contract renewal option for Landscape Maintenance Services for the Downtown Development Authority and Civic Center with Torre & Bruglio, Inc., for an estimated total cost of \$209,014.00. All terms, conditions, and unit pricing will remain the same as for the 2004 season and will expire December 31, 2005.

In addition, staff requests the approval of annual flowers for the section of landscaped medians on Big Beaver, from I-75 to Rochester Road and on the Rochester Road medians adjoining Big Beaver Road at an additional cost of \$29,764.00 for a total cost for this contract for the 2005 season of \$238,778.00

### **BACKGROUND**

On April 8, 2002, the Troy City Council approved a contract to provide three – year requirements of upgraded landscape maintenance services for the Troy Civic Center and the Downtown Development Authority areas within the Big Beaver corridor. The contract includes an option to renew for two (2) additional one-year periods to Torre & Bruglio, the highest scoring bidder as a result of a best value process. {Resolution#2002-04-213}.

### **ADDITIONAL ANNUALS**

Last year, the medians on Big Beaver Road from I-75, east to Rochester Road were landscaped with a design of evergreen and deciduous trees, shrubs, and daylilies. The landscape design also called for the use of annual flowers at various point throughout the design to provide constant color and uniformity with other medians in Troy that contain annual flower plantings. While the bulk of the plant material for the project was installed through contract to be completed by the end of the calendar year of 2003, the installation of annuals were scheduled to be included with the rest of the annual flower planting in the spring by the landscape maintenance contractor, Torre & Bruglio, Inc.

March 1, 2005

To: John Szerlag, City Manager

Re: Exercise Renewal Option – Landscape Maintenance Services

Page 2 of 4

Since the medians from I-75 to Rochester Road, had not previously been planted, the Torre & Bruglio landscape bid did not contain a cost for the additional annuals. Last year's cost for the additional annuals exceeded the 10% built into the contract for additional work and item was therefore taken to City Council for approval. Council denied the request and no annuals were planted on the newly planted medians from I-75 to Rochester Road in 2004.

Annual flowers are planted every spring at the entrances of parks and cemeteries, in planter beds at City Hall, Library, Aquatic Center, Community Center, Museum, Fire Stations, Nature Center, and numerous landscaped medians throughout the City, including Big Beaver from I-75 west to Coolidge. The following municipal areas contain seasonal plantings of annual flowers:

**Parks:**

Beach Road Park  
Beaver Trail Park  
Boulan Park  
Brinston Park  
Firefighters Park  
Flynn Park

Jaycee Park  
Raintree Park  
Redwood  
Robinwood Park  
Sylvan Glen Lake Park

**Municipal Facilities:**

City Hall  
Community Center  
Family Aquatic Center  
Lloyd A. Stage Nature Center  
Fire Stations  
Museum

Sanctuary Lake Golf Course  
Union Corners Cemetery  
Crooks Road Cemetery  
Beach Road Cemetery  
Perrin Cemetery

**Landscaped Medians:**

Big Beaver, I-75 west to Coolidge  
Coolidge at Big Beaver  
Crooks Rd. at Long Lake  
Coolidge Rd. at Long Lake  
Corporate Drive at Long Lake

Corporate Drive and Crooks Road  
Tower Drive at Crooks Road  
Long Lake, Corporate to Abington  
John R Road, 15 Mile to 14 Mile  
14 Mile Road, I-75 to Executive

The addition of annual flowers to the newly landscaped section of Big Beaver medians east of I-75 will complete the intended landscape design and tie together the new landscape with existing established plantings on Big Beaver, west of I-75, and the Civic Center. Annual flowers provide a much-needed splash of color in the spring and throughout the summer. They are an integral part of our municipal landscape and elicit many positive comments from residents and visitors alike.

March 1, 2005

To: John Szerlag, City Manager

Re: Exercise Renewal Option – Landscape Maintenance Services

Page 3 of 4

**LEVELS OF MAINTENANCE**

The areas covered by this contract with Torre & Bruglio receive the highest level of service of any landscaped medians in Troy. The DDA median design includes a number of annual flowerbeds to provide visual interest and color. Large expanses of grass, trees, and some shrubs comprise most of the other landscaped medians in Troy. Annual beds are included at some major intersections. The level of service of those medians is generally lower than that provided by Torre & Bruglio for the DDA medians, since many do not contain irrigation, require only mowing.

The maintenance of those medians is administered through a separate contract with another vendor. City Parks and Recreation personnel currently maintain all flowerbeds other than those on the DDA medians and Civic Center site.

Cost savings could be realized on the maintenance of the DDA medians and Civic Center site by reducing the level of service, eliminating annual flowers, cutting back on irrigation, or converting flower beds to turf. However, a reduction in service level at these locations will result in a corresponding reduction in the overall appearance and appeal of the landscape.

**SUMMARY**

Torre & Bruglio, Inc. has agreed to renew the contract landscape maintenance services for the Civic Center and Downtown Development Authority landscaped medians for the 2005 season under the 2004 unit pricing as follows:

Landscape maintenance services	\$151,814
Annual flowers, including installation	<u>\$ 57,200</u>
	<b>\$209,014</b>

Additional annual flowers, including installation for Big Beaver (DDA) medians, I-75 to Rochester Rd. not planted previously	<u>\$ 29,764</u>
<b>ESTIMATED TOTAL FOR 2005</b>	<b>\$238,778</b>

Torre & Bruglio has done an exceptional job of providing superior landscape maintenance for the City of Troy. Staff recommends exercising the first of two (2) one-year options to renew the contract, and also requests approval of annual flower installation in the DDA median landscaping east of I-75.

March 1, 2005

To: John Szerlag, City Manager

Re: Exercise Renewal Option – Landscape Maintenance Services

Page 4 of 4

**MARKET SURVEY**

Due to utilizing the best value process in evaluating the request for proposal, a market survey was not deemed necessary, since price in only one aspect of the criteria used in making the award. Quality is a major component of this contract and Torre & Bruglio has been able to consistently deliver quality services.

**BUDGET**

Funds are available in the Parks and Recreation operating budget for the renewal of this contract for the 2005 season.

Prepared by: Jeff Biegler, Superintendent of Parks



500 West Big Beaver  
Troy, Michigan 48084  
Fax: (248) 524-0851  
www.ci.troy.mi.us

Torre & Bruglio  
850 Featherstone  
Pontiac MI 48342-1723

FEB 10

February 7, 2005

Area code (248)

Dear Sirs,

Assessing  
524-3311

Bldg. Inspections  
524-3344

Bldg. Operations  
524-3368

City Clerk  
524-3316

City Manager  
524-3330

Community Affairs  
524-1147

Engineering  
524-3383

Finance  
524-3411

Fire-Administration  
524-3419

Human Resources  
524-3339

Information Technology  
619-7279

Law  
524-3320

Library  
524-3545

Parks & Recreation  
524-3484

Planning  
524-3364

Police-Administration  
524-3443

Public Works  
524-3370

Purchasing  
524-3338

Real Estate & Development  
524-3498

Treasurer  
524-3334

The City of Troy entered into contract with Torre & Bruglio to provide three-year requirements for upgraded landscape services for the Troy Civic Center and the Downtown Development Authority areas within the Big Beaver Corridor. The contract contained two one-year options to renew in accordance with the specifications and agreement for RFP 01-43. Renewal for the 2005 season must be under the same terms and conditions as the 2004 section of the original contract. If a new price is to be submitted within the terms of the current contract, 30-day notification of the new price is required. Please be aware that the City of Troy reserves the option to accept the price change or rebid.

Please fax this letter back to Parks & Recreation indication if Torre & Bruglio wishes to renew this contract until December 31, 2005. 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 248-680-7293

**CHECK ONE:**

- Torre & Bruglio is interested in renewing the contract under the 2004 terms and conditions.**
- Torre & Bruglio is not interested in renewing the contract.**

X  2-10-05  
 Signed: Authorized Company Representative date

Thank You,  
Ron Hynd, Landscape Analyst  
City of Troy  
248-680-7293 office  
248-689-6497 fax

2. The following full sized plans, approximately 24 inches by 36 inches in size, prepared by Grissim Metz Andriese Associates:
  1. Site Landscape Plan, dated September 2003
  2. Building Enlargement Landscape Plans, dated September 2003
  3. Lighting/Street Signage Plan, dated September 2003
  4. Site Details, dated September 2003
  5. Site Amenities, dated September 2003
  6. Park Section and Planting Details, dated September 2003
  7. Photometric Plan, dated September 2003
  - I-1. Irrigation Enlargement Plan, dated September 2003
  - I-2. Irrigation Enlargement Plan, dated September 2003
  
3. The Rochester Commons PUD Final Project Manual, dated April 21, 2004 and presented in binder format, and including the following:
  - TAB 1 City of Troy Final PUD Approval Checklist
  - TAB 2 Planned Unit Development Agreement
  - TAB 3 Installation and Maintenance Obligation Plan
  - TAB 4 Project Impact Analysis
  - TAB 5 List of Plan Changes Since Preliminary Approval
  - TAB 6 Final Site Plan
  - TAB 7 List of Landscape Plan Changes since Approval
  - TAB 8 Landscape Plan
  - TAB 9 Elevations
  - TAB 10 Specifications
  - TAB 11 Master Deed and Bylaws
  - TAB 12 Easements
  - TAB 13 Address Plan

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the Development Agreement for the Rochester Commons Planned Unit Development; a copy shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FINALLY RESOLVED, That the Rochester Commons Planned Unit Development Agreement be **RECORDED** with the Oakland County Register of Deeds.

Yes: All-7

---

### **D-2 Amendment #1 – Expanded Scope of Work – Upgraded Landscape Maintenance Services**

Resolution  
 Moved by Stine  
 Seconded by Beltramini

WHEREAS, A contract to provide Upgraded Landscape Maintenance Services was awarded to the highest scoring bidder, Torre & Bruglio, Inc., on April 8, 2002, at an estimated total cost of \$507,488.00 (Resolution #2002-04-213).

WHEREAS, It is recommended that the contract be amended to cover increased acreages and improved landscapes on the Big Beaver medians (I-75 to Rochester Road and Coolidge to Cunningham).

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby **AMENDED** for additional services at an estimated cost of \$133,638.00.

**Vote on Resolution to Amend**

Resolution #2004-06-297

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That the Resolution be **AMENDED** by **INSERTING**, "BE IT RESOLVED, That the \$35,100.00 allocated for the planting of annuals along the Big Beaver corridor and the \$8,000.00 allocated for unforeseen maintenance and repairs be **STRICKEN** from the proposed amended contract."

Yes: Broomfield, Eisenbacher, Howrylak, Lambert

No: Stine, Schilling, Beltramini

**MOTION CARRIED**

**Vote on Amended Resolution**

Resolution #2004-06-298

Moved by Stine

Seconded by Beltramini

WHEREAS, A contract to provide Upgraded Landscape Maintenance Services was awarded to the highest scoring bidder, Torre & Bruglio, Inc., on April 8, 2002, at an estimated total cost of \$507,488.00 (Resolution #2002-04-213).

WHEREAS, It is recommended that the contract be amended to cover increased acreages and improved landscapes on the Big Beaver medians (I-75 to Rochester Road and Coolidge to Cunningham).

BE IT RESOLVED, That the \$35,100.00 allocated for the planting of annuals along the Big Beaver corridor and the \$8,000.00 allocated for unforeseen maintenance and repairs be **STRICKEN** from the proposed amended contract; and

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby **AMENDED** for additional services at an adjusted estimated cost of \$90,538.00.

Yes: Eisenbacher, Howrylak, Lambert, Beltramini, Broomfield

No: Stine, Schilling

**MOTION CARRIED**

May 27, 2004

To: John Szerlag, City Manager

From: John M. Lamerato, Assistant City Manager- Finance and Administration  
Steven J. Vandette, Acting Assistant City Manager- Services  
Jeanette Bennett, Purchasing Director  
Carol K. Anderson, Director of Parks and Recreation

Subject: **Agenda Item:** Expanded Scope of Work - "Upgraded Landscape Maintenance Services," Supplemental Information

At the May 24, 2004 meeting, there was discussion and a request for additional information concerning the expanded scope of landscape work within the DDA area, specifically, what areas along Big Beaver will receive the additional 1,350 flats of flowers.

The need for additional flowers is the result of an increase in landscape area between 175 and Rochester Road and the Rochester Road medians north and south of Big Beaver. Staff designed the landscape plan for this area and contractors completed the perennial and annual plant beds, tree plantings and irrigation system this spring. The flowers contained in the upgraded landscape maintenance services request are intended for planting in this area.

The annuals for the DDA area west of 175 are not part of upgraded services request as they are already included in the original contract.

Funds from the DDA budget pay the cost of this maintenance. There are adequate funds to cover the increased maintenance costs for fiscal year end and in the 04-05 budgets.

April 27, 2004

TO: John Szerlag, City Manager

FROM: Steven J. Vandette, Acting Assistant City Manager/Services  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Jeanette Bennett, Purchasing Director  
Carol Anderson, Parks and Recreation Director

SUBJECT: **Agenda Item:** Amendment #1 – Expanded Scope of Work –  
“Upgraded Landscape Maintenance Services”

### **RECOMMENDATION**

On April 8, 2002, Troy City Council approved a three-year contract for “Upgraded Landscape Maintenance Services” with an option to renew for two one-year periods to Torre & Bruglio, Inc. of Pontiac, the highest rated bidder as a result of a best value process, at an estimated total cost of \$507,488.00 {Resolution #2002-04-213}.

City management recommends that City Council approve an amendment to the contract for expanded scope of work at an estimated cost of \$133,638.00.

### **BACKGROUND**

Under the specifications of this contract, the City is authorized to add or delete any acreage, mowings (weather dependent), call-outs, or annuals as deemed necessary at unit prices listed in the bid tab, which accompanied the original bid proposal. Previous year's adjustments were well within the allowable percentage increase used for maintenance contracts of (+-) 25%. However, the cost of additional services in this contract year will exceed the allowable contract estimate percentage since the total contract (for all three years) will be approximately 27% over estimate.

Maintenance areas covered by this amendment are within the boundaries of the Downtown Development Authority. Funding for this amendment is in the Parks and Recreation operating budget for Street Island Maintenance-DDA .

Increases in the contract consist of:

- Spring of 2002, eight acres of non-irrigated turf on Big Beaver Medians (I-75) to Rochester was added to the contract for maintenance.
- Spring of 2003, one acre of non-irrigated turf on Big Beaver Medians Coolidge to Cunningham was added to the contract for maintenance.
- Fall of 2003, the aforementioned medians on Big Beaver were landscaped and irrigated.
- Spring of 2004, 1350 flats of annual flowers to be planted for the newly landscaped Big Beaver Corridor – DDA –

Agenda – May 24, 2004  
Upgraded Landscape - Expanded Scope of Work  
Page 2 of 2

2002-2004 Approved Contract	<b>\$507,488.00</b>
Spring of 2002 + 8 Acres non-irrigated	\$24,207.36
Spring of 2003 + 9 Acres non-irrigated	\$32,616.24
Spring of 2004 + 9 Acres Irrigated	\$33,714.27
+ Annuals	\$35,100.00
Unforeseen Maintenance/Repairs	\$8,000.00
Amendment #1	<b>\$133,637.87</b>

**BUDGET**

Funds for the amendment will be available in the Parks operating budget for Street Island Maintenance – DDA Account #783.7802.070.

Prepared by: Ron Hynd, Landscape Analyst

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**F-3 2002-2003 Budget: (a) Establish Public Hearing; (b) Establish Dates for Budget Study Sessions****(a) Dates for Budget Study Sessions**

Resolution #2002-04-211

Moved by Pallotta

Seconded by Lambert

RESOLVED, That Budget Study Sessions of the Troy City Council are hereby established for Monday, April 15 and Tuesday, April 16 at 7:30 PM in the Lower Level Conference Room at City Hall.

Yes: All-7

**(b) Public Hearing**

Resolution #2002-04-212

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That a Public Hearing is hereby established for May 13, 2002 to consider the approval of the 2002-2003 Budget for the City of Troy.

Yes: All-7

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**F-4 Contract Award – Best Value Proposal – Upgraded Landscape Maintenance Services**

Resolution #2002-04-213

Moved by Pallotta

Seconded by Eisenbacher

RESOLVED, That a three-(3) year contract to provide Landscape Maintenance Services with an option to renew for two one-year periods is hereby awarded to the highest scoring bidder, Torre & Brugilio, Inc. at unit prices contained in the bid tabulation opened January 25, 2002 at an estimated total cost for three (3) years of \$507,488.00, commencing April 1, 2002; a copy of which shall be attached to the original Minutes of this meeting.

BE IT FURTHER RSOLVED, That the award is contingent upon contractor submission of properly executed proposal and contract documents, including bonds, insurance certificates and all other specified requirements.

Yes: All-7

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**F-5 Contract Award – Best Value Proposal – Municipal Testing Services for the 2002-2005 Construction Seasons**

March 18, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
Carol K. Anderson, Parks and Recreation Director

Subject: Contract Award – Best Value Proposal  
Upgraded Landscape Maintenance Services

**RECOMMENDATION:**

On January 25, 2002, request for qualifications (RFQ) and request for proposals (RFP) were opened for Upgraded Landscape Maintenance Services at the Civic Center and Big Beaver medians from Rochester Road to Golfview. Staff is recommending that the contract be awarded to the lowest priced, most qualified bidder receiving the highest score, Torre & Bruglio, Inc. at an estimated three-year cost of \$507,488.00, at unit prices contained in the attached bid tabulation opened 1/25/02. The length of the contract is three years, with two (2) one-year options to renew the contract based upon mutual consent of both parties under the same terms and conditions.

If approved by Council, this bid shall be awarded to the recommended bidder contingent upon submission of proper contract and bid documents, including insurance certificates and all specified requirements.

**SELECTION PROCESS:**

A total of one hundred thirty-nine (139) letters were sent to prospective bidders with eight (8) bidders returning responses. Two (2) bidders did not pass the minimum requirements: All State Tree & Lawn Service, Inc. and Owens Landscaping. All State Tree had indicated they were subcontracting a major component of the contract, mowing; and the evaluation committee deemed this unacceptable. Owens Landscaping did not have personnel for the required certified Arborist position. In addition, their insurance company did not submit the required letter stating Owens could meet the insurance specifications if awarded a contract. The remaining six (6) bidders were evaluated based upon weighted criteria including the RFP responses and price. The final weighted score calculation was determined as follows:

50% x Price Score  
20% x Vendor Questionnaire Score  
20% x Equipment Review and Interview Score (Optional)  
10% x Other Score  
= Final Weighted Score

Utilizing this selection process, Torre & Bruglio, Inc. was the highest rated vendor.

March 18, 2002

To: The Honorable Mayor and City Council  
Re: Upgraded Landscape Maintenance Services

**BUDGET:**

Funds for this contract are available in the Parks Operating Accounts for Contractual Services #756.7802.070 and #783.7802.070.

139 Proposals Sent  
8 Proposal Responses Rec'd  
2 Proposals did not meet minimum requirements

Prepared by: Jeffrey J. Biegler, Superintendent of Parks

**EXECUTIVE SUMMARY-  
UPGRADED LANDSCAPE MAINTENANCE SERVICES**

**STATISTICS:**

- ◆ 139 letters were sent to prospective bidders
- ◆ 8 responses were received
- ◆ Torre & Bruglio was the most qualified bidder by receiving the highest score

The following bidders submitted a proposal and received the indicated final scores:

<b>COMPANY</b>	<b>SCORE</b>
Torre & Bruglio	70
Davey Commercial Grounds Management	54
Troy Clogg Landscape Associates, Inc.	51
Rasins Landscape Inc.	50
United Landscape Inc.	26
Cal Fleming Landscaping & Tree Service Inc.	9

Two Bidders did not pass the minimum requirements:

1. **All State Tree & Lawn Service, Inc.**
  - Their company would subcontract the mowing portion of the contract. Since the specifications required approval to subcontract and mowing is a major component of the contract, it was deemed unacceptable.
2. **Owens Landscaping**
  - The list of personnel assigned to the City of Troy account was incomplete as it did not include the required certified Arborist.
  - Their insurance company did not submit a letter stating that they would meet the insurance specifications if awarded a contract.

**Attachments:**

Weighted Final Scoring

Evaluation Process

Weighted Rating: Vendor Evaluation and Other

## WEIGHTED FINAL SCORING UPGRADED LANDSCAPE MAINTENANCE SERVICES

### Final Score Calculation:

- 50% x Price Score
- 20% x Vendor Questionnaire Score
- 20% x Equipment Review and Interview Score (Optional)
- 10% x Other Score

### Final Weighted Score

\* In order to equate the price to the weighted evaluation process scoring, the prices had to be converted into a score with the base of 100

VENDORS:	Davey	Cal Fleming	Rasins	Torre & Bruglio	Troy Clogg	United Landscape
Score						
PRICE SCORE: (x .50) =	75 x .50 = 38	0 x .50 = 0	75 x .50 = 38	100 x .50 = 50	75 x .50 = 38	25 x .50 = 13
VENDOR QUESTIONNAIRE SCORE: (x .20) =	64 x .20 = 13	47 x .20 = 9	59 x .20 = 12	77 x .20 = 15	64 x .20 = 13	63 x .20 = 13
EQUIPMENT REVIEW AND OPTIONAL INTERVIEWS*: (x .20) =	N/A	N/A	N/A	N/A	N/A	N/A
OTHER: (x .10) =	28 x .10 = 3			50 x .10 = 5		

**FINAL  
WEIGHTED  
SCORE:**

54            9            50            70\*\*            51            26

**\*\* HIGHEST RATED VENDOR – RECOMMENDED AWARD**

\* The Evaluation Committee agreed to reverse the order of Phase 3 and 4 at the request of the Facilitator for the project (Purchasing Department representative). Since the committee was familiar with many of the vendor's equipment, it was deemed appropriate to evaluate the pricing information before reviewing equipment or conducting the optional interviews if deemed necessary. It was not deemed necessary to conduct interviews or review equipment.

## COMMITTEE USE

Evaluation Process – Upgraded Landscape Management Services

### Phase 1: Evaluation of Proposals – Must meet minimum requirements.

Bidders will be required to meet minimum specified requirements. The initial pass/ fail evaluation will be made by a designated Committee representative.

### Phase 2: Evaluation Process.

The evaluating committee will review the Vendor Questionnaire and the proposal (minus the Pricing Section). A score will be calculated from the review using the Evaluation Sheet – Upgraded Landscape Maintenance Services. Short-list may be developed from this phase if deemed appropriate at the evaluation time.

### Phase 3: Price \*

Points for price will be calculated as follows:

#### CALCULATIONS:

1. The proposals shall be arranged from lowest proposal to highest proposal
2. High Proposal (-) Low Proposal = Range
3. A mean or average will be calculated from the data, as well as the variance and standard deviation. This information will be used to compare and interpret the measures of location and variability within the population. Points will be given based upon the number of standard deviations that the bid price is from the mean or average.

### Phase 4: Equipment Inspection and Interviews - (Interviews are Optional) \*

An equipment inspection will be conducted of those companies short-listed.

Optional: The Committee using the Interview tool prepared by the Purchasing Department and approved by the Parks and Recreation Department may conduct interviews of the Short-listed firms. A score will result from the process. The score will be averaged if both an equipment inspection and interview are conducted.

### Phase 5: Other

A company may be assessed "Other" points for items not specified, but for which the Evaluation Committee deems as outstanding.

### Phase 6: Phase Final Scoring Including Consultant Selection

The **final score** for each qualified Short-listed bidder from Phase 2 will be determined as follows:

50% x Price Score	=
20% x Vendor Questionnaire Score	=
20% x Equipment Inspection and Interview Score - Optional	=
10% x Other	=
<hr/>	
100% Final Weighted Score	

\* The Evaluation Committee agreed to reverse the order of Phase 3 and 4 at the request of the Facilitator - Purchasing Department. Since the committee was familiar with many of the vendor's equipment that were part of the process, it was deemed appropriate to evaluate the pricing information before reviewing equipment or conducting the optional interview if deemed necessary. It was not deemed necessary to conduct interviews or review equipment.

**WEIGHTED RATING -  
UPGRADED LANDSCAPE MAINTENANCE SERVICES**

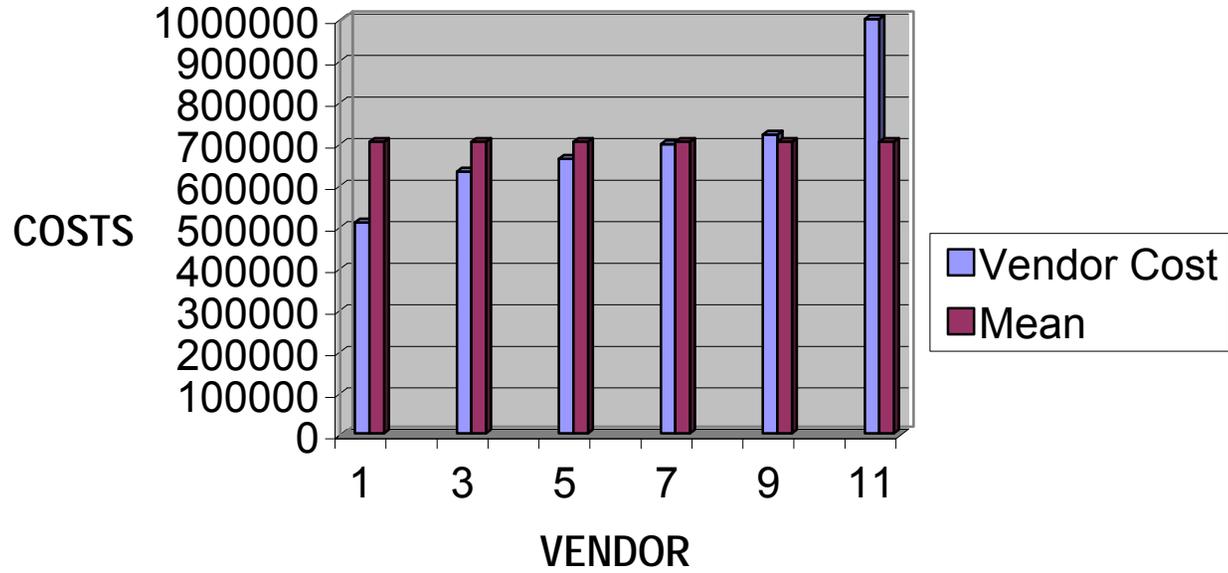
**VENDOR QUESTIONNAIRE:**

<b>Raters:</b>	1	2	3	AVERAGE
<b>Vendors:</b>				
1. Davey Commercial Grounds Mgt.	<b>82</b>	<b>54</b>	<b>57</b>	<b>64</b>
2. Cal Fleming Landscaping & Tree Service Inc.	<b>63</b>	<b>26</b>	<b>53</b>	<b>47</b>
3. Rasins Landscape Inc.	<b>66</b>	<b>54</b>	<b>56</b>	<b>59</b>
4. Torre & Bruglio Inc.	<b>96</b>	<b>72</b>	<b>63</b>	<b>77</b>
5. Troy Clogg Landscape Assoc. Inc.	<b>74</b>	<b>56</b>	<b>62</b>	<b>64</b>
6. United Landscape Inc.	<b>68</b>	<b>54</b>	<b>66</b>	<b>63</b>

**OTHER - SCORES:**

<b>Raters:</b>	1	2	3	AVERAGE
<b>Vendors:</b>				
1. Davey Commercial Grounds Mgt.		<b>30</b>	<b>25</b>	<b>28</b>
2. Cal Fleming Landscaping & Tree Service Inc.				
3. Rasins Landscape Inc.				
4. Torre & Bruglio Inc.	<b>30</b>	<b>70</b>	<b>50</b>	<b>50</b>
5. Troy Clogg Landscape Assoc. Inc.				
United Landscape Inc.				

# UPGRADED LANDSCAPE SERVICES



**UPGRADED LANDSCAPE SERVICES  
ANALYSIS**

KEY	VENDOR	COST	MEAN	DIFFERENCE	D2	VARIANCE	STANDARD DEVIATION	POINTS
1	Torre	507488	702,027	194,539	37845422521		-2	100
3	Troy Clogg	630640	702,027	71,387	5096103769		-1	75
5	Rasins	661200	702,027	40,827	1666843929		-1	75
7	Davey	696360	702,027	5,667	32114889		-1	75
							0 (Mean)	50
9	United	\$ 718,970	702,027	(16,943)	287065249		1	25
11	Cal Fleming	\$ 997,505	702,027	(295,478)	87307248484		2	0
		\$ 4,212,163			132,234,798,841	22039133140	148455.8289	

Opening Date -- 1-25-02  
Date Prepared -- 3/6/02

CITY OF TROY  
BID TABULATION  
UPGRADED LANDSCAPE MAINTENANCE SERVICES

RFP 01-43  
Page 1 of 6

VENDOR NAME:

CAL FLEMING	UNITED LAWNSCAPE	RASINS LANDSCAPE
LANDSCAPING		
902034945	14232	013973303-7
\$14,325.00	\$ 14,325.00	\$ 14,325.00

Proposal: For Upgraded Landscape Maintenance Services for the Downtown Development Authority and Civic Center Area.

Bidder Questionnaire:	Returned filled	XX	XX	XX
	Returned Unfilled			
	Not returned			
Years in Business:		54	8	8
Organization ever declared Bankruptcy:	Yes or No	NO	NO	NO
Number of Public Sector References:		4	5	5
Use of Subcontractors:	Yes or No	NO	YES	YES
Number of Private References for Landscape Maint. Work:		5	5	5
List of Landscape Maintenance Equipment:	Yes or No	YES	YES	YES
EMPLOYEES:				
Business Pesticide Applicator:	Yes or No	YES	YES	YES
Applicator - Turf Grass	Yes or No	YES	YES	YES
Applicator - Ornamentals	Yes or No	YES	YES	YES
Applicator - Right of Ways	Yes or No	YES	YES	YES
Arborist	Yes or No	YES	YES - DIFFERENT NAME	YES
Landscape Architect	Yes or No	BLANK	BLANK	NO
RESPONSE TIME:	Type:	PERSONAL ON SITE	SUPERVISOR VISIT	LAWN
	Hours:	1	0.5	24
	Type:	RETURN PHONE CALL		TREES
	Hours:	0.25		24
	Type:			CONSULTATION
	Hours:			24
UNIFORMS FOR EMPLOYEES	Yes or No	YES	YES	YES
	Color:	LONG PANTS; SHIRTS	TAN/GREEN	DARK GREEN/TAN
		W/COMPANY NAME		
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Alternate Insurance	+\$10,000	CURRENT POLICY DOES CONTAIN	+\$3,000
			INCIDENTAL POLLUTION COVERAGE	
SITE VISIT	Yes or No	YES	YES	YES
	Date:	1/24/02	1/17,18,23,24	1/17,18

Opening Date -- 1-25-02  
Date Prepared -- 3/6/02

CITY OF TROY  
BID TABULATION  
UPGRADED LANDSCAPE MAINTENANCE SERVICES

RFP 01-43  
Page 2 of 6

VENDOR NAME:

CAL FLEMING	UNITED LAWNSCAPE	RASINS LANDSCAPE
LANDSCAPING		

<b>PROPOSAL A: All Services 4/1 to 11/30/02</b>		<b>All Acreage - Irrigated &amp; Non-Irrigated</b>		
Complete for the Sum of:	Year 2002	\$ 273,120.00	\$ 168,335.00	\$ 175,000.00
	Year 2003	\$ 248,582.00	\$ 168,335.00	\$ 160,000.00
	Year 2004	\$ 251,368.00	\$ 172,550.00	\$ 160,000.00
	<b>Total</b>	<b>\$ 773,070.00</b>	<b>\$ 509,220.00</b>	<b>\$ 495,000.00</b>
			/month/acre	
Cost Per Acre:	Year 2002	\$ 97.00	\$ 650.00	\$ 155.00
	Year 2003	\$ 97.00	\$ 650.00	\$ 155.00
	Year 2004	\$ 97.00	\$ 670.00	\$ 155.00
<b>ADDITIONAL SERVICES:</b>				
Additional Mowings-before 4/1 after 11/30		<b>COST PER SERVICE</b>	<b>COST PER ACRE</b>	<b>COST PER ACRE</b>
	Year 2002	\$ 4,252.00	\$ 65.00	\$ 115.00
	Year 2003	\$ 4,252.00	\$ 65.00	\$ 115.00
	Year 2004	\$ 4,252.00	\$ 67.00	\$ 115.00
Additional Edging-before 4/1 after 11/30				
	Year 2002	\$ 950.00	\$ 15.00	\$ 20.00
	Year 2003	\$ 950.00	\$ 15.00	\$ 20.00
	Year 2004	\$ 950.00	\$ 15.50	\$ 20.00
Additional Trimming-before 4/1 after 11/30				
	Year 2002	\$ 500.00	\$ 15.00	\$ 20.00
	Year 2003	\$ 500.00	\$ 15.00	\$ 20.00
	Year 2004	\$ 500.00	\$ 15.50	\$ 20.00
<b>PROPOSAL B: Furnish Annual Flowers &amp; Bedding Plants including Installation</b>				
Annuals including Installation - Based upon 2,200 flats				
	Year 2002	\$ 50,600.00	\$ 44,000.00	\$ 49,000.00
	Year 2003	\$ 51,106.00	\$ 44,000.00	\$ 49,000.00
	Year 2004	\$ 52,129.00	\$ 45,100.00	\$ 49,000.00
	<b>Total</b>	<b>\$ 153,835.00</b>	<b>\$ 133,100.00</b>	<b>\$ 147,000.00</b>
Add or delte flats Including Installation differing from the base amount				
	Year 2002	\$ 23.00	\$ 20.00	\$ 21.00
	Year 2003	\$ 23.50	\$ 20.00	\$ 21.00
	Year 2004	\$ 24.00	\$ 20.50	\$ 21.00
<b>PROPOSAL C: FOUR GARDENS LANDSCAPE MAINTENACE SERVICES</b>				
Complete for the Sum of:	Year 2002	\$ 23,400.00	\$ 25,325.00	\$ 6,400.00
	Year 2003	\$ 23,600.00	\$ 25,325.00	\$ 6,400.00
	Year 2004	\$ 23,600.00	\$ 26,000.00	\$ 6,400.00
	<b>Total</b>	<b>\$ 70,600.00</b>	<b>\$ 76,650.00</b>	<b>\$ 19,200.00</b>
<b>GRAND TOTAL ALL PROPOSALS:</b>		<b>\$ 997,505.00</b>	<b>\$ 718,970.00</b>	<b>\$ 661,200.00</b>

Opening Date -- 1-25-02  
 Date Prepared -- 3/6/02

CITY OF TROY  
 BID TABULATION  
 UPGRADED LANDSCAPE MAINTENANCE SERVICES

VENDOR NAME:

CAL FLEMING	UNITED LAWNSCAPE	RASINS LANDSCAPE
LANDSCAPING		

<b>ADDITIONAL SERVICES:</b>		<b>Callout Cost per Man Hour</b>		
Additional -before 4/1 after 11/30				
Regular Time: 8 to 5	Year 2002	\$ 45.00	\$30/\$35.00	\$ 35.00
	Year 2003	\$ 45.00	\$30/\$35.00	\$ 35.00
	Year 2004	\$ 45.00	\$31/\$36.00	\$ 35.00
Additional -before 4/1 after 11/30				
Overtime: Non regular hours	Year 2002	\$ 45.00	\$52.50/\$45	\$ 52.50
	Year 2003	\$ 45.00	\$52.50/\$45	\$ 52.50
	Year 2004	\$ 45.00	\$54/\$46.50	\$ 52.50
Additional -before 4/1 after 11/30				
Holiday Time	Year 2002	\$ 45.00	\$70/\$60.00	\$ 52.50
	Year 2003	\$ 45.00	\$70/\$60.00	\$ 52.50
	Year 2004	\$ 45.00	\$72/\$62.00	\$ 52.50

Opening Date -- 1-25-02  
Date Prepared -- 3/6/02

CITY OF TROY  
BID TABULATION  
UPGRADED LANDSCAPE MAINTENANCE SERVICES

RFP 01-43  
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VENDOR NAME:		DAVEY TREE	TROY CLOGG	**TORRE & BRUGLIO
			LANDSCAPE ASSOC	
Check number		428011083	679209414	CHECK ON FILE, MOVE FORWARD
Check amount		\$ 14,325.00	\$ 14,325.00	\$ 14,325.00
Proposal: For Upgraded Landscape Maintenance Services for the Downtown Development Authority and Civic Center Area.				
Bidder Questionnaire:	Returned filled	XX	XX	XX
	Returned Unfilled			
	Not returned			
Years in Business:		93	15	20
Organization ever declared Bankruptcy:	Yes or No	NO	NO	NO
Number of Public Sector References:		5+	3	5
Use of Subcontractors:	Yes or No	NO	YES	NO
Number of Private References for Landscape Maint. Work:		5+	3	2
List of Landscape Maintenance Equipment:	Yes or No	YES	YES	YES
EMPLOYEES:				
Business Pesticide Applicator:	Yes or No	YES	YES	YES
Applicator - Turf Grass	Yes or No	YES	YES	YES
Applicator - Ornamentals	Yes or No	YES	YES	YES
Applicator - Right of Ways	Yes or No	YES	YES	YES
Arborist	Yes or No	YES	YES	YES
Landscape Architect	Yes or No	YES	N/A	YES
RESPONSE TIME:	Type:	EMERGENCY	LAWN CARE	CLIENT REQUEST
	Hours:	1	4	0.5
	Type:	MISSED WORK	TREE WORK	HAZARD REPAIR
	Hours:	8	4	0.5
	Type:	MISC CONCERNS	IRRIGATION	OFF HOUR REQUESTS
	Hours:	24	6	1
UNIFORMS FOR EMPLOYEES	Yes or No	YES	YES	YES
	Color:	CINTAS	BLACK/TAN	KHAKI/GREEN
INSURANCE:	Can Meet	XX	XX	XX
	Cannot Meet			
	Alternate Insurance	XX	BLANK	BLANK
SITE VISIT	Yes or No	YES	YES	YES
	Date:	1/15,21,23	1/21/02	1/14, 15. 17

Opening Date -- 1-25-02  
Date Prepared -- 3/6/02

CITY OF TROY  
BID TABULATION  
UPGRADED LANDSCAPE MAINTENANCE SERVICES

RFP 01-43  
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VENDOR NAME:

DAVEY TREE	TROY CLOGG	**TORRE & BRUGLIO
	LANDSCAPE ASSOC	

**PROPOSAL A: All Services 4/1 to 11/30/02 All Acreage - Irrigated & Non-Irrigated**

Complete for the Sum of:	Year 2002	\$ 175,400.00	\$ 138,688.00	\$ 127,188.00
	Year 2003	\$ 175,400.00	\$ 138,688.00	\$ 117,000.00
	Year 2004	\$ 175,400.00	\$ 140,264.00	\$ 118,100.00
<b>Total</b>		\$ 526,200.00	\$ 417,640.00	\$ 362,288.00

Cost Per Acre:	* Year 2002	\$ (5,364.85) \$ 167.65	\$ (4,400.00) \$ 137.50	\$ (4,034.53) \$ 126.08
	* Year 2003	\$ (5,364.85) \$ 167.65	\$ (4,400.00) \$ 137.50	\$ (3,714.28) \$ 116.07
	* Year 2004	\$ (5,364.85) \$ 167.65	\$ (4,450.00) \$ 139.06	\$ (3,746.03) \$ 117.06

**ADDITIONAL SERVICES:**

Additional Mowings-before 4/1 after 11/30		<b>COST PER SERVICE</b>	<b>COST PER ACRE</b>	<b>COST PER ACRE</b>
	Year 2002	\$ (3,140.00) \$ * 99.62	\$ 66.00	\$ 72.00
	Year 2003	\$ (3,140.00) \$ * 99.62	\$ 66.00	\$ 72.00
	Year 2004	\$ (3,140.00) \$ * 99.62	\$ 68.00	\$ 72.00

Additional Edging-before 4/1 after 11/30				
	Year 2002	\$ (1,350.00) \$ * 42.83	\$ 9.00	\$ 100.00
	Year 2003	\$ (1,350.00) \$ * 42.83	\$ 9.00	\$ 100.00
	Year 2004	\$ (1,350.00) \$ * 42.83	\$ 10.00	\$ 100.00

Additional Trimming-before 4/1 after 11/30				
	Year 2002	INCLUDED IN MOWING	\$ 127.00	\$ 30.00
	Year 2003	INCLUDED IN MOWING	\$ 127.00	\$ 30.00
	Year 2004	INCLUDED IN MOWING	\$ 130.00	\$ 30.00

**PROPOSAL B: Furnish Annual Flowers & Bedding Plants including Installation**

Annuals including Installation - Based upon 2,200 flats				
	Year 2002	\$ 50,600.00	\$ 52,800.00	\$ 44,000.00
	Year 2003	\$ 50,600.00	\$ 52,800.00	\$ 44,000.00
	Year 2004	\$ 50,600.00	\$ 55,000.00	\$ 57,200.00
<b>Total</b>		\$ 151,800.00	\$ 160,600.00	\$ 145,200.00

Add or delte flats Including Installation differing from the base amount				
	Year 2002	\$ 23.00	\$ 24.00	\$ 20.00
	Year 2003	\$ 23.00	\$ 24.00	\$ 20.00
	Year 2004	\$ 23.00	\$ 25.00	\$ 26.00

**PROPOSAL C: FOUR GARDENS LANDSCAPE MAINTENACE SERVICES**

Complete for the Sum of:	Year 2002	\$ 6,120.00	\$ 17,400.00	INCLUDED IN PROPOSAL A
	Year 2003	\$ 6,120.00	\$ 17,400.00	INCLUDED IN PROPOSAL A
	Year 2004	\$ 6,120.00	\$ 17,600.00	INCLUDED IN PROPOSAL A
<b>Total</b>		\$ 18,360.00	\$ 52,400.00	\$ -

<b>GRAND TOTAL ALL PROPOSALS:</b>		\$ 696,360.00	\$ 630,640.00	\$ 507,488.00
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\* Price Verification

Opening Date -- 1-25-02  
Date Prepared -- 3/6/02

CITY OF TROY  
BID TABULATION  
UPGRADED LANDSCAPE MAINTENANCE SERVICES

RFP 01-43  
Page 6 of 6

VENDOR NAME:

DAVEY TREE	TROY CLOGG	**TORRE & BRUGLIO
	LANDSCAPE ASSOC	

<b>ADDITIONAL SERVICES:</b>		<b>Callout Cost per Man Hour</b>		
Additional -before 4/1 after 11/30				
Regular Time: 8 to 5	Year 2002	\$ 28.00	\$ 32.00	\$ 22.00
	Year 2003	\$ 28.00	\$ 32.00	\$ 22.00
	Year 2004	\$ 28.00	\$ 33.00	\$ 22.00
Additional -before 4/1 after 11/30				
Overtime: Non regular hours	Year 2002	\$ 42.00	\$ 48.00	\$ 28.00
	Year 2003	\$ 42.00	\$ 48.00	\$ 28.00
<b>Total</b>				
Additional -before 4/1 after 11/30				
Holiday Time	Year 2002	\$ 42.00	\$ 64.00	\$ 28.00
	Year 2003	\$ 42.00	\$ 64.00	\$ 28.00
	Year 2004	\$ 42.00	\$ 64.00	\$ 28.00

**ATTEST:**

Cheryl Morrell

Mary Peltier

Linda Bockstanz

Susan Leirstein

**\*\* Denotes Best Value Proposal**

\_\_\_\_\_  
Jeanette Bennett  
Purchasing Director

**EVALUATION SHEET – Upgraded Landscape Maintenance Services**

NAME:  
 ADDRESS:  
 CITY/ STATE/ ZIP:  
 PHONE / FAX NUMBER:  
 VENDORS:

		A			B			C
<b>OBJECTIVES: Pass / Fail</b>	<b>INFORMATION</b>	<b>Go/No</b>	<b>INFORMATION</b>	<b>Go/No</b>	<b>INFORMATION</b>	<b>Go/No</b>	<b>INFORMATION</b>	<b>Go/No</b>
<b>MINIMUM REQUIREMENTS</b>								
<b>Question # referenced</b>								
1. 5 Years Experience								
2. Bankruptcy - NO								
5. Positive Public Sector References								
6. Subcontractors – approved areas only								
7. Positive References - Private Contracted Landscape Maintenance								
10. List of Equipment to perform the Contract								
12. Employees and Credentials								
13. Response Time								
15. Uniforms								
19. INSURANCE – Insurer's Letter								
<b>OBJECTIVES: Non-Mandatory Requirements</b>	<b>Point Value</b>	<b>INFORMATION</b>	<b>Score</b>	<b>INFORMATION</b>	<b>Score</b>	<b>INFORMATION</b>	<b>Score</b>	<b>Score</b>
3. Municipal Clients – Scope of work	15 Points Max.							
4. Experiences with Public Sector clients	15 Points Max.							
12. References – Landscape Installation	5 Points Max.							
9. Description of Projects Landscape Installation	5 Points Max.							
11. Project Manager and Credentials Points	5 Points Max.							
14. Communication Equipment issued to Contact Person	10 Points Max.							
16. Conflict Resolution Skills	10 Points Max.							
17. Proof of Quality	5 Points Max.							
18. Added Value	5 Points Max.							

20. Site Visit	10 Points Max.						
21. Invoicing	15 Points Max.						

Designated Value = Highest Rating

1 = Lowest Rating

**MAXIMUM SCORE: 100**

A T MAINTENANCE  
325 MUSKOKA  
COMMERCE TWP MI 48382

ALLIED-EAGLE SUPPLY  
150 PARSONS AVENUE  
DETROIT MI 48201-2002

AMBASSADOR LAWN CUTTING SERVICE  
P O BOX 174  
CLAWSON MI 48017

AMERICAN LAND DEVELOPMENT CO  
13957 HALL ROAD, STE 322  
SHELBY TOWNSHIP MI 48315

ATTN LEE WILBAND  
TRUE GREEN\*CHEMLAWN COMMERCIAL SERV  
P.P. BOX 930709  
WIXOM MI 48393-0709

ATTN CHRISTIAN DEL BELLO  
PREMIER LAWN & SNOW, INC  
P O BOX 877  
STERLING HEIGHTS MI 48311

B & L LANDSCAPING  
21151 MEYERS ROAD  
OAK PARK MI 48237-3209

B & P LANDSCAPING  
6355 LILLEY RD  
CANTON MI 48187-3628

B&D LAWN CARE & SNOW REMOVAL  
2308 HORSESHOE DRIVE  
WEST BLOOMFIELD MI 48322

BACK TO BASICS LAWN SERVICE  
3035 NEWPORT  
TROY MI 48084

BRANCH TREE SERVICE INC  
24195 MOUND ROAD  
WARREN MI 48091

BRIER HILL CORPORATION  
21176 FLEETWOOD  
HARPER WOODS MI 48225

BRUCE M SAUNDERS & SONS  
47515 RYAN ROAD  
SHELBY TOWNSHIP MI 48317

BUSHWACKERS LANDSCAPING  
12115 WORMER  
REDFORD MI 48239

BUSY BEAVER TREE SERVICE  
2043 E PARKWAY AVENUE  
BURTON MI 48529

C & H LANDSCAPE  
5220 WILLIAMS LAKE ROAD  
WATERFORD MI 48329-3556

C EDDY SNOWPLOWING & LAWN MAINTENANCE  
P O BOX 99462  
TROY MI 48099-9462

CAL FLEMING LANDSCAPING & TREE SERVICE  
29725 GROESBECK  
ROSEVILLE MI 48066-1980

CAREFREE LAWN CENTER  
2805 VAN HORN  
TRENTON MI 48183

CARSO INC  
404 S VINE ST  
P O BOX 139  
CAMARGO IL 61919-0139

CHEMSEARCH - NATIONAL  
1001 CRAIG RD  
ST LOUIS MO 63146

COMMERCIAL LANDSCAPE SUPPLY INC  
1821 REYNOLDS AVE  
IRVINE CA 92614

COMMERCIAL LAWNMOWER  
32098 PLYMOUTH ROAD  
LIVONIA MI 48150-1489

CURTIS JORGENSON  
735 E LINCOLN  
MADISON HEIGHTS MI 48071

D & J LAWN AND SNOW SERVICE  
22750 MACOMB INDUSTRIAL DRIVE  
CLINTON TWP MI 48036

D & M LANDSCAPING & SNOW REMOVAL  
206 E GRAND RIVER STE 504  
DETROIT MI 48226

DESIGN LANDSCAPE  
409 E HUDSON  
ROYAL OAK MI 48067

DESIGNED LANDSCAPE  
409 E HUDSON  
ROYAL OAK MI 48067

DIAMOND LAWN SERVICE  
631 MINNESOTA  
TROY MI 48083

DINO'S LANDSCAPING  
7520 PONTIAC TRAIL  
WEST BLOOMFIELD MI 48323

ELITE LANDSCAPE INC  
P O BOX 94092  
WASHINGTON MI 48094

ENGLISH COUNTRYSIDE LANDSCAPE  
49819 SCHOENHERR  
SHELBY TOWNSHIP MI 48315

EVERGREEN LAWN  
P O BOX 597  
KEEGO HARBOR MI 48320-0597

F & J LANDSCAPE COMPANY  
926 W WATTLES  
TROY MI 48098

FARMINGTON LANDSCAPE SERVICE  
P O BOX 363  
WALLED LAKE MI 48390

FLORENCE CEMENT COMPANY  
1970 BRINSTON  
TROY MI 48083

FORSEE'S LAWN SERVICE  
23528 JOHN R  
HAZEL PARK MI 48030-1409

FOUGNIE PROFESSIONAL LAWN MAINTENANCE  
151 BLANCHE  
TROY MI 48098

FOXFIRE LANDSCAPE  
50857 CARD RD  
MACOMB MI 48044-1415

GARY McCaffrey INC  
747 DREON DR  
CLAWSON MI 48017

GENE'S LANDSCAPE SERVICE  
4101 BARHAM  
DETROIT MI 48224

GREAT LAKES LANDSCAPE DESIGN INC  
P O BOX 47715  
OAK PARK MI 48237

GREATER DETROIT LANDSCAPE SERVICE  
21000 FAIRFIELD  
WARREN MI 48089

GREEN & GROW INC  
P O BOX 426  
STERLING HGTS MI 48311-0426

GREENLANDS LAWN SOLUTIONS  
19169 BEECH DALY  
REDFORD MI 48240

GREENLAWN PRO  
19986 HOLIDAY  
GROSSE POINTE WOODS MI 48236

GREENLAWN SERVICES LTD  
3424 ROWLAND CT  
TROY MI 48083

GREENTREES TREE & LAWN CARE  
2614 LEACH  
ROCHESTER HILLS MI 48309

H & D LAWN MAINTENANCE INC  
12044 PREST  
DETROIT MI 48227

JAMES LANDSCAPING CO  
36031 LUCERNE  
CLINTON TOWNSHIP MI 48035

K & F LAWN MAINTENANCE  
226 LOVELL  
TROY MI 48085

K B LANDSCAPING  
5993 SLATE  
TROY MI 48085

K K TREE SERVICE  
575 S LAKE PLEASANT ROAD  
ATTICA MI 48412

KATHLEEN LESNAU  
584 SARA DRIVE  
TROY MI 48098

KDS LANDSCAPE  
156 W MOREHOUSE  
HAZEL PARK MI 48030

KEVINS LAWN CARE & SNOW REMOVAL INC  
3633 RATTLE RUN ROAD  
ST CLAIR MI 48079-4718

KOCH ENTERPRISES INC  
59700 OMO ROAD  
NEW HAVEN MI 48048

LANDSCAPE SERVICES INC  
22798 INTERSTATE DRIVE  
CLINTON TOWNSHIP MI 48035-3712

LANDSCAPERS SUPPLY COMPANY  
750 CHESTNUT RIDGE ROAD  
P O BOX 459  
SPRING VALLEY NY 10977-0459

LAWN & TREE ASSOCIATES INC  
3600 LAPEER ROAD  
PONTIAC MI 48055

LAWN CARE PLUS  
19799 PONCIANA  
REDFORD MI 48240

LAWN CREW INC  
3077 W AUBURN ROAD  
ROCHESTER HILLS MI 48309

LEISURE LAWN  
179 NORTHPOINTE DRIVE  
LAKE ORION MI 48359

LESCO INC #442  
1889 LARCHWOOD  
TROY MI 48083

LIBERTY SERVICES  
P O BOX 26003  
34090 JAMES J. POMPO  
FRASER MI 48026

M E G A LAWN MAINTENANCE  
26553 DARTMOUTH  
MADISON HEIGHTS MI 48071

MARINE CITY NURSERY COMPANY  
P O BOX 189  
MARINE CITY MI 48039

MASTERS GREEN INC  
6350 N STERLING DRIVE  
STERLING HEIGHTS MI 48312-4552

MCEWEN LANDSCAPING  
P O BOX 99696  
TROY MI 48099-9696

MCWILLIAMS LANDSCAPING  
930 OTTAWA  
TROY MI 48085

METRO LAWN CARE  
37300 W 8 MILE ROAD  
FARMINGTON HILLS MI 48335

METRO LAWN SPRAY  
P O BOX 317  
NEW BALTIMORE MI 48047

METRO SWEEP  
4557 HIGHLAND RD  
WATERFORD MI 48328

MICHIGAN STATE SEED SOLUTIONS  
717 NORTH CLINTON  
GRAND LEDGE MI 48837

MICHIGREEN INC  
16171 31 MILE ROAD  
ROMEO MI 48096

MICHLIN DIAZO PRODUCTS CORP  
10501 HAGGERTY STREET  
DEARBORN MI 48126

MIDWEST CHEMICAL COMPANY  
300 FENWAY DRIVE  
FENTON MI 48430

MIDWEST LANDSCAPE GROUP INC  
5470 HURON HILLS DR  
COMMERCE MI 48382

MILLER W F TURF& INDUSTRIAL EQUIPMENT CO  
25125 TRANS-X  
P O BOX 605  
NOVI MI 48376-0605

NATURAL WAY ORGANIC LAWN CARE  
2191 AVON INDUSTRIAL DR  
ROCHESTER HILLS MI 48309

NEWPORT LAWN - ATN: FRANK  
3035 NEWPORT COURT  
TROY MI 48084

NUTRI-TURF LAWN & TREE CARE  
28505 LORNA  
WARREN MI 48092

OWEN SPECIALTY SERVICES INC  
300 FENWAY  
FENTON MI 48430

PARMENTER & ANDRE INC  
1042 MICHIGAN NE  
GRAND RAPIDS MI 49503

PINNACLE LANDSCAPING INC  
1100 N OPDYKE  
AUBURN HILLS MI 48326

PIONEER LAWN MAINTENANCE  
27577 FAIRFIELD  
WARREN MI 48093

PREMIER CUT LANDSCAPING SERVICES INC  
1971 SHADY DRIVE  
WARREN MI 48092

PROPERTY MAINTENANCE CONTRACTORS INC  
970 N ROCHESTER ROAD  
LEONARD MI 48367

PROSOURCE ONE  
4790 PELTON ROAD  
CLARKSTON MI 48346

PROTURF LAWN SPRAY CORPORATION  
17236 E WARREN  
DETROIT MI 48224

QUALITY GREEN LAWN SPRAYING & FERTILIZIN  
2690 E MAPLE  
TROY MI 48084

QUALITY LANDSCAPE,FERTILIZING,IRRIGATION  
P O BOX 214869  
AUBURN HILLS MI 48321

R & D TRACTOR SERVICE  
2217 ZENIA  
TROY MI 48084

R & L LANDSCAPING  
30045 NORTHGATE  
SOUTHFIELD MI 48076

R & R PRODUCTS  
3334 E MILBER ST  
TUCSON AZ 85714

RANGER OUTDOOR MAINTENANCE  
135 KALHAVEN  
ROCHESTER HILLS MI 48307

RASINS LANDSCAPE INC  
2271 METAMORA ROAD  
OXFORD MI 48371

RAY'S NURSERY AND LANDSCAPE  
15577 30 MILE ROAD  
RAY MI 48046

RIS CONTRACTORS  
1208 SYLVERTIS  
WATERFORD MI 48328

RODGES & SONS LANDSCAPING & LAWN SERVICE  
517 AUBURN  
PONTIAC MI 48342

RP'S LAWN SERVICE  
148 CARTER  
TROY MI 48098

RUDGATE LANDSCAPING  
4502 W CORNWALL  
STERLING HEIGHTS MI 48310

S & T LAWN & LANDSCAPE INC  
5580 GATEWOOD STE 106  
STERLING HEIGHTS MI 48312

SCENESCAPE: KODIAK GROUNDS MAINTENANCE  
12776 33 MILE ROAD  
ROMEO MI 48065-5438

SIMPLOT PARTNERS  
24800 N INDUSTRIAL DRIVE  
FARMINGTON HILLS MI 48335

SOUTHLANE LANDSCAPE EQUIPMENT  
P.O. BOX 1036  
ROYAL OAK MI 48068

SPRINKLER SERVICES CO  
30017 8 MILE ROAD  
P O BOX 530693  
LIVONIA MI 48152-1811

STEWART LANDSCAPING  
3840 ESTATES DRIVE  
TROY MI 48084

SULLIVAN CORPORATION  
21 E LONG LAKE ROAD STE 214  
BLOOMFIELD HILLS MI 48304

TARR'S TREE SERVICE  
2009 MILVERTON  
TROY MI 48083

TERMINIX INTERNATIONAL  
21353 BRIDGE STREET  
SOUTHFIELD MI 48034-4910

TERRA INDUSTRIES  
3847 LONG MEADOW LANE  
ORION MI 48359

THE DAVEY TREE EXPERT COMPANY  
3381 LAPEER ROAD WEST  
AUBURN HILLS MI 48326

THE GROUND CREW  
1564 MUER STREET  
TROY MI 48084

THE SCOTTS COMPANY  
9120 SANDISON  
WHITE LAKE MI 48386

TORRE & BRUGLIO  
850 FEATHERSTONE  
PONTIAC MI 48342-1723

TRI VALLEY LANDSCAPING  
2363 SOUTH MILLER ROAD  
SAGINAW MI 48609

TRI-COUNTY TREE EXPERT COMPANY  
P O BOX 335  
454 E SAINT CLAIR STREET  
ROMEO MI 48065-0335

TRI-MARK LANDSCAPING  
1053 HENDRICKSON  
CLAWSON MI 48017

TROY LANDSCAPING INC  
4837 HEATHERBROOK  
TROY MI 48098

TRU-GREEN CHEMLAWN  
13033 FAIRLANE  
LIVONIA MI 48150

TRU-GREEN CHEMLAWN  
6503 19-1/2 MILE ROAD  
STERLING HEIGHTS MI 48314

TRUGREEN\*CHEMLAWN  
P O BOX 81880  
ROCHESTER HILLS MI 48309-1880

TURF CHEMICALS INC  
1011 E MAIN STREET  
P O BOX 451  
OWOSSO MI 48867

TURF GUARD LAWN SPRAYING  
1500 STONE ROWE  
MILFORD MI 48380

TURF PRO LAWN CARE  
31147 MAPLEWOOD  
GARDEN CITY MI 48135

TURF TECH INC  
10252 E BIRCH RUN ROAD  
BIRCH RUN MI 48415

TURFGRASS INC  
28064 PONTIAC TRAIL  
P O BOX 667  
SOUTH LYON MI 48178

UNCLE LUKE'S FEED STORE  
6691 LIVERNOIS  
TROY MI 48098

UNITED HORTICULTURAL SUPPLY  
ATTN DAVE POLEN  
15515 KNOBHILL DRIVE  
LINDEN MI 48451

UNITED LAWNSCAPE INC  
47091 RYAN ROAD  
SHELBY TWP MI 48317

UNITED SOILS INC  
16171 31 MILE RD  
RAY TOWNSHIP MI 48096

VALLEY TURF INC  
11711 E GRAND RIVER ROAD  
BRIGHTON MI 48116-8534

WAYSIDE LAWN SERVICE  
36235 MORAVIAN  
CLINTON TWP MI 48035-1150

WESTLAKE DEVELOPMENT INC  
4605 22 MILE ROAD  
UTICA MI 48317

WILLIAMS WEED MOWING INC  
450 GRANGE HALL ROAD  
ORTONVILLE MI 48462

WOLVERINE LAWN MAINTENANCE &  
LANDSCAPING  
P O BOX 877  
STERLING HEIGHTS MI 48311

WOOD CONSTRUCTION & MAINTENANCE LLC  
1900 SAND BEACH RD  
BAD AXE MI 48413

YALE MATERIALS HANDLING  
28990 WIXOM ROAD  
WIXOM MI 48393

March 2, 2005

To: John Szerlag, City Manager

From: Brian P. Murphy, Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
Carol K. Anderson, Parks and Recreation Director

Subject: **Agenda Item:** Bid Waiver-  
Resale Merchandise for Sylvan Glen and Sanctuary Lake Golf Courses

### **RECOMMENDATION**

City management is requesting to waive the formal bid process and purchase merchandise for resale for Sylvan Glen and Sanctuary Lake golf courses directly from the manufacturers, Titleist, Footjoy, and Nike Golf at wholesale prices. These products will include golf balls, gloves, hats, bags, shoes, and clothing for resale.

### **BACKGROUND**

The golf division has been purchasing resale products from these manufacturers for the pro shop at Sylvan Glen for several years. With the opening of Sanctuary Lake in July of 2004, it was necessary to stock the pro shop with resale items for the remainder of the season. In the past, items for resale have been purchased in the winter to allow the merchandise to be inventoried, priced, and displayed prior to the golf season. To assure that both shops are fully stocked for the spring of 2005, a new line of merchandise will be purchased at Sylvan Glen and necessary items must be bought to replenish the current inventory at Sanctuary Lake. With these new purchases and the items bought in July for Sanctuary Lake, the cost for these products will exceed \$10,000.00 per manufacturer for the fiscal year.

### **BUDGET**

Funds for these purchases are available in the Sanctuary Lake account 886.7736 and Sylvan Glen account 786.7736.

Prepared by: Jake Pilat, Director of Golf Operations

March 15, 2005

TO: John Szerlag, City Manager

FROM: Laura Fitzpatrick, Acting Assistant City Manager of Services  
Timothy Richnak, Public Works Director

SUBJECT: Agenda Item – Resolution opposing elimination of the Community Development Block Grant (CDBG) Program

**RECOMMENDATION**

The City of Troy is able to assist their low and moderate income residents with CDBG funding to install storm drains and catch basins to relieve localized flooding, pay street improvement special assessments, pay critical special assessments to install sanitary sewers upon failure of their septic systems and assist low and moderate income senior citizens and disabled homeowners each year with their yard maintenance and snow and ice removal.

The City of Troy wishes to preserve the Community Development Block Grant program within the U.S. Department of Housing and Urban Development and restore FY2006 funding to \$4.7 billion with no less than \$4.35 billion in formula funding.

March 3, 2005

To: John Szerlag, City Manager

From: Brian P. Murphy, Assistant City Manager /Services  
Jeanette Bennett, Purchasing Director  
Timothy L. Richnak, Public Works Director

Subject: **Agenda Item:** Bid Waiver –  
One-Year Requirements of Asphalt Paving Materials for the Public  
Works Department

### **RECOMMENDATION**

City management is requesting a waiver of the formal bid process for the purchase of one-year requirements of asphalt paving materials for the Public Works Department from Ajax Materials Corporation of Rochester Hills as primary supplier, at unit prices as detailed in Appendix I, which are the same as last year, and Barrett Paving Materials Inc. of Troy for Item 6), Tack Coat. In addition, the City requests authorization to use reciprocity between Barrett Paving and Ajax Materials in the event of a plant closing, inability to meet delivery times or supply material as specified.

Since the City did not purchase Sand Sheet material during the contract period, it is recommended that this item be deleted and not awarded. Material will be purchased on an as needed basis utilizing the informal three-quote process.

### **BACKGROUND**

As an industry standard, hot asphalt is not delivered but picked up by the purchaser. The working life span of hot asphalt is short and must be applied before temperatures drop too low. With limited equipment capacity, the common daily material requirement is two (2) tons. Travel distances, 20 miles or greater and traffic delays can result in product waste and production loss. Such loads have become unusable after 1-hour of travel time. In the past, the City of Troy has disqualified low bidders with plant locations outside the parameters set for material usage by the Michigan Department of State Highways. Escalating gas prices, excessive transportation costs and product loss offset any cost savings gained by selecting an unqualified low bidder.

Within a 20-mile radius, there are three asphalt plants, Ajax, Barrett and National Asphalt. National is considered disqualified because travel times to their Shelby plant exceeds 1-hour, they could not provide product as needed when named primary supplier in the 2003 Contract, and failed to bid or provide a Statement of No-Bid in 2004. Ajax and Barrett's asphalt plants are located very close to Troy. Ajax's Plant 3 is located approximately six (6) miles north of the DPW facility and Barrett's Troy Plant is approximately five (5) miles south. The City would benefit utilizing suppliers closest to the City by reducing transit times thus lowering

transportation costs, production time loss and material waste. Furthermore, the Public Works department has worked with Barrett Paving Materials Inc. and Ajax Materials Corporation, formerly Angelo's Asphalt for many years. They have provided the City with competent service and high-quality materials.

## **BUDGET**

Funds are available in the operating budgets of the Streets Division for major and local drain and road surface maintenance, and the Water Division for mains, service and tap-in maintenance.

Prepared by: Emily Frontera; Administrative Aide

**APPENDIX I**

**Asphalt Paving Materials**  
2/24/05

				Barrett Paving Materials Inc.	Ajax Materials Corporation
Item	Est QTY (Tons)	Description		Price/Ton	Price/Ton
1	250	1100T 36A Wearing		\$32.00	<b>\$31.00</b>
2	250	1100T 20AA Wearing		\$31.00	<b>\$30.00</b>
3	250	1100L 20AA Leveling		\$31.00	<b>\$30.00</b>
4	1000	Commercial Top		\$30.00	<b>\$29.00</b>
5	250	Commercial Base		\$29.00	<b>\$28.00</b>
6	500 gal	Bulk Tack Coat	Per Gallon	<b>\$2.00/gal</b>	\$2.50/gal
			5 Gal Pails	\$25.00/5 gal pail	\$25.00/5 gal pail
				Mt Clemens Plant	
<b>ESTIMATED TOTAL RECOMMENDED ITEMS: As Primary Supplier</b>				<b>\$ 1,000.00</b>	<b>\$58,750.00</b>
Hours of Operations				7:00am-4:00pm	Mon-Fri 7:00am-5:00pm
Notice of Delivery or Pick-up				Pick-up By City Trucks	24 hrs
For Saturday				Call	Call for availability
Proximity					
		Location --		Troy Plant	2240 Avon Industrial Dr Rochester Hills
		Miles --		4.5 miles	6 miles

**CITY OF TROY**  
Quote

Please quote on the following **ONE (1) YEAR REQUIREMENTS OF ASPHALT PAVING MATERIAL**, which shall commence on the date of award or May 1, 2005, whichever is later and expire April 30, 2006.

COMPANY NAME: BARRETT PAVING MATERIAL INC

Item	EST QTY (Tons)	Description	Price/Ton
1	250	1100T 36A Wearing	\$ 32.00
2	250	1100T 20AA Wearing	\$ 31.00
3	250	1100L 20AA Levelling	\$ 31.00
4	1000	Commercial Top	\$ 30.00
5	250	Commercial Base	\$ 29.00
6	30	Sand Sheet	\$ NO BID
7	500 gal	Bulk Tack Coat <u>MT. CLEMENS PLANT</u>	\$ 2.00 /gal or \$ 25.00 /5 gal pail

Hours of Operation:

Notice of Delivery or Pickup Monday through Friday:  
For Saturday:

7:00 AM to 4:00 PM

PICKED UP IN CITY TRUCKS - CALL

Quantities stated are estimated and not guaranteed.

The City of Troy reserves the right to award items to the lowest responsible bidder(s) meeting specifications on an item basis or to combine items if deemed to be in the City's best interest; to reject low bids that have major deviations from specifications; to accept a higher bid that has only minor deviations.

The City of Troy reserves the right to name secondary suppliers to be utilized when the primary supplier is not available.

Items will be picked up at supplier's plants by City of Troy staff.

**PROXIMITY:** The City of Troy Department of Public Works is located at 4693 Rochester Rd, Troy, MI 48065. Please indicate below the location of your closest plant, including the miles from your location to the DPW Yard. The plant location must be within parameters in accordance with material requirements of the Michigan Department of State Highways, which could result in the elimination of your bid from consideration due to time and distance from your plant location.

Location:

Troy Plant

Miles:

4.5 miles

## CITY OF TROY

## Quote

Please quote on the following **ONE (1) YEAR REQUIREMENTS OF ASPHALT PAVING MATERIAL**, which shall commence on the date of award or May 1, 2005, whichever is later and expire April 30, 2006.

COMPANY NAME: Ajax Materials Corporation 830 Kirk Blvd. Suite #100 Troy, MI 48064

Item	EST QTY (Tons)	Description	Price/Ton
1	250	1100T 36A Wearing	\$ 31.00
2	250	1100T 20AA Wearing	\$ 30.00
3	250	1100L 20AA Leveling	\$ 30.00
4	1000	Commercial Top	\$ 29.00
5	250	Commercial Base NOTE: 700ZDC Base	\$ 28.00
6	30	Sand Sheet	\$ NO BID
7	500 gal	Bulk Tack Coat	\$ 2.50 /gal or \$ 25.00 /5 gal pall

Hours of Operation:

Notice of Delivery or Pickup Monday through Friday:  
For Saturday:

7-5:00 pm Mon-Fri  
24 hrs  
call for availability

Quantities stated are estimated and not guaranteed.

The City of Troy reserves the right to award items to the lowest responsible bidder(s) meeting specifications on an item basis or to combine items if deemed to be in the City's best interest; to reject low bids that have major deviations from specifications; to accept a higher bid that has only minor deviations.

The City of Troy reserves the right to name secondary suppliers to be utilized when the primary supplier is not available.

Items will be picked up at supplier's plants by City of Troy staff.

**PROXIMITY:** The City of Troy Department of Public Works is located at 4693 Rochester Rd, Troy, MI 48085. Please indicate below the location of your closest plant, including the miles from your location to the DPW Yard. The plant location must be within parameters in accordance with material requirements of the Michigan Department of State Highways, which could result in the elimination of your bid from consideration due to time and distance from your plant location.

Location: 2240 Avon Industrial Drive, Rochester Hills, MI 48305

Miles: 6 miles

(248) 244-3440

March 14, 2005

TO: John Szerlag, City Manager

FROM: Laura Fitzpatrick, Acting Assistant City Manager/Services  
Douglas Smith, Real Estate & Development Director

RE: AGENDA ITEM - REQUEST FOR APPROVAL OF PURCHASE  
AGREEMENT FOR RIGHT-OF-WAY FOR BIG BEAVER ROAD  
IMPROVEMENTS – ROCHESTER TO DEQUINDRE  
PROJECT NO. 01.105.5 - TBB ASSOCIATES, L.L.C.  
SIDWELL #88-20-25-229-028

On February 7, 2005, City Council passed Resolution #2005-02-062c authorizing staff to make an unconditioned offer for the appraised value of \$84,000 to TBB Associates, L.L.C. Resolution #2005-02-062d was also passed authorizing the City Attorney to institute court action, if necessary, to obtain right-of-way for the proposed Big Beaver Improvement Project. This parcel is located on the south side of Big Beaver Road, west of Dequindre.

In preparation for the condemnation, it was discovered that a previous owner had dedicated an easement for all public highway purposes to Oakland County Board of Road Commissions over a large part of the proposed acquisition area. This easement was not listed on our title commitment.

Our City Attorney's Office was able to negotiate an agreement in the amount of \$15,000 to acquire the area of right-of-way still needed and to convey their remaining interest in the previously conveyed easement area. In order for the City to proceed with the proposed project, management requests that City Council approve the attached Purchase Agreement in the amount of \$15,000, plus closing costs.

Monies for this project will come from the Big Beaver Road – Rochester to Dequindre Project.

CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from TBB Associates, L.L.C., a Michigan Limited Liability Company (the "Seller"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Fifteen Thousand and no/100 Dollars (\$15,000.00) under the following terms and conditions:

1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title assurance information to the Buyer, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.

8. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.

9. Additional conditions, if any:

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 15TH day of MARCH, A.D. 20 05 .

In presence of:

*Kiana Campbell*  
*[Signature]*

CITY OF TROY (BUYER)

*Patricia A. Petillo*  
\_\_\_\_\_  
\_\_\_\_\_

SELLER:

*[Signature]*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Exhibit "A"

## Section 25, Big Beaver Widening Project

Parcel: 88-20-25-229-028

Owner: TBB Associates, L.L.C.

Parcel #16

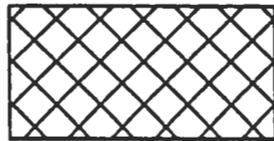
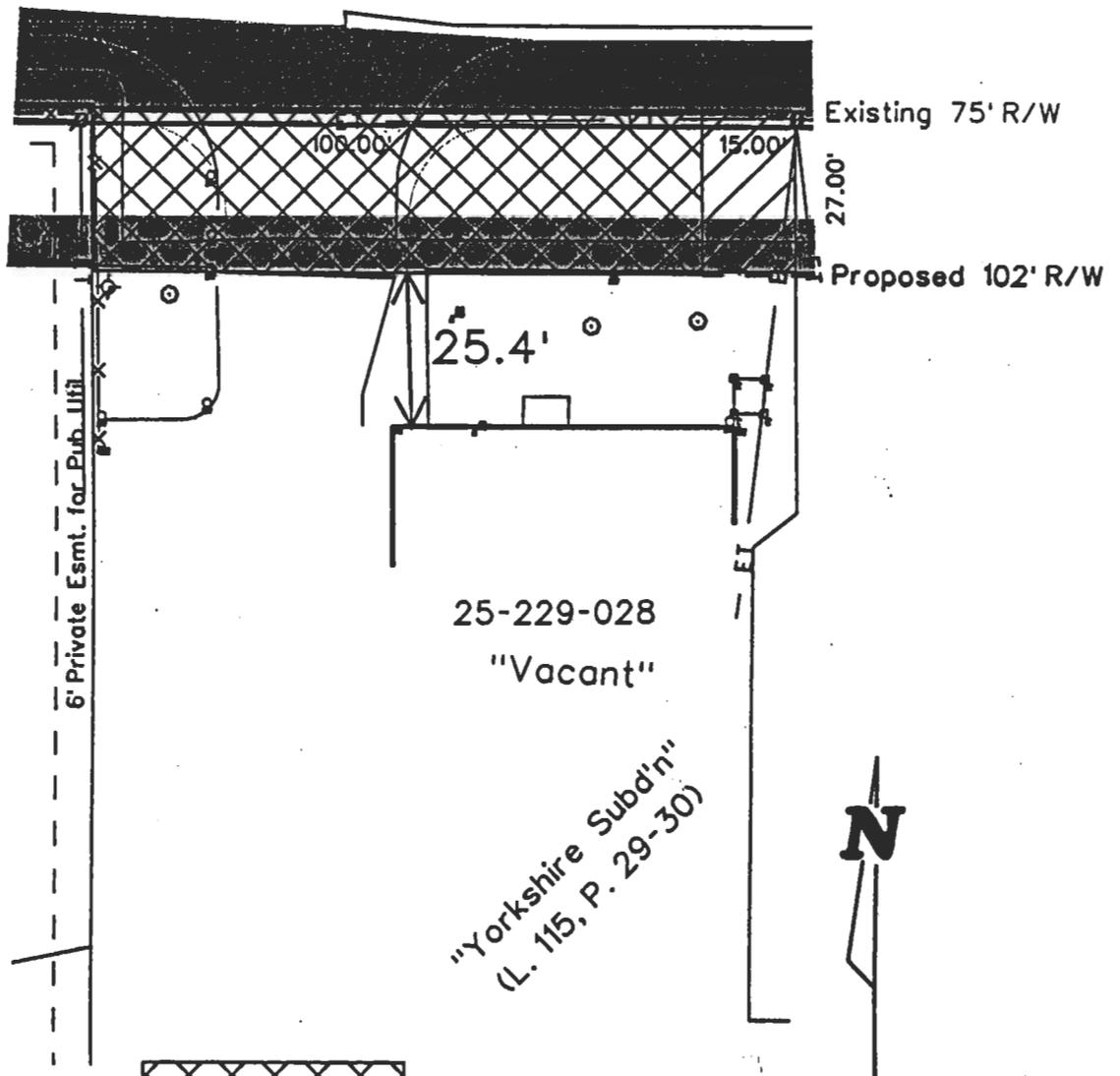
### Parent Parcel Description (Title Commitment #63-510802)

Situated in the City of Troy, Oakland County, Michigan, described as:  
Part of Outlot A, Yorkshire Subdivision, according to the plat thereof as recorded in liber 115, pages 29-30 of Plats, Oakland County Records; Beginning at point distant South 00 degrees 00 minutes 08 seconds East 150.00 feet from northeast lot corner; thence South 00 degrees 00 minutes 08 seconds East 81.00 feet; thence North 89 degrees 44 minutes 45 seconds West 250.00 feet; thence North 00 degrees 00 minutes 08 seconds West 231.00 feet; thence South 89 degrees 44 minutes 45 seconds East 115.00 feet; thence South 00 degrees 00 minutes 08 seconds East 66.50 feet; thence South 50 degrees 56 minutes 11 seconds West 16.50 feet; thence South 39 degrees 03 minutes 49 seconds East 9.22 feet; thence South 00 degrees 00 minutes 08 seconds East 65.91 feet; thence South 89 degrees 44 minutes 45 seconds East 142.00 feet to the beginning. (Subject to an easement for roadway over the west 100 feet of the north 27 feet of the above described property.)(Recorded in Liber 5748, Page 79, Oakland County Records)

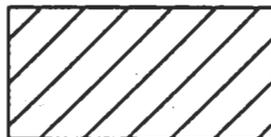
### Proposed Right of Way Acquisition

Situated in the City of Troy, Oakland County, Michigan, described as:  
Part of Outlot A, Yorkshire Subdivision, according to the plat thereof as recorded in liber 115, pages 29-30 of Plats, Oakland County Records; Beginning at point distant North 89 degrees 44 minutes 45 seconds West 135.00 feet from northeast lot corner; thence South 00 degrees 00 minutes 08 seconds East 27.00 feet; thence North 89 degrees 44 minutes 45 seconds West 115.00 feet; thence North 00 degrees 00 minutes 08 seconds West 27.00 feet; thence South 89 degrees 44 minutes 45 seconds East 115.00 feet to the Point of Beginning. Containing 3,107 Square Feet or 0.071 Acres and being subject to all easements of record.

# #2966 E. Big Beaver Rd.



Existing  
Roadway Easement  
Area-2,700 Sq.Ft.  
(Liber 5748, Page 79)



Right of Way  
Acquisition  
Area-405 Sq.Ft.

Parcel #16



500 W. Big Beaver Rd.  
Troy, Michigan 48084  
(248) 524-3594  
www.ci.troy.mi.us

•2966 E. Big Beaver Rd.  
Right of Way  
Acquisition Sketch

2-11-05 Exist. Road Esmt.  
8-2-04 Prop. Line  
DATE REV.

SCALE	DRAWN BY	CHECKED	FILE
HOR. VER.	NAME GJB III DATE 5-19-04	NAME DATE	See Above VIEW #1

DOCUMENT PREPARED BY  
George J. Ballard III  
LAND SURVEYOR

CONTRACT No.

STEVEN J. VANDETTE  
CITY ENGINEER

SHEET No. 1 of 1  
JOB No. 01.105.5

DATE: March 15, 2005

TO: John Szerlag, City Manager

FROM: John Lamerato, Assistant City Manager/Finance  
Laura Fitzpatrick, Acting Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Increases to Building Permit Fees

With recent reduction in construction activities the amount of revenue collected from permit fees has decreased. In May of 2003 revisions were made to the permit fee schedule for plumbing, mechanical, and electrical permits to update them to be in line with current levels of adjacent communities. At that time no revisions were made to the building permit fees. This was, in part, due to the fact that they are based upon construction cost and "self-adjust" with inflation. However, recent reviews of revenues versus expenditures, has shown us that the rate of construction cost inflation is being offset by the reduction of construction activity.

In response to this trend we are now proposing to raise the fees for building permits. We propose to raise the minimum permit fee from \$25 to \$35. These minimum permits often result in multiple inspections and the increase is appropriate to offset personnel costs. We also propose to raise the per thousand cost of smaller projects from \$15 per thousand to \$20 per thousand. On larger permits over \$10,000 in construction cost we are proposing an increase to \$7 per thousand from the current rate of \$5 per thousand. We are also adding a "price break" back to the current \$5 per thousand for the very large projects over \$1,000,000.

The attached chart shows the comparison of this proposed fee change on a typical single family home in comparison to adjacent similar communities. The net effect of these proposed changes is an increase of approximately \$300 on the fees for the typical single family home. We believe that this increase will bring the Building Department back into a self-supporting status in relation to revenues and expenditures.

In order to give the builders and contractors an opportunity to include these permit fee increases into their home prices and bids, we are asking that the fee changes do not go into effect until May 1, 2005 so that we may notify them of the revisions.

# CITY OF TROY BUILDING PERMIT FEES

## VALUATION OF WORK

Under \$1,000 -----	<del>\$25.00</del> <u>35.00</u>
\$1,000.00 to \$10,000.00 -----	<del>\$25.00</del> <u>35.00</u> Plus <del>\$15.00</del> <u>20.00</u> for each additional \$1,000 or part thereof over \$1,001
\$10,001.00 and Over	<del>\$160.00</del> <u>215.00</u> Plus <del>\$5.00</del> <u>7.00</u> for each additional \$1,000 or part thereof over \$10,001
<u>\$1,000,001.00 and Over</u>	<u>\$7145.00 Plus \$5.00 for each additional \$1,000 or part thereof over \$1,000,001</u>

## PLAN REVIEW FEES ON CONSTRUCTION

Valued over \$5,000.00 -----	.0005 of valuation \$30.00 Minimum at submittal
------------------------------	--

**CERTIFICATE OF OCCUPANCY** ----- 5% of Building Permit Fee

## DEMOLITION PERMITS

Industrial and Commercial -----	\$100.00
Residential Dwellings -----	\$50.00
Sheds, Garages and Barns -----	\$30.00
Each additional accessory structure on the same site -----	\$10.00

## STRUCTURAL CONSULTANT FEE

Does not apply to one and two-family Residence. Fee based on a hourly Rate billed by the City's Consultant.      Approximate Charge \$250.00 on \$50,000 structure

## GRADE AND DRAINAGE FEE

Residential -----	\$50.00
All other Developments and Site Plan Review	\$70.00 first acre - \$15.00 each additional acre

## FENCE PERMIT FEE

Up to 300 linear feet of fence -----	\$15.00
Over 300 linear fee of fence -----	\$25.00

## BOND DEPOSITS

Single Family Residence (new) with sidewalks -----	\$350.00
Single Family Residence (new) without sidewalks -----	\$150.00
Multiple Residence, Commercial, Industrial -----	\$200.00
Alterations -----	\$ 50.00
Wrecking -----	\$100.00

## CONTRACTOR LICENSE

### ELECTRICAL

Registration -----	\$15.00
--------------------	---------

### BUILDING

Registration of Michigan Department of Licensing and Regulation License (State License) -----	\$10.00
--	---------

### MECHANICAL (HVAC)

Administrative Fee – Yearly Update Michigan Department of Licensing and Regulation License (State License) -----	\$ 5.00
---	---------

### PLUMBING

Master Plumber’s Registration (State License) -----	\$ 1.00
---	---------

### SEWER INSTALLER

Registration -----	\$50.00
--------------------	---------

<u>OTHER TYPES OF CONTRACTORS</u> -----	\$10.00
---	---------

Permit Fees for a Typical Single Family Home

	Troy	Livonia	State of Michigan *	Farmington Hills	Novi	Rochester Hills	Royal Oak	Southfield	Sterling Heights	Proposed Troy Rates
Building (includes Plan Review)	1028	1309	510	1051	865	1219.5	1895	1077	1662	1330
Electrical	142	178	136	214	109.5	220	235	164	241	142
Plumbing (includes sanitary and storm)	288	432	174	201	177	246	375	571	358	288
Mechanical (includes gas line)	150	270	210	208	107	229	215	105	218	150
Total	1608	2189	1030	1674	1258.5	1914.5	2720	1917	2479	1910

	Selected Breakout									Proposed Troy Rates
Electrical per Circuit	4	6	5	5	4	5	5	5	11	4
Plumbing per fixture	8	12	5	6	3	6	10	12	8	8
Building per \$1,000	5	8.5	3	6	5	5	10	varies 7 -3	6	5
Plan Review	0.0005			.0015-.0005	by volume	0.00117	?	0.0015	0.004	0.0005

\* In addition to permit fees the State charges \$30.00 per inspection.

**To:** John Szerlag  
cc: Council, City Attorney, Real Estate & Development Dir.

**From:** Robin Beltramini, Mayor Pro Tem, SEMCOG Delegate

**Subject:** SEMCOG meeting March 31, 2005

Please place a resolution for appointment of a “one-time” voting delegate to SEMCOG on Monday’s agenda. For the General Assembly meeting on March 31 I will be unable to attend and Mark Miller will be out of town. Therefore, Troy will need to make arrangements for another person to vote at the meeting. Doug Smith has indicated that he is available to fill one of the positions on March 31. I would hope that we could find a Council member to fill the other.

I know that Council would like to discuss the entire term of the SEMCOG delegate, and we need to do that. However, this is not an appropriate time for that discussion as any change in delegate status would immediately remove Troy’s representation on the Transportation Improvement Plan Development Committee, the Community and Economic Development Advisory Committee, as well as the SEMCOG Executive Committee. Council also will have to come to some philosophical conclusion on the length of the delegate term—one year (starting when?) or concurrent with the elected term, as we did most of the LDFA appointments. June, before SEMCOG’s annual elections, or July, before Advisory Committee appointments are made, would be a better time for that discussion.

Thank you.

REB  
March 16, 2005

March 15, 2005

TO: John Szerlag, City Manager

FROM: Laura Fitzpatrick, Acting Assistant City Manager/Services  
Douglas Smith, Real Estate & Development Director

RE: AGENDA ITEM - REQUEST FOR APPROVAL OF PURCHASE  
AGREEMENT FOR ACQUISITION OF PROPERTY ADJACENT TO  
HISTORIC GREEN - DANNY E. LEE AND DIANE M. LEE  
SIDWELL #88-20-16-478-026

On January 24, 2005 City Council approved an agreement between Harriet Barnard and the City of Troy for the donation of her house currently located at 5945 Livernois. This donation requires that the house be relocated to the Troy Museum and Historic Green within five years. It has been recommended that one or both parcels to the west of the Museum and Historic Green be acquired for expansion and proper accommodation of the structure, plus additional parking.

An agreement has been reached with Danny E. Lee and Diane M. Lee, owners of the property at 109 Lange. This parcel is one of the two parcels recommended for acquisition. The agreed upon compensation of \$290,000 has been reviewed and approved by Kimberly Harper and Pat Petitto, both State Licensed Appraisers.

In order for the City to proceed with the proposed project, management requests that City Council approve the attached Purchase Agreement in the amount of \$290,000, plus closing costs.

Monies for this project will come from the Troy Historical Society. They are meeting at 1:00 PM on March 17th to formally take action on this offer. They have \$217,000 available in their budget for the purchase. The City currently has \$140,000 designated for the purpose of locating a barn on the Museum and Historic Green site (Barn Fund), which can be transferred toward the acquisition of this property and reimbursed at a later date by the Troy Historical Society. The details of this process will be formally outlined in a resolution of the Troy Historical Society and advanced to City Council before the March 21<sup>st</sup> meeting.

**CITY OF TROY  
AGREEMENT TO PURCHASE REALTY  
FOR PUBLIC PURPOSES**

The CITY OF TROY (the "Buyer"), agrees to purchase from Danny E. Lee and Diane M. Lee, his wife (the "Sellers"), the following described premises (the "Property"):

**LOT 93, LAKEWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 28, PAGE 27 OF PLATS, OAKLAND COUNTY RECORDS.**

for a public project within the City of Troy and to pay the sum of Two Hundred, Ninety Thousand and no/100 Dollars (\$290,000) under the following terms and conditions:

1. A deposit of 15% of the Purchase Price shall be held by the Sellers and applied to the purchase price if the sale is consummated. The Seller shall not be responsible to the Purchaser for any interest associated with the subject deposit. Deposit will be returned to the Purchaser if through no fault of the purchaser, the transaction cannot be completed. Deposit will be given to the Seller if the Purchaser defaults or otherwise fails to complete the transaction.
2. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
3. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
4. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
5. Buyer shall, at its own expense, provide title assurance information to the Buyer, and the Seller shall disclose any encumbrances against the property.
6. This Agreement is binding upon the parties and closing shall occur within ten (10) months of the date that this agreement is approved by Troy City Council; and all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is both for the preparation and authorization of purchase money and for the Sellers to finalize plans to relocate.
7. Buyer shall notify the Sellers immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Sellers shall be returned immediately to the Buyer upon demand.

8. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property.
9. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
- 10.. Additional conditions, if any: Seller will give buyer three weeks notice when they are ready to close.

SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this *15TH* day of *MARCH*, A.D. 2005 .

In presence of:

*Pete Gross*

*[Signature]*

CITY OF TROY (BUYER)

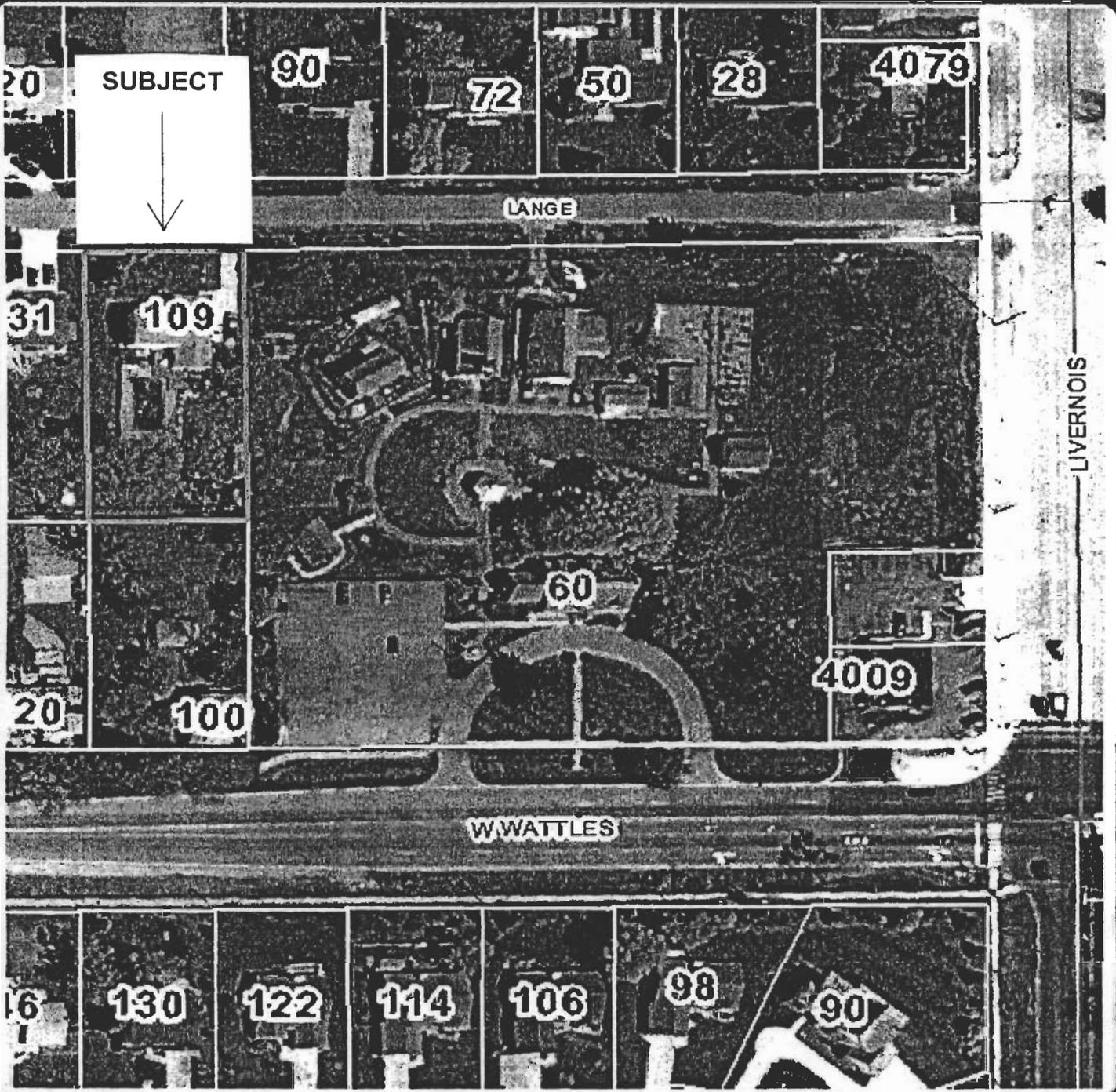
*Patricia A. Pettit*

SELLER:

*[Signature]*  
*Diane M. Lee*



# Geographical Information Systems Online



Note: The information provided by this application has been compiled from recorded deeds, plats, 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.



March 2, 2005

TO: John Szerlag, City Manager

FROM: John M. Lamerato, ACM / Finance & Administration  
Jeanette Bennett, Purchasing Director  
James A. Nash, Financial Services Director

SUBJECT: **Agenda Item** - Standard Purchasing Resolution 8: Best Value Process Award – Audit Services

### **RECOMMENDATION**

On February 4, 2005, three (3) proposals were received to provide audit services for the fiscal years ending June 30<sup>th</sup> 2005, 2006, and 2007, with a three (3) year option to renew. City management recommends that a contract be awarded to Doeren Mayhew of Troy, Michigan, the highest scoring respondent, as a result of a best value process for an estimated annual cost of \$55,695.00. The award is contingent upon vendor submission of proper contract and proposal documents, including insurance certificates and all specified requirements.

### **SELECTION PROCESS**

The best value approach leading to this award recommendation is based upon the vendor offering the best combination of a variety of factors. Three staff members independently evaluated proposals of the bidders meeting minimum requirements. The Staff Committee reviewed the firms using pass/ fail criteria, weighted criteria, scripted interviews, and pricing. References were contacted and asked scripted questions. These factors are documented in the attached Executive Summary.

### **SUMMARY**

After completing the evaluation process, Doeren Mayhew received the highest weighted score from the committee. Accordingly, it is the recommendation of the committee to award the audit services contract to Doeren Mayhew.

### **BUDGET**

Funds for the audit are available in the various operating accounts for Finance, DDA, Block Grant Administration, and Brownfield Redevelopment.



## EXECUTIVE SUMMARY AUDIT SERVICES

**STATISTICS:**

- ◆ **7 Request for Proposals or Notices were sent by email or fax**
- ◆ **3 responses were received**
- ◆ **Doeren Mayhew was rated the most qualified firm by receiving the highest score**

**FINAL SCORING:**

The **final score** for each qualified Short-listed bidder from Phase 2 will be determined as follows:

40% x Price Score (100 pt. Base)	=
30% x Evaluation Score (100 pt. Base)	=
20% x Oral Presentation Score (100 pt. Base)	=
<del>10% x Other (100 pt. Base)</del>	=
<del>100</del> 90% Final Weighted Score	

**The following bidders submitted a proposal and received the indicated final scores:**

COMPANY	SCORE
<b>Doeren Mayhew</b>	<b>66</b>
<b>The Rehmann Group</b>	<b>51</b>

**BIDDER NOT MEETING SPECIFICATIONS:**

**Virchow, Krause & Company, LLP was disqualified for the following:**

- ✓ **VK&C did not have Michigan governmental experience listed**
- ✓ **The only Michigan staff listed did not have municipal experience**
- ✓ **VK&C made an assumption in their RFP that the City would supply draft financial statements. This assumption was in conflict with a specification requiring preparation, editing, and printing of reports**

**REASONS FOR NO BID RESPONSES:**

**PriceWaterhouseCoopers** LLP respectfully declined to bid but requested to remain on our bid list.

**Plante Moran, PLLC** expressed numerous reasons for not bidding, which include: 1) Troy was not upset with the current auditing firm and probably would stay with them; 2) large emphasis on fee; 3) for the effort, they probably would not get it; 4) they are a premier firm and could not receive enough points to make that apparent; 5) they are very busy at audit time but could do the work if requested.

**Wolinski & Company, CPA, PC**, during the process, Ms. Houghton mentioned that they would not be submitting a RFP because, since the Enron scandal, regulatory agencies are trying to crack down on firms and require them to separate consulting from CPA services. Wolinski & Co. does more consulting.

**KPMG** – did not respond to voicemail – earlier had refused to provide email address.

**Attachments:**

- Evaluation Process
- Weighted Scoring Summary

# EVALUATION PROCESS:

AUDIT SERVICES

SELECTION PROCESS

Page 1 of 2

## CRITERIA FOR SELECTION

The City Committee reviewed the proposals using the following criteria:

- A. Compliance with qualifications criteria
- B. Completeness of the proposal
- C. Correlation of the proposals submitted to the needs of the City of Troy
- D. Any other factors which may be deemed to be in the City's best interest
- E. Evaluation Process

### Phase 1: Qualifications Evaluation.

A designated member of the Committee reviewed all responses and determined if that company met the minimum established criteria. A standardized form was used for all firms.  
(Evaluation Criteria Sheet attached)

### Phase 2: Weighted Evaluation Process.

Those firms that passed the initial pass/ fail phase, were *independently* rated by each member of the Evaluation Committee using a standardized weighted score sheet. The rating forms were turned into Purchasing who then calculated the weighted scores for the final score indicated on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

### Phase 3: Oral Presentation

Both firms were invited to interview with the Evaluation Committee. A scripted format was used to ensure fairness to both firms. Each Committee member completed his or her Interview Form *independently* without discussion. The forms were turned into Purchasing to calculate the scores for the final score reported on the Executive Summary. The scores of the three Committee Members were averaged into one score for each bidder for this phase of the process.

### Phase 4: "Other" Points

The Committee decided to eliminate this phase of the process therefore no "Other" points were awarded.

### Phase 5: Price

Points for price will be calculated as follows:

#### **CALCULATIONS:**

1. The proposals shall be arranged from lowest proposal to highest proposal
2. High Proposal (-) Low Proposal = Range
3. A mean or average will be calculated from the data, as well as the variance and standard deviation. This information will be used to compare and interpret the measures of location and variability within the population. Points will be given based upon the number of standard deviations that the bid price is from the mean or average or similar process depending upon the population.

**AUDIT SERVICES  
SELECTION PROCESS**

**Phase 6: Final Scoring and Selection**

The highest final weighted score will be the firm recommended to the Troy City Council for Award.

$$\begin{aligned} &40\% \times \text{Price Score (100 pt. Base)} = \\ &30\% \times \text{Evaluation Score (100 pt. Base)} = \\ &20\% \times \text{Oral Presentation Score (100 pt. Base)} = \\ &\del{10\% \times \text{Other (100 pt. Base)} =} \\ &100\% \text{ 90\% Final Weighted Score} \end{aligned}$$

Note: The City of Troy reserved the right to change the order or eliminate an evaluation phase if deemed in the City's best interest to do so.



**WEIGHTED RATING  
AUDIT SERVICES**

**WEIGHTED EVALUATION – Rating Non-Mandatory Requirements:**

<b>Raters:</b>	1	2	3	AVERAGE
<b>Vendors:</b>				
1. Doeren Mayhew	<b>82</b>	<b>61</b>	<b>65</b>	<b>69.34 = 69</b>
2. The Rehman Group	<b>91</b>	<b>82</b>	<b>64</b>	<b>79.0</b>

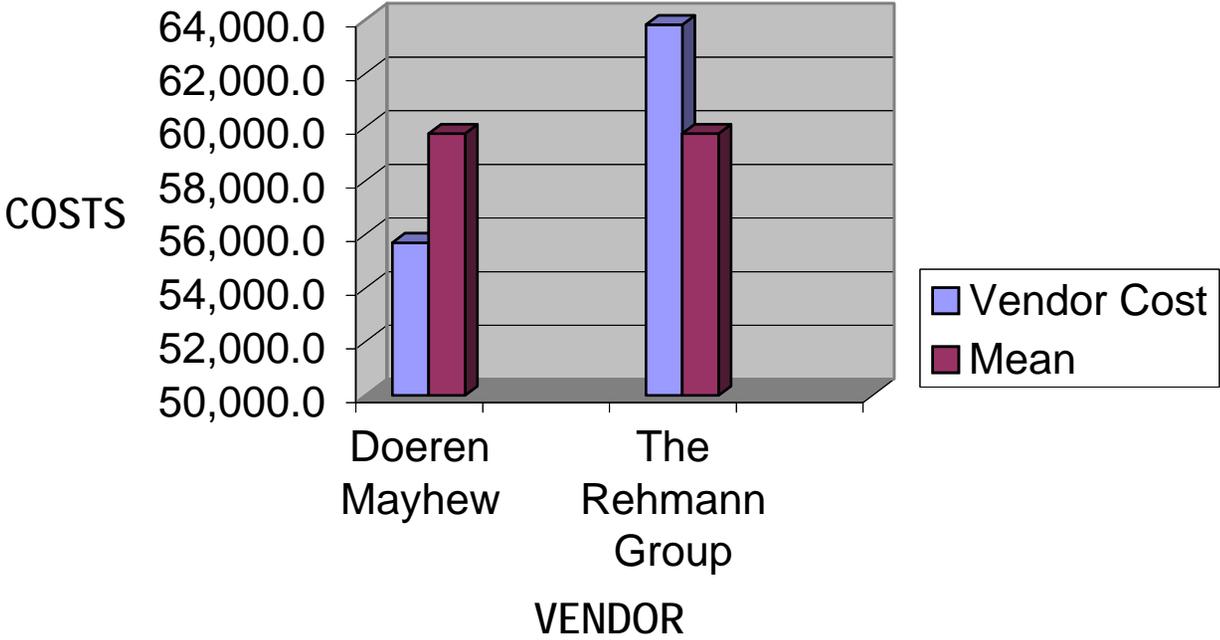
**INTERVIEW SCORING:**

<b>Raters:</b>	1	2	3	AVERAGE
<b>Vendors:</b>				
1. Doeren Mayhew	<b>59</b>	<b>83</b>	<b>79</b>	<b>73.67 = 74</b>
2. The Rehman Group	<b>85</b>	<b>93</b>	<b>76</b>	<b>84.67 = 85</b>

**FINAL SCORING:**

	Score Price Score 40% of Total	Score Weighted Score 30% of Total	Score Interview Score 20% of Total	FINAL SCORE Max. = 90
<b>Categories:</b>	Price	Weighted	Interview	
1. Doeren Mayhew	<b>75 x .40 = 30</b>	<b>69 x .30 = 20.7 = 21</b>	<b>74 x .20 = 14.8 = 15</b>	<b>66</b>
2. The Rehman Group	<b>25 x .40 = 10</b>	<b>79 x .30 = 23.7 = 24</b>	<b>85 x .20 = 17</b>	<b>51</b>

# AUDIT SERVICES



**AUDIT SERVICES  
ANALYSIS**

VENDOR	COST	MEAN	DIFFERENCE	D2	VARIANCE	STANDARD DEVIATION	POINTS
Doeren Mayhew	55,695.0	59,758	4,062.50	16503906.25		-1	75
						0 (Mean)	50
The Rehmann Group	63,820.0	59,758	(4,062.50)	16503906.25		+1	25
	\$ 119,515.0			33,007,813	16503906.25	4062.50	

**AUDIT SERVICES ADDITIONAL ANALYSIS  
TWO VENDOR POPULATION**

VENDOR	RFP TOTAL COST	DIVIDED BY WEIGHTED SCORE	PRICING SCORE	FINAL SCORE
			MULTIPLY BY 40%	DIFFERENCE FROM MEAN
Doeren Mayhew	\$ 55,695.00	$\$55,695 / 36 = \$1,547.08$	$\$1,547.08 \times 40\% = 618.83$	140.77
<b>MEAN - CONTROL #</b>	<b>\$ 59,757.50</b>	<b><math>\\$59,757.50 / 50 = \\$1,195.15</math></b>	<b><math>\\$1,195.15 \times 40\% = 478.06</math></b>	<b>MEAN - CONTROL#</b>
The Rehmann Group	\$ 63,820.00	$\$63,820 / 41 = \$1,556.59$	$\$1,556.59 \times 40\% = 622.63$	144.57
	\$ 119,515.0			

After further analysis for a vendor population of two, DOEREN MAYHEW still represents the best value, as their score is closest to the mean.

Directions for Use:

- Column 3 is divided by the vendor's weighted score w/o pricing score
- Column 4 is multiplied by the weighted % for price
- Use Column 5 to evaluate closest to the mean - represents best value

VENDOR NAME:

DOEREN MAYHEW	THE REHMANN GROUP
---------------	-------------------

**PROPOSAL: Audit Services for the City of Troy for fiscal years 2005, 2006, 2007 ending June 30th with an Option to Renew for three additional fiscal years**

FIRM QUESTIONNAIRE:	Y or N	YES	YES
---------------------	--------	-----	-----

**PROPOSAL A: City of Troy Audit**

All-Inclusive Maximum Price for 2005 Audit

<b>Annual Cost:</b>	\$ 45,840.00	\$ 57,000.00
---------------------	--------------	--------------

Staff - Hours & Hourly Rates	Y or N	YES	YES
------------------------------	--------	-----	-----

Federal Programs - Annual Cost:	\$ 3,585.000	INCLUDED
---------------------------------	--------------	----------

Out of Pocket Expenses:	None	None
-------------------------	------	------

**PROPOSAL B: Downtown Development**

All-Inclusive Maximum Price - DDA Audits for 2005

<b>Annual Cost:</b>	\$ 2,345.00	\$ 3,070.00
---------------------	-------------	-------------

Out of Pocket Expenses:	None	None
-------------------------	------	------

Staff - Hours & Hourly Rate	Y or N	YES	YES
-----------------------------	--------	-----	-----

**PROPOSAL C: Brownfield Redevelopment**

All-Inclusive Maximum Price - BRA Audits for 2005

<b>Annual Cost:</b>	\$ 1,950.00	\$ 1,800.00
---------------------	-------------	-------------

Staff - Hours & Hourly Rate	Y or N	YES	YES
-----------------------------	--------	-----	-----

Out of Pocket Expenses:	None	None
-------------------------	------	------

**PROPOSAL D: Local Development Authority**

All-Inclusive Maximum Price - Smart Zone Audits for 2005

<b>Annual Cost:</b>	\$ 1,975.00	\$ 1,950.00
---------------------	-------------	-------------

Staff - Hours & Hourly Rate	Y or N	YES	YES
-----------------------------	--------	-----	-----

Out of Pocket Expenses:	None	None
-------------------------	------	------

<b>ESTIMATED GRAND TOTAL:</b>	\$ 55,695.00	\$ 63,820.00
-------------------------------	--------------	--------------

<b>INSURANCE:</b> Can Meet	YES	YES
----------------------------	-----	-----

Cannot Meet		
-------------	--	--

<b>TERMS:</b>	BLANK	BLANK
---------------	-------	-------

<b>EXCEPTIONS:</b>	BLANK	BLANK
--------------------	-------	-------

<b>ACKNOWLEDGEMENT:</b>	Y or N	YES	YES
-------------------------	--------	-----	-----

**DMS:**

Virchow, Krause & Company, LLP (\$45,000)

Reasons: No Michigan municipal experience listed; and draft financial statements are not available, but the responsibility of the auditor.

**NO BIDS:**

PriceWaterhouseCoopers

**ATTEST:**

Aileen Bittner

Laura Fitzpatrick

Jeanette Bennett

Jeanette Bennett

Purchasing Director



RE: RFP-COT 04-60  
Audit Services

February 14, 2005

Mr. John Knepel, CPA  
Virchow, Krause & Company, LLP  
115 S. 84<sup>th</sup> Street, Suite 400  
Milwaukee, WI 53214

Dear Mr. Knepel,

On behalf of the City of Troy, I would like to thank you for participating in the Request for Proposal for Audit Services. At this time we would like to notify you that during Phase I of the Selection Process (Qualifications Evaluation), the Selection Committee eliminated your firm from further consideration for the following reasons:

1. Question 3 requests a list of governmental audit clients. Question 5 requests information on the staff assigned to the City of Troy account. Although your company has municipal references, they are all in Wisconsin. Correspondingly, staff with municipal experience assigned to the City account is located in Wisconsin. The only listed Michigan staff member assigned to the City's account does not have any municipal experience indicated. The Selection Committee was specifically looking for firms with Michigan audit experience for the following reasons:
  - ✓ Act 51 Highway Tax receipts, expenditures, reporting requirements
  - ✓ DDA, Brownfield Redevelopment, and LDFA (SmartZone) statutes
  - ✓ Deficit fund balance reporting issues
  - ✓ State Construction Code Act
  - ✓ Allowable Investments
  
2. Question 11 requests information on your firm's Audit Approach. In your proposal, you state "Our proposal and estimated hours schedule are prepared under the assumption that City's records will be ready to be audited... **In addition, draft financial statements will be available.**" This assumption does not comply with the intent of the Report Preparation specification included in the document on page 4 of 16 of the Request for Qualifications/ Proposal, under Section V, Item B. Report Preparation: "Report preparation, editing, and printing shall be the responsibility of the auditor".

If you have any questions concerning the Request for Proposal, the process, or would like further information, please call the Purchasing Department for assistance at (248) 680-7291.

Sincerely,

Jeanette Bennett  
Purchasing Director

**Human Resources Department**

Date: March 17, 2005

To: John Szerlag, City Manager

From: Brian Murphy, Assistant City Manager/Services  
Charles Craft, Police Chief  
Peggy E. Clifton, Human Resources Director

Subject: **Agenda Item - Labor Attorney Fees and Agreement**

**RECOMMENDATION**

City management supports and recommends approval of the proposed rate increase for labor counsel services requested by Craig Lange, Roumell, Lange & Cholack, P.L.C., and of the Agreement for Labor Counsel Services between the City of Troy and Roumell, Lange & Cholack, P.C.

**BACKGROUND**

In the attached correspondence from Craig Lange, Roumell, Lange & Cholack, P.L.C., we are advised that the billing rates for legal services are increasing from \$145.00 to \$155.00 per hour for his services (with proportionate increases for Associates).

Mr. Lange's firm specializes in public sector labor law, and he has proven to be professional and dedicated in his service to the City of Troy. He has provided excellent outside labor counsel. The rates he is requesting are reasonable compared to rates charged by other firms in the metropolitan area providing municipal labor counsel services, and are in the lower 25<sup>th</sup> percentile of labor law billing rates as reported in The Michigan Bar Journal. Mr. Lange's rates have remained at the current level since 2000, and have increased only 7.4% since 1999 (compared to a 13% increase in the consumer price index for the same period). It is our determination that no benefit would result to the City to solicit sealed proposals.

It is recommended that the rate increase and Agreement be approved as requested effective March 1, 2005.

PEC/bjm/PC05M.015

Attachments

G:\PEC Correspondence\2005\pc05M.015

ROUMELL, LANGE & CHOLACK, P.L.C.  
ATTORNEYS AND COUNSELLORS AT LAW  
314 TOWN CENTER DRIVE  
TROY, MICHIGAN 48084  
Website: lange-cholack.com

TELEPHONE: (248) 619-2500  
FACSIMILE: (248) 619-3232

GEORGE T. ROUMELL, JR.  
CRAIG W. LANGE  
ERIC W. CHOLACK  
GREGORY T. SCHULTZ  
KELLY A. WALTERS

Detroit Address  
615 Griswold  
7<sup>th</sup> Floor Ford Building  
Detroit, MI 48226-3986

Of Counsel  
STEVEN H. SCHWARTZ

January 12, 2005

***Personal and Confidential***

Ms. Peggy E. Clifton  
City of Troy  
500 W. Big Beaver Road  
Troy, Michigan 48084

Dear Ms. Clifton:

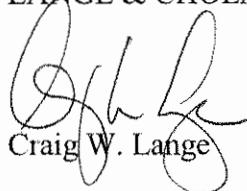
Our rates for services rendered to the City of Troy have remained constant for almost 5 years. While we carefully watch our expenses, it is necessary that I advise you of an increase in our rate for services.

Our billings for services rendered effective February 1, 2005 will reflect the following hourly rates:

CWL - \$155.00  
EWC - \$150.00  
GTS - \$150.00  
KAW - \$125.00

We trust that these increases will help offset our costs while continuing to provide the City with good value for the services we provide you, our valued client. We look forward to our continued relationship. Should you have any questions or concerns, please feel free to contact me.

Very truly yours,  
LANGE & CHOLACK, P.C.



Craig W. Lange

CWL/mmg  
Form Ltr. re rates

## AGREEMENT FOR LABOR COUNSEL SERVICES

This Agreement for Labor Counsel Services is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between the City of Troy, 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter referred to as the "City", and Roumell, Lange & Cholack, herein after referred to as the "Labor Attorney", whose address is 314 Town Center Dr., Troy, MI 48084.

The parties agree to the following:

1. Labor Attorney agrees to provide labor attorney services to the City of Troy and its officials or employees, on an as needed basis, and as requested by the Troy City Council, Troy City Manager, Troy City Attorney, Troy Human Resources Director, Troy Police Chief, or other authorized City of Troy Department heads. The labor attorney services include, but are not limited to providing advice and counsel on labor relations related matters, grievance administration and collective bargaining for the City. Additional duties may include representation of the City or its officials in labor relations matters or employment matters that are before the state and federal courts and before administrative agencies or other third party neutrals.
2. Craig Lange will be the principal attorney, in charge of the agreement with the City. However, from time to time, it may be necessary and/or more economical to have others in the firm devote time to matters for the City. In exchange for the labor attorney services, City shall pay the

following hourly rates to the Labor Attorney, based on the time expended on behalf of the City:

Principal Attorney Craig Lange	\$155.00/ hour
Partner/Senior Associate	\$150.00/ hour
Associate	\$125.00/ hour

3. City shall also pay Labor Attorney for reasonable out of pocket expenses that are directly attributed to services rendered to the City. These expenses will be charged at cost, and include, but are not limited to photocopying or duplication costs, travel, telephone charges, computerized research, courier/delivery service, exhibit preparation costs and court fees. Whenever possible, Labor Attorney will advise City of any foreseeable significant expenses in advance of the expenditure.
4. Labor Attorney agrees to invoice City for all services incurred to the date of the invoice. The invoice shall identify each individual working on behalf of the City, together with his/her hourly rate, and shall also provide detail as to the task that is performed on behalf of the City.
5. City agrees to pay for services rendered within thirty days of each such invoice.
6. Labor Attorney shall have no authority, power to assign, sublet, or transfer any rights, privileges, or interest under this Agreement without prior written consent from the City.
7. Labor Attorney acknowledges that it is an independent contractor with no authority to bind the City to any contracts or agreements, written, or

oral. However, if during the course of representation of the City, it becomes necessary and advisable to retain the services of third parties to provide expertise in connection with various aspects of the legal representation, Labor Attorney is authorized to retain such third parties after providing written notification to City prior to such retention. Statements rendered by any such third parties shall be invoiced to Labor Attorney and paid by Labor Attorney and then billed to City on the monthly invoices as out-of-pocket expenses.

8. Labor Attorney shall comply with all applicable federal, state, and local laws, and ordinances.
9. Labor Attorney shall maintain sufficient insurance coverage during the term of the Agreement, and shall not include such insurance premiums or deductibles as out-of-pocket expenditures or other expenses to be paid by City. The failure to maintain coverage shall be considered a breach of the Agreement, and could result in immediate termination of the Agreement, at the City's option.
10. Either party can terminate the Agreement upon written notification to the other party. In the event of a termination of the Agreement, Labor Attorney shall be paid for all services incurred up to the date that notice of the termination is received.
11. Labor Attorney agrees to comply with City's record retention policy, which currently requires permanent records retention for all records of contract negotiations and arbitrations for the City, including work

papers and correspondence; and requires retention of records from all other general lawsuits for a period of ten years after the final action in the case. Labor Attorney can coordinate with the City to facilitate the storage of the records during the necessary retention period.

**WITNESS:**

\_\_\_\_\_  
\_\_\_\_\_

**LABOR ATTORNEY:**

\_\_\_\_\_  
Craig Lange

**WITNESS:**

\_\_\_\_\_  
\_\_\_\_\_

**CITY OF TROY**

\_\_\_\_\_  
Louise Schilling, Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

By: \_\_\_\_\_  
Lori Grigg Bluhm, City Attorney

March 14, 2005

TO: John Szerlag, City Manager

FROM: Douglas J. Smith, Real Estate & Development Director  
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM – ANNOUNCEMENT OF PUBLIC HEARING  
(April 4, 2005) – Northeast corner of Livernois and Maple Road,  
Section 27 – B-1 to H-S (Z-700)

### **RECOMMENDATION**

The application is compatible with surrounding land uses and zoning districts and is consistent with the Future Land Use Plan, which classifies the corner as Non-Center Commercial. The Planning Commission recommended approval of the rezoning application at the March 8, 2005 Regular Meeting. City Management concurs with the Planning Commission and recommends approval of the rezoning application.

It must be noted that the site plan indicated that the proposed development requires a number of variances, including front and rear yard building setbacks, canopy setbacks, and possibly island and canopy support setbacks. The application requires non-use variances from the Board of Zoning Appeals prior to receiving Preliminary Site Plan Approval.

The size of the property limits its potential for redevelopment. Service stations are one of the least demanding uses permitted in H-S in terms of land area. The subject property exceeds the minimum site area standard of 15,000 square feet for service stations. Redevelopment of the existing service station is proposed. This corner location is an appropriate location for a service station. However, prudent site planning suggests that consolidation of adjacent properties is desirable. A larger site would allow for the development of a service station that can meet the Zoning Ordinance requirements.

### **GENERAL INFORMATION**

Name of Owner / Applicant:

The owner of the property is Sankaran Balakrishnan of V3M Associates, LLC. The applicant is Michael Kozlowski of Caeruleum Environmental Design.

Location of Subject Property:

The property is located on the northeast corner of Livernois and Maple Roads, in Section 27.

Size of Subject Parcel:

The parcel is approximately 15,900 square feet in area.

Current Use of Subject Property:

The property is currently used as a Clark gas station.

Current Zoning Classification:

B-1 Local Business.

Proposed Zoning of Subject Parcel:

H-S Highway Service.

Proposed Uses and Buildings on Subject Parcel:

The applicant is proposing to redevelop the property by adding a convenience store and adding a canopy over the gasoline pumps.

Current Use of Adjacent Parcels:

North: Retail.

South: Retail.

East: Retail and One Family Residential.

West: Vacant and Office.

Zoning Classification of Adjacent Parcels:

North: B-1 Local Business.

South: B-2 Community Business.

East: R-1E One Family Residential and B-1 Local Business.

West: O-1 Low Rise Office and B-3 General Business.

## **ANALYSIS**

### **Range of Uses Permitted in Proposed Zoning District and Potential Build-out Scenario:**

#### **PRINCIPAL USES PERMITTED:**

Retail establishments to service the needs of the highway traveler including such facilities as: drug stores, convenience food stores, gift shops, and restaurants other than those of the drive-in or open front store type.

Bus or transit passenger stations, taxicab offices and dispatching centers, and emergency vehicle or ambulance facilities. Sleeping accommodations may be provided in conjunction with ambulance facilities.

Parking garages and off-street parking areas.

New and used automobile salesroom, showroom or office.

Sales, showrooms, and incidental repairs of recreational vehicles.

Banks, savings and loan associations, and credit unions which may consist solely of drive-up facilities.

Public utility buildings and sub-stations.

Accessory structures and uses customarily incident to the above permitted uses.

#### **USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:**

Drive-up windows or service facilities, as an accessory to restaurants permitted within this district.

Drive-up service facilities, as accessory to principal permitted uses within H-S districts, apart from restaurants.

Outside seating of twenty (20) seats or less for restaurants, or other food service establishments.

#### **USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL:**

Automobile service stations for the sale of engine fuels, oil, and minor accessories only, and where no repair work is done, other than incidental service, but not including, steam cleaning, undercoating, vehicle body repair, painting, tire recapping, engine rebuilding, auto dismantling, upholstering,

auto glass work and other such activities whose external effects could adversely extend beyond the property lines.

Auto washes where engine fuels are sold as a significant part of the operation.

Auto washes, not including the sale of engine fuels, when the entire operation is completely enclosed within a building or structure.

Uses, other than those specified in Section 23.20.06, wherein drive-up service facilities are the sole use of the property.

Business in the character of a drive-in restaurant.

Motel or hotel.

Outdoor sales space for exclusive sale or lease of new or second hand automobiles, trucks, mobile homes, trailers, or recreational vehicles.

Automobile repair garages, provided all activities are conducted within a completely enclosed building.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments.

Vehicular and Non-motorized Access:

The parcel fronts both Livernois and Maple Roads. The abutting alley to the east is in the process of being vacated. The alley provides vehicular access to the parking area north of the building to the east.

Potential Storm Water and Utility Issues:

The applicant will have to provide on-site storm water detention and all other utilities.

Natural Features and Floodplains:

The Natural Features Map indicates there are no significant natural features located on the property.

Compliance with Future Land Use Plan:

The parcel is classified on the Future Land Use Plan as Non-Center Commercial. The Non-Center Commercial designation has a Primary Correlation with the B-3 General Business Zoning District and a Secondary Correlation with the H-S Highway Service Zoning District. The rezoning application is therefore consistent with the City of Troy Future Land Use Plan.

Compliance with Location Standards

The Location Standards for the H-S District in Article 23.40.01 of the Zoning Ordinance provides the following:

The H-S (Highway Service) District may be applied when the application of such a classification is consistent with the intent of the Master Land Use plan and policies related thereto, or with other land use policies of the City of Troy, and therefore, on a limited basis, may involve the following types of areas:

23.40.02 Areas indicated on the Master Land Use Plan for non-center commercial use.

23.40.03 Areas within broader areas generally designated for Light Industrial use, where the City has established, through rezoning, areas to provide commercial and service uses for the surrounding Light Industrial area.

The application is consistent with the Location Standards for the H-S District.

Attachments:

1. Maps.
2. Letter from applicant dated February 8, 2005.
3. Minutes from March 8, 2005 Planning Commission meeting.

cc: Applicant  
File (Z 700)

Prepared by RBS/MFM

G:\REZONING REQUESTS\Z 700 CLARK SEC 27\Announcement CC Public Hearing 03 21 05.doc

# CITY OF TROY



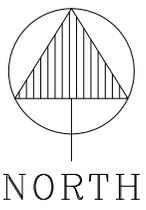
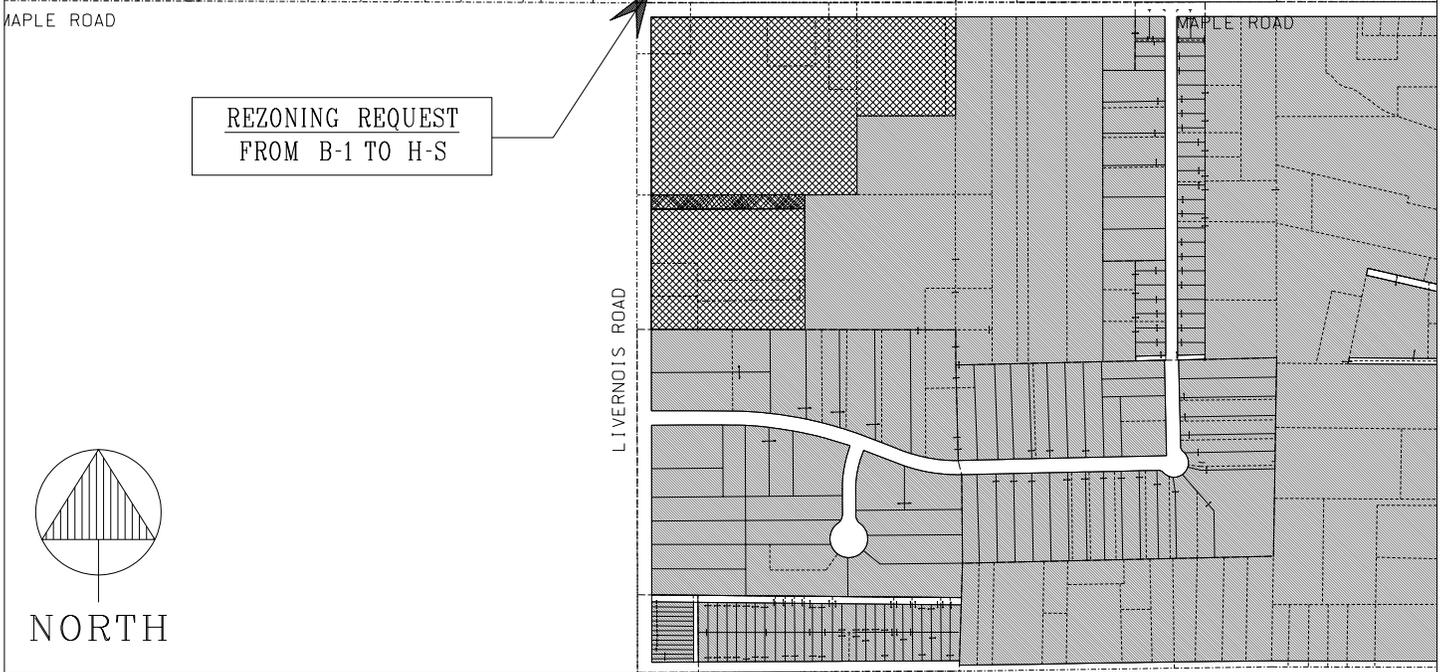
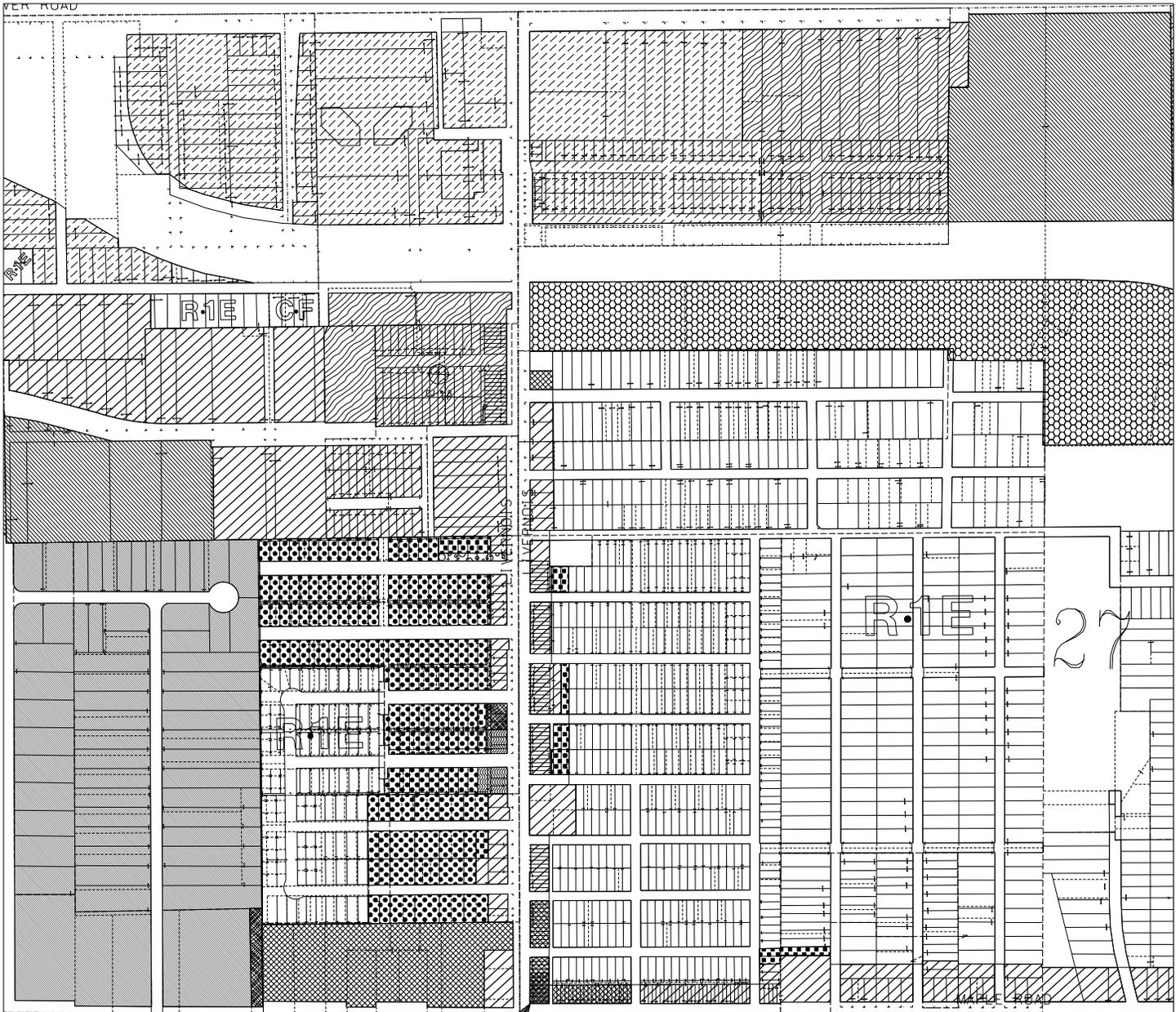
REZONING REQUEST  
EXISTING CLARK STATION  
FROM B-1 TO H-S  
NE CORNER LIVERNOIS & MAPLE  
SEC. 27 (Z-700)

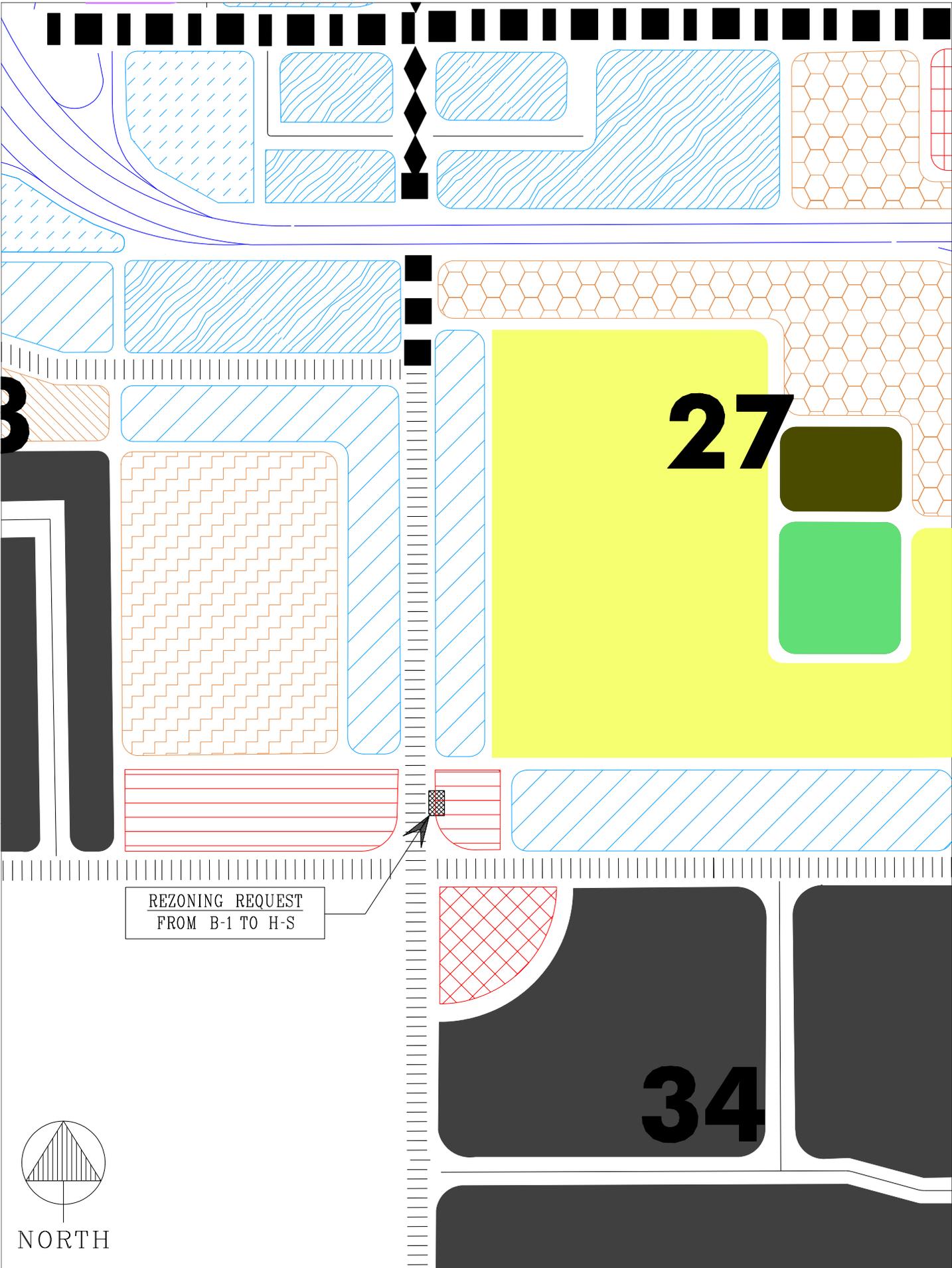
REZONING REQEUST  
FROM B-1 TO H-S



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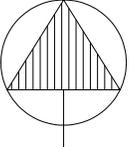




**27**

**34**

REZONING REQUEST  
FROM B-1 TO H-S



NORTH



5603 S. Telegraph, Suite 103 Dearborn Heights, Michigan 48125  
313-299-4499 tel. 313-299-4433 fax

February 8, 2005

Planning Department  
City of Troy, Michigan  
500 Big Beaver Road  
Troy, Michigan 48084  
248-524-3368, fax 248-524-0821

RE: Clark Store, 1602 Livernois Road (at Maple Road), Troy, MI

Sirs,

This letter is sent with an accompanying application and request for rezoning. We feel that the rezoning of the parcel will allow for substantial property development rights. The parcel in question has been and will remain used as a gas station. The owner has proposed a significant redevelopment of the parcel that will allow the business to better represent the architectural goals of the City of Troy and also allow him to remain a viable business for the residents of Troy.

The rezoning is required by ordinance if any modifications are made to the site. We respectfully request that the rezoning of this parcel to HS be considered and granted. Thank you for your prompt attention to this matter and your careful review of our request.

Sincerely,

Michael Kozlowski, AIA

FEB -8 2005

**REZONING REQUEST**

10. PUBLIC HEARING – PROPOSED REZONING (Z 700) – Existing Clark Gas Station, Northeast corner of Livernois and Maple Road (1602 Livernois), Section 27 – From B-1 to H-S

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. Mr. Savidant noted that the site plan indicated that the proposed development would require a number of non-use variances from the Board of Zoning Appeals prior to receiving Preliminary Site Plan Approval. He said prudent site planning suggests that consolidation of adjacent properties would be desirable, but the Planning Department cannot require the applicant to do so. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the rezoning application.

Mr. Schultz asked how the City could vacate the alleyway to the east if the vacation places the building to the east in non-compliance because of the loss of parking.

Mr. Savidant said the vacation would dedicate access to insure that the property to the east would have access to the parking area to the north of the building. He noted there is no indication on the site plan that the petitioner intends to utilize any of the alleyway for the gas station operation.

Mr. Miller stated that one of the conditions when City Council adopted an authorizing resolution to vacate the alleyway was that there would be an easement of access retained.

The petitioner, Mike Kozlowski of Caeruleum Environmental Design, 5603 Telegraph Road, Dearborn Heights, was present. Mr. Kozlowski said the site is just above the minimum size for a service station, and it is recognized that a number of variances would be required as well as utility and cross access easement challenges. Mr. Kozlowski said he is prepared to address those items with site plan approval

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

**Resolution # PC-2005-03-034**

Moved by: Littman

Seconded by: Schultz

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the B-1 to H-S rezoning request, located on the northeast corner of Maple Road and Livernois Avenue, within Section 27, being approximately 15,800 square feet in size, be granted.

Yes: All present (8)

No: None

Absent: Drake-Batts

**MOTION CARRIED**

March 16, 2005

TO: The Honorable Mayor and City Council  
FROM: John Szerlag, City Manager  
SUBJECT: Designation of Limited Public Forums

At the March 7, 2005 Council meeting, the request from Ms. Lori Wagner to celebrate National Day of Prayer – Christian observance at the Troy Veterans Plaza was denied. Instead, Council directed City staff select a site as a place for public gathering and develop proposed language for governing these gatherings. City Management has selected a portion of the parking lot northwest of the Community Center site that has frontage on Town Center Drive as the place for public gathering; same parking lot where the skateboard park is. Please know that these public gatherings would not be approved by City Council, as requests would be channeled to the Parks and Recreation Department. This is because the limited public forum is available to all parties on equal terms.

I believe it's important to distinguish the public forum area from ceremonies held on Veterans Plaza which are sponsored in whole or in part by the City of Troy, i.e. Veterans Day, Memorial Day, Police Memorial Day, holiday lighting. Of course, these events along with any other event sponsored in whole or in part by the City would continue to be held on the Veterans Plaza.

Attached is a more comprehensive memo from staff covering this topic, which is up for Council consideration at the April 4, 2005 meeting.

As always, please feel free to contact me should you have any questions.

JS/mr\AGENDA ITEMS\2005\03.21.05 – Designation of Limited Public Forums

c: Carol Anderson, Parks and Recreation Director  
Lori G. Bluhm, City Attorney  
Laura Fitzpatrick, Acting Assistant City Manager/Services  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Joe Malla, Chairman, Troy Veterans Committee  
Brian P. Murphy, Assistant City Manager/Services  
Cynthia Stewart, Community Affairs Director  
Mark Stimac, Director of Building and Zoning  
Lori Wagner, Troy NPD Coordinator

March 16, 2005

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager  
Lori Grigg Bluhm, City Attorney  
Carol Anderson, Director of Parks and Recreation  
Mark Stimac, Director of Building and Zoning  
Laura Fitzpatrick, Assistant to the City Manager

SUBJECT: Designated Limited Public Forum

### **Assignment**

Per Resolution #2005-03-115 at the March 7, 2005 meeting, City Staff has prepared this report to select a site as a place for public gatherings and to propose language for governing public gatherings. In legal terms, this type of space is referred to as a "limited public forum."

### **A Limited Public Forum on Civic Center Grounds**

In accordance with City Council resolution, City Staff has identified a public forum area in the parking lot north of the Community Center (in which the skate park is located). The site has ample parking, easy access, and good visibility. We recommend that this limited public forum be available to all parties on equal terms and be subject to rules and procedures similar to those that govern park shelter use (see below and attached).

### **Park Shelters**

It is worth noting that there are park shelters located in our City parks that serve as gathering spaces for groups. These shelters are available May 1<sup>st</sup> through October 1<sup>st</sup>. Reservations are made through the Parks and Recreation Department and are approved administratively on a first come-first serve basis. Community service groups, church groups and family groups have utilized these shelters for gatherings. As long as the group requesting a shelter is a Troy non-profit group, there is no requirement that the 75% residency requirement be met. Note that all six shelters are available on May 5, 2005, the date of the National Day of Prayer event request.

### **Veterans Plaza**

City Administration recommends adopting rules for Veterans Plaza, which permit only City-sponsored or City co-sponsored events. These events include, but are not limited to:

Police Memorial Service, Veterans' Day Memorial Service, Memorial Day Service, and the Holiday Tree Lighting.

Limiting the events that take place at the Troy Veterans Plaza accomplishes three things:

1. Prevents the *appearance* of the City endorsing an event, which it is not endorsing (i.e., a KKK assembly displayed in a newspaper photo in front of Troy City Hall).
2. Ensures that the Veterans Plaza is reserved for desired purposes (i.e., A designation as a limited public forum where all uses are on a first-come, first serve basis would mean that the Plaza could be used by anti-war demonstrators on Veterans' Day.).
3. Minimizes disruption to business activities at City Hall: A limited use of the Veterans Plaza ensures that front step access to City Hall is unimpeded, there is ample parking for City Hall visitors and noise and interruption is kept to a minimum.

### **Modified Request from the National Day of Prayer Committee**

Since the March 7, 2005 City Council meeting, the City has also received a letter from Pastor Marvin Walker and Ms. Lori Wagner. This letter revises the earlier request to use the Troy Veterans Plaza for National Day of Prayer. According to the letter they are willing to participate in a multi-cultural, multi-faith event, which is presumably to be organized by another unnamed party, and which will occur at noon on Thursday, May 5, 2005. Assuming that this multi-cultural celebration is organized, they would defer their Christian-based prayer service until 5:00 pm on that day. However, they would renew their request for Troy Veterans Plaza at noon on May 5, 2005 if no such multi-cultural event were organized. We understand that this request will be coming forth at the April 4<sup>th</sup> City Council meeting.

C: Lori Wagner



**Parks & Recreation Department**  
3179 Livernois, Troy, 48083  
248.524.3484

**DRAFT**

<i>Office Use Only</i>	
Taken by: _____	Date: _____
Number in Parking Lot: _____	
Mail: _____	Pick-up: _____

**DESIGNATED LIMITED PUBLIC FORUM APPLICATION**

Name of Individual/  
Company/Group: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Function: \_\_\_\_\_ Number of Users: \_\_\_\_\_

Event Time\*: Begin: \_\_\_\_\_ End: \_\_\_\_\_

\*Note: Due to lack of restroom facilities on this site, this site is intended for events of a short duration (1 to 2 hours)

Permits are subject to all policies, rules and regulations as listed on the back of this form. Please read these carefully before completing your application. The undersigned hereby verifies that they:

- 1) Have the authority to sign this application for the above named organization, group or company.
- 2) Have read the rules and regulations on the back of this form and agree to abide by all rules stated therein.
- 3) Will perform the necessary clean up of the area following its use.

The undersigned further understands that failure to comply with all policies, rules and regulations herein stated or falsification of any information called for in this application will be grounds for denial of this or any future permits.

Signature of applicant: \_\_\_\_\_

Please print/type name of contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of alternate contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Approved Parks & Recreation: \_\_\_\_\_ Date: \_\_\_\_\_

To be completed by Park Supervisor: Please indicate condition of area: Clean:  yes  no

Damage:  yes  no Remarks: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

White Copy: Office

Yellow Copy: Applicant

### **Procedures for reserving Designated Limited Public Forum Area:**

1. Obtain permits at the Parks and Recreation office in the Troy Community Center, 3179 Livernois, Monday-Friday from 8:00 am to 11:00 pm and Saturday 9:00 am to noon.
2. A forty dollar (\$40.00) reservation fee must accompany each application.
3. Proof of residency, employment, or membership in a sponsoring Troy organization must be furnished upon request.

### **Rules Governing Designated Limited Public Forum Area:**

1. Reservation must be made in person at the Parks and Recreation office during regular office hours. No phone reservations are accepted.
2. 75% of the group must be Troy residents, work in Troy for the company having the function, or be a bonafide member of the sponsoring Troy organization. A roster of those attending may be required.
3. All vehicles must be confined to parking areas.
4. Permits must be retained at all times by user group and presented upon request.
5. The permit is good for the listed reservation time only. (There are no rain dates.)
6. No refunds are granted for permit fees.
7. The group is responsible for leaving the area clean and orderly.
8. NO TENTS are allowed without written authorization.
9. No rides, amusements, petting zoos, inflatable games, dunk tanks, generators, concessions, hot or cold air balloons are allowed.
10. *No amplified live music or bands are permitted. Sound systems, speakers, and DJ's are allowed with written authorization ONLY.*

FINAL

The Traffic Committee meeting was called to order at 7:30 p.m. in the Lower Level Conference Room at Troy City Hall on November 17, 2004 by Charles Solis, Chairperson.

1. Roll Call

PRESENT: John Diefenbaker  
Jan Hubbell  
Richard Minnick  
Charles Solis  
Peter Ziegenfelder  
Grace Yau, Student Representative

ABSENT: Ted Halsey  
Richard Kilmer

Also present: John Abraham, Traffic Engineer  
Lt. Scott McWilliams, Police Department  
Lt. Bob Matlick, Fire Department

And Item 3 Barbara Fowler, Troy Schools, 4400 Livernois  
Gerald Behl, 67 Hart

Item 4 Richard Kandarian, Metro Drill Corp., 1863 Larchwood

Motion to Excuse

RESOLUTION #TC-2004-11-74  
Motion by Hubbell  
Seconded by Minnick

To excuse Mr. Kilmer and Mr. Halsey.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

2. Minutes – October 20, 2004

RESOLUTION #TC-2004-11-75  
Motion by Diefenbaker  
Seconded by Hubbell

To approve the October 20, 2004 minutes as printed.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

### REGULAR BUSINESS

#### 3. Install Traffic Signal at Square Lake and Donaldson

(This item was tabled at the October meeting to obtain input from the Troy School District)

Mrs. Bela Shah, 123 Millstone Street, indicated that it is very difficult to make turns onto Square Lake from Donaldson. She also mentioned that this is a dangerous intersection and that she has seen near crashes many times. The morning peak hour between 7:00 am and 8:00 am is particularly busy due to the traffic from Smith Middle School at the south end of Donaldson, and she feels that a traffic signal will help make the intersection safer.

This is a 3-way intersection with Donaldson terminating into Square Lake road. The intersection is also around 1,350 feet from the signalized intersection of Square Lake and Livernois. Traffic signals are installed at locations that satisfy some thresholds of traffic volumes, traffic crashes traffic delays as stated in the Michigan Manual of Uniform Traffic Control Devices (MMUTCD). Traffic volume and traffic crash studies were performed for this intersection to see if the "thresholds," also called "warrants," are met for the intersection.

The intersection is controlled by a STOP sign on Donaldson at Square Lake, and sight distance studies show that there are no major sight obstructions at this intersection. Donaldson is a residential street and the approaches to Donaldson on Square Lake provide for a passing lane and a right turn lane to make left and right turns onto Donaldson safely.

Traffic volume studies show that around 7,600 vehicles enter the intersection from and east and west while around 1500 vehicles enter the intersection northbound from Donaldson in a day. There is heavy use of the intersection between 7:00 am and 8:00 am. During this one hour there were around 340 vehicles going east and west on Square Lake and around 250 vehicles going northbound onto Square Lake. However, none of the traffic volume warrants stated in the MMUTCD are met for this intersection. Adding traffic signals normally increases congestion on the major road; in this case on Square Lake Road.

A crash analysis revealed the following reported crashes in the vicinity of the intersection (200 feet radius):

Type of crash	2003	2002	2001
Angle (broad side)	1	1	1
Sideswipe	1	1	1
Rear end		1	

The MMUTCD traffic crash warrant states that a traffic signal is warranted if the installation of the signal will prevent at least 5 "correctible" crashes in a year. Traffic signals normally correct the angle-type crash concerns and as seen, the average crash experience at this intersection has been one per year. Therefore, the traffic crash warrant also is not met for the intersection. National studies also show that installation of traffic signals that are not "warranted" as per the MMUTCD can result in higher traffic crash experience. Unwarranted signals have been documented to increase number of crashes, particularly of the rear-end type.

Traffic signals are located preferably at half-mile points for effective traffic flow. When the distance between signals is less than a half mile, progressive traffic flow may be adversely affected and may result in higher congestion, and backing up of traffic from one intersection to the other, creating gridlock. A signal at Donaldson would be around 1400 feet from the one at Livernois and Square Lake, which is around a quarter of a mile.

Traffic volumes and traffic crash history indicate that a traffic signal installation is not warranted for this intersection. However, Mr. Kilmer thinks that there should be a signal at this location that would be operational only during school times for the safety of the children walking the way to school.

This item was first considered at the October meeting. No one, including the petitioner, attended the meeting to address the committee. However, Mr. Kilmer suggested that there could be a signal at this location that would be operational only during school times for the safety of the children walking to school. At that time, the committee tabled the item to give the Traffic Engineer an opportunity to consult with the Troy School District and Smith Middle School staff.

Dr. Abraham stated that if a traffic signal were installed solely for the purpose of enhancing safety of school traffic, cost participation from the school board would be required. Traffic signals cost around \$100,000 to \$120,000 installed, and it may be hard to justify public funds to pay for the signal when the major benefit is only to school traffic.

Barbara Fowler addressed the committee as a representative of Troy Schools. She said that she, Dr. Jopke, Superintendent of Schools, and Stu Redpath, principal of Smith Middle School, see no need for a traffic signal at this location. There are no students who have to cross Square Lake Road, as all students are bussed to school.

RESOLUTION #TC-2004-11-76

Motion by Hubbell

Seconded by Minnick

To recommend no changes.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

**4. Install All-Way STOP Signs at Larchwood and Bellingham**

John Marion of 1863 Larchwood and Carol Marshall of Executone Telecommunications have requested all-way STOP signs at the intersection of Larchwood and Bellingham. Mr. Marion contacted Lt. McWilliams regarding speeding concerns on Larchwood and in response the radar trailer was deployed on the street in addition to selective enforcement. Mr. Marion reported that he was in a near miss traffic crash at the intersection. The intersection has a small jog and since Bellingham has opened up to both Big Beaver and Maple, there is a marked increase in Bellingham traffic. Ms. Marshall wrote a letter to the Michigan Department of Transportation regarding this intersection, but since MDOT does not have jurisdiction over this intersection the matter was referred back to us.

The intersection of Larchwood and Bellingham is in the predominantly industrial area of Troy. Larchwood runs west off John R road and intersects Bellingham around quarter of a mile from John R. Bellingham today runs from Maple to Big Beaver. Previously Bellingham ended north of Larchwood, but with the development of the Big Beaver Airport into an industrial/office area, the road was extended all the way to Big Beaver. The intersection is controlled by 2 STOP signs on Bellingham at Larchwood, installed many years ago. The north and south legs of the intersection are offset by a few feet and the west leg of the intersection has a curve just west of the intersection. Field observations show that there were many STOP sign violations at the intersections and some confusion at the intersection due to the geometrics.

All-way STOP signs are meant to assign right-of-way at high volume intersections, and have been demonstrated not to be an effective speed control device. These are installed in accordance with the Michigan Manual of Uniform Traffic Control Devices (MMUTCD) that stipulates thresholds for traffic volumes and traffic crashes that have to be met. The MMUTCD states that installation of a multi-way STOP would be warranted under one of the following conditions:

- ❖ *Where traffic signals are warranted and urgently needed, the multi-way STOP is an interim measure that can be installed quickly to control traffic while arrangements are being made for traffic signal installation.*

- ❖ *An accident problem as indicated by five or more reported accidents of the type susceptible to correction by a multi-way STOP during a 12-month period. Such accidents include right and left turn collisions.*
- ❖ *Minimum Traffic Volume – The total vehicular volume entering the intersection from all approaches must average at least 500 vehicles per hour for any eight hours of an average day.*

Traffic studies indicate that Bellingham carries around 4800 vehicles in a day while Larchwood carries around 3100 vehicles in a day. The minimum traffic volume warrant is met for 5 hours of the day when 500 vehicles or more enter the intersection. For another five hours of the day the intersection had 400 or more entering vehicles.

Traffic crash records show that there were 4 broadside-type reported crashes at this intersection during the last 3 years.

Considering the high volume of traffic and intersection geometrics, four way STOP signs may help decrease confusion and increase safety at the intersection.

Richard Kandarian, owner of Michigan Drill Corp, addressed the committee on his own behalf and at the request of John Marion, the petitioner.

Mr. Kandarian said at times oncoming traffic is facing each other because there is a jog in the road and he has seen many close calls at this intersection. There is a high traffic volume throughout the day, mostly heavy trucks, which can cause a sight obstruction. Motorists unfamiliar with the area cannot see the dogleg in the road until it is too late.

James D. Burg, President of James Burg Trucking Company, 1743 Larchwood, sent a letter (attached) to the committee supporting the proposal for four-way STOP signs at this intersection.

Mr. Marion has been in touch with Lt. McWilliams about speeding in the area, the Traffic Safety Unit had been very helpful in putting out the speed trailer stepping up enforcement. The Lieutenant agrees that all-way STOP signs would increase safety in the area.

RESOLUTION #TC-2004-11-77

Motion by Hubbell

Seconded by Ziegenfelder

To recommend installing all-way STOP signs at the intersection of Larchwood and Bellingham, and to recommend striping the intersection to guide motorists through the dogleg, if deemed necessary by the Traffic Engineer.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

5. **Visitors' Time**

Gerald Behl, 67 Hart, appeared to address the committee on items not on the agenda. He identified a possible hazard at Long Lake Road just west of Livernois, near Trevarrow Hardware. There are three small trees in the median which obscure vision. The Traffic Engineer will look at the area.

Mr. Behl also feels the crisscrossing traffic at the turnaround and Trevarrow's driveway is confusing and dangerous. He suggested having the westernmost driveway be "in" only and the one closer to Livernois be "out" only. This is something over which the City has no jurisdiction. The private property owner would have to do this.

The Committee members feel that the left turn traffic signal on westbound Maple at Chicago stays red much too long. Lt. McWilliams agreed that it needs a flashing red phase.

**RESOLUTION #TC-2004-11-78**

Motion by Hubbell

Seconded by Ziegenfelder

To request the Oakland County Road Commission to change the configuration of the traffic signal on westbound Maple at Chicago to add a flashing red phase.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

6. **Other Business**

Dr. Abraham asked Ms. Yau how the traffic situation has been at Troy High School. She said it is always congested, due in large part to the parents who drive their students to school. Dr. Abraham said the school is constructing a new parking lot to help ease congestion.

John Diefenbaker informed the committee that he would be out of the state for the January and February meetings.

Lt. Matlick related his experiences test-driving a fire truck over the new speed humps on Randall and Leetonia Streets. He found it a very jarring experience, and the glove box door fell completely off when the truck bounced. Even though the volunteer firemen are warned about the humps, in the excitement of a fire run they might be likely to forget. He recommends that warning signs be installed.

RESOLUTION #TC-2004-11-79

Motion by Hubbell

Seconded by Diefenbaker

To cancel the December meeting.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

The meeting was adjourned at 8:08 p.m. The next meeting is scheduled for January 19, 2005.

---

Charles Solis

LIVERNOIS

ITEM 3

CUTTING

DONALDSON

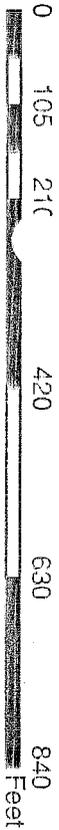
E SQUARE LAKE

MARTELL

FOLKSTONE

TARA

COTSWOLD



## Square Lake and Donaldson

## Warrant Summary

Urban values apply.

Warrant 1 - Minimum Vehicular Volumes

NOT SATISFIED. Required values reached for 0 hours.

Criteria--Main St.: 500; Side St.: See Volume Summary.

Warrant 2 - Interruption of Continuous Traffic

NOT SATISFIED. Required values reached for 0 hours.

Criteria--Main St.: 750; Side St.: See Volume Summary.

Warrant 3 - Minimum Pedestrian Volumes

NOT SATISFIED. Ped volume too low.

Criteria--Peak Hour: 190, 4th high Hour: 100

Warrant 4 - School Crossing

NOT APPLICABLE. Gap data has not been defined.

Warrant 5 - Progressive Movement

NOT SATISFIED for approach(es): Eastbound Westbound

Warrant 6 - Accident Experience

NOT SATISFIED. 1 correctable accidents is fewer than required 5.

Corr. Accidents: 1; RA Acc.: 1; LT Acc.: 0; Other Acc.: 1.

Warrant 7 - Systems Warrant

NOT SATISFIED. Peak hour total entering volume 989 < 800

- Approaches which are part of principal through traffic network.

E- Approaches which are highways outside, entering or crossing a city.

E- Approaches which appear as a major route in an official plan.

Warrant 8 - Combination of Warrants

NOT SATISFIED. Required values reached for 0 hours.

Criteria--Main: 600; Side: See Volume Summary.

Warrant 9 - Four Hour Volumes

NOT SATISFIED. Required values reached for 0 hours.

Warrant 10 - Peak Hour Delay

NOT SATISFIED. Peak hour (17) volume too low.

Warrant 11 - Peak Hour Volume

NOT SATISFIED.

Press any key to see other warrants, or <esc> to return.

Square Lake and Donaldson

Hour	Main	Side	--Dir.	Warrant 1	Warrant 2	Warrant 8
0	27	9	N			
1	20	3	N			
2	16	3	N			
3	13	1	N			
4	19	3	N			
5	32	8	N			
6	113	10	N			
7	316	40	N			
8	337	247	N	SIDE	SIDE	SIDE
9	296	117	N		SIDE	
10	315	51	N			
11	423	65	N			
12	524	57	N			
13	387	49	N			
14	473	70	N			
15	642	65	N	MAIN		
16	805	168	N	--BOTH--	SIDE	--BOTH--
17	834	155	N	--BOTH--	SIDE	--BOTH--
18	629	116	N	MAIN	SIDE	
19	462	78	N		SIDE	
20	314	43	N			
21	223	74	N			
22	115	24	N			
23	40	10	N			



DISPATCH (800) 841-1289  
OFFICE (248) 526-1433  
FAX (248) 526-1436

November 15, 2004

City of Troy  
Traffic Committee  
500 W. Big Beaver Road  
Troy, MI 48084

Re: Larchwood and Bellingham Intersection

Dear Traffic Committee Chair:

I am in receipt of the agenda for the November 17, 2004 Traffic Committee Meeting. My company is located at 1743 Larchwood, about 500' West of the subject intersection. I am in favor of this intersection becoming a four way stop.

My company has been at this location for six years and I have witnessed, and have been involved in, many close calls at this location. My observation is that many cars avoid the Maple and John R intersection by using Austin (North/South Road to the West) to Larchwood. Since Bellingham has opened up North from Larchwood to Big Beaver, I have noticed increased traffic on Larchwood by motorists navigating to Big Beaver.

The U.S. Postal Service has operations on Bellingham North of Larchwood. These trucks use Bellingham to ingress/egress from and to Maple. Cars traveling East from Austin easily reach 45 mph before the intersection. Cars traveling West from John R have the danger of Larchwood jogging to the North at the intersection. It takes almost the same time for a 70' tractor/trailer to clear the intersection from a dead stop as it does for a car to reach the intersection from Austin.

My business is trucking. My drivers use Bellingham as ingress to my facility. I hear constant complaints from my drivers of near accidents at this intersection. I have driven a truck through this intersection during peak times and acknowledge their legitimate concerns.

While am not available for the November 17<sup>th</sup> meeting, I ask that you accept this letter as my statement that I am in favor of a four way stop at the intersection of Bellingham and Larchwood.

Best regards,

James D. Burg  
President



ITEM 4

JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TRANSPORTATION  
LANSING

GLORIA J. JEFF  
DIRECTOR

October 13, 2004

Ms. Carol A. Marshall  
Operations Director  
Executone Telecommunications  
30927 Schoolcraft Road  
Livonia, Michigan 48150

Dear Ms. Marshall:

This is in response to your letter of September 28, 2004, regarding the intersection of Bellingame and Larchwood in the City of Troy. The Michigan Department of Transportation (MDOT) takes great pride in our transportation system. However, the intersection of Bellingame and Larchwood is not a state trunkline and is under the jurisdiction of the City of Troy. By copy of this letter, we will forward your correspondence to Mr. John Abraham, the city's Traffic and Safety Engineer for consideration. Mr. Abraham can be reached at 248-524-3300.

If you have any questions, please feel free to contact me, at 248-451-0001.

Sincerely,

Randy McKinney, P.E.

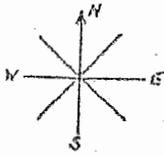
Manager

Oakland Transportation Service Center

cc: J. Abraham  
L. Tibbits  
G. Johnson

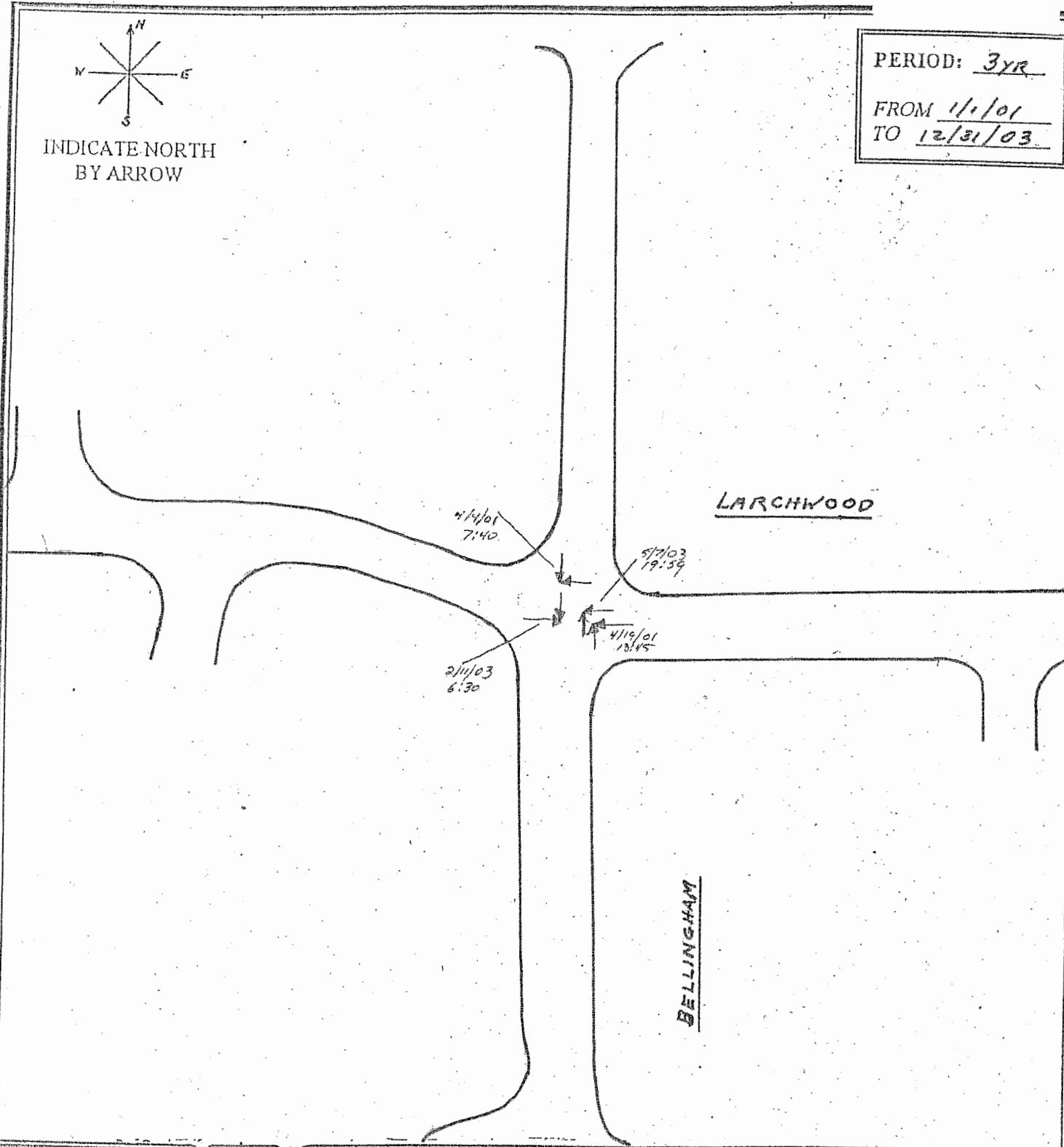
# COLLISION DIAGRAM

ITEM 4



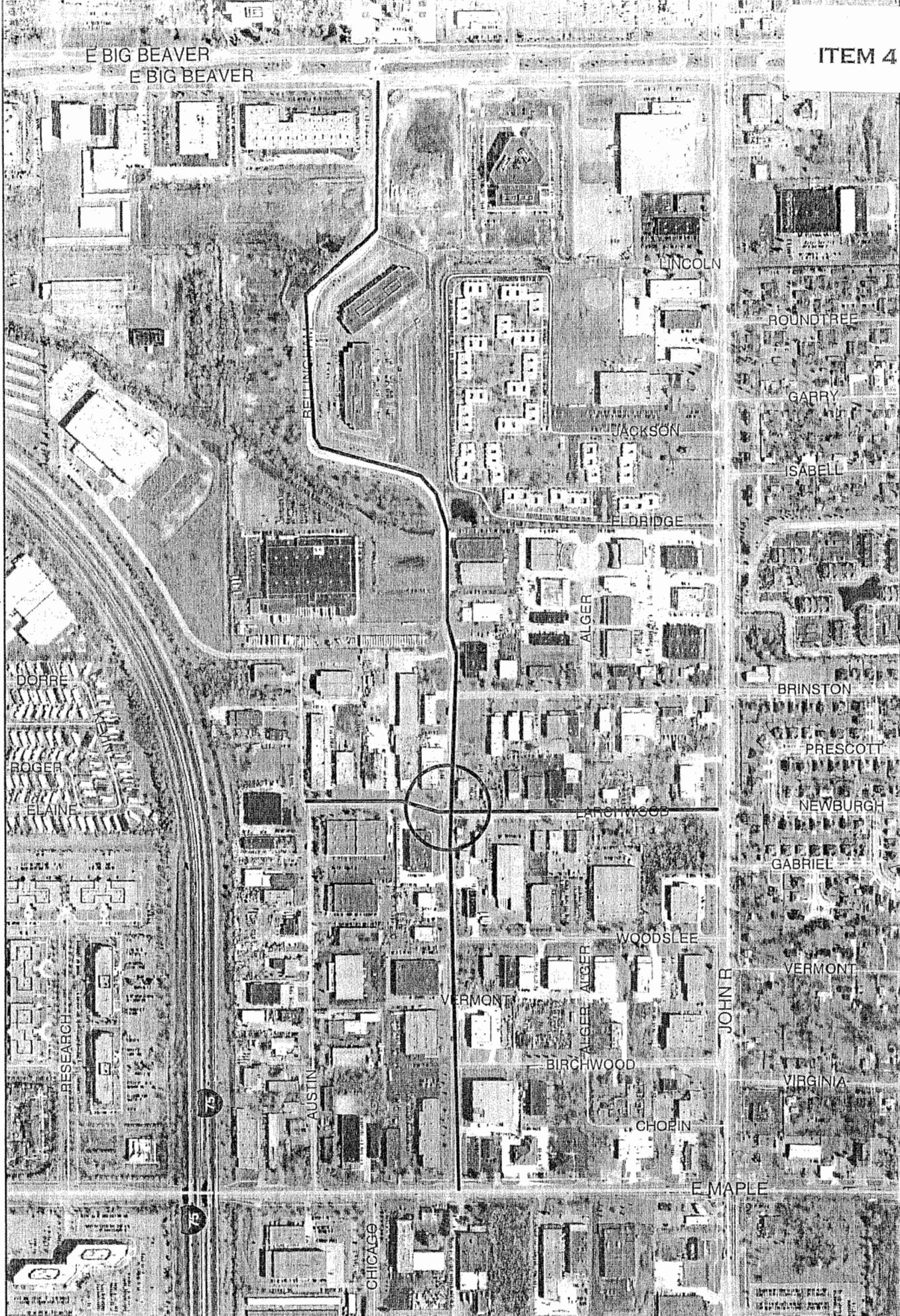
INDICATE NORTH  
BY ARROW

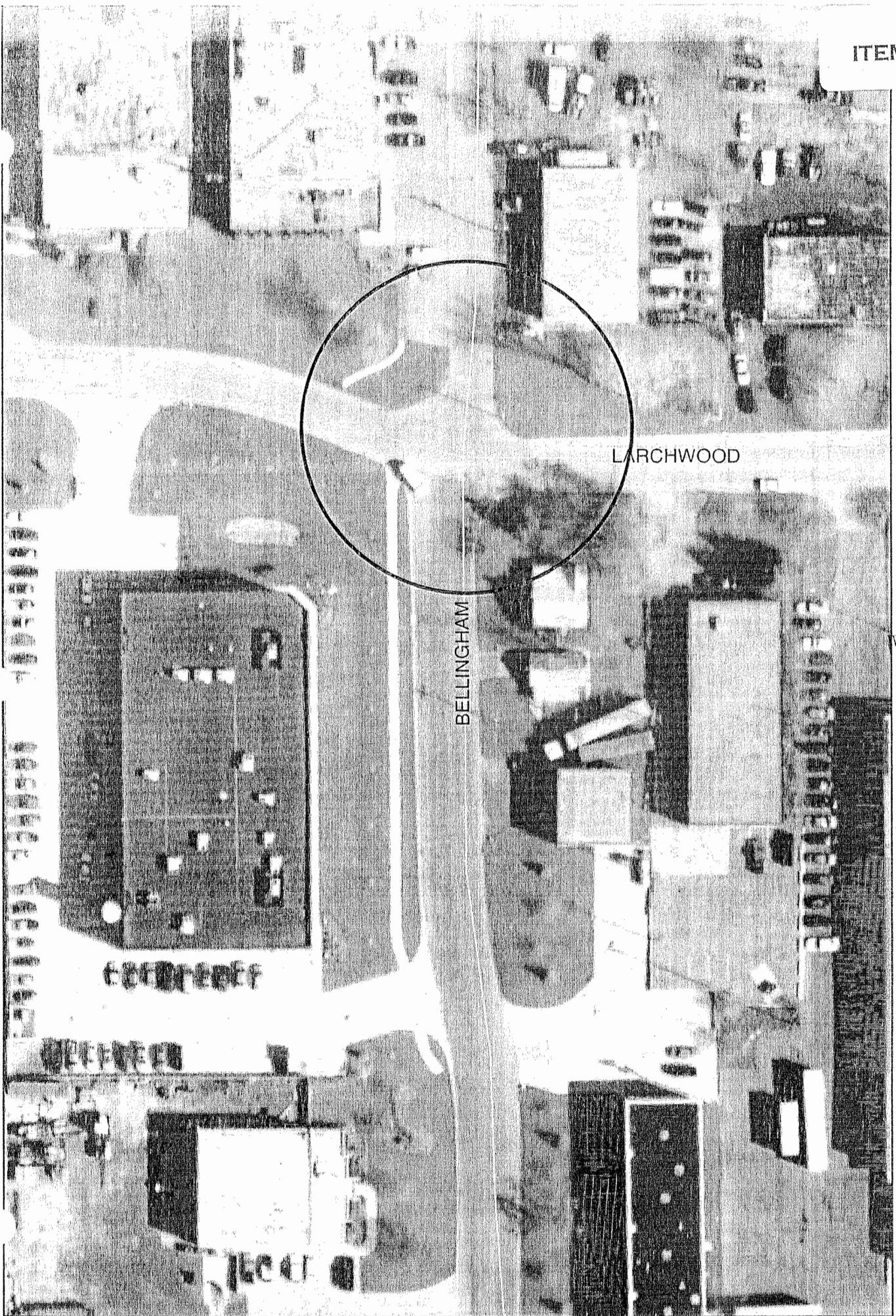
PERIOD: 3YR  
 FROM 1/1/01  
 TO 12/31/03



SYMBOLS	TYPES OF COLLISIONS	FOR EACH ACCIDENT SHOW:
<ul style="list-style-type: none"> <li>← MOVING VEHICLE</li> <li>↔ BACKING VEHICLE</li> <li>← - - - PEDESTRIAN</li> <li>▣ PARKED VEHICLE</li> <li>□ FIXED OBJECT</li> <li>○ INJURY ACCIDENT</li> <li>● FATAL ACCIDENT</li> </ul>	<ul style="list-style-type: none"> <li>←   ← REAR END</li> <li>→   ← HEAD ON</li> <li>↔ SIDE SWIPE</li> <li>↘ RIGHT ANGLE</li> <li>↙ LEFT TURN HEAD ON</li> <li>↘ OUT OF CONTROL</li> </ul>	<p>1. Date &amp; Time</p> <p>2. Weather &amp; Road Surface Conditions</p> <hr/> <p style="text-align: center;"><u>BELLINGHAM</u></p> <hr/> <p style="text-align: center;"><u>LARCHWOOD</u></p> <hr/> <p>BY: <u>HA</u>      DATE: <u>11/8/04</u></p>

E BIG BEAVER  
E BIG BEAVER





LARCHWOOD

BELLINGHAM



## PARKS AND RECREATION ADVISORY BOARD

A regular meeting of the Troy Parks and Recreation Advisory Board was held Thursday, January 13, 2005 at the Troy Community Center, room 503. Chairwoman, Kathleen Fejes called the meeting to order at 7:30 p.m.

Present:	Merrill Dixon, member	Ida Edmunds, member
	Kathleen Fejes, member	Tod Gazetti, member
	Tom Krent, member	Meaghan Kovacs, member
	Stu Redpath, member	Janice Zikakis, member
	Stuart Alderman, staff	Jeff Biegler, staff
	Carol K. Anderson, staff	

Absent: Brad Henson, Jeff Stewart, Rusty Kaltsounis

Visitors:

Resolution # PR - 2005 - 01 - 001

Moved by Krent

Seconded by Kovacs

RESOLVED, that the minutes from the December 7, 2004 meeting are approved as submitted.

Yeas: All

Nays: None

MOTION CARRIED

### **NEW BUSINESS**

**A. Aquatic Center Report** - Compared to previous years, the Aquatic Center had lower attendance last summer. It is likely due to the cool temperatures. Swim lesson revenue increased however, there was a decrease in birthday party attendance. Marketing of the Aquatic Center is done through mailing brochures with water bills, newspaper coupons, and the Troy Today. In addition, there were numerous Special Events offered as enticements to targeted groups such as teens, grandparents, mothers, fathers, families, college students and back to school specials to name a few. Other marketing tools are being looked at to raise awareness of the Aquatic Center.

**B. Community Center Food Service** - The Senior Advisory Board wrote a letter regarding the cost of catered food and allowing non-profit groups to bring their own food to the Community Center. It was explained to them that the Community Center must cover its costs for operating and this is one way that revenue is generated. Additionally, the caterer must have exclusive rights for food service or it is unlikely any vendor would provide food service at the Community Center.

### **OLD BUSINESS**

**A. Baseball Stadium Proposal** - was not discussed due to City Council voting it down on January 10, 2005.

**B. Tree Removal** - City Council approved 2 million dollars in the current fiscal year for removal and replacement of street trees. The replacement process has already begun and there are outside contracting crews dedicated to removal of the ash trees. The City of Troy

has also received money from the state for reimbursement costs of ash tree removal and replacement.

**Member Comments**

Tom Krent asked about lights that are on past 11 p.m. at Boulan Park. This has been corrected already. The tennis court lights are on a timer and automatically go off at 11 p.m. however the ball diamond lights must be turned off and on by an attendant. Staff will check on the lights.

Merrill Dixon brought the Sterling Heights Senior Newsletter in and read an article, which states that they charge .25 per person using their facility.

**Staff Reports**

Directors Report - none

Recreation Report - As part of the 50<sup>th</sup> Anniversary celebration, Community Kaleidoscope will be held at the Community Center this year. It will be held on Sunday, January 23, 2005 and a few of the activities that will be offered are; face painting, Community Group Expo, story telling and free swimming to name a few.

A new program will be offered through the Troy Coalition and other City/School groups - Spring Break Troy Style - during spring break week. Various businesses and groups are offering their services at discounted rates to teenagers during spring break week.

Eight new treadmills have arrived. Ten new ellipticals were received last month. The fitness area is now more than 7,000 square feet.

A new kiosk will be placed in the lobby of the Community Center. Residents will have access to online registration, their tax bills, and the City website. The new kiosk should be up and running by the end of the month.

Parks Report - Applications for seasonal summer laborers are now being accepted. There is also a need for a full-time tree trimmer. Applicants must be 18 years old and can fill out an application at City Hall in the Human Resources department.

Resolution # PR - 2005 - 01 - 002

Motion by Zikakis

Seconded by Redpath

RESOLVED, that Jeff Stewart and Brad Henson are excused.

Yeas: All

Nays: None

MOTION CARRIED

The meeting adjourned at 8:45 p.m.

---

Kathleen Fejes, Chairwoman

---

Mary Williams, Recording Secretary

FINAL

The Traffic Committee meeting was called to order at 7:30 p.m. in the Lower Level Conference Room at Troy City Hall on January 19, 2005 by Jan Hubbell.

1. Roll Call

PRESENT: Ted Halsey  
Jan Hubbell  
Richard Kilmer  
Richard Minnick  
Peter Ziegenfelder

ABSENT: John Diefenbaker  
Charles Solis  
Grace Yau, Student Representative

Also present: John Abraham, Traffic Engineer  
Lt. Scott McWilliams, Police Department  
Lt. Bob Matlick, Fire Department

And Items 3 & 4 Mike Johnson

Item 5 Tony & Tia Gee  
Bruce Bloomingdale, 4264 Tallman  
Dave Sysko, 4438 Yanich

Items 6 & 7 John Ballantine, Northfield Hills Condo Ass'n.  
Nancy Johnson, Northfield Hills Condo Ass'n.

Motion to Excuse

RESOLUTION #TC-2005-01-01

Motion by Kilmer

Seconded by Ziegenfelder

To excuse Mr. Diefenbaker, Mr. Solis, and Ms. Yau.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

2. Minutes – November 17, 2004

RESOLUTION #TC-2005-01-02

Motion by Kilmer  
Seconded by Halsey

To approve the November 17, 2004 minutes as printed.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

PUBLIC HEARINGS

3. Request for Sidewalk Waiver – 1257 Hartwig

Mike Johnson is requesting a waiver for the sidewalk at 1257 Hartwig. The sidewalk ordinance requires that sidewalk be installed in conjunction with the development of this parcel due to a recent lot split, combined and replatted. The Public Works Department recommends denial of this waiver request. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks."

Petitioner states that there are no other sidewalks in the area, the sidewalk would lead nowhere and connect to nothing.

RESOLUTION #TC-2005-01-03

Motion by Kilmer  
Seconded by Minnick

WHEREAS, City of Troy Ordinances, Chapter 34, Section 8(D) allows the Traffic Committee to grant temporary waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Mike Johnson has requested a temporary waiver of the requirement to construct a sidewalk on the property because there are no other sidewalks in the area, the sidewalk would lead nowhere and connect to nothing; and

WHEREAS, the Traffic Committee has determined the following:

- a. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and

- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk on the property line would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee grants a two-year waiver of the sidewalk requirement for the property at 1257 Hartwig, which is owned by Mike Johnson.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

4. **Request for Sidewalk Waiver – 1271 Hartwig**

Mike Johnson is requesting a waiver for the sidewalk at 1271 Hartwig. The sidewalk ordinance requires that sidewalk be installed in conjunction with the development of this parcel due to a recent lot split, combined and replatted. The Public Works Department recommends denial of this waiver request. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks."

Petitioner states that there are no other sidewalks in the area, the sidewalk would lead nowhere and connect to nothing.

**RESOLUTION #TC-2005-01-04**

Motion by Kilmer

Seconded by Minnick

WHEREAS, City of Troy Ordinances, Chapter 34, Section 8(D) allows the Traffic Committee to grant temporary waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Mike Johnson has requested a temporary waiver of the requirement to construct a sidewalk on the property because there are no other sidewalks in the area, the sidewalk would lead nowhere and connect to nothing; and

WHEREAS, THE Traffic Committee has determined the following:

- a. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk on the property line would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee grants a two-year waiver of the sidewalk requirement for the property at 1271 Hartwig, which is owned by Mike Johnson.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

5. **Request for Sidewalk Waiver – 533 East Wattles**

Tony Gee is requesting a waiver for the sidewalk at 533 East Wattles. The sidewalk ordinance requires that sidewalk be installed in conjunction with the development of this parcel due to a recent lot split, combined and replatted. The Public Works Department recommends denial of this waiver request. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks."

Petitioner states that there are no other sidewalks in the area, the sidewalk would lead nowhere and connect to nothing. A sidewalk would require removal of an existing 40-foot tall tree that adds to the natural features of the lot.

Mr. Gee addressed the committee and showed photos of his home and the surrounding area. There are no sidewalks in front of the properties to each side of his lot; one of which is 200 feet wide and one 85 feet. There are also utility poles and a big tree in the way. Mr. Halsey indicated that in the past the City has allowed meandering sidewalks around big trees. Dr. Abraham requested that Mr. Gee submit a plan to the Engineering Department for a sidewalk meandering around the tree.

Bruce Bloomingdale, 4264 Tallman, said the sidewalk in that square-mile section is 97% complete, and should be continued.

Dr. Abraham mentioned that the City is working toward having sidewalks on all main roads, including Wattles. Last year a developer was required to install sidewalks along a long stretch of Wattles to the west of this area, and the committee felt that this property should not be granted a different status.

RESOLUTION #TC-2005-01-05

Motion by Halsey

Seconded by Minnick

WHEREAS, the Traffic committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee denies a waiver of the sidewalk requirement for the property at 533 East Wattles, which is owned by Tony Gee.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

REGULAR BUSINESS

6. Replace YIELD sign with STOP sign on Buckingham Place at Brentwood

*(This item was considered by the Traffic Committee at the October 20<sup>th</sup> meeting. No one appeared to address this matter and the committee recommended no changes at the intersection)*

John Ballantine, Northfield Hills Condominium Association, requests a STOP sign instead of the YIELD sign on Buckingham Place at Brentwood. Mr. Ballantine reports that even though there is a YIELD sign on Buckingham Place at Brentwood, motorists do not always yield to traffic, and he has seen many close calls at this intersection

This is a 3-way intersection, with a YIELD sign on Buckingham Place at Brentwood. Sight distance studies show that there are no major sight obstructions at this intersection. Brentwood runs from Long Lake to Northfield Parkway; Buckingham Place is a dead end street.

Brentwood carries around 1100 vehicles in a day and caters mostly to the condominium development. Buckingham Place carries around 680 vehicles per day. There was one rear-end-type crash in the past three years at this intersection.

Mr. Ballantine and Ms. Johnson related that they have had complaints of near misses from residents.

Mr. Halsey drove through the area and noted that most of the similar intersections have STOP signs.

RESOLUTION #TC-2005-01-06

Motion by Halsey

Seconded by Ziegenfelder

To recommend replacing YIELD sign with a STOP sign on Buckingham Place at Brentwood.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

7. Replace YIELD sign with STOP sign on Breeze Hill Place at Brentwood

*(This item was considered by the traffic committee at the October 20<sup>th</sup> meeting. No one appeared to address this matter and the committee recommended no changes at the intersection)*

John Ballantine, Northfield Hills Condominium Association, requests a STOP sign instead of the YIELD sign on Breeze Hill Place at Brentwood. Mr. Ballantine reports that even though there is a YIELD sign on Breeze Hill Place at Brentwood, motorists do not always yield to traffic, and that he has seen many close calls at this intersection

This is a 3-way intersection, with a YIELD sign on Breeze Hill Place at Brentwood. Sight distance studies show that there are no major sight obstructions at this intersection. Brentwood runs from Long Lake to Northfield Parkway, Breeze Hill Place is a dead end street.

Brentwood carries around 1100 vehicles in a day, while Breeze Hill carries around 630 vehicles per day. There were no reported crashes at this intersection in the past three years.

Mr. Ballantine and Ms. Johnson related that they have had complaints of near misses from residents.

Mr. Halsey drove through the area and noted that most of the similar intersections have STOP signs.

RESOLUTION #TC-2005-01-07

Motion by Halsey

Seconded by Ziegenfelder

To recommend replacing YIELD sign with a STOP sign on Breeze Hill at Brentwood.

YEAS: All-5

NAYS: None

ABSENT: 2

MOTION CARRIED

Mr. Ballantine said the condo association will inform residents of the changes. Mr. Kilmer asked Lt. McWilliams for extra enforcement in the area.

8. Visitors' Time

No one appeared to address items not on the agenda.

9. Other Business

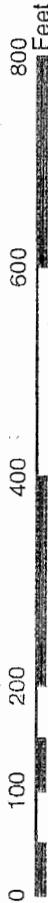
There was no other business discussed.

The meeting was adjourned at 7:58 p.m. The next meeting is scheduled for February 16, 2005.

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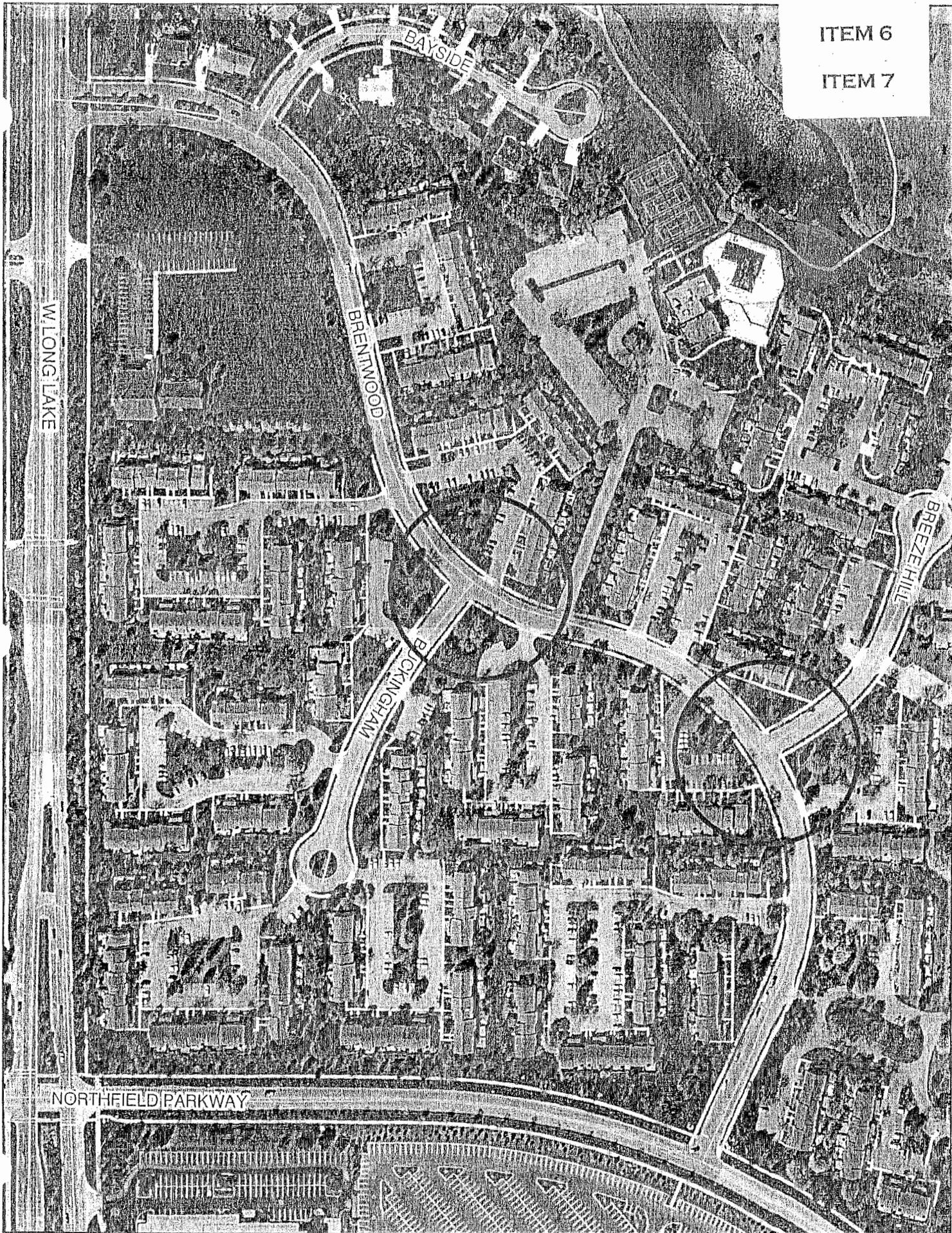
Jan Hubbell





ITEM 6

ITEM 7



A Regular Meeting of the Troy Advisory Committee for Persons with Disabilities was held Wednesday, February 2, 2005, at the lower level conference room at City Hall. Leonard Bertin called the Meeting to order at 7:05 P.M.

Present: L Bertin, member C. Buchanan, member  
S. Burt, member A. Fuhrman, alternate  
K. Gauri, member T. House, member  
P. Manetta, member D. Pietron, member  
M. Pritzlaff, alternate S. Werpetinski, member

Present: M. Grusnick, staff  
K. Jearls, staff

Absent: A Done, member, EA N. Johnson, alternate, UA  
A. Wiqar, student, UA

#### **ITEM B – APPROVAL OF MINUTES OF MEETING OF DECEMBER 1, 2004**

Gauri made a motion that the minutes of December 1, 2004 be approved. Supported by Buchanan. All voted in favor.

#### **ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC**

Susan Werpetinski is our newest member. We welcome Susan to our committee.

Brian Murphy, Assistant City Manager for Services attended our meeting. Brian is the ADA Coordinator for Troy.

Mike Harris, Michigan Paralyzed Veterans of America, attended. This organization is active in the assistance of people with spinal cord injuries or diseases of the spinal cord.

Kelly Stanford, Education Manager, Erica Hagendorff, Education Coordinator, and Margene Scott, President, Michigan Municipal League, and a Councilwoman for Madison Heights, were all in attendance for the meeting. Their website is [www.mml.org](http://www.mml.org) for questions.

#### **ITEM D – NEW BUSINESS**

Grusnick researched the availability for space at the Community Center for educational programs staffed by the Chronic Illness Coalition. It is available at no cost. Jane Cortez will need a Planning Committee and Burt, Buchanan and Manetta volunteered.

Kelly Stanford informed the Committee that Michigan Municipal League currently does not offer any educational programs or seminars on disability related issues. They agree with the Committee that a need exists. The MML invited us to participate in their conventions such as the one in Grand Rapids, September 20 through September 23,

**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT– FEB 2005**

2005. The MML has asked for information on seminars we would like offered at this convention. Some of the programs suggested were ADA education, visitability for new construction, seminars to assist other communities in establishing similar committees to the one we have in Troy, and sensitivity training for City employees.

**ITEM E – REGULAR BUSINESS**

Buchanan will attend the City Council meeting on 2/7/05 and Fuhrman on 2/21/05, if necessary.

**ITEM F – OLD BUSINESS**

House will contact Jan Jopke to see what the status is on playground equipment.

Burt contacted the Director of Highway Safety at the Secretary of State regarding injuries suffered by people involved in alcohol related accidents and disability parking.

Buchanan suggested designing a Troy Beaver with disabilities, such as in a wheelchair, wearing a helmet, glasses, etc.

**ITEM G – INFORMATIONAL ITEMS**

**ITEM H – ADJOURN**

Burt made a motion to adjourn at 8:35, Gauri seconded.

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Leonard Bertin, Chairperson

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Kathy Jearls, Recording Secretary

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**ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL– FEB 2005**

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Leonard Bertin, Chairperson

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Kathy Jearls, Recording Secretary

## Advisory Committee for Senior Citizens

A Regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, February 3 2005 at the Troy Community Center. Chair JoAnn Thompson called the meeting to order at 10:10 AM.

**Present:** JoAnn Thompson, Chair                      Bill Weisgerber, Vice-Chair  
                  David Ogg, Member                              Pauline Noce, Member  
                  Bud Black, Member                                  James Berar, Member  
                  Merrill Dixon, Member                              Marie Hoag, Member  
                  Jo Rhoads, Member                                  Carla Vaughan, Staff

**Absent:** None

**Visitors:** Mary Beth Halushka, Wendy Underwood, Martin Bieganowski

### Approval of Minutes

Resolution # SC-2005-02-001  
 Moved by Jo Rhoads  
 Seconded by David Ogg

RESOLVED, That the Minutes of December 2, 2004 be approved as amended: Bill Weisgerber was excused from the vote on Resolution # SC-2004-12-002.

Yes: 9  
 No: 0

MOTION CARRIED

### Visitor Comments

Mary Beth Halushka introduced school board candidate Wendy Underwood. The Committee asked Mary Beth to invite Janet Jopke to the March meeting.

### Old Business

**Troy Senior Council Name Change:** JoAnn Thompson reported that that they are open to changing their name and the City Attorney's office is willing to help them and she will continue to pursue the matter with them. Membership cards have been printed for 2005.

**Senior Centers in Neighboring Cities:** Bill Weisgerber stated that the object of the visits to other cities is to compare our program to theirs, and a discussion was held on how to go about this.

**Shuffleboard:** Jo Rhoads reported that bocce ball is very popular. Merrill Dixon stated that a report should be presented to the Park Board with the signatures and details about the courts. Rochester has an indoor court that does not get much use. The table shuffleboard there is more popular. JoAnn Thompson will prepare a report for the February Park Board meeting.

**Catering Service at the Community Center:** Carla reported that the Committee's memo went to council on Monday, January 10 as a communication along with a memo of response from Carol Anderson. Carol is exploring the Committee's suggestion and will take other suggestions. Stu and Kraig are working on a proposal. Emerald Food Service does not keep records of how much business they get from non-profit groups, but estimate that it is about 25% of their total. JoAnn reported that it is not entirely true that room 504 is available for groups to bring snacks in since it is reserved for birthday parties on Fridays, Saturdays and Sundays. She would still like to know how much revenue is involved with snacks for non-profit groups. She has talked to many groups and they are not purchasing snacks, so lost revenue would probably be very little. David Ogg suggested that the City have its own caterer for all City facilities. Bill would like to see a feasibility study done on this. He also stated that the Senior Advisory Committee should have been advised when the expiration date for the catering contract was changed. The Committee requested that Carla call Kim Haveranek and invite her to the March meeting.

### **New Business**

**Golf:** James Berar suggested that now that the City has two golf courses, they should have a golf float in the Troy Daze parade. He also suggested that some screening needs to be planted at the driving range so people have a background on which to track their balls. Merrill Dixon will bring up these items at the next Park Board meeting. **Mr Berar suggested that benches be installed at the driving range by the Ts.**

**Senior Community Goals and Objectives:** Bill Weisgerber led a discussion about establishing a task force to determine goals and objective for the senior community.

Resolution # SC-2005-02-002  
Moved by Bill Weisgerber  
Seconded by Merrill Dixon

RESOLVED, That a recommendation be made to establish a task force to determine goals and objectives for the senior community.

Yes: 1  
No: 8

MOTION DENIED

### **Reports**

**Park Board:** Merrill Dixon reported that the Senior Advisory Committee's memo about the catering contract was discussed. They were sympathetic to the Committee's concerns and suggested that they pursue the issue. The Aquatic Center annual report and high school spring break activities were also discussed. Merrill requested that a Spring Break flyer be enclosed with the minutes.

**Medi-Go:** Jo Rhoads reported that they gave over ~~40,000~~ **13,000** rides last year and it is getting difficult at times to get a ride.

**Nutrition:** No report.

**Senior Program:** Carla reported on the upcoming TESA workshop. She will invite Elaine Torvinen to the next meeting so the Committee can meet her.

**OLHSA:** Jo Rhoads reported that OLHSA has merged with CSO.

**Suggestion Box:** Carla reported that there were only two suggestions – both asking for more weights for the exercise classes. She is pursuing the matter with the Community Center Supervisor, since all of the fitness classes share the weights.

**Comments**

Carla handed out information from Councilman Dave Lambert and JoAnn Thompson suggested that the discussion of this material be added to the March agenda. Committee members voted in favor of adding this to the next agenda.

The meeting was adjourned at 12:20 p.m.

Respectfully submitted,

JoAnn Thompson, Chair

Carla Vaughan, Secretary



## **MOTION CARRIED**

## **POSTPONED ITEMS**

There were no postponed items.

## **REGULAR BUSINESS**

It was reported that Joanne Allen, Audre Zembrzuski, Nancy Wheeler and student representative Cheng Chen along with Brian Stoutenburg will attend the annual Boards and Commissions Banquet.

## **REPORTS & COMMUNICATIONS**

### **Director's Report.**

The Board Member's attendance at the All Staff meeting that morning was discussed and it was requested to make this an annual event so that the Board and the Staff could interact with each other. An old history of the Library was distributed as well as a new timeline that will be used in conjunction with the City's 50<sup>th</sup> Anniversary.

### **Quarterly Financial Report.**

The quarterly financial report was reviewed.

### **Board Member comments.**

Griffen asked that at next meeting an organizational chart of the Library and Museum be distributed with the names of key staff.

Zembrzuski asked that a new history of the library brochure be developed and made available to the public on the information rack.

Allen commented that having worked in libraries she is a strong advocate for the staff.

### **SLC Report.**

No report.

### **Friends of the Library.**

The Friends Books Store held another Tuesday evening special book sale to reduce stock on February 1, 2005 and plans one more such sale on February 8, 2005.

### **Gifts.**

No gifts were received.

### **Informational Items.**

February TPL Calendar

### **Contacts and Correspondence.**

8 written comments from the public were reviewed.

### **Public Participation.**

There was no public participation.

The Library Board meeting adjourned at 11:00 A.M.

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Brian Griffen  
Chair

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Brian Stoutenburg  
Recording Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, February 9, 2005, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 12:15 p.m.

**TRUSTEES PRESENT:**

Mark Calice  
Michael Geise  
Thomas Houghton, Chair  
John M. Lamerato  
David A. Lambert  
William R. Need  
Steven A. Pallotta  
John Szerlag

**ALSO PRESENT:**

Laura Fitzpatrick

**MINUTES*****Resolution # ER – 2005 – 02 - 005***

Moved by Szerlag  
Seconded by Calice

*RESOLVED*, That the minutes of the January 12, 2005 meeting be approved.

Yeas: All 7

**OTHER BUSINESS – ELECTION OF CHAIRMAN AND VICE CHAIRMAN*****Resolution # ER – 2005 – 02 - 006***

Moved by Szerlag  
Seconded by Calice

*RESOLVED*, That the Board elect Thomas Houghton as Chairman and Steven A. Pallotta as Vice chairman.

Yeas: All 7

**INVESTMENTS**

***Resolution # ER – 2005 – 02- 007***

Moved by Pallotta

Seconded by Lambert

*RESOLVED*, That the following investments be purchased and sold:

***Purchase:*** \$500,000 Ford Motor Credit, 5% due 2/20/08; 5,000 shares Kimco; 3,000 shares Lowe's; 10,000 shares Oracle; 5,000 shares O'Reilly Automotive.

***Sell:*** Lancaster Colony; Liberty Media International; Liberty Media International A; Matthews International; Medco Health Solutions and sell Alliance Technology Fund and Purchase shares of Seligman Communication & Info Mutual Fund.

Yeas:            All 7

The next meeting is March 9, 2005 at 12:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 1:00 p.m.

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Thomas Houghton, Chairman

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John M. Lamerato, Secretary

The Chairman, Matthew Kovacs, called the meeting of the Board of Zoning Appeals to order at 7:30 P.M. on Tuesday, February 15, 2005 in Council Chambers of the Troy City Hall.

PRESENT:           Kenneth Courtney  
                   Christopher Fejes  
                   Marcia Gies  
                   Michael Hutson  
                   Matthew Kovacs  
                   Mark Maxwell  
                   Wayne Wright

ALSO PRESENT:   Mark Stimac, Director of Building & Zoning  
                   Allan Motzny, Assistant City Attorney  
                   Pamela Pasternak, Recording Secretary

#### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF JANUARY 18, 2005**

Motion by Gies  
 Supported by Courtney

MOVED, to approve the minutes of the meeting of January 18, 2005 as written.

Yeas:           6 – Fejes, Gies, Hutson, Kovacs, Maxwell, Courtney  
 Abstain:       1 – Wright

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

**ITEM #2 – RENEWAL REQUESTED. NINO SALVAGGIO INVESTMENT CO. OF TROY, 6835 ROCHESTER ROAD**, for relief of the Ordinance to maintain a 6' high landscaped berm in lieu of the 6' high masonry screening wall required along the south and west sides of the property.

Mr. Stimac explained that the petitioner is requesting renewal of relief granted by this Board to provide a landscaped berm in place of the 6' high masonry-screening wall required along the south property line and the west boundary line. This relief has been granted on a yearly basis since 1995. This item last appeared before this Board at the February 2002 meeting and was granted a three-year renewal at that time. This renewal was granted based on the fact that the property to the west was approved for the development of a 50 plus townhouse community and the approval of a site plan for new development on the south. The development to the west has commenced and is about 20% occupied. The previously approved development to the south has not commenced. Other than that, the conditions remain the same and we have no complaints or objections on file.

**ITEM #2 – con't.**

Mr. Kirk Taylor, President of Nino Salvaggio's was present. Mr. Taylor stated that there is a 50' E-P Zone next to the developed property on the west side and would like to see a permanent variance be granted on that side. On the south side of the property, the development that was proposed did not include the property that the kennel is on and this property is landlocked, which would prevent further development in this area. Mr. Taylor asked if this variance could also be made a permanent variance.

Mr. Courtney asked if the development on the west side was complete, although occupancy was not complete. Mr. Taylor said that was correct.

Motion by Courtney  
Supported by Maxwell

MOVED, to grant a three-year (3) renewal to Nino Salvaggio Investment Co. of Troy, 6835 Rochester Road, relief of the Ordinance to maintain a 6' high landscaped berm in lieu of the 6' high masonry screening wall required along the south and west sides of the property. Further, that when this variance comes up for renewal in 2008, that a new public hearing be scheduled to consider making this a permanent variance.

- In 2008, occupancy should be complete in the developments surrounding this property.
- A new public hearing will determine if these variances can be made permanent.

Yeas: All – 7

MOTION TO GRANT RENEWAL OF VARIANCE FOR THREE (3) YEARS CARRIED

**ITEM #3 – VARIANCE REQUESTED. TIM JUDY, 2352 LANERGAN,** for relief of the Ordinance to construct a family room addition on the rear of his home, which will result in a 40' rear yard setback where Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct a family room addition on the rear of his home, which will result in a proposed 40' rear yard setback. Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning.

Mr. Judy was present and stated that he and his wife have five children and basically they have run out of room. They have looked into the possibility of moving, and although they have looked at approximately 45 homes they have found that new construction is too expensive, and homes that are affordable would put them in the same situation they are in now. They would like to keep their children in the same schools. Mr. Judy also said that they feel this is the best location for the addition as the house is set backwards on the lot and if they went off of the family room and kitchen

**ITEM #3 – con't.**

area the setback would be reduced even more. Mr. Judy said that they had considered putting the addition on the back of the garage, however, with seven people in the home, they would like to retain the option of adding another garage at some later date. In addition, they would like to put a basement under this addition.

Mr. Courtney asked if they had discontinued looking at other houses. Mr. Judy said that his sister-in-law is a realtor and she sends them regular e-mails showing what is available. Mr. Judy indicated that when he finds something that is affordable there is no difference in the size of the homes, and new construction is not affordable.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections on file.

Motion by Maxwell  
Supported by Wright

MOVED, to grant Tim Judy, 2352 Lanergan, relief of the Ordinance to construct a family room addition on the rear of his home, which will result in a 40' rear yard setback where Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning.

- Irregular shape of lot creates a hardship.
- Variance would not be contrary to public interest.
- Variance would not have an adverse effect to surrounding property.

Yeas: All – 7

MOTION TO GRANT VARIANCE CARRIED

**ITEM #4 – INTERPRETATION REQUEST. MR. & MRS. GEORGE REED & MR. THOMAS KRENT, 3129 ALPINE**, regarding the issuance of a building permit to construct a garage at 3129 Alpine.

Mr. Stimac explained that the petitioners are appealing the issuance of a building permit to construct a garage a 3129 Alpine. In support of that appeal they are requesting interpretation of Sections 1.30.00, 2.30.00, 2.50.02, 4.20.01, 4.20.03, 4.20.65, 4.20.71, 4.20.139, 10.10.00, 3.40.03 and 40.57.02 of the Troy Zoning Ordinance as they apply to that structure. The permit for this structure was issued in 2003 because the structure was found to be in compliance with the requirements of the Troy Zoning Ordinance. We have included all information provided by the applicants in support of their request however, without any specific information on the basis for their appeal of these sections, we are unable to provide a response at this time.

**ITEM #4 – con't.**

Mr. Kovacs expressed concern about the lack of information provided by the petitioner and asked if additional information had been received. Mr. Stimac explained that the petitioner had delivered a disc that contains numerous pictures and a reference to other sections, however, nothing else was received. Mr. Stimac also indicated that Mr. Kingsepp would probably use this disc as well as others during his presentation.

Mr. Kovacs stated that the petitioners are asking the Board to interpret a number of sections of the Ordinance but they have not provided any information as to how they have interpreted these sections of the Ordinance and what result they would like to see. Mr. Kovacs also stated that Mr. Piscopo has not been able to see any of the petitioner's evidence and City Staff has not been able to prepare a rebuttal for the objections to the interpretation of these sections and asked if any other Board members had a problem with this item.

Mr. Courtney stated that he is not sure exactly what the Board is dealing with. Mr. Courtney also said that he had looked at the building and did not like it either, but was not sure if this building was put up according to the Ordinance which section of the Ordinance it would violate.

Mr. Kovacs said that he personally would like to see more data and how the petitioner feels that this structure does not meet the requirements of the Ordinance.

Mr. John Kingsepp, representing the petitioners was present. Mr. Kingsepp said that he had informed the Assistant City Attorney that he would be providing by disc and laptop the background for this petition, but not his argument and she agreed that this would be fine. Mr. Kingsepp said that they are objecting to the Building Official's decision to issue a Building Permit for this structure. Mr. Kingsepp said that he planned to show a presentation with simulations regarding this structure. Mr. Kovacs said that he is concerned because the property owner in this case does not have any idea what would be presented tonight. Mr. Kingsepp said that the property owner is not the applicant, the real interested party is the City and their interpretation. Mr. Kingsepp also said that if the owner of the property came forward and said he did not have enough information regarding this petition, the matter could be postponed until he felt he had enough information; however, Mr. Kingsepp was not aware of anything in the Ordinance that states he had to supply the owner with this information.

Mr. Kovacs said that he is looking for an interpretation of these issues and is concerned that the homeowner does not have any knowledge of this hearing. Mr. Kovacs then said that even though Mr. Kingsepp said this issue doesn't involve the homeowner, ultimately the structure is the homeowner's and he would be affected. Mr. Kingsepp said that he would not predict the outcome of this hearing and would suggest that if any member of this body feels the homeowner should present their case, he would be willing to postpone this request until another meeting. Mr. Kovacs said that he just wants to make sure that this Board is fair to everyone.

**ITEM #4 – con't.**

Mr. Motzny said that the Board has the discretion to postpone this matter if they feel additional information is needed, however, he would suggest that the Board listen to the presentation and make a decision after this presentation.

Mr. Maxwell asked if this Board was being asked to provide an interpretation of the various sections of the Ordinance that were used to grant this Building Permit. Mr. Motzny said that this question would be better directed to the petitioner, although, Mr. Motzny said that he understands the petitioners believe the Building Permit was issued incorrectly based on their interpretation of the Ordinance. Mr. Maxwell then asked if this Board had the power to rescind this Building Permit. Mr. Motzny said that it was within this Board's power to determine that the Building Official made a decision to issue a Building Permit that was in violation of the Ordinance.

Mr. Stimac said that officially the Board does not have the power to rescind the permit. The Board does have the power to find that the permit was issued contrary to the provisions of the Zoning Ordinance. On that finding, it is the Building Official's responsibility to enforce this decision and take whatever steps are necessary to make sure that this building would comply with the Ordinance. Mr. Motzny said that this interpretation was correct.

Mr. Courtney stated that the booklet he was given did not define any of the sections the petitioners mentioned. Mr. Kingsepp stated that the information was on a disc, but Mr. Courtney said that he did not have the ability to look at a disc.

Mr. Kovacs said that the petitioner stated that he does not have to show any of his material to the homeowner and Mr. Kovacs asked for an interpretation on this statement by City staff. Mr. Motzny said that there is no requirement under the Ordinance that the petitioner provide any of his information to the homeowner, as long as the petitioner's information is provided to members of the Board.

Mr. Hutson said that this Building Permit was issued in the summer of 2003 and the building is complete. Ordinance 43.55.00 states that "...any person or entity affected by the decision of Director of Building and Zoning may appear at the hearing in person or by a representative ...." and in Mr. Hutson's opinion means that this appearance would be done at the time the permit is issued and not after completion of the construction. Mr. Hutson also said that perhaps this item should be presented in Circuit Court. Mr. Kingsepp said that this was a good observation, but that he has to go through the administrative process as suggested by case law. The appeal taken under the City's Ordinances and under the State Enabling Act allows him to go to Circuit Court. Mr. Kingsepp also said that according to the Ordinance there was no hearing on this matter, the Building Permit was issued and the residents were not aware of what was going up until it was already in the process of being done. The residents approached City Council as they felt this was the proper procedure and since no occupancy permit has been issued, the residents have the right to object. Mr. Hutson

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also said that they should have come to the Board of Zoning Appeals first. Mr. Kingsepp said that this was not true as it should have been the owner of the property who would have had to appear before this Board.

Mr. Kovacs said that he wished Mr. Kingsepp to make his presentation and said they may not open it up to a Public Hearing. Mr. Kovacs also said that he did not want to hear anything regarding the debris in the yard and some of the other things in the yard of this property. Mr. Kovacs said that this would not be a complaint fest and further stated that anyone that speaks on this item would have to limit their comments only to the structure itself.

Mr. Kingsepp said that he had spoken to their clients and told them that they should be very succinct and very pointed regarding the issue itself, which is the size of the structure. Mr. Kingsepp also said that the site is depicted in the CD Rom. Mr. Kovacs said that he did not want this to be a catfight between neighbors and Mr. Kingsepp agreed with this statement.

Mr. Maxwell said that he felt that any type of commercial activity at this site would also be relevant to this hearing. Mr. Kovacs said that this would be considered more a use violation and is not based on the structure. Mr. Maxwell said that he thinks this issue would be relevant to this hearing. Mr. Courtney also said that there are a number of people who do believe he is using this as a commercial site, but does not believe that is something this Board can address. Mr. Kovacs also said that it is up to the Building Department to make sure he is in compliance with the code.

Mr. Kingsepp said that in the presentation there is a demonstration simulating the size of the structure and what it could be used for as to the interior. The purpose of that has a direct connection to the definitions in the Ordinance.

Mr. Kovacs cautioned the Board as to what they are to understand and what they are here to interpret.

Mr. Courtney asked if there were some recommendations made to change the Ordinance to not allow this size structure to be built in a residential area. Mr. Stimac said that there are Public Hearings that have been conducted in front of the Planning Commission proposing revisions to the Zoning Ordinance relating to the size of accessory buildings both attached and detached. Those Public Hearings were held and a recommendation was made to City Council as a result, City Council referred it back to the Planning Commission for further study on specific items, which was held on February 7, 2005. Mr. Stimac said that he thought the new recommendations would be going back to City Council in March.

Mr. Wright said that at the Planning Commission meeting of February 7<sup>th</sup>, the item was postponed as the Planning Commission is committed to the maximum height of 8' for a

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garage door height, which was questioned by Council. There was a difference between the recommendations of the Planning Commission and City staff's recommendations and Mr. Wright said that they were quite sure they would be able to bring this before Council some time in March.

Mr. John Kingsepp began his presentation and said that this a very unusual request. This locale consists of single-family residences and 3129 Alpine is the residence that has the 6000 square foot attached garage that is in question. Mr. Kingsepp also said that he thought a proposed development of condominiums on the corner had been approved and was also a single-family multiple development. This area is geared toward single-family living. The application applied for in July 2003, contains reference to an addition and a 6000 square foot attached garage. Mr. Kingsepp stated that this is the applicant's description of what that structure was going to be. The Building Department stated that this structure would have to meet all codes and inspections. The Building Permit spoke in the context of a garage. This word is defined in the Zoning Code. The applicant forwarded a supplemental explanation August 6, 2003, using the adoptive word garage so that he may park his equipment and/or his commercial vehicle. This is what the applicant's intention was.

The locale of the particular structure shows storage in one area, materials in another area, storage beside the building, and no indication of a single commercial vehicle. Mr. Kingsepp said that he did not know if the structure was being constructed to store that, but he did not construe that to mean equipment necessary for the business that is being constructed from this site. Mr. Kingsepp showed pictures depicting the height of this structure as compared to people and the adjoining property. There are two (2) doors on the garage, one a pedestrian door, about 8' tall, and the other door is 14' high. In most communities the height of a garage is 14', in this case the door is 14' high. Mr. Kingsepp showed pictures taken in the inside with a number of vehicles inside and also shows what appears to be an appliance being stored inside. The area around this home is serene, quaint and unencumbered by large buildings. It includes garages that are attached to the house that are the same roof height, and have the same architectural flow. The City Assessor reviewed this area and stated that it has some of the largest attached garages in the community.

Mr. Kingsepp said that the structure in question is manufactured by Star Building Products, which manufacturers warehouses, airplane hangers, shopping centers and industrial buildings. This company does not manufacture garages that one would deem appropriate to a residential district. Mr. Kingsepp went on to say that these are commercial structures. In this particular structure, 6,000 square feet, two 18-wheelers as well as twenty-two (22) full-size pickup trucks would fit inside. The structure itself is 3.78 times larger than the main residence on the site, which is a single-family residence. Mr. Kingsepp had pictures of similar buildings in Troy, which are in Light Industrial Zoning Districts, not Residential Zoning but had a similar appearance to the garage in question. Statement of applicant indicated an attached garage, and Mr. Kingsepp said

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this is not an attached garage, but a commercial sized building that can accommodate equipment and certainly more than one commercial vehicle.

The opportunity now exists for this type of construction to be attached to other homes in Troy as long as the lot size can accommodate it. This is the result of this type of intrusion. Mr. Kingsepp also said that he cannot determine anywhere in the City Code that this is what the City wants.

Mr. Kingsepp showed pictures of attached garages and pointed out the relationship of the size of the attached garages as compared to the homes. Mr. Kingsepp pointed out the compatibility between these garages and the homes they are attached to.

Mr. Kingsepp pointed out the size of this structure compared to other structures in this area. Mr. Kingsepp also said that he thought the interpretation of the Ordinance in this case might have been misconstrued.

Section 01.30.00 – Greater Restrictions. Mr. Kingsepp paraphrased this Section to say that greater restrictions being imposed where applicable.

Section 04.20.01 – Accessory Building. Something subordinate and use of that which is incidental to the main building. Mr. Kingsepp said that in his opinion a 6000 square foot attached commercial garage is not a subordinate building to the single-family residence at 3129 Alpine.

Section 04.20.03 – Accessory Use. Use is subordinate to the main use. This is a single-family residence to which is attached a mammoth structure.

Section 04.20.39 – Dwelling Unit. A residential structure designed for the occupancy of one family.

Section 04.20.71 – Home Occupation. .... within the walls of the dwelling unit, not visible or noticeable in any matter or form outside the walls of the dwelling and accessory structures. Mr. Kingsepp said that he believes the home occupation in this case is an office located within the home, and does not believe that a office located in the home requires the 6,000 square foot structure.

Section 10.10.00 - Intent . R-1A through R-1E are to be most restricted of the Residential areas as to use. To promote the area, to keep the consistency – not to create extraordinary large attachments.

Section 40.55.00 – Accessory Buildings and Structures. Mr. Kingsepp feels that this clarifies home occupation as they must be compatible with a residential parcel and compatible with the surrounding area, maintain the residential character of area and avoid the reduction of property values. Building devoted primarily to home occupation

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and business, which in this case is an office. Secondary and clearly incidental to the principal building on the parcel of land.

Mr. Kingsepp went on to look at the definitions of certain terms in the Ordinance. Garage – A building of not less than 180 square feet designed for the periodic parking or storage of one or more private motor vehicles. Garage is also defined as an accessory building for parking or storage of not more than the number of vehicles as may be required in connection of the permitted use of the principal structure. Mr. Kingsepp queried the Board as to whether this definition was ambiguous. Mr. Kingsepp went on to define other terms used such as attached, connected, garage, incidental from the dictionary, etc.

Mr. Kingsepp went on to say that he used our Code to demonstrate that there are sections of the Code that clearly describe and define this particular structure. The interpretation that you have is quite clear based on the Code. The appeals are made by any person or entity affected by a decision of the Director of Building and Zoning.

Mr. Kingsepp went on to say that a significant section of the Code is Section 43.75.00, Interpretation. “The Board has the power to interpret that a use or combination of uses of land and structures be permitted if the provisions of this Chapter are not precise enough to determine the legality of the use or the combination of uses”. The residents of this community have the right to rely on the experience training, and background of the administration to interpret the Ordinances that exist to their benefit. They have the right to rely upon the plain and ordinary meaning of those Ordinances. Mr. Kingsepp said that they had tried to show that the Ordinances are clear and plain and unambiguous given the description of the owner of 3129 Alpine as to what he intended to construct. Mr. Kingsepp said that the key phrase was 6,000 square foot attached garage. Mr. Kingsepp also said that he felt it was up to the Building Official to deny this request and tell the petitioner to come before the Board of Zoning Appeals. At that time this Board would have known exactly what he was proposing and could have placed conditions on this request. Mr. Kingsepp said that the residents had to come before this Board instead. Once the door is closed, Mr. Kingsepp questioned how the Ordinance would be enforced as to the use of this building. Mr. Kingsepp also said that the wording in the Ordinance should have been used to make sure this building was a “garage”, a “subordinate building”.

Mr. Kingsepp further stated that the City Assessor went out and filed a report with City Council indicating that the property values in this area would be depreciating because of the size of this structure. The Assistant City Attorney, when asked if the City could expend public funds to abate the hideous appearance of this structure, used the term “garage” and concluded because it was a private garage, public funds could not be used. Members of the City Council exclaiming that this is a commercial structure and as long as there is no legislation that prohibits this, this type of structure could be in every other residential district.

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Mr. Kingsepp also said that this is a situation that interpretation of the Ordinance is not reconciled with the terms of the Ordinance. If the Board determines that the Building Permit was issued and if it is found that the interpretation of the Ordinance was incorrect the Board can declare. The owner of the property can then make an appeal and if the Court sustains the decision of this Board, he would have no claim against the City. Mr. Kingsepp said that he believes the interpretation does not reconcile with the definitions of the Ordinance. Mr. Kingsepp also said that the public has the right to rely on the clear, unambiguous meanings of the Ordinance.

Mr. Maxwell asked Mr. Kingsepp to comment on the structural attachment of this so-called attached garage. Mr. Kingsepp said that he was unable to comment. Mr. Maxwell asked if this was a stand-alone building that would remain if the house were removed. Mr. Kingsepp said he used the words that the applicant used at the time he applied for the Building Permit. If it is not covered by the Ordinance, the owner should have come before this Board. Mr. Kingsepp also said that he did not know how to define it. Mr. Maxwell said that this Board may have to be interpret the definition as to structurally attached.

Mr. Stimac asked Mr. Kingsepp's if it was part of his testimony that this was not an attached garage. Mr. Kingsepp stated that he thought it was an attached garage.

Mr. Courtney said that if he interprets each section to mean exactly what they say, what would Mr. Kingsepp want from him. Mr. Kingsepp said that if you believe any of the sections he provided and if he believes that the definitions in the Ordinance are clear, he wants the Board to determine that the Building Permit was issued improperly because it did not meet the interpretations within the Ordinance as they arose from a description from the applicant as to what he wanted to do. Mr. Kingsepp does not believe that there is anything in the Ordinance with the definitions used that would allow for a 6,000 square foot structure. Mr. Courtney asked what would give him the right to determine that the Building Official made an error in issuing a Building Department. Mr. Kingsepp that the Board has the right to interpret the wording in the Ordinance. Mr. Kingsepp also said that the members of the Board should ask administration to show how the permit was issued based on the wording in the Ordinance. Mr. Courtney said that he feels that each section means exactly what it says. Mr. Kingsepp said that not all situations could be covered in the original Ordinance and therefore Boards were created to allow for these variances.

Mr. Wright said that in talking about attached garages, his has a 30' common wall. Mr. Wright also said that he believes the structure in question is totally independent, and the homeowner just happened to put it next to the house. Mr. Kingsepp said that if this is one of the interpretations that has to be made under the existing Ordinance now, it is better made until legislation comes into play by an application of this body, and not by an interpretation by the Building Department that the residents in the community have difficulty understanding and interpreting.

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Mr. Kingsepp said that as a matter of disclosure, Mr. Kingsepp and Mr. Hutson are very good friends and as a matter of fact are godparents to each other's children. Mr. Kingsepp and Mr. Hutson both said it would not affect any matters brought forth at this time.

Mr. Kovacs said that the Board has heard evidence by the petitioner that the Building Department had issued a permit for a structure that did not meet the requirements of the Ordinance. Mr. Kovacs asked Mr. Stimac if he wanted to prepare something in rebuttal as to why this permit was issued. Mr. Stimac stated that the permit was issued for this structure as it did comply with the Zoning Ordinance. Having the opportunity to hear Mr. Kingsepp's presentation, now providing additional information would require some time to put together a response. In addition to the information provided in the application for appeal, Mr. Kingsepp has also drawn on other parts of the Ordinance that were not identified earlier so the Building Department would like the time and opportunity to reply. Mr. Stimac also said that after hearing Mr. Kingsepp's presentation, he still did not believe there was anything presented that proved that this structure did not comply with the Zoning Ordinance.

Mr. Kovacs also asked that if there had been any type of similar situation and if there had been any legal precedents set regarding an interpretation of the Ordinance. Mr. Motzny said that there is no legal precedent exactly on point, but there are cases where the Court has decided the issue of whether a BZA has properly interpreted the decision of a Building Official and each case is different. There are cases out there, but not exactly the same.

Mr. Hutson said that this was a good presentation but asked if Mr. Kingsepp could summarize in writing his arguments and points in the working of the Ordinance. Mr. Kingsepp said that would not be a problem. Mr. Hutson also asked if there is a burden of proof standard for a BZA such as by the preponderance of the evidence clear and convincing. Mr. Kingsepp said that there is case law that says on interpretation it is not clear and convincing, it is by the preponderance of evidence but Mr. Kingsepp also said that he believes that case law is somewhat weak on interpretation. Mr. Kingsepp also said that he would try to furnish some authority.

Mr. Motzny also said that there is very little case law on what the actual burden of proof is, but as with any decision this Board makes he would say that if it rules in favor of the applicant or denies the applicant, this Board's decision must be based on competent, substantial, and material evidence on the record.

Ms. Gies asked if there was a maximum size for garages. Mr. Stimac said that there is no minimum size for a garage and it is his opinion that there currently is no language in the Ordinance that establishes the maximum size of a garage other than the setbacks on the property and the lot coverage on the property. There are also height restrictions that are in regards to an attached garage. With regards to a detached garage, the

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Zoning Ordinance states that a detached accessory structure cannot exceed ½ the ground floor area of the main building or 600 square feet whichever is greater. Further it provides that all of those buildings have to be in the rear yard and cannot take up more than 25% of the required rear yard. Ms. Gies asked if this structure had met all of those requirements. Mr. Stimac said this structure was reviewed as an attached garage and it did meet all setback requirements in the R-1B Zoning District and was not more than 30% of the lot coverage. Ms. Gies asked if an attached garage had a maximum size allowance. Mr. Stimac stated that in his opinion there was no language in the Zoning Ordinance that restricts the size of an attached garage.

Mr. Kovacs said that he believes the petitioner's case is that based upon his interpretation of the Zoning Ordinance there is a maximum size allowed for an attached garage, and the petitioner wants the Board to also determine what that maximum size is for an attached garage. Mr. Kovacs apologized to the members in the audience for the length of the meeting, but also stated he wants to make sure they are totally fair to all parties concerned. Mr. Kovacs said that he would like to give Mr. Stimac time to reply to this presentation and in his opinion he would like to give the property owner the opportunity to also hear this presentation. Mr. Courtney said that the property owner should be notified about these proceedings. Mr. Stimac said that the property owner at 3129 Alpine was notified about this hearing. Mr. Stimac also said that he did not believe this Board could compel the property owner to attend a hearing. Due to the fact that there were a large number of people in the audience, Mr. Stimac asked that the Public Hearing be opened, which would allow him to get all of the facts and then come back with an appropriate response.

Mr. Kovacs opened the Public Hearing.

Ms. Betty Reed of 3147 Alpine was present. Ms. Reed stated that she lives right next door and would like to see this Board right a wrong that was done by the Building Department. After objections from neighbors the City Council ordered City management to negotiate with Mr. Piscopo, however negotiations broke down because Mr. Piscopo's demands were too unreasonable. One of Mr. Piscopo's demands was that City lease a commercial building for him to park his vehicle in. Both residents and non-residents believe that this is a commercial building and not a garage. This includes Mayor Schilling and Councilwoman Stine have stated publicly that they believe this is a commercial building in a residential area. Mr. Licari, the City Assessor, in a letter to the City Manager has stated that this garage has the potential to affect the value of the neighboring homes by as much as 10% and possibly more. Realtors have advised residents that it could reduce the number of potential buyers interested in homes in this neighborhood by as much as 90%. The homes are the only financial security for the future and to allow the City of Troy to take away part of the value of our homes is unbelievable and unacceptable. Should the City allow one person in the neighborhood to decrease property values of most of the surrounding neighbors. If this building remains it will not only decrease property values but will also affect the quality of living.

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The harmony and integrity of the neighborhood has been destroyed by the City's blunder. What is the purpose of having Ordinance's if they are not interpreted properly?

Mr. George Reed, 3147 Alpine was present. Mr. Reed stated that he and his wife as well as other neighbors have been told by realtors that property values could drop as much as 25% because of the monster garage. Mr. Reed also said that it would be more difficult for them to sell their homes. One realtor had told Mr. Reed that this structure gives the area a commercial appearance and homes in close proximity to commercial areas sell for less than homes that are in residential areas. It is a certainty that buyers given a choice would prefer to live in a strictly residential area rather than a commercial area. A second realtor informed Mr. Reed that it would be harder to sell a home in this area to a family looking for a clean quiet area. The properties in this area would more likely be sold to an investor looking for rental property or a homeowner looking for properties that would sell under market value. Buyers are looking for homes that are strictly residential not with business properties located next door. Three other realtors that live on Alpine have also concurred with these statements. Mr. Reed again pointed out that Mr. Licari reinforces these statements by saying that this structure could affect the value of the homes in this area by 10% or more. Mr. Licari also said that this situation does not exist anywhere else in Troy. Never in the past has the construction of a garage caused so much attention including at least 15 news articles and television reports. Mr. Reed stated that this structure is a concern not only to the residents of this area, but is also a concern to residents in other areas of Troy. Most of the residents of Troy are aware of the monster garage and are interested in the outcome of this hearing. Many neighbors have experienced disgust and anguish with City staff regarding this structure.

Jeanne Stine, 1915 Boulan was present. Ms. Stine said that she was not going to address the points in the Ordinance as she felt that Mr. Kingsepp had done an excellent job. Ms. Stine said that the entrance to this sub has not become an invitation to blight as the first thing you see is the wall of corrugated steel. As you proceed further into the sub, which contains only five streets, you will find seven (7) sites that have commercial vehicles. Underlying theme seems to be that if the garage is OK, why not other related items and this area has become a dumping ground. Ms. Stine invited Mr. Szerlag to come and look at what was going on and his first comment was "... this is Appalachia". Ms. Stine said that she is addressing this Board not as a member of Council but as a resident of this subdivision and is speaking regarding the concerns of the neighbors. Ms. Stine said this is a very close-knit group and they all watch out for each other. Ms. Stine said that the construction of this industrial warehouse is very devastating to the people in this subdivision. A neighbor so impacted by the construction of a garage next door, so as to suffer severe emotional distress, lack of enjoyment of their own back yard, depreciation of property value and disinheritance of Troy's quality of life. At least three members of City Council stated that nothing like this could happen in Troy and a mistake had been made. The Rivards who lived next door at 3109 Alpine for twelve years enjoyed their homestead and neighborhood until this monster garage was put up.

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Think of waking up to the pall of corrugated steel 150' deep along your side yard. It is inconceivable. The fact that the Rivard family no longer suffers the pain of the warehouse next door makes no difference to the rest of the neighborhood except for the fact that they have lost a good neighbor. The garage remains an embarrassment to the subdivision and the entire community. It is her understanding that this Board has some power and discretion to make this right. Ms. Gies asked Ms. Stine since she was involved right when the project started, why the City did not come out at the beginning. Ms. Stine said that she thought Mr. Szerlag thought it would be stopped, but when it was brought up at the next Council meeting, it was made known to Council and those in the audience that according to Mr. Stimac the Ordinance had been followed and Mr. Szerlag stated that there had been no mistake made.

Steven Japar, 4518 Whisper Way was present. Mr. Japar commended the petitioner on his presentation as he thought it was excellent and feels that something should be done about this situation. Mr. Japar said that he thinks it should be pretty clear that if someone was going to put up a 6,000 square foot building on residential property, that there would be some impact to the surrounding property. Mr. Japar also said that he wondered why the Building Department would allow this to proceed knowing what kind of impact it would have and why there was not a procedure in place that would not have allowed this permit to be awarded. Secondly, Mr. Japar, said that regarding Ms. Reed's statement about negotiations between the City and owner of the property, it points out very clearly what the intentions of the owner of the property were when he asked them to lease a commercial building for his use.

Walenda Green, 6811 Livernois was present. Ms. Green stated that she lives on the north end of Troy and works with contractors every day. Ms. Green stated that this is definitely not an attached garage, but an attached commercial building. Ms. Green watched this structure go up from the very beginning and there is no way that it can be construed as an attached garage. People on the north end of Troy also believe this building is an eyesore and are concerned that a similar structure could show up on this side of Troy. Ms. Green stated that she could up a large building on her property but would not do that because of the impact to her neighbors. Ms. Green also said that she did not believe this structure could be considered attached as there is only a small area that attaches the structure to the home. Ms. Green said she does not believe this is a normal attached garage. Anywhere outside of the City people consider this a monster garage. Ms. Green also said since he does not have an occupancy permit, she did not believe that anything should be able to be stored in the structure. Mr. Kovacs said that the Board is not there to make a judgment on that issue, but Ms. Green could file a complaint with City staff during normal business hours. Ms. Green said that the Mayor and City Manager stated in the newspaper on Sunday that they would like to keep Troy a premier City and they are becoming a premier City. Ms. Green also said that a mistake had been made and it is time to fess up to that mistake. This should have never been allowed. The Mayor states that first they must protect the integrity of the neighborhood and this eyesore does not protect the neighborhood.

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Eugene West, 3205 Alpine was present. Mr. West said that he is a car collector and has a detached garage and it is a garage. There is no way that a commercial building in a residential neighborhood can be construed as a garage. The Building Department made a mistake and now the residents are expected to live with that mistake. Mr. West said that living in Troy he never expected to be screwed over by the City and in allowing this commercial building to be built on the property has cost him money in the value of his home. This is not a garage.

Peter Bamford, 3244 Alpine was present. Mr. Bamford said that he is a realtor that in his professional opinion the property values have diminished with this structure in the area. Mr. Bamford also pointed out that one of the Ordinances that was brought up indicates that if a structure is put up on the property, should be such that it does not diminish the value of the property and this structure does that.

Dennis Rivard, 2774 Portage Trail was present. Mr. Rivard said that he formerly lived at 3109 Alpine and the garage was put up 10' from his property line and moved because of this structure. Mr. Rivard said that a project like this should have gone through the variance process and would like the Board to consider whether they would have approved this for a variance. If not, Mr. Rivard believes a permit never should have been issued. Mr. Rivard said that Section 40.57.04 states that an attached garage can be no larger than 50% of the square footage of the home. Mr. Rivard said that this is the definition of an accessory building. Mr. Kovacs said that Section 40.57.04 covers a detached structure. Mr. Rivard said that a garage is an accessory building and should adhere to the definition of an accessory building. Mr. Rivard also said that Section 40.57.02 that says when an accessory structure is structurally attached to a main building, should be subject to or conform to all regulations to this chapter applicable to the main building. Mr. Rivard said that this is where the differences definitely come in and makes no sense, because a garage is still a garage. The City Tax Code does not comply with the interpretation of this Ordinance. When you sell your home, you do not consider the square footage of the garage and this is the other reason Mr. Rivard feels that this building should be considered an accessory structure. Mr. Rivard said that there is a difference between a garage and a house. Mr. Rivard also agreed with Mr. Hutson that if they had been notified that this structure was going up they would have approached the City much sooner but there is no obligation to notify surrounding property owners. Mr. Rivard said he knew Mr. Piscopo was going to put up a large garage, but he had no idea it would be this large and as soon as they saw the first girders going up they immediately approached the neighbor and the City. Mr. Maxwell asked what Mr. Rivard's definition of an attached garage was. Mr. Rivard stated that he knows his garage shares a common wall with the living room and if they would have stayed on Alpine they would have converted the garage to a family room. Mr. Rivard said that he believes this structure has a common doorway but is not sure if there is a common wall.

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Mr. Kovacs stated that when he was putting up his shed he had to have his neighbors sign a notification form and wondered why this property owner did not have to do the same. Mr. Stimac said that the Zoning Ordinance provides for notification of 50% of the property owners for the construction of a shed. Mr. Stimac also said that there is nothing in the Ordinance or Building Code that requires neighbor notification of construction of building garages.

Michael Bartnik, 3842 Burkoff was present and stated that he wanted to echo the sentiments of the other people that had spoken. Mr. Bartnik stated that this structure did not just affect the residents in the immediate area, but all of the residents of Troy. Mr. Bartnik also said that he is concerned about the enforcement of this issue, if this Board decides in favor of the petitioner. Mr. Bartnik believes the structure should be torn down, the property graded and then the property owner should come before this Board for a variance.

Zak Abuzaid, 3128 Alpine was present. Mr. Abuzaid said that he lives across the street from 3129 Alpine and had been approached by Mr. Piscopo and asked if he would have a problem with the construction of an oversized garage. He did not give Mr. Abuzaid any of the details of the construction. Mr. Abuzaid said that he does have a problem with this garage and would like the Board to look into it.

MaryAnn Bernardi was present and stated that although she does not live in this area, she believes a grave injustice has been done. Ms. Bernardi said that she is intensely concerned on how residential concerns are handled in this City. Ms. Bernardi believes that everyone needs to come to each other's aid when we need help and these residents need help. Regarding the intent of the Ordinance, Ms. Bernardi said that Mr. Kingsepp made an impenetrable argument that what was intended to be put on this site was a garage, but what is on the site is not a garage by definition and a multitude of Ordinances. Ms. Bernardi agrees that the conclusion must be to state that a Building Permit was issued in error. Ms. Bernardi said that she did look at this garage on Alpine, and said that the first thought that came into her mind was where did professional judgment come in here, because there would be such an impact to the area to put this type of structure up because it is such a grotesque piece of property. Ms. Bernardi compared the fact that this application was not questioned. City Staff members are professionals and Ms. Bernardi believes they are duty bound to question and determine what is in the best interests of the City. All cities are financially strapped, including Troy, and Ms. Bernardi believes that we are using tax dollars in Court and have been losing case after case and there are still sixteen (16) cases pending. Mr. Kingsepp said that if you were to find that the Building Permit was issued erroneously, which Ms. Bernardi believes is the case, the Court could not then come back to the City, which would be advantageous as it would not be a waste of tax dollars that are needed so desperately in other areas. Ms. Bernardi also said that to find that this Building Permit was issued in error would be the right thing for this Board to do.

**ITEM #4 – con't.**

Patricia Ullman was present. Ms. Ullman said that she lives on Willow Grove and came tonight to support the residents on Alpine. In 1991 Ms. Ullman built a detached building and wanted to put a cupola on it, but was unable to do so because she was told it would be intrusive to the Golf Trail residents, and also exceeded the height requirements. Ms. Ullman did not see how anyone would not think this commercial building will be less intrusive. Ms. Ullman went on to say that this building is not an attached garage but a commercial building. Ms. Ullman husband was a truck driver and she knows what a commercial building looks like and this is definitely a commercial building.

Tom Krent, 3184 Alpine was present. Mr. Krent stated that he had brought in a petition with one hundred and nine (109) signatures on it objecting to this monster garage. This petition was presented to City Council. Mr. Krent said that the Zoning Ordinance is open to interpretation. Mr. Szerlag stated at the July 12<sup>th</sup> meeting of City Council that this City is structured to have the Director of Building & Zoning work in conjunction with the Planning Director to make interpretations of the Zoning Ordinance and arrive at decisions. Mr. Krent said that he did not believe these decisions did not utilize the sections of the Ordinance, which would have denied the issuance of this Building Permit. By issuing this permit they have allowed this industrial style structure to be built in a residential neighborhood. There are many sections in the Ordinance that should have prevented this building from going up. Mr. Krent said that he was going to concentrate on the section of the Ordinance that deals with Home Occupation. Definition of Home Occupation states that “occupation shall not be visible or noticeable in any form from outside the walls of the dwelling and accessory structure”. The structure itself is in the “form” of an industrial building and is very noticeable and visible from the outside. This structure is associated with structures generally found in areas of Troy that are zoned M-1 (Light Industrial). Intent of the Home Occupation Section are to insure compatibility of the subject residential parcel with the surrounding residential area; to maintain the residential character of the area and to avoid reduction of property values. The structure at 3129 Alpine fails not just one of these conditions but all of the conditions listed in this section. This structure is not compatible with the residential character of this area, it does not maintain the residential character of the area and it will cause a reduction of property values. In addition to the reduction of property values near 3129 Alpine this structure has tainted the subdivision. Although the Home Occupation section as well as many other sections of the Ordinance could have prevented this structure from being constructed in a residential area, our City officials chose to issue a Building Permit. Mr. Krent showed pictures of this garage to Department Heads in Bloomfield Hills and Birmingham. Both official stated that they would not have allowed this structure to go up in a residential neighborhood and the head of the Building Department in Birmingham called this structure an abomination. The Official in Bloomfield Hills stated that even if it fit in with the Ordinances, he would not have allowed it to be constructed and the owner would have to sue the City to construct this type of building. The City Officials in Troy chose to have this structure put up in a residential area, which has had devastating effects including severe emotional stress as well as substantial financial cost. The Rivard family has moved out of Troy

**ITEM #4 – con't.**

because they were so disgusted with City Officials in allowing this structure to be built. In conclusion, the City Officials did not use good judgment when interpreting the Zoning Ordinance and in particular the Home Occupation Ordinance.

Emma Burry, 3224 Alpine was present. Ms. Burry said that she has lived in this area for 56 years. Ms. Burry thanked all of the people who came to speak on this issue that do not live in this subdivision. Ms. Burry has always taken great pride in living in Troy and her friends from surrounding communities cannot understand what kind of Building Department we have to allow this structure to go up. Ms. Burry asked the Board if they would want this structure to go up next to their property. Ms. Burry said no matter where you live, you would not want this structure next to your property.

Lon Ullman on Willow Grove was present. Mr. Ullman said that one of the reasons you live in Communities is for protection and for Community values. The function of the Ordinance is to preserve those community values. Mr. Ullman feels that this individual has exploited loopholes in the Ordinance. Mr. Ullman also said that he thinks that our staff is more inclined to proceed with proven things and everyone makes bad calls. Mr. Ullman feels that this structure is the result of a bad call. However, Mr. Ullman said that he thinks what needs to be done here is to say that perhaps “we didn’t use our best judgment” and proceed from there. Mr. Ullman said that citizens depend on government to protect them and does not believe this was done. This Board needs to be responsible to the community as a whole and the values and to rectify a situation that is obviously out of control. Mr. Ullman said that he is a residential builder and started building attached garages with wood studs 35 years ago. Structural steel is not considered to be residential material. Mr. Ullman does not believe this could be considered to be any type of residential structure. Mr. Ullman went on to say that the height of the garage door, which is 14’, is to accommodate very high loads. Mr. Piscopo is a plumbing contractor and his uncle told Mr. Ullman that Mr. Piscopo removes material from inside of buildings. Mr. Ullman said that he could have put up a similar structure and would have been able to fit a commercial vehicle inside. Mr. Ullman further stated that if there is a problem with the Ordinance then it is time to go back and look at the Ordinances. Mr. Ullman also said that we have to find a way so that these professionals are not put into a corner where they say this individual meets all the requirements, therefore we must approve this. A point is needed where a professional does not have their hands tied. Mr. Ullman said that the Board needs to give this careful consideration and to help the people that are involved.

Ana Carry Barr, 3165 Alpine was present and stated that she lives two doors away from this monstrosity abomination and wants to add her voice for an appeal. She would also like to see a human admission that a mistake was made. Ms. Barr also said that she feels that these residents have been stolen from and if this building is allowed to remain the way it is or allowed to be put in operation in some way that is deceitful and is based on a lie and facilitated by a mistake, then the mistake must be admitted and they can go on from there. Ms. Barr further stated that because this area is rural, she does not believe there are looser methods of dealing with the planning.

**ITEM #4 – con't.**

Walter Weldon, 1535 Banmoor was present and stated that his home had built in 1947 and studies history. Mr. Weldon read the book Troy Corners, the history of Troy and there are a number of homes in his neighborhood that have attached two-car garages. Over the years several homes have undergone changes, but they still fit in with the character of the area. If people want to build a garage, they should build it to fit in with everything else in the area. Mr. Weldon said that we should be preserving history and this garage should not be in a residential area. Everything should be natural and this structure is out of place and looks terrible.

Shirley Jordan, 3268 Alpine stated that this addition is five to six times bigger than the original house, and although he tore down a lot of the existing house, he did leave a couple of the existing walls, and wants to know if this gives him a tax advantage. Ms. Jordan believes it did. She also said that they have 200 condominiums coming in at the end of the street and the lots had been re-zoned and everything is a done deal. Ms. Jordan wanted to know if the residents would be notified of the construction going up in this area. Mr. Kovacs said that this Board has nothing to do with re-zoning and she would have to contact the Planning Commission. Mr. Kovacs said that the only reason they would come before this Board was if they required a variance for setback requirements. Mr. Wright stated that this proposed project has not come before the Planning Commission for approval at this time. There was an informational meeting last Tuesday night, however, it conflicted with the meeting of the Planning Commission and therefore members of the Planning Commission were not able to attend. Mr. Wright said that she should stay in contact with the Planning Director, Mark Miller, 248-524-3364, in order to keep on top of this situation. Ms. Jordan went on to say that she feels that she is getting beat up on. Mr. Wright said that they are trying to be fair. Ms. Jordan went on to say that this structure is a screw machine shop and definitely not a garage.

Mr. Abuzaid came up again and stated that the owner of the house does not live at this location and would like the Board to also look at this issue.

No one else wished to be heard and the Public Hearing was closed.

Mr. Kovacs said that it is his recommendation to postpone this issue until the meeting of March 15, 2005 as he would like to hear Mr. Stimac's rebuttal to this presentation. Mr. Kovacs also said that there is a differing opinion in the interpretation of these Ordinances and at that time he would also like to give Mr. Kingsepp the opportunity once again to give his input. Mr. Kovacs further stated that when they go to review this issue it should be structure to make a motion on each section and the motion should indicate whether they agree or disagree with the interpretation and the reasons why.

Mr. Courtney said that he thinks it is a little early to decide how they would handle it as it may be decided that the Board does not need to look at each section. Mr. Courtney also agreed that this issue should be postponed to the meeting of March 15, 2005. Mr. Courtney also said that he would like a written report from Mr. Kingsepp regarding the

**ITEM #4 – con't.**

reasons for this petition. Mr. Kingsepp said that he did not believe this would be a problem and he also said that Mr. Motzny and himself may be able to help by guided by a proposed resolution by the City and a proposed resolution by Mr. Kingsepp. Mr. Courtney said he thought it would be very helpful.

At this time Mr. Kovacs asked if they needed a motion to next month's meeting to hear the feedback from the Building Department and also asked if the Public Hearing would need to be re-opened next month. Mr. Stimac said that so far this evening the Public Hearing was closed, and if Mr. Kovacs wanted to hear additional testimony he would have to re-open the Public Hearing at the next meeting. Mr. Stimac also said that it would be possible for Mr. Kovacs to adjourn the Public Hearing until the next meeting.

Mr. Wright said that the question of Home Occupation, Section 40.20.71 comes to mind and basically states that the definition says ...an occupation that takes place inside the walls of a dwelling unit by a resident thereof having no employees that are not themselves residents. That occupation shall not be visible or noticeable in any manner or form from outside the dwelling unit." Mr. Wright believes that this structure violates all of that and back in September of 2000, the Building Department called the subject's wife regarding vehicles on the property and she stated that some of them belonged to the family and the other vehicles were employees that were picking up material that related to her husband's business. Mr. Wright said that this is a violation of our Ordinance.

Mr. Fejes said that he believes the same way Mr. Wright does. Mr. Fejes went on to say that regardless of what he hears back from the City, he does not feel this is an attached garage but is clear to him that it is against the law. There is clear evidence that it is not a garage. Mr. Fejes said that he would be ready to make a motion at this point and asked for a clear picture of what type of motion would be required.

Mr. Stimac stated that the question before the Board this evening is whether or not the structure on this property complies with the Ordinance. If the Board finds that it does comply we go on, if the Board finds that it does not comply with the Ordinance we would write a violation notice and enforce the Ordinance as this Board has determined. If it is required that the structure come down in order to comply then that so shall be ordered, or if it is required that the structure come down in size then that so shall be ordered. This Board does not have the authority to issue or revoke a permit, but does have the authority to interpret what does and does not comply with the Ordinance. The authority to enforce the Ordinance is Building Department's to carry out.

Mr. Kovacs stated that this is the reason he would like the Board to go through each section and state exactly whether they feel that this structure is in violation or not. Mr. Fejes said that there is enough here tonight that this is wrong and this gentleman built a warehouse and Mr. Fejes does not believe there is anything else to hear. Mr. Hutson said that what the Board needs to hear is an analysis of all the Ordinances and how

**ITEM #4 – con't.**

they intertwine and whether or not it has been taken into account that in fact there's fact that supports any decision reliably. Mr. Hutson said that he did not feel a decision could be made on a gut reaction. Mr. Fejes stated that his application stated "garage". Mr. Fejes also said that if you read from the Ordinance you can park a vehicle or lawn equipment that is what is normally put into a garage. Mr. Hutson said that it may come to that but he would like to hear all the facts. Mr. Fejes stated that he would be willing to wait until next month, but he could make a decision today.

Mr. Kovacs said that he is not worried about future litigation, but what has to be taken into consideration that any of the decisions by the Board have to have a clear foundation. We can't just say that is an ugly garage, but Mr. Kovacs feels in his opinion that the Board needs to go in section by section and determine if this structure complies with each section. If this is not done Mr. Kovacs does not believe it would have any legal standing.

Mr. Maxwell said that this is one method of find a basis in fact and determining evidence. A decision is based on facts, this is also an interpretative thing and also the spirit, and intent of the Ordinance needs to be taken into consideration. Mr. Kovacs said that City staff granted the Building Permit because they feel that this structure did meet the requirements of the Ordinance, and in order to make a decision, Mr. Kovacs wants to hear why City staff came to this conclusion. Mr. Maxwell agreed with Mr. Kovacs and said that he also feels the general intent relating to the general welfare of the community also has to be taken into consideration.

Ms. Gies said that she understands that there is a problem here and asked how the Ordinance could be changed, if this Board determines that all the requirements of the Ordinance had been met. Ms. Gies asked who is responsible for correcting the Ordinances so that this problem never comes up again. Mr. Stimac explained that City Council has directed the Planning Commission to review this matter and propose revisions to the Ordinance to address those concerns. The Planning Commission has proposed a series of revisions to the Ordinance that they feel will address those concerns. They have gone through one set of Public Hearings and hopefully will be appearing before City Council for adoption in the near future. The Board of Zoning Appeals may offer their opinions but ultimately it is City Council and the Planning Commission to have those hearings. Ms. Gies asked if Mr. Stimac was going to offer a resolution to correct the problem. Mr. Stimac said that there has been a lot of information provided this evening and ultimately he needs to digest it and provide a summary. Mr. Stimac said that the only thing he would ask is that in reviewing each individual sections, and reviewing the structure, the Ordinance, intent and everything else, he would ask that if it found not to comply he needs to know what has to happen to it in order to comply; e.g. if 6,000 square feet is too big, how big is appropriate. If there is a decision to overturn his decision that is the decision that we will have to enforce – this structure does not comply you must change it in order to comply. Mr. Stimac asked for assistance from the Board in determining the level of compliance.

**ITEM #4 – con't.**

Mr. Wright said that on the issue of Zoning Ordinance revisions, the Planning Commission did send some revisions to City Council some months ago, and one of the revisions was the maximum door height of 8'. The standard of most of the garage doors in the City is 7'. This garage door is 14' high. Not all of Council agreed with the door height as well as some of the other restrictions and sent it back to the Planning Commission. By a majority vote, the Planning Commission stuck with the 8' height requirement. Some members of City staff are opposed to that so they were going to present two versions to City Council, however the Planning Commission said they want the decision to be unanimous so that they did not come back to the Board of Zoning Appeals for a variance. Mr. Wright stated that the Planning Commission is waiting for City staff to come back to them with the reasons they do not wish to see the 8' height.

Motion by Courtney

Supported by Gies

MOVED, to postpone the interpretation request of Mr. & Mrs. George Reed & Mr. Thomas Krent, 3129 Alpine, regarding the issuance of a building permit to construct the garage at 3129 Alpine.

- To allow City Staff to prepare an answer to the presentation by Mr. Kingsepp.

Yeas: 6 – Kovacs, Maxwell, Wright, Courtney, Gies, Hutson

Nays: 1 – Fejes

MOTION TO POSTPONE THIS REQUEST UNTIL THE MEETING OF MARCH 15, 2005

Mr. Kovacs thanked the people from coming out to speak on this item and also for showing respect to the homeowner.

The Board of Zoning Appeals meeting adjourned at 10:22 P.M.

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Matthew Kovacs – Chairman

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Pamela Pasternak – Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:30 p.m. on February 22, 2005, in the Council Board Room of the Troy City Hall.

It was the consensus of the members to add the Zoning Board of Appeals report to the agenda as item #4; the remaining items follow thereafter in consecutive order.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Fazal Khan  
Robert Schultz  
Thomas Strat  
Mark. J. Vleck  
David T. Waller  
Wayne Wright

Absent:

Lawrence Littman

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
John Szerlag, City Manager  
Brian Murphy, Assistant City Manager/Services  
Douglas J. Smith, Real Estate and Development Director  
Mark Stimac, Building and Zoning Director  
Kathy L. Czarnecki, Recording Secretary

**Resolution # PC-2005-02-022**

Moved by: Schultz

Seconded by: Wright

**RESOLVED**, That Member Littman is excused from attendance at this meeting for personal reasons.

Yes: All present (8)

No: None

Absent: Littman

**MOTION CARRIED**

## 2. MINUTES

### **Resolution # PC-2005-02-023**

Moved by: Wright

Seconded by: Khan

**RESOLVED**, To approve the February 1, 2005 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Schultz, Strat, Waller, Wright

No: None

Abstain: Chamberlain, Vleck

Absent: Littman

### **MOTION CARRIED**

### **Resolution # PC-2005-02-024**

Moved by: Schultz

Seconded by: Wright

**RESOLVED**, To approve the February 8, 2005 Regular Meeting minutes as published.

Yes: All present (8)

No: None

Absent: Littman

### **MOTION CARRIED**

## 3. PUBLIC COMMENTS

There was no one present who wished to speak.

## 4. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright reported on the February 15, 2005 Board of Zoning Appeals meeting.

### Interpretation Request – 3129 Alpine

Neighboring residents of 3129 Alpine hired an attorney to seek an interpretation of the Zoning Ordinance as relates to the large accessory structure constructed at this location. The allegation is that the building permit was issued erroneously and in violation of the Zoning Ordinance. The BZA tabled the item for 30 days to provide time for a response from the City administration.

Renewal Request – Nino Salvaggio, 6835 Rochester Road

The BZA granted relief of the ordinance to maintain a 6' high landscaped berm in lieu of the 6' high masonry screening wall required along the south and west sides of the property.

Variance Request, 2352 Lanergan

The BZA granted relief of the rear yard setback requirement to construct a family room addition.

5. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-A) – Accessory Buildings

Mr. Miller provided a summary of the proposed zoning ordinance text amendment as relates to garage door height, foot print ratios, number of detached buildings and greenhouses. He reported that garage door height and foot print ratios have not yet been resolved. Mr. Miller referenced and distributed a comparison of garage door regulations with adjacent communities.

Mr. Khan circulated a photograph of the garage constructed at 5287 Windmill.

City Manager John Szerlag was present to mediate the differences between City Management and the Planning Commission as relate to garage door height. Mr. Szerlag said the intent would be to reach one recommendation to present to the City Council, or provide two alternatives from which City Council could decide.

The parameters of City Council, Planning Commission and City Management were discussed.

City Council Parameters

- Zoning Ordinance allows commercial vehicles in residential areas to be stored inside, and often the commercial vehicles exceed 8 feet in height.
- City Council does not currently regulate garage door heights; Community cities do not regulate garage door heights, nor is the City's Planning Consultant aware of any cities that do regular garage door heights.
- Recreational vehicles are permitted by the City Council in residential areas behind front yard setback, inside or outside.
- City Council passed a resolution that referred the matter back to the Planning Commission stating concern with the height limitation on a garage door.

Planning Commission Parameters

- Preserve residential character.
- BZA approval of door greater than 8 feet (Public Hearing).
- Storage of commercial possessions in residential area.
- Separate review of ZOTA 215 A, B, and C.
- National standard residential garage door height is 7 feet.
- Study completed on outdoor storage of vehicles in M-1 district.

(Minority)

- Recreational vehicle cannot fit into 8-foot garage door; difficult to enforce.
- Knock out labor class in community.
- 10-foot limit on garage door height.

City Management Parameters

- Consistency in the Zoning Ordinance. Based on the requirements of provisions of the Zoning Ordinance, it is legal to park a commercial vehicle inside a garage. To create a technical requirement in the Zoning Ordinance that prohibits a permitted use would provide an inconsistency.
- Creates a practical difficulty in the Zoning Ordinance through which the BZA would not have a solution.
- Neighborhood compatibility through limits that are defined by the other ordinances.
- Regulating garage door height does not prohibit building a structure without a door to store the same vehicle; i.e., a carport with a 14-foot opening.
- Package of zoning ordinance text amendments; ZOTA 215 A, B and C.

*Planning Commission discussion points:*

- Definition of a home occupation.
- Overreaction to construction of one monster garage.
- No height restriction could result in construction of additional monster garages.
- Highway viaduct height restrictions.
- Parking lot striping.
- Parking structure limitation of 7 feet.
- Percentage of City population who own recreational vehicles in excess of 8 feet.
- Garage size comparisons with different percentages of foot print ratios.
- Planning Commission study and report to City Council on outdoor storage of recreational vehicles in the M-1 district.
- Review of ZOTA 215 A, B and C as a package.
- Residential use of existing vacant industrial property.
- Comparison to communities such as Rochester Hills, Birmingham, West Bloomfield.
- Intent of Zoning Ordinance; i.e., written for majority of residents.
- Review of City Council communication.

*City Management discussion points:*

- Community values.
- Criteria of commercial vehicles.
- Definition of a commercial vehicle.
- Research of residential accommodations in industrial areas.
- Relationship of City staff and Planning Commission.

The following options for solutions were determined and will be forwarded to City Council.

**Solution 1 – 8-Foot Door Height – Planning Commission Option**

Interests

Neighborhood compatibility / residential character.  
Neighborhood notification (BZA).

Outcome or consequence of interests

Limit size of commercial and recreational vehicles stored on residential properties.  
ZOTA 215 B and C must be brought forward.

**Solution 2 – No Door Height Limitation – City Management Option**

Interests

Current language of Zoning Ordinance.  
Consistent with adjacent or similar communities.  
Maintains consistency of technical requirements of Zoning Ordinance with the permitted uses.

Outcome or consequence of interests

Allows large door

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Chair Strat requested a recess at 8:55 p.m.

The meeting reconvened at 9:08 p.m.

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6. PLANNED UNIT DEVELOPMENT (PUD 4) – Proposed The Monarch Tower Homes and Villas Condominium, 209 units, 11,166 S.F. retail space and structured parking, North side of Big Beaver Road between Alpine and McClure, Section 20 – O-1 (Low Rise Office), P-1 (Vehicular Parking) and R-1B (One Family Residential) Districts

Chair Strat reviewed the different phases of the building design process. He noted the subject development is not in its final stages and encouraged the members to think in terms of a global review.

Mr. Miller provided a brief overview of the development proposal and the development process for a Planned Unit Development (PUD). He said staff and the City's Planning Consultant have discussed several evolutions of the preliminary plan. The City's Planning Consultant has prepared a summary of recommendations after review of the complete package that was submitted on December 21, 2004.

Mr. Miller reported that an amendment to the Future Land Use Plan would be necessary should the development go forward. A timetable will be established by the Planning Department to identify the major milestones of the project. Mr. Miller informed the members that a videotape of the Public Input Meeting held on February 8, 2005 is not available.

Jennifer Mooney of Joseph Freed and Associates, Palatine, Illinois, introduced the project development team.

Present:

Laith Hermiz, Joseph Freed and Associates  
Ed Connell, Joseph Freed and Associates  
Bob Dudick, Joseph Freed and Associates  
Ron Phillips, Tadian Homes  
Gary Jonna, Whitehall Real Estate Interests  
Aaron Hoffmans, SB Architects

Not present:

Landry Newman Architects  
Grissim Metz Andriese Associates  
Professional Engineers Associates  
Robert Charles Lesser & Company

Ms. Mooney provided a brief account of the project development team and gave an overview of the proposed project.

Mr. Hoffmans provided an in-depth presentation on the project design, the condominium towers and villa townhomes. A height comparison study was illustrated.

Ms. Mooney concluded the presentation with design highlights, use appropriateness and public benefits to the City of Troy identified as: Big Beaver corridor support; benchmark structure; attractive high quality, high-end development; landscape and streetscape enhancement; and an additional \$2 million in revenue.

A question and answer session followed the presentation. Points discussed were:

- Tentative construction date; October / November 2005.
- Affect of presales on construction.
- Market studies.
- Property values and comparable trends.
- Pedestrian pathway / connection to the south side of Big Beaver.

The members agreed to continue its discussion on the proposed development at its next study meeting. They intend to review the proposal on a monthly basis and asked if a member of the project development team might be available to attend the meetings also. A parallel timeline as relates to the Future Land Use Plan will be created by the Planning Department.

Mr. Miller noted four major points from the Planning Department perspective.

- (1) Recommendations of the City Planning Consultant should be addressed.
- (2) Specific attention should be directed to the public benefit.
- (3) Review of the intersection to the north.
- (4) Amendment to the Future Land Use Plan.

The members and City staff thanked the project development team for the excellent presentation.

## 7. PUBLIC COMMENTS

There was no one present who wished to speak.

### GOOD OF THE ORDER

Mr. Chamberlain addressed a concern discussed at the last meeting. Mr. Chamberlain said the City Clerk's office provides to the members of City Council information on the Planning Commission; i.e., name, telephone number, email address. This could be the source of information released to the public. Mr. Chamberlain said the City Clerk's office would send a letter to City departments and the City Council asking that they keep the information confidential.

Mr. Miller informed the members that the Section 36 condemnation case (City of Troy vs Premium Construction) is at trial this week.

Mr. Chamberlain announced that the City Council denied the rezoning request located on the west side of Rochester Road, South of Trinway, Section 10, from R-1C to R-1T (Z-699) at its February 21, 2005 meeting.

Chair Strat expressed his appreciation for the support and confidence of the members to send him to San Francisco to attend the American Planning Association National Conference. The finances for the trip are being worked out.

### ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:47 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Kathy L. Czarnecki, Recording Secretary

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It was the consensus of the members to add the Zoning Board of Appeals report to the agenda as item #4; the remaining items follow thereafter in consecutive order.

1. ROLL CALL

Present:

Gary Chamberlain  
Lynn Drake-Batts  
Fazal Khan  
Robert Schultz  
Thomas Strat  
Mark. J. Vleck  
David T. Waller  
Wayne Wright

Absent:

Lawrence Littman

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
John Szerlag, City Manager  
Brian Murphy, Assistant City Manager/Services  
Douglas J. Smith, Real Estate and Development Director  
Mark Stimac, Building and Zoning Director  
Kathy L. Czarnecki, Recording Secretary

**Resolution # PC-2005-02-022**

Moved by: Schultz

Seconded by: Wright

**RESOLVED**, That Member Littman is excused from attendance at this meeting for personal reasons.

Yes: All present (8)

No: None

Absent: Littman

**MOTION CARRIED**

## 2. MINUTES

### **Resolution # PC-2005-02-023**

Moved by: Wright  
Seconded by: Khan

**RESOLVED**, To approve the February 1, 2005 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Khan, Schultz, Strat, Waller, Wright  
No: None  
Abstain: Chamberlain, Vleck  
Absent: Littman

### **MOTION CARRIED**

### **Resolution # PC-2005-02-024**

Moved by: Schultz  
Seconded by: Wright

**RESOLVED**, To approve the February 8, 2005 Regular Meeting minutes as published.

Yes: All present (8)  
No: None  
Absent: Littman

### **MOTION CARRIED**

## 3. PUBLIC COMMENTS

There was no one present who wished to speak.

## 4. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright reported on the February 15, 2005 Board of Zoning Appeals meeting.

### Interpretation Request – 3129 Alpine

Neighboring residents of 3129 Alpine hired an attorney to seek an interpretation of the Zoning Ordinance as relates to the large accessory structure constructed at this location. The allegation is that the building permit was issued erroneously and in violation of the Zoning Ordinance. The BZA tabled the item for 30 days to provide time for a response from the City administration.

Renewal Request – Nino Salvaggio, 6835 Rochester Road

The BZA granted relief of the ordinance to maintain a 6' high landscaped berm in lieu of the 6' high masonry screening wall required along the south and west sides of the property.

Variance Request, 2352 Lanergan

The BZA granted relief of the rear yard setback requirement to construct a family room addition.

5. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-A) – Accessory Buildings

Mr. Miller provided a summary of the proposed zoning ordinance text amendment as relates to garage door height, foot print ratios, number of detached buildings and greenhouses. He reported that garage door height and foot print ratios have not yet been resolved. Mr. Miller referenced and distributed a comparison of garage door regulations with adjacent communities.

Mr. Khan circulated a photograph of the garage constructed at 5287 Windmill.

City Manager John Szerlag was present to mediate the differences between City Management and the Planning Commission as relate to garage door height. Mr. Szerlag said the intent would be to reach one recommendation to present to the City Council, or provide two alternatives from which City Council could decide.

The parameters of City Council, Planning Commission and City Management were discussed.

City Council Parameters

- Zoning Ordinance allows commercial vehicles in residential areas to be stored inside, and often the commercial vehicles exceed 8 feet in height.
- City Council does not currently regulate garage door heights; Community cities do not regulate garage door heights, nor is the City's Planning Consultant aware of any cities that do regular garage door heights.
- Recreational vehicles are permitted by the City Council in residential areas behind front yard setback, inside or outside.
- City Council passed a resolution that referred the matter back to the Planning Commission stating concern with the height limitation on a garage door.

Planning Commission Parameters

- Preserve residential character.
- BZA approval of door greater than 8 feet (Public Hearing).
- Storage of commercial possessions in residential area.
- Separate review of ZOTA 215 A, B, and C.
- National standard residential garage door height is 7 feet.
- Study completed on outdoor storage of vehicles in M-1 district.

(Minority)

- Recreational vehicle cannot fit into 8-foot garage door; difficult to enforce.
- Knock out labor class in community.
- 10-foot limit on garage door height.

City Management Parameters

- Consistency in the Zoning Ordinance. Based on the requirements of provisions of the Zoning Ordinance, it is legal to park a commercial vehicle inside a garage. To create a technical requirement in the Zoning Ordinance that prohibits a permitted use would provide an inconsistency.
- Creates a practical difficulty in the Zoning Ordinance through which the BZA would not have a solution.
- Neighborhood compatibility through limits that are defined by the other ordinances.
- Regulating garage door height does not prohibit building a structure without a door to store the same vehicle; i.e., a carport with a 14-foot opening.
- Package of zoning ordinance text amendments; ZOTA 215 A, B and C.

*Planning Commission discussion points:*

- Definition of a home occupation.
- Overreaction to construction of one monster garage.
- No height restriction could result in construction of additional monster garages.
- Highway viaduct height restrictions.
- Parking lot striping.
- Parking structure limitation of 7 feet.
- Percentage of City population who own recreational vehicles in excess of 8 feet.
- Garage size comparisons with different percentages of foot print ratios.
- Planning Commission study and report to City Council on outdoor storage of recreational vehicles in the M-1 district.
- Review of ZOTA 215 A, B and C as a package.
- Residential use of existing vacant industrial property.
- Comparison to communities such as Rochester Hills, Birmingham, West Bloomfield.
- Intent of Zoning Ordinance; i.e., written for majority of residents.
- Review of City Council communication.

*City Management discussion points:*

- Community values.
- Criteria of commercial vehicles.
- Definition of a commercial vehicle.
- Research of residential accommodations in industrial areas.
- Relationship of City staff and Planning Commission.

The following options for solutions were determined and will be forwarded to City Council.

**Solution 1 – 8-Foot Door Height – Planning Commission Option**

Interests

Neighborhood compatibility / residential character.  
Neighborhood notification (BZA).

Outcome or consequence of interests

Limit size of commercial and recreational vehicles stored on residential properties.  
ZOTA 215 B and C must be brought forward.

**Solution 2 – No Door Height Limitation – City Management Option**

Interests

Current language of Zoning Ordinance.  
Consistent with adjacent or similar communities.  
Maintains consistency of technical requirements of Zoning Ordinance with the permitted uses.

Outcome or consequence of interests

Allows large door

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Chair Strat requested a recess at 8:55 p.m.

The meeting reconvened at 9:08 p.m.

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6. PLANNED UNIT DEVELOPMENT (PUD 4) – Proposed The Monarch Tower Homes and Villas Condominium, 209 units, 11,166 S.F. retail space and structured parking, North side of Big Beaver Road between Alpine and McClure, Section 20 – O-1 (Low Rise Office), P-1 (Vehicular Parking) and R-1B (One Family Residential) Districts

Chair Strat reviewed the different phases of the building design process. He noted the subject development is not in its final stages and encouraged the members to think in terms of a global review.

Mr. Miller provided a brief overview of the development proposal and the development process for a Planned Unit Development (PUD). He said staff and the City's Planning Consultant have discussed several evolutions of the preliminary plan. The City's Planning Consultant has prepared a summary of recommendations after review of the complete package that was submitted on December 21, 2004.

Mr. Miller reported that an amendment to the Future Land Use Plan would be necessary should the development go forward. A timetable will be established by the Planning Department to identify the major milestones of the project. Mr. Miller informed the members that a videotape of the Public Input Meeting held on February 8, 2005 is not available.

Jennifer Mooney of Joseph Freed and Associates, Palatine, Illinois, introduced the project development team.

Present:

Laith Hermiz, Joseph Freed and Associates  
Ed Connell, Joseph Freed and Associates  
Bob Dudick, Joseph Freed and Associates  
Ron Phillips, Tadian Homes  
Gary Jonna, Whitehall Real Estate Interests  
Aaron Hoffmans, SB Architects

Not present:

Landry Newman Architects  
Grissim Metz Andriese Associates  
Professional Engineers Associates  
Robert Charles Lesser & Company

Ms. Mooney provided a brief account of the project development team and gave an overview of the proposed project.

Mr. Hoffmans provided an in-depth presentation on the project design, the condominium towers and villa townhomes. A height comparison study was illustrated.

Ms. Mooney concluded the presentation with design highlights, use appropriateness and public benefits to the City of Troy identified as: Big Beaver corridor support; benchmark structure; attractive high quality, high-end development; landscape and streetscape enhancement; and an additional \$2 million in revenue.

A question and answer session followed the presentation. Points discussed were:

- Tentative construction date; October / November 2005.
- Affect of presales on construction.
- Market studies.
- Property values and comparable trends.
- Pedestrian pathway / connection to the south side of Big Beaver.

The members agreed to continue its discussion on the proposed development at its next study meeting. They intend to review the proposal on a monthly basis and asked if a member of the project development team might be available to attend the meetings also. A parallel timeline as relates to the Future Land Use Plan will be created by the Planning Department.

Mr. Miller noted four major points from the Planning Department perspective.

- (1) Recommendations of the City Planning Consultant should be addressed.
- (2) Specific attention should be directed to the public benefit.
- (3) Review of the intersection to the north.
- (4) Amendment to the Future Land Use Plan.

The members and City staff thanked the project development team for the excellent presentation.

## 7. PUBLIC COMMENTS

There was no one present who wished to speak.

### GOOD OF THE ORDER

Mr. Chamberlain addressed a concern discussed at the last meeting. Mr. Chamberlain said the City Clerk's office provides to the members of City Council information on the Planning Commission; i.e., name, telephone number, email address. This could be the source of information released to the public. Mr. Chamberlain said the City Clerk's office would send a letter to City departments and the City Council asking that they keep the information confidential.

Mr. Miller informed the members that the Section 36 condemnation case (City of Troy vs Premium Construction) is at trial this week.

Mr. Chamberlain announced that the City Council denied the rezoning request located on the west side of Rochester Road, South of Trinway, Section 10, from R-1C to R-1T (Z-699) at its February 21, 2005 meeting.

Chair Strat expressed his appreciation for the support and confidence of the members to send him to San Francisco to attend the American Planning Association National Conference. The finances for the trip are being worked out.

### ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 10:47 p.m.

Respectfully submitted,

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Thomas Strat, Chair

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Kathy L. Czarnecki, Recording Secretary

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## Advisory Committee for Senior Citizens

A regular meeting of the Advisory Committee for Senior Citizens was held on Thursday, March 3 2005 at the Troy Community Center. Chair JoAnn Thompson called the meeting to order at 10:10 AM.

**Present:** JoAnn Thompson, Chair  
David Ogg, Member  
Bud Black, Member  
Merrill Dixon, Member  
Carla Vaughan, Staff

Jo Rhoads, Member  
Pauline Noce, Member  
James Berar, Member  
Marie Hoag, Member

**Absent:** Bill Weisgerber, excused

**Visitors:** Mary Beth Halushka, Janet Jopke, Wendy Underwood, Art Gregory, Elaine Torvinen

### Approval of Minutes

Resolution # SC-2005-03-001  
Moved by Merrill Dixon  
Seconded by David Ogg

RESOLVED, That the Minutes of March 3, 2005 be approved as amended: Mr. Berar would like to see benches installed by the tees at the driving range. Jo Rhoads reported that Medi-Go gave over 13,000 rides last year.

Yes: 8  
No: 0

MOTION CARRIED

### Visitor Comments

Carla introduced Elaine Torvinen, the senior program coordinator. She is in charge of creative arts, sports, fitness, speakers, the flu shot clinic and the expo, and several other programs including emergency cell phones, the monthly movie, and bingo.

### Old Business

**Troy Senior Council Name Change:** JoAnn Thompson reported again that the City Attorney is willing to help them with the name change.

**Senior Centers in Neighboring Cities:** JoAnn Thompson reported that she had visited the Rochester Senior Center, and that it is very nice. Committee members plan on visiting other centers when the weather gets better.

**Shuffleboard:** The committee reviewed the letter that JoAnn Thompson wrote for submission to the Park Board regarding shuffleboard and bocce ball courts at the Community Center. The letter and signatures will be forwarded to the Park Board for their March meeting.

**Catering Service at the Community Center:** Kim Haveranek, President of Emerald Food Service, sent a letter to Committee members rather than attending the meeting (copy attached). Committee members agree that Emerald's banquets are good, but that is not the issue. They would still like to know what Emerald's profit is from non-profit groups for SNACKS only, contending that groups that meet at the Community Center on a weekly or monthly basis do not have the funds to hire a caterer for their snacks. The committee would like Kim to attend their April meeting so they can clarify their position. Carla will invite her to the meeting.

### **New Business**

**School Board Tax Renewal:** Janet Jopke discussed the upcoming millage renewal, stressing that it will not increase taxes. The election will be held on May 3.

**Aging in Place:** The Committee discussed the information that Dave Lambert forwarded to them at their last meeting about aging in place, which is the current trend in elder care.

**Troy Daze:** Marie Hoag reported that there will not be a Senior Sensation day on 2005 due to budget cuts.

**WTRY:** James Berar reported that he has trouble reading the printing on the City's cable TV station.

### **Reports**

**Park Board:** Merrill Dixon reported that the Park Board did not meet in February.

**Medi-Go:** Jo Rhoads reported that everything is going fine.

**Nutrition:** No report.

**Senior Program:** Carla reported that January sales at Creative Endeavors were up 111% over last year. We do have enough seniors to start a new golf league at Sanctuary Lake. Both TESA workshops are full. We are combining the craft show and garage sale into a flea market.

**OLHSA:** Jo Rhoads reported that they had a speaker from a medical supply company.

**Suggestion Box:** Carla reported that there were two suggestions – one about bringing a sack lunch into the lunchroom: This is okay with the Area Agency on Aging. Carla will check the catering contract. There was a request to add another party bridge group. Carla will check with group today to see if there is enough interest.

JoAnn reported that she had received a suggestion to have real silverware in the lunchroom.

There was also a suggestion that the newsletter be available for pick-up before the 1<sup>st</sup> of the month since those who get it by mail and email get it sooner. Carla will make the newsletter available beginning the 27<sup>th</sup> of the month.

**Comments**

Jo Rhoads reported that room 302 was cold during the movie and during the PAL meeting.

The meeting was adjourned at noon.

Respectfully submitted,

JoAnn Thompson, Chair

Carla Vaughan, Secretary

**LIBRARY BOARD MINUTES - DRAFT**

**MARCH 10, 2005**

A Regular Meeting of the Troy Library Board was held on Thursday March 10, 2005 at the Office of the Library Director. Brian Griffen, Chairman, called the meeting to order at 7:35 P.M.

**ROLL CALL**

PRESENT: Joanne Allen  
Brian Griffen  
Nancy Wheeler  
Audre Zembrzuski

Lauren Andreoff, Student Representative  
Cheng Chen, Student Representative

Brian Stoutenburg, Library Director

The Pledge of Allegiance to the Flag was given

**Resolution #LB-2005-03-001**

Moved by Wheeler  
Seconded by Allen

**RESOLVED, That Lynne Gregory be excused.**

**Yes: 4—Allen, Griffen, Wheeler, Zembrzuski**  
**No: 0**

**MOTION CARRIED**

**Resolution #LB-2005-03-002**

Moved by Zembrzuski  
Seconded by Allen

**RESOLVED, That the Minutes of February 4, 2005 be approved.**

**Yes: 4—Allen, Griffen, Wheeler, Zembrzuski**  
**No: 0**

**MOTION CARRIED**

Reviewed Agenda entries

**Resolution #LB-2005-03-003**

Moved by Allen  
Seconded by Wheeler

**RESOLVED, That the Agenda be approved.**

Yes: 4— Allen, Griffen, Wheeler, Zembrzuski  
No: 0

**MOTION CARRIED**

**POSTPONED ITEMS**

There were no postponed items.

**REGULAR BUSINESS**

There was no Regular Business

**REPORTS & COMMUNICATIONS**

**Director's Report.**

The request for reconsideration of the video "Pretty Baby" was discussed. The title has been removed from the collection because of under-aged nudity and therefore deemed inappropriate for the Library.

The Organizational Chart, the Functional Organizational Chart and a list of Key staff members were passed out and discussed.

**Board Member comments.**

Wheeler asked about the progress of moving the Friends Bookstore upstairs temporarily as a result of the new HVAC system that will be installed this Spring. The move went very smoothly and will open to the public on March 11, 2005.

Wheeler asked when the Balthaser Korab program was scheduled. It is the Third Minoru Yamasaki Public Symposium on May 15, 2005.

Griffen presented letters from Mati-Bulgaria Detroit and Elena Poptodorova from the Embassy of the Republic of Bulgaria praising the recent Shared Inheritances program: Bulgarian Art Appreciation Day.

Griffen asked that the Library purchase an LCD projector as he has had repeated problems with the one borrowed from IT.

Andreoff asked why one has to be 18 to be able to use the computers in the Adult Services Tech Center. They are unfiltered, and by State Law, we are not to have unfiltered Internet access for minors. All the Teen computers and Youth computers are filtered.

**SLC Report.**

No report.

**Friends of the Library.**

The Friends Books Store moved up to the meeting room temporarily. There was no meeting in February.

**Gifts.**

No gifts were received.

**Informational Items.**

March TPL Calendar

**Contacts and Correspondence.**

26 written comments from the public were reviewed.

**Public Participation.**

There was no public participation.

The Library Board meeting adjourned at 8:25 P.M.

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Brian Griffen  
Chair

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Brian Stoutenburg  
Recording Secretary

**PARKS AND RECREATION ADVISORY BOARD**

Minutes of March 10, 2005

Present: Orestes Kaltsounis, member  
 Tod Gazetti, member  
 Meaghan Kovacs, member  
 Ida Edmunds, member  
 Kathleen Fejes, member  
 Carol K. Anderson, staff

Stuart Redpath, member  
 Tom Krent, member  
 Brad Henson, student representative  
 Janice Zikakis, member  
 Jeff Biegler, staff

Absent: Merrill Dixon, Jeff Stewart, Stuart Alderman

Visitors: Brian Wattles

Resolution # PR - 2005 - 03 - 003

Moved by Krent

Seconded by Kovacs

Resolved, that the minutes from January 13, 2005 are approved as submitted.

Yes: All

No: None

MOTION CARRIED

**NEW BUSINESS**

A. Aquatic Center Fees - A rate increase for daily passes and the punch cards has been approved by the City Manager. These increases are expected to help offset expenses.

The MRPA is conducting a state initiative for all Parks and Recreation departments to raise awareness of recreation benefits to the public and the impact on the quality of life to the community. The program will bring consistency between communities with regards to the value of recreation programs and services. The initiative is called the VIP program for vision, impact and planning. Look to hear more about this in the future.

B. Golf Course Ordinance Change - Chapter 30 of the Charter has been revised to include both golf courses. The substance of the ordinance remains the same, with modifications to include Sanctuary Lake Golf Course.

C. Civic Center Priority Task Force Plan - Tom Krent presented the CCPTF plan to the Parks and Recreation Board. Their plan was to develop the land in phases and add amenities as time and budget allows with the goal that this site would be a destination point and there would be something to do for all ages. Discussion from the group followed.

Resolution

Motion by Edmunds

Seconded by Kovacs

Whereas, the Civic Center Priority Task Force was established by the City Council in July, 2003 and member appointed in August, 2003,

Whereas, the Civic Center Priority Task Force main objective was to identify and prioritize public site plan elements,

Whereas, the Civic Center Priority Task Force presented their plan in August, 2004 and amended the report in May, 2004,

RESOLVED, that the Civic Center Priority Task Force report has been reviewed, noted and filed.

Discussion followed regarding the amenities, funding and programming on the Civic Center site.

**Resolution to Amend**

Resolution # PR - 2005 - 03 - 004

Motion by Kovacs

Seconded by Edmunds

RESOLVED, that the resolution be **AMENDED** by **INSERTING** “and will be reassessed after the Parks and Recreation Master Plan is complete.”

Yes: 6 (Kovacs, Kaltsounis, Edmunds, Redpath, Zikakis, Gazetti)

No: 2 (Fejes, Krent)

MOTION CARRIED

Discussion followed regarding the site and the possible amenities for it.

**Vote on Resolution as Amended**

Resolution # PR - 2005 - 03 - 005

Motion by Edmunds

Seconded by Kovacs

Whereas, the Civic Center Priority Task Force was established by the City Council in July, 2003 and member appointed in August, 2003,

Whereas, the Civic Center Priority Task Force main objective was to identify and prioritize public site plan elements,

Whereas, the Civic Center Priority Task Force presented their plan in August, 2004 and amended the report in May, 2004,

RESOLVED, that the Civic Center Priority Task Force plan has been reviewed, noted and filed and will be reassessed after the Parks and Recreation Master Plan is complete.

Yes: 5 (Edmunds, Gazetti, Kovacs, Redpath, Zikakis)

No: 3 (Fejes, Kaltsounis, Krent)

MOTION CARRIED

**OLD BUSINESS**

A. Community Center Shuffleboard/Bocce/Horseshoe Courts - this item is postponed until the next meeting when Merrill Dixon will be in attendance.

Member Comments - Tom Krent asked if the model of the reflective head could be put in the library for all to see and a biography of the artist with it. Carol Anderson will explore how we can track this model and securely display it as this is a valuable, historical asset belonging to the City.

Ida Edmunds mentioned that "Live and Learn" in Troy will be at the Community Center this weekend. This is an effort to attract families to Troy.

**Staff Reports**

Director/Recreation Report - The budget had not been fully reviewed by the Assistant City Manager in time for this meeting. It will be presented at the April meeting.

The security lights at Boulan Park were checked and may have been left on from the last part of softball or the football season.

Parks Report - The contractor that is removing trees has now removed 2400. City staff have removed approximately 1200 trees.

A tree trimmer has been hired so that we are now up to full staff. Seasonal staff will be hired within the next few weeks.

Monday, April 4 is Park Shelter Reservation Day. Get here early to reserve a park shelter for your family event.

Resolution # PR - 2005 - 03 - 006

Moved by Kaltsounis

Seconded by Krent

Resolved, that absent members are excused.

Yes: All

No: None

MOTION CARRIED

The meeting adjourned at 9:28 p.m.

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Kathleen Feges, Chairwoman

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Mary Williams, Recording Secretary

**CITY OF TROY**  
**MONTHLY FINANCIAL REPORT**

**28-Feb-05**

For the Period Ending February 28, 2005

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>GENERAL FUND REVENUES</b>					
TAXES	30,985,388	31,996,690	93,118	32,483,962	101.52
BUSINESS LICENSES & PERMITS	39,557	37,000	2,311	30,607	82.72
NON-BUS. LICENSES & PERMITS	1,610,428	1,480,000	102,194	952,330	64.35
FEDERAL GRANTS	100,354	22,000	4,800	8,526	38.75
STATE AGENCIES	7,295,363	6,645,000	2,918	3,789,109	57.02
CONTRIBUTIONS-LOCAL	162,365	135,000	315	53,259	39.45
CHARGES FOR SERVICES - FEES	1,209,542	1,156,600	101,969	577,181	49.90
CHARGES FOR SERVICES - REND.	1,600,633	1,677,500	37,391	674,518	40.21
CHARGES FOR SERVICES - SALES	305,582	147,000	11,120	80,604	54.83
CHARGES FOR SERVICES - REC	2,857,298	2,742,500	199,033	1,975,959	72.05
FINES & FORFEITS	960,250	975,000	83,677	587,308	60.24
INTEREST AND RENTS	865,998	954,000	105,885	581,010	60.90
OTHER REVENUE	439,460	450,110	3,807	253,503	56.32
OTHER FINANCING SOURCES	9,434,778	10,654,450	0	6,868,440	64.47
<b>TOTAL GENERAL FUND REVENUE</b>	<b>57,866,996</b>	<b>59,072,850</b>	<b>748,538</b>	<b>48,916,316</b>	<b>82.81</b>

<b>EXPENDITURES</b>					
LEGISLATIVE	1,926,046	2,025,620	140,711	1,276,278	63.01
FINANCE	4,331,477	4,840,690	336,722	2,926,216	60.45
OTHER GEN GOVERNMENT	2,471,227	2,619,120	227,136	1,583,057	60.44
POLICE	20,543,113	22,059,220	1,561,004	14,095,708	63.90
FIRE	3,732,506	3,899,000	189,828	2,806,145	71.97
BUILDING INSPECTION	1,926,514	2,075,770	143,568	1,272,567	61.31
STREETS	4,678,297	5,412,320	511,217	3,391,807	62.67
ENGINEERING	2,766,755	3,013,880	202,313	1,828,464	60.67
RECREATION	7,797,872	8,208,820	595,872	5,246,544	63.91
LIBRARY	4,547,589	4,908,410	300,826	2,897,488	59.03
TRANSFERS OUT	678,000	10,000	0	10,000	100.00
<b>TOTAL GEN FUND EXPENDITURES</b>	<b>55,399,396</b>	<b>59,072,850</b>	<b>4,209,197</b>	<b>37,334,274</b>	<b>63.20</b>

For the Period Ending February 28, 2005

REFUSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
TAXES	3,886,715	3,967,000	0	4,057,657	102.29
CHARGES FOR SERVICES - REND.	152,700	0	0	0	.00
CHARGES FOR SERVICES - SALES	1,348	1,000	84	940	94.00
INTEREST AND RENTS	38,942	40,000	6,280	46,752	116.88
OTHER FINANCING SOURCES	455,230	451,180	0	451,180	100.00
<b>TOTAL REVENUE</b>	<b>4,534,935</b>	<b>4,459,180</b>	<b>6,364</b>	<b>4,556,529</b>	<b>102.18</b>

EXPENDITURES

CONTRACTORS SERVICE	4,300,686	4,280,000	321,015	2,575,155	60.17
OTHER REFUSE EXPENSE	34,903	51,180	1,136	16,361	31.97
RECYCLING	96,612	128,000	7,675	82,350	64.34
<b>TOTAL EXPENDITURES</b>	<b>4,432,201</b>	<b>4,459,180</b>	<b>329,826</b>	<b>2,673,866</b>	<b>59.96</b>

For the Period Ending February 28, 2005

CAPITAL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
TAXES	7,586,118	8,938,000	0	9,141,951	102.28
FEDERAL GRANTS	1,965	0	2,768	4,493	.00
STATE AGENCIES	3,016,325	4,267,750	4,592	178,352	4.18
CHARGES FOR SERVICES - REND.	1,611,639	140,000	9,149	48,141	34.39
INTEREST AND RENTS	339,025	325,000	58,467	372,270	114.54
OTHER REVENUE	680,280	0	0	11,971	.00
OTHER FINANCING SOURCES	14,608,910	21,388,850	0	13,463,780	62.95
<b>TOTAL REVENUE</b>	<b>27,844,262</b>	<b>35,059,600</b>	<b>74,976</b>	<b>23,220,958</b>	<b>66.23</b>
<b>EXPENDITURES</b>					
FINANCE	9,827	145,000	2,748	21,851	15.07
OTHER GEN GOVERNMENT	4,830,407	3,731,250	7,102	1,803,411	48.33
POLICE	184,126	674,720	3,572	86,427	12.81
FIRE	50,298	447,500	0	26,972	6.03
BUILDING INSPECTION	56,212	20,000	0	1,539	7.70
STREETS	9,396,123	21,364,840	193,868	4,999,271	23.40
ENGINEERING	21,604	42,520	1,726	1,726	4.06
RECREATION	2,403,981	4,698,450	189,768	1,123,985	23.92
LIBRARY	213,622	381,390	0	4,883	1.28
MUSEUM	1,460,743	477,010	35,498	160,066	33.56
STORM DRAINS & RET PONDS	644,502	1,863,650	204,768	720,768	38.68
INFORMATION TECHNOLOGY	93,214	1,213,270	0	45,150	3.72
<b>TOTAL EXPENDITURES</b>	<b>19,364,659</b>	<b>35,059,600</b>	<b>639,050</b>	<b>8,996,049</b>	<b>25.66</b>

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - SALES	2,164	50,000	209	20,993	41.99
CHARGES FOR SERVICES - REC	78,976	1,675,400	175	522,680	31.20
INTEREST AND RENTS	79	61,000	0	300	.49
OTHER REVENUE	51	0	0	5	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
<b>TOTAL REVENUE</b>	<b>81,270</b>	<b>1,786,400</b>	<b>384</b>	<b>543,978</b>	<b>30.45</b>
<b>EXPENDITURES</b>					
SANCTUARY LAKE GREENS	2,501	752,160	1,174	506,981	67.40
SANCTUARY LAKE PRO SHOP	44,575	876,260	5,867	451,139	51.48
SANCTUARY LAKE CAPITAL	0	88,500	0	0	.00
<b>TOTAL EXPENDITURES</b>	<b>47,076</b>	<b>1,716,920</b>	<b>7,041</b>	<b>958,120</b>	<b>55.80</b>

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - SALES	44,907	50,000	398	20,756	41.51
CHARGES FOR SERVICES - REC	1,102,938	1,214,410	4,900	602,691	49.63
INTEREST AND RENTS	117,318	85,000	10,652	93,869	110.43
OTHER REVENUE	292	0	0	369-	.00
OTHER FINANCING SOURCES	11,530	185,520	0	185,520	100.00
<b>TOTAL REVENUE</b>	<b>1,276,985</b>	<b>1,534,930</b>	<b>15,950</b>	<b>902,467</b>	<b>58.80</b>

**EXPENDITURES**

SYLVAN GLEN GREENS	822,466	899,600	52,476	459,140	51.04
SYLVAN GLEN PRO SHOP	364,887	316,330	13,084	177,773	56.20
SYLVAN GLEN CAPITAL	146,550	319,000	0	57,963	18.17
<b>TOTAL EXPENDITURES</b>	<b>1,333,903</b>	<b>1,534,930</b>	<b>65,560</b>	<b>694,876</b>	<b>45.27</b>

AQUATIC CENTER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - REC	344,233	420,000	0	150,681	35.88
INTEREST AND RENTS	26,053	28,300	0	12,123	42.84
OTHER REVENUE	30-	0	0	40-	.00
<b>TOTAL REVENUE</b>	<b>370,256</b>	<b>448,300</b>	<b>0</b>	<b>162,764</b>	<b>36.31</b>
<b>EXPENDITURES</b>					
AQUATIC CENTER CAPITAL	541,886	595,460	21,858	325,537	54.67
	17,399	50,000	0	0	.00
<b>TOTAL EXPENDITURES</b>	<b>559,285</b>	<b>645,460</b>	<b>21,858</b>	<b>325,537</b>	<b>50.43</b>

For the Period Ending February 28, 2005

SEWER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	202,124	200,000	11,088	131,121	65.56
CHARGES FOR SERVICES - REND	9,710,263	9,870,000	611,862	4,746,586	48.09
INTEREST AND RENTS	208,707	210,000	40,137	230,083	109.56
OTHER REVENUE	0	0	0	0	.00

TOTAL REVENUE

	10,121,094	10,280,000	663,087	5,107,790	49.69
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EXPENDITURES

ADMINISTRATION	8,640,930	8,324,640	483,024	5,114,663	61.44
MAINTENANCE	1,527,109	1,484,540	45,057	841,689	56.70
CAPITAL	507,522	2,294,600	15,748	43,403	1.89

TOTAL EXPENDITURES

	10,675,561	12,103,780	543,829	5,999,755	49.57
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For the Period Ending February 28, 2005

WATER FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - FEES	1,068,683	850,000	74,543	673,854	79.28
CHARGES FOR SERVICES - SALES	9,967,814	12,301,000	757,568	6,302,354	51.23
INTEREST AND RENTS	314,382	296,000	16,846	276,357	93.36
OTHER REVENUE	0	0	0	0	.00
<b>TOTAL REVENUE</b>	<b>11,350,879</b>	<b>13,447,000</b>	<b>848,957</b>	<b>7,252,565</b>	<b>53.93</b>
<b>EXPENDITURES</b>					
ADMINISTRATION	8,818,627	11,083,430	153,804	6,382,782	57.59
TRANS AND DISTRIBUTION	210,016	206,340	21,138	73,368	35.56
CUSTOMER INSTALLATION	32,750	108,570	5,695	44,382	40.88
CONTRACTORS SERVICE	172,722	210,650	9,894	115,622	54.89
MAIN TESTING	69,635	196,130	2,363	32,344	16.49
MAINTENANCE OF MAINS	298,021	354,570	26,399	215,762	60.85
MAINTENANCE OF SERVICES	203,269	201,510	10,455	117,115	58.12
MAINTENANCE OF METERS	231,710	220,410	21,319	143,597	65.15
MAINTENANCE OF HYDRANTS	250,020	339,420	15,026	175,845	51.81
METERS AND TAP-INS	263,186	339,560	9,136	129,084	38.02
WATER METER READING	79,236	86,630	13,444	120,071	138.60
ACCOUNTING AND COLLECTING	53,133	54,030	13,028	94,873	175.59
CAPITAL	2,042,382	5,534,400	57,178	1,800,188	32.53
<b>TOTAL EXPENDITURES</b>	<b>12,724,707</b>	<b>18,935,650</b>	<b>358,879</b>	<b>9,445,033</b>	<b>49.88</b>

MOTOR POOL FUND

Description	Last Year Actual	2004-05 Budget	Current Month	Year To Date	%
<b>REVENUES</b>					
CHARGES FOR SERVICES - REND	0	5,000	0	0	.00
INTEREST AND RENTS	3,537,634	3,635,000	287,590	2,521,886	69.38
OTHER REVENUE	330,513	142,800	7,676	182,140	127.55
OTHER FINANCING SOURCES	1,422,810	2,074,680	0	0	.00
<b>TOTAL REVENUE</b>	<b>5,290,957</b>	<b>5,857,480</b>	<b>295,266</b>	<b>2,704,026</b>	<b>46.16</b>
<b>EXPENDITURES</b>					
ADMINISTRATION	468,897	519,080	35,283	323,469	62.32
OPERATION AND MAINTENANCE	2,874,935	3,095,630	195,556	1,880,439	60.74
DPW FACILITY MAINTENANCE	318,617	365,200	61,094	223,402	61.17
CAPITAL	630,232	1,877,570	173,938	463,583	24.69
<b>TOTAL EXPENDITURES</b>	<b>4,292,681</b>	<b>5,857,480</b>	<b>465,871</b>	<b>2,890,893</b>	<b>49.35</b>

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Fur Yr.	Fur Mo.	Fur Day	Rate	Name	Face	Accrue	Book
112	2005	3	1	8	FITB	2002	10	9		KENT DTAN	209,000		209,000.00
	2005	3	3	9	ML	2004	12	9	2.170	TBILL	2,540,000		2,527,139.14
	2005	3	4	7	FITE	2004	10	15	1.950	CD	2,000,000		2,000,000.00
	2005	3	4	7	REPUBLIC	2004	10	22	2.600	CD	2,029,526		2,029,525.87
	2005	3	7	7	FITE	2005	2	3	2.490	CD	4,050,589		4,050,589.44
	2005	3	10	9	ML	2004	12	16	2.180	TBILL	3,718,000		3,699,434.80
	2005	3	11	7	FLAGSTAR	2004	11	5	2.340	CD	3,059,780		3,059,780.01
	2005	3	17	9	ML	2005	1	6	2.170	TBILL	2,121,000		2,112,174.29
	2005	3	18	7	HUNT BANK	2004	11	23	2.440	CD	2,014,852		2,014,851.92
	2005	3	19	7	FLAGSTAR	2004	12	3	2.560	CD	1,010,505		1,010,505.00
	2005	3	24	9	ML	2005	1	13	2.320	TBILL	2,988,000		2,985,262.67
	2005	3	25	7	FLAGSTAR	2005	1	14	2.680	CD	2,042,317		2,042,316.86
	2005	3	25	7	FLAGSTAR	2005	1	21	2.720	CD	3,060,659		3,060,658.68
	2005	3	25	7	FLAGSTAR	2005	1	21	2.720	CD	2,012,032		2,012,032.22
	2005	3	26	7	FLAGSTAR	2004	12	3	2.560	CD	2,037,173		2,037,172.60
	2005	3	28	7	STAND FED	2005	1	24	1.900	CD	4,735,784		4,735,783.90
	2005	3	31	9	ML	2005	1	20	2.220	TBILL	2,525,000		2,514,296.80
	2005	4	1	7	FLAGSTAR	2004	12	10	2.600	CD	2,018,458		2,018,498.28
	2005	4	6	8	NAT CITY	2004	12	30	2.250	FNMA	1,000,000		993,937.50
	2005	4	7	9	ML	2005	1	27	2.320	TBILL	2,264,000		2,253,954.13
	2005	4	8	7	FLAGSTAR	2004	12	10	2.600	CD	2,010,162		2,010,161.67
	2005	4	8	7	FLAGSTAR	2005	2	3	2.910	CD	2,017,423		2,017,423.19
	2005	4	14	9	ML	2005	2	3	2.340	TBILL	2,030,000		2,020,501.66
	2005	4	15	7	FLAGSTAR	2004	12	17	2.650	CD	2,037,866		2,037,865.55
	2005	4	15	7	FLAGSTAR	2005	2	4	2.910	CD	2,043,751		2,043,751.11
	2005	4	15	7	FLAGSTAR	2005	2	11	2.940	CD	2,014,611		2,014,610.56
	2005	4	18	7	CITIZENS	2005	2	17	2.700	CD	1,002,042		1,002,041.67
	2005	4	21	9	ML	2005	2	10	2.430	TBILL	3,131,000		3,116,449.55
	2005	4	22	7	FLAGSTAR	2004	12	17	2.650	CD	2,010,943		2,010,943.33
	2005	4	22	7	REPUBLIC	2005	2	18	2.700	CD	1,052,600		1,052,599.80
	2005	4	22	7	HUNT BANK	2005	2	18	2.770	CD	2,019,081		2,019,081.36
	2005	4	22	7	FLAGSTAR	2005	2	18	2.960	CD	2,080,757		2,080,786.99
	2005	4	28	9	ML	2005	2	17	2.480	TBILL	2,161,000		2,150,768.27
	2005	4	28	7	FITE	2005	2	25	2.660	CD	2,014,408		2,014,408.33
	2005	4	29	7	HUNT BANK	2005	1	7	2.690	CD	2,050,869		2,050,869.20
	2005	4	29	7	FLAGSTAR	2005	2	18	2.960	CD	2,031,678		2,031,677.73
	2005	5	5	9	ML	2005	2	24	2.580	TBILL	2,207,000		2,196,121.32
	2005	5	6	7	FLAGSTAR	2005	1	7	2.720	CD	2,052,675		2,052,674.74
	2005	6	30	8	FITB	2003	2	27	2.700	MAX SAVER	6,585,700		6,585,700.12
	2005	6	30	8	FITB	2003	5	19	5.000	FHLMCS237	1,000,000		704,890.05
	2005	6	30	8	FITB	2003	7	30	3.600	FHR03 2640	900,000		732,527.45
	2005	6	30	8	FITB	2003	7	30	5.000	FNR03 79WE	1,500,000		106,546.13
	2005	6	30	8	FITB	2004	1	1	1.000	MONEY FUND	222,751		222,751.32
	2005	6	30	8	FITB	2004	1	27	5.500	FNR 55YA	500,000		69,203.20
	2005	6	30	8	FITB	2004	1	30	4.250	FHR 2537LA	2,000,000		660,245.75
	2005	6	30	8	FITB	2004	1	30	4.000	FHR 2535LK	3,500,000		3,444,477.97
	2005	6	30	8	FITB	2004	3	25	4.500	FHR 2669DT	700,000		700,000.00

7 = CD 8 = Paper 9 = T-Bills

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book	
112	2005	6	30	8	FITB	2004	7	26	1.200	ENR03 24GA	550,000		381,501.73	
	2005	6	30	8	HUNT BANK	2004	8	27	2.370	MM	523,126		523,123.02	
	2005	6	30	8	FITB	2004	9	13	2.500	FER03 2589	693,000		693,000.00	
	2005	6	30	8	FITB	2004	10	7	2.250	FER 2625QX	800,125		748,098.29	
	2005	6	30	8	FITB	2004	10	8	3.000	FER 2564CN	1,841,000		1,674,474.93	
	2005	6	30	8	FITB	2004	10	12	4.000	FER 2617BG	1,930,000		1,834,713.85	
	2005	9	29	8	NATL CITY	2004	3	29	1.500	FHLB	1,000,000		1,000,000.00	
	2005	12	22	8	NATL CITY	2004	3	22	2.030	FHLB	1,025,000		1,025,000.00	
	2005	12	31	8	FITB	2004	11	16	3.500	FHLM 2586	500,000		500,000.00	
	2005	12	31	8	FITB	2004	11	16	3.500	GNMA 58	670,000		652,956.24	
	2006	6	30	8	FITB	2005	1	11	4.000	FNMA 42	1,000,000		996,187.50	
	2007	3	16	8	FITB	2005	2	9	3.550	FHLB 3133	1,000,000		996,245.83	
	2009	4	23	8	FITB	2003	7	23	2.140	FHLB	1,700,000		1,700,000.00	
											TOTAL			109,212,093.50
	591	2005	3	4	8	NATL CITY	2004	3	25	1.200	FNMA	1,500,000		1,483,803.33
2005		3	28	7	STAND FED	2005	1	24	2.000	CD	2,709,512		2,709,511.98	
2005		4	1	7	REPUBLIC	2005	1	31	2.550	CD	139,684		139,683.75	
2005		4	4	7	HUNT BANK	2005	1	4	2.610	CD	151,847		151,847.07	
2005		6	30	7	COMERICA	1997	7	1	2.013	GOV'T POOL	1,856,059		1,856,059.45	
2005		6	30	8	FITB	2004	3	25	1.000	MM	43,998		43,997.89	
2005		6	30	8	FITB	2004	4	14		FHLB	1,000,000		994,062.50	
2027		1	25	8	FITB	2004	2	2	3.750	FR03 24MN	1,015,000		1,015,000.00	
											TOTAL			8,393,965.97
688		2005	6	30	7	BANK ONE	1997	7	1	2.110	GOV'T POOL	1,313,394		1,313,394.57
											TOTAL			1,313,394.57
											TOTAL			118,919,454.04

\*\*\* END OF REPORT \*\*\*

7 = CD 8 = Paper 9 = T-Bills

Albert J. Desmond (1913-1994)  
 Angus J. McInnes (1875-1941)  
 A. J. McInnes, Jr. (1905-1967)  
 William V. Vasu (1915-1962)

**A.J. DESMOND & SONS**  
 FUNERAL DIRECTORS  
*A Family Tradition Since 1917*

March 3, 2005

Sgt. James Clark  
 Troy Police Department  
 500 W. Big Beaver  
 Troy, MI 48084

Dear Jim:

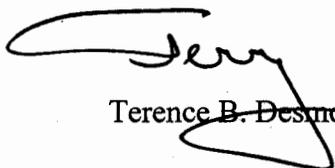
Please excuse the tardiness of this letter. However, I could not let it go unnoticed about the exceptionally fine work done by you and the Troy Police Department for the funeral of Mark Tuck.

Your coordinating the Honor Guard, pallbearers, and funeral escort was extremely well done under difficult circumstances. Such efforts are never easy at the same time as personally dealing with a death. You were a great asset to the family and ourselves, and performed admirably.

I also commend the men in the Police Department for the time that they donated to this effort, particularly on a Sunday. It was appreciated and certainly noticed by all.

It was a pleasure working with you. I trust our paths will cross again (maybe something more pleasant next time).

Sincerely with regards,



Terence B. Desmond

TBD/wms

c: Marjorie Tuck  
 ✓ Chief Charles T. Craft  
 John Szerlag, Troy City Manager  
 Mayor Louise E. Schilling

cc: City Mgr  
 Capt. Murphy  
 Sgt. Danna  
 BB

**RECEIVED**  
 Chief of Police  
 3/7/05 CTC

At a Regular Meeting of the Royal Oak City Commission held on Monday, March 7, 2005, in City Hall, 211 Williams Street, the following Resolution was adopted:

WHEREAS, the City of Royal Oak has been reviewing and commenting upon the proposed plan for widening I-75; and

WHEREAS, the City of Royal Oak has previously expressed several concerns about the proposed widening plan on the residents of the City; and

WHEREAS, the MDOT has made revisions to the proposed I-75 widening plan that successfully address some of the concerns of the residents as previously transmitted to the MDOT; and

WHEREAS, the City of Royal Oak has an appreciation for the effort involved by the MDOT to reconfigure the proposed I-75 widening plan; and

WHEREAS, the City of Royal Oak as a matter of policy extends its appreciation to those agencies that are responsive in a positive manner to the City's concerns about matters of public concern.

BE IT HEREBY RESOLVED that the City of Royal Oak expresses its thanks to the MDOT for its efforts in reconfiguring the proposed I-696/I-75/Eleven Mile Road intersection to accommodate traffic exiting I-696 onto Eleven Mile Road; and

BE IT FURTHER RESOLVED the City of Royal Oak expresses its thanks to the MDOT for its efforts in preserving the existing entrance onto I-75 southbound at 4th Street in the City of Royal Oak; and

BE IT FURTHER RESOLVED the City of Royal Oak respectfully requests that the MDOT attempt to further reconfigure the proposed I-75 northbound exit onto Eleven Mile Road that will have the least negative effect on the surrounding neighborhoods in the City of Royal Oak.

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Royal Oak City Commission at a meeting held on March 7, 2005.

*Mary Ellen Glover*

City Clerk

RECEIVED

MAR 10 2005

CITY OF TROY  
CITY MANAGER'S OFFICE



# April 2005

April 2005							May 2005						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	8	9	10	11	12	13	14
17	18	19	20	21	22	23	15	16	17	18	19	20	21
24	25	26	27	28	29	30	22	23	24	25	26	27	28

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				7:30pm Planning Commission-Study (Council Boardroom)	
6:00pm Updated: CC-Closed Session (Council Boardroom)		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL)	10:00am Senior Advisory Board meeting (Comm Ctr conf rm)		
6:45pm Updated: CC-Closed Session (council boa rdroom)		7:00pm ADVISORY COMMITTEE FOR PERSONS WITH			
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Regular (Council Chambers)		7:30pm Park Board meeting (Comm Ctr conf rm)		
7:30pm City Council-Regular (Council Chambers)	7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			
6:30pm City Council-Special/Study (Council Boardroom)	7:30pm Planning Commission-Study (Council Boardroom)	7:00pm Youth Council Meeting - City Hall - LLCR			
7:30pm City Council-Regular (Council Chambers)					

# May 2005

May 2005							June 2005						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
6:30pm City Council-Special/Study (Council Boardroom)		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:00pm ADVISORY COMMITTEE FOR			7:30pm Planning Commission-Study MAY 1
2	3	4	5	6	7
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Regular (Council Chambers)		10:00am Senior Advisory Board meeting (Comm Ctr conf rm)		9:00am City Council-Special/Study
9	10	11	12	13	14
7:30pm City Council-Regular (Council Chambers)	7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)	7:30pm Park Board meeting (Comm Ctr conf rm)		
16	17	18	19	20	21
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Study (Council Boardroom)				
23	24	25	26	27	28
30	31				29

March 9, 2005

To: The Honorable Mayor & City Council

From: John Szerlag, City Manager  
Lori Grigg Bluhm, City Attorney  
John Lamerato, Assistant City Manager – Finance/Administration  
Doug Smith, Director of Real Estate and Development  
Nino Licari, City Assessor

Re: Agenda Item – Report & Communication - DDA Financing, Letter from the Department of Treasury to Victor Lenivov

Staff has been asked to respond to comments made by Mr. Lenivov at the February 28, 2005 City Council meeting, in regards to a letter he received from the Department of Treasury. He implied at the meeting that the letter he received verified his contention that the Downtown Development Authority (DDA) had illegally collected Tax Increment Financing beyond its allotted scope.

The letter (copy attached) makes no such inference. The letter is a very brief explanation of how a DDA functions, and its means of financing.

I spoke with James Mills, from the State Tax Commission, who supplied the letter's author (Cynthia B. Faulhaber, Deputy State Treasurer) with the content, and an oral explanation of the content, for the letter. He verified that it is just that, a brief explanation of a DDA's functions, and operations.

The matter of the inception of the DDA, the documentation of the decline in value in the area, its various development plans (areas, districts), and its financing, have been addressed by staff, Council, outside legal counsel, and bonding agents on numerous different occasions.

In all instances, the determination is that proper procedures have been followed.

All activities of the DDA are reviewed by management, and the City Attorney. The DDA is audited each year at the same time the City is audited. All projects and the budget of the DDA are approved by Council.

After almost twelve (12) years of operation, viable and valuable projects completed, and a documented increase in the value of the properties in the area, it would seem to be time to call the DDA the success that it is.

NL/nl



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JAY B. RISING  
STATE TREASURER

February 25, 2005

Victor Lenivov  
1929 Hopedale Drive  
Troy, Michigan 48085-3346

Dear Mr. Lenivov:

Thank you for your recent letter to Representative Robert Gosselin regarding the collection of tax increment revenues by the City of Troy Downtown Development Authority (DDA). Your letter was referred to me for reply.

The activities of DDAs are governed by Public Act 197 of 1975. Among the financing tools available to DDAs is tax increment financing (TIF). TIF revenue is generally described as the taxes attributable to the growth in property value that has occurred in a development area since a development plan was implemented. A DDA defines the boundaries of a downtown district and then forms a development plan to provide improvements in all or part of the downtown district. Act 197 requires a development plan to designate a development area's boundaries, both by a legal description and in relation to highways, streets, waterways or other commonly described landmarks. Multiple development plans are allowed, but no property may be part of more than one development area.

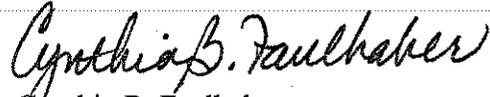
The definition of tax increment revenue in Act 197 specifies that it is attributable to property "in the development area." Therefore, a DDA cannot collect tax increment revenues outside the development area, since taxes attributable to a property, not in the development area, do not meet the definition of tax increment revenue.

A DDA may legally amend the size of the development area prospectively in accordance with the requirements of Act 197. The DDA must adhere to the notice and hearing requirements in the same manner as when the development plan was first formed. Any tax increment revenues on the additional property must be computed based on the value of the property when it is added, not the date of the original development plan. An authority may not amend a development plan to change the boundaries of the development area retroactively.

The State Tax Commission has the authority to implement proceedings to compel enforcement of the DDA Act. If you have a formal complaint you wish to have considered, you may send a written request to: State Tax Commission, P.O. Box 30471, Lansing, Michigan 48909-7971.

I trust that this information will be of assistance to you. If I may be of further assistance, let me know.

Sincerely,



Cynthia B. Faulhaber,  
Deputy State Treasurer  
State and Local Finance

cc: Honorable Robert Gosselin  
Jay B. Rising, State Treasurer  
Office of the Legislative Liaison

COPY 3/9/05

March 15, 2005

To: John Szerlag, City Manager

From: Laura Fitzpatrick, Acting Assistant City Manager  
Carol K. Anderson, Parks and Recreation Director

Subject: Agenda Item - Parks and Recreation Advisory Board Action

Per your request, the agenda of the Parks and Recreation Advisory Board for March 10, 2005 included the Civic Center Priority Task Force Plan.

CCPTF Committee member Tom Krent presented the plan with input from committee members Brian Wattles and Jeff Biegler. Prior to action, discussion of the Advisory Board included:

- 1) Desire that the plan be adopted as the Master Land Use Plan for the Civic Center site.
- 2) Desire to ensure the plan be flexible and if other opportunities are presented that they could be included or substituted.
- 3) Desire to ensure the plan would meet the changing needs of the community over the long term.
- 4) Desire to ensure the Task Force goals are met by the plan.
- 5) Desire to ensure the plan meets a demonstrated need.
- 6) Desire to see cost estimates.
- 7) Desire to ensure funds are going to be available to program the site after the plan is implemented for festivals, concerts, events, etc.
- 8) Desire that development of the new park sites not become secondary to development of the Civic Center.

It should be noted that the above were points of discussion only.

The following action was taken:

Resolution  
Motion by Edmunds  
Seconded by Kovacs

Whereas, the Civic Center Priority Task Force was established by the City Council in July, 2003 and member appointed in August, 2003,

Whereas, the Civic Center Priority Task Force main objective was to identify and prioritize public site plan elements,

Whereas, the Civic Center Priority Task Force presented their plan in August, 2004 and amended the report in May, 2004,

RESOLVED, that the Civic Center Priority Task Force report has been reviewed, noted and filed.

Discussion followed regarding the amenities, funding and programming on the Civic Center site.

### **Resolution to Amend**

Resolution # PR - 2005 - 03 - 004  
Motion by Kovacs  
Seconded by Edmunds

RESOLVED, that the resolution be **AMENDED** by **INSERTING** “and will be reassessed after the Parks and Recreation Master Plan is complete.”

Yes: 6 (Kovacs, Kaltsounis, Edmunds, Redpath, Zikakis, Gazetti)

No: 2 (Fejes, Krent)

MOTION CARRIED

Discussion followed regarding the site and the possible amenities for it.

### **Vote on Resolution as Amended**

Resolution # PR - 2005 - 03 - 005  
Motion by Edmunds  
Seconded by Kovacs

Whereas, the Civic Center Priority Task Force was established by the City Council in July, 2003 and member appointed in August, 2003,

Whereas, the Civic Center Priority Task Force main objective was to identify and prioritize public site plan elements,

Whereas, the Civic Center Priority Task Force presented their plan in August, 2004 and amended the report in May, 2004,

RESOLVED, that the Civic Center Priority Task Force plan has been reviewed, noted and filed and will be reassessed after the Parks and Recreation Master Plan is complete.

Yes: 5 (Edmunds, Gazetti, Kovacs, Redpath, Zikakis)

No: 3 (Fejes, Kaltsounis, Krent)

MOTION CARRIED

Prepared by Carol K. Anderson