



TROY CITY COUNCIL

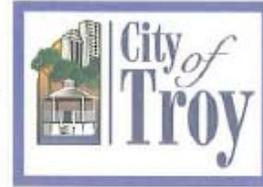
REGULAR MEETING

AGENDA

JANUARY 27, 2014
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Brian Kischnick, 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 adoption.

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

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "B. Kischnick".

Brian Kischnick, City Manager



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

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

GOALS:

Provide a safe, clean, and livable city

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

Provide effective and efficient local government

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

Build a sense of community

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

Attract and retain business investment

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



CITY COUNCIL AGENDA

January 27, 2014 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Reverend Susan Williams From St. Stephen's Episcopal Church 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: 1

C-1 2013 "A Healthy Me is Drug Free" Pledges Presented by the Red Ribbon Chairperson for Troy Families for SAFE HOMES and Student Representatives from the Troy School District (*Introduced by: Cindy Stewart, Community Affairs Director*) 1

C-2 Foreclosure Prevention for Residents Presented by Rebecca Snay, AmeriCorps Foreclosure Intake Specialist at Community Housing Network, Inc. (*Introduced by: Cindy Stewart, Community Affairs Director*) 1

C-3 Presentation on Shen Yun 2014, Reviving 5,000 Years of Civilization by May Wang and Valerie Avore 1

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July 7, 2014	Regular Meeting	11
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August 11, 2014	Regular Meeting	11
August 25, 2014	Regular Meeting	11
September 8, 2014	Regular Meeting	11
September 22, 2014	Regular Meeting	11
October 6, 2014	Regular Meeting	11
October 20, 2014	Regular Meeting	11
November 10, 2014	Regular Meeting	11
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February 5, 2014	Liquor Violation Hearing	11
February 19, 2014	Liquor Violation Hearing	11
April 21, 2014	Special Budget Meeting	11
April 23, 2014	Special Budget Meeting	11

INVOCATION: Reverend Susan Williams From St. Stephen’s Episcopal Church

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

- a) Mayor Dane Slater
Jim Campbell
Wade Fleming
Dave Henderson
Ellen Hodorek
Ed Pennington
Doug Tietz

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2014-01-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of January 27, 2014, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 2013 “A Healthy Me is Drug Free” Pledges Presented by the Red Ribbon Chairperson for Troy Families for SAFE HOMES and Student Representatives from the Troy School District *(Introduced by: Cindy Stewart, Community Affairs Director)*

C-2 Foreclosure Prevention for Residents Presented by Rebecca Snay, AmeriCorps Foreclosure Intake Specialist at Community Housing Network, Inc. *(Introduced by: Cindy Stewart, Community Affairs Director)*

C-3 Presentation on Shen Yun 2014, Reviving 5,000 Years of Civilization by May Wang and Valerie Avore *(Introduced by: Cindy Stewart, Community Affairs Director)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:**E-1 Rezoning Application (File Number Z 745) Proposed Amber Center Townhomes and Lofts, West Side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District**Suggested Resolution

Resolution #2014-01-

Moved by

Seconded by

WHEREAS, The City is in receipt of a rezoning request, from O to BB, File Number Z-745, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Topographic Survey.

THEREFORE BE IT RESOLVED, The proposed rezoning from O to BB is hereby **APPROVED**.

BE IT FINALLY RESOLVED, The Zoning District Map is hereby **AMENDED**.

Yes:

No:

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

In accordance with the Rules of Procedure for the City Council, Article 17 – Members of the Public and Visitors:

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as

permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.

- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.

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

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

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Board of Review; b) City Council Appointments – Election Commission, Liquor Advisory Committee, Traffic Committee

a) Mayoral Appointments:

Suggested Resolution

Resolution #2014-01-

Moved by

Seconded by

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

Board of Review

Appointed by Mayor

3 Regular Members

3-Year Term

Term Expires: 01/31/2017

Eileen Turner

Term currently held by:

Eileen Turner

Yes:

No:

b) City Council Appointments:

Suggested Resolution

Resolution #2014-01-

Moved by

Seconded by

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

Election Commission

Appointed by Council

2 Regular Members and 1 Charter Member

1 Year Term

Term Expires: 01/31/2015

David C. Anderson

Term currently held by:

David C. Anderson

Term Expires: 01/31/2015

Timothy Dewan

Term currently held by:

Timothy Dewan

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 01/31/2017

W. Stan Godlewski

Term currently held by: W. Stan Godlewski

Term Expires: 01/31/2017

David Gorcyca

Term currently held by: Vacancy – Bohdan Ukraine’s term
(not registered elector in Troy).

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 01/31/2017

Richard Kilmer

Term currently held by: Richard Kilmer

Term Expires: 01/31/2017

Al Petruilis

Term currently held by: Al Petruilis

Term Expires: 01/31/2017

Peter Ziegenfelder

Term currently held by: Peter Ziegenfelder

Yes:
No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – Historic District Commission

a) Mayoral Nominations:

b) City Council Nominations:

Suggested Resolution

Resolution #2014-01-

Moved by

Seconded by

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

Historic District Commission

Appointed by Council
 7 Regular Members
 3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Chambers	Barbara	12/20/2015	3/1/2014	Requests Rappointment
Kuppa	Padma	8/13/2011	3/1/2014	
McGee	Timothy	8/13/2014	5/15/2015	
Partlan	Ann	2/24/2013	3/1/2014	Historical Society Recommendation
Schuchter	Doris	11/22/2013	5/15/2015	Historical Society Recommendation
Vacancy			5/15/2015	Hugh Stephen Doyle resigned
Voigt	W. Kent	1/23/2015	3/1/2016	

Nominations to the Historic District Commission:

Term Expires: 05/15/2015

Term currently held by: Vacancy – Hugh Stephen Doyle resigned.

Interested Applicants:

Last Name	First Name	App/Resume Expire	Notes #1
Knight	Barbara	01/15/2016	
Petrulis	Al	01/08/2016	
Viola	Vincent	06/13/2014	

Yes:
 No:

I-3 No Request for Closed Session

I-4 2013/14 Budget Amendment No. 1 – Library Services (Introduced by: Cathleen Russ, Library Director)

Suggested Resolution
 Resolution #2014-01-
 Moved by
 Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** 2013-14 Budget Amendment No. 1 as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:
No:

I-5 2013/14 Budget Amendment No. 2 – Furlough Termination (Introduced by: Thomas Darling, Director of Financial Services)

Suggested Resolution
Resolution #2014-01-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the 2013-14 Budget Amendment No. 2 – Termination of Furlough Requirements as submitted; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:
No:

J. CONSENT AGENDA:

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

Suggested Resolution
Resolution #2014-01-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) _____, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

Yes:
No:

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

J-2 Approval of City Council Minutes

Suggested Resolution
Resolution #2014-01-

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

- a) City Council Meeting Minutes-Draft – January 13, 2014

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 3: Exercise Renewal Option – Michigan Intergovernmental Trade Network (MITN) Gasoline and Diesel Fuel**

Suggested Resolution
Resolution #2014-01-

RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the City's best interest to **EXERCISE** and **APPROVE** the option to renew the two year cooperative contract to purchase gasoline and diesel fuel in truck transport and tank wagon deliveries from the low bidders meeting specifications – Petroleum Traders Corporation of Fort Wayne, IN, RKA Petroleum Companies of Romulus, MI, and Atlas Oil Company of Taylor, MI, as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the bid tabulation opened November 1, 2011, with the contract expiration of January 31, 2016.

J-5 2014 Poverty Exemption Guidelines (Changes From the Previous Year)

Suggested Resolution
Resolution #2014-01-

RESOLVED, That pursuant to MCL 211.7u, the City Council of the City of Troy hereby **APPROVES** the proposed "Poverty Exemption Guidelines" for 2014, as presented by the City Assessor in a memorandum dated January 16, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Joint City Council and Planning Commission Meeting – February 11, 2014

Suggested Resolution
Resolution #2014-01-

RESOLVED, That Troy City Council hereby **SCHEDULES** a joint meeting with Troy Planning Commission on Tuesday, February 11, 2014 from 6:00 PM to 7:00PM in the Council Board Room at Troy City Hall.

J-7 Delegation of Fireworks Inspections

Suggested Resolution
Resolution #2014-01-

RESOLVED, That the City of Troy is interested in receiving authority from the State of Michigan to conduct all necessary fireworks inspections in the City of Troy, in exchange for receipt of up to 70% of the collected fireworks certificate fees;

BE IT FURTHER RESOLVED, That the City of Troy **AGREES** to abide by the terms of the State of Michigan Fireworks Delegation of Authority Program for the 2014 calendar year, and **AUTHORIZES** the Troy Fire Chief and the Troy City Clerk to administratively **APPROVE** and **EXECUTE** the final version of any document required by the State of Michigan to effectuate the

requested delegation, including but not limited to the Fireworks Delegation of Authority Authorization Application and Delegation Agreement, and when these documents are finalized, they shall be **ATTACHED** to the original Minutes of this meeting.

J-8 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Suggested Resolution
Resolution #2014-01-

RESOLVED, That Troy City Council hereby **APPROVES** payment to renew the City of Troy's membership in the Traffic Improvement Association for the year 2014 in the amount of \$25,100, and funds are available in the 2013-2014 Police Department Operating Funds, Membership and Dues.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

M. COUNCIL REFERRALS:

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Zoning Board of Appeals-Final – May 22, 2013
- b) Planning Commission-Draft – December 10, 2013
- c) Planning Commission-Final – December 10, 2013
- d) Employees' Retirement System Board of Trustees-Final – December 11, 2013
- e) Retiree Health Care Benefits Plan and Trust-Final – December 11, 2013
- f) Zoning Board of Appeals-Final – December 17, 2013

O-2 Department Reports:

- a) Annual Towing Contract Renewal

O-3 Letters of Appreciation:

- a) To Chief Gary Mayer From U.S. Department of Justice Federal Bureau of Investigation Regarding Lt. Tom Gordon Hosting a Complex Terrorist Attack Tabletop Exercise
- b) To Paul Featherston From Anne Wilkinson, International Academy of Design and Technology Regarding Teaching a Codes Class

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

P. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):

Q. STUDY ITEMS:

-
- Q-1 No Study Items**

R. CLOSED SESSION:

-
- R-1 No Closed Session**

S. ADJOURNMENT:

Respectfully submitted,



Brian Kischnick, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

February 3, 2014.....	Regular Meeting
February 10, 2014.....	Regular Meeting
March 3, 2014	Regular Meeting
March 17, 2014.....	Regular Meeting
April 7, 2014.....	Regular Meeting
April 14, 2014.....	Regular Meeting
May 12, 2014	Regular Meeting
May 19, 2014	Regular Meeting
June 2, 2014	Regular Meeting
June 16, 2014	Regular Meeting
July 7, 2014.....	Regular Meeting
July 21, 2014.....	Regular Meeting
August 11, 2014.....	Regular Meeting
August 25, 2014.....	Regular Meeting
September 8, 2014	Regular Meeting
September 22, 2014	Regular Meeting
October 6, 2014	Regular Meeting
October 20, 2014	Regular Meeting
November 10, 2014	Regular Meeting
November 24, 2014	Regular Meeting
December 1, 2014	Regular Meeting
December 15, 2014	Regular Meeting

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

February 5, 2014.....	Liquor Violation Hearing
February 19, 2014.....	Liquor Violation Hearing
April 21, 2014.....	Special Budget Meeting
April 23, 2014.....	Special Budget Meeting



Opening Doors • Transforming Lives®

Free Foreclosure Prevention Counseling In Oakland and Macomb counties

Community Housing Network (CHN), together with the Michigan State Housing Development Authority (MSHDA), offers **free** Foreclosure Prevention Counseling.

If you:

- Have fallen behind on your mortgage payments or worry you may not be able to stay current on your mortgage payments
- Have delinquent property taxes
- Have had a financial hardship
- Received a certified letter from a foreclosure attorney mentioning there is only 30 days to call and "opt in"
- Or have had a sheriff's sale notice posted on your property

Contact Community Housing Network right away! We can help you.

Foreclosure prevention services provided by CHN are **free!** Our trained and certified counselors will assess your current situation, discuss your options, and help you create a plan and communicate with your lender.

Households that meet eligibility requirements may receive up to **\$30,000** in assistance from Step Forward Michigan to address your mortgage or property tax delinquency. We can help you connect with these funds!

For additional information, please contact Rebecca Snay, CHN AmeriCorps foreclosure intake specialist, at (248) 824-7393, or by email at rsnay@chninc.net, or visit our website, www.communityhousingnetwork.org, and click on the Who Are You? tab to find information about foreclosure prevention counseling.

October 2013



CITY COUNCIL AGENDA ITEM

Date: January 21, 2014

To: Brian Kischnick, City Manager

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

Subject: PUBLIC HEARING - REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

The applicant, Amber Properties Company, seeks a rezoning of the subject parcel from O (Office) District to BB (Big Beaver) District. The applicant intends to construct a 5-story, 60-unit apartment building on the site. A Preliminary Site Plan application was submitted, to be considered by the Planning Commission should the rezoning be approved by City Council.

The Planning Commission held a public hearing on this item on January 14, 2014 and recommended approval of the application by a 6-2 vote.

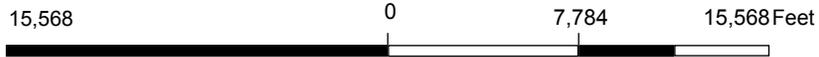
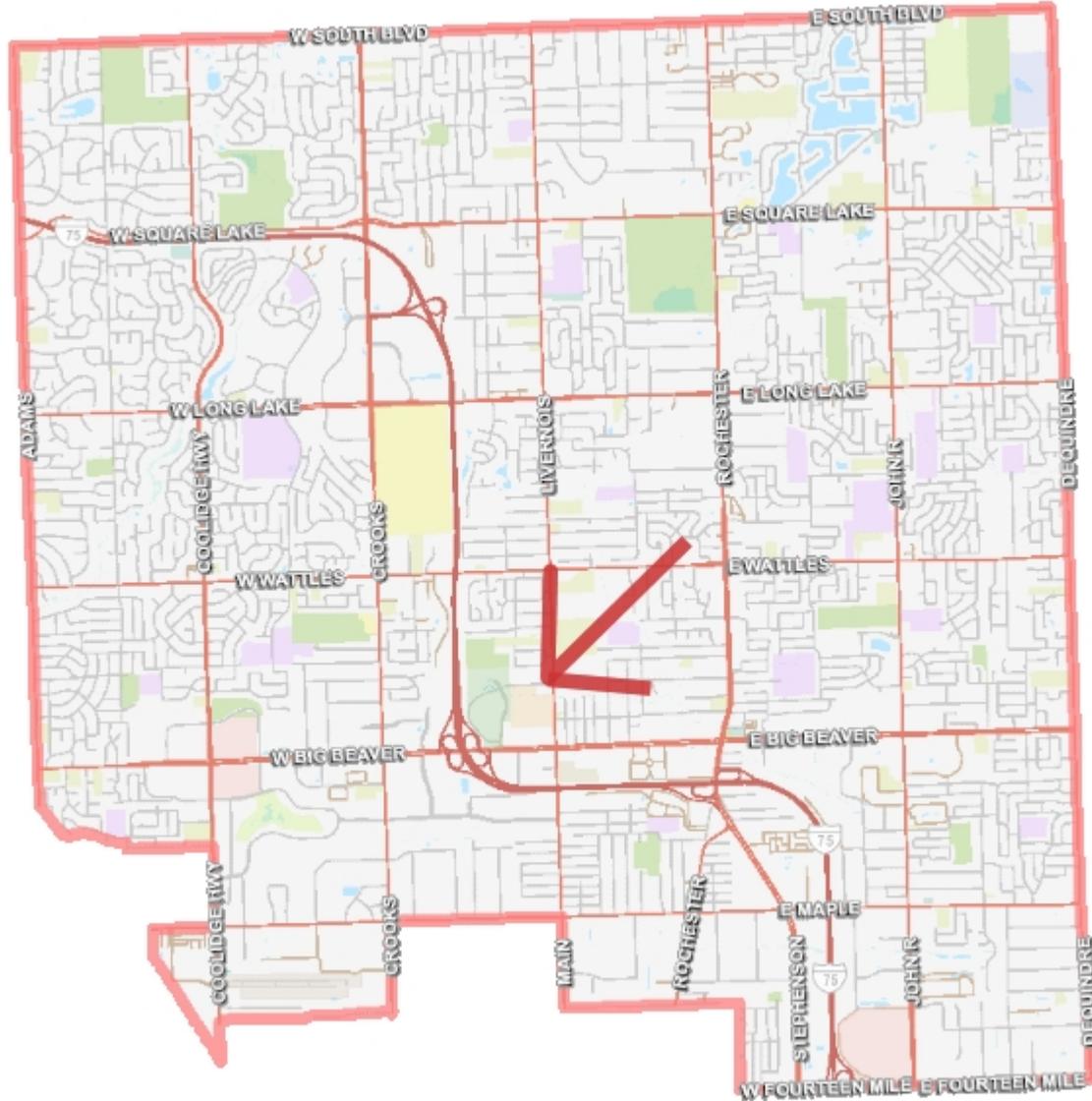
The site is within the Big Beaver classification in the City of Troy Master Plan, which supports multi-story residential development. The application is consistent with the Master Plan.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the rezoning request.

City Management recommends approval of the rezoning request from O (Office) District to BB (Big Beaver) District.

Attachments:

1. Map
2. Minutes (draft) from January 14, 2014 Planning Commission Regular minutes (excerpt)
3. Agenda item from January 14, 2014 Planning Commission Regular meeting
4. Public comment
5. Correspondence from applicant, dated January 21, 2014



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.



Legend:

Street Name Text

188 0 94 188Feet

Scale 1: 1,128

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.

Printed: 11/19/2013

REZONING REQUEST

5. PUBLIC HEARING - REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Chair Tagle informed the Board he has a client who has a business relationship with the petitioner. Chair Tagle said he has no business involvement or financial interest in the proposed application.

It was the consensus of the Board there was no conflict of interest.

Mr. Carlisle explained that due to an administrative error in the rezoning notification requirement, the Rezoning Request application is before the Board again this evening for consideration and a Public Hearing. Mr. Carlisle said the Rezoning Request meets the objectives of the Master Plan. He advised the Board the petitioner has officially submitted a Preliminary Site Plan application for the proposed development, noting the site plan submittal addresses concerns brought to the petitioner's attention at the time a conceptual site plan was offered at the December 10, 2013 meeting. Mr. Carlisle reminded the Board the site plan is not a consideration of the Rezoning Request before the Board this evening and would be reviewed and acted upon at a later date. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as specified in his report, dated December 5, 2013.

Present were the applicant, Jerome Amber of Amber Properties Company, and Dennis Cowan of Plunkett Cooney.

Mr. Cowan stated that contact was made with those residents who were not initially notified of the proposed Rezoning Request. He stated also that contact was made with Dr. Goldin of 3415 Livernois, who spoke in opposition at the December 10, 2013 meeting, and it appears the concerns of Dr. Goldin have been satisfied. Mr. Cowan said the Preliminary Site Plan application demonstrates the petitioner's intent to construct the building at the same height and dimensions as discussed at the December meeting. Mr. Cowan said the proposed building was moved as far south and east as possible. He briefly gave a history of the Amber Properties developments and tenant demographics.

Mr. Krent asked if the petitioner would consider a conditional rezoning.

Mr. Cowan asked for time to discuss that possibility with his client.

PUBLIC HEARING OPENED

Karen Crusse of 55 Timberview spoke in opposition on behalf of the Westwood Park Homeowners Association. Concerns expressed were the building would be an obstruction and not pleasing to the eye, the development is not a fit for the area, residential ownership preferred instead of tenants, no guarantee tenants would be professional and underwhelmed with Amber House developments in other communities.

Robert Warner of 3551 Cherished View spoke in opposition. Concerns expressed were the Big Beaver district encroachment on residential, potential future use of site and development inappropriate fit for the area.

Sanjay Shah of 123 Millstone spoke in opposition. Concerns expressed were the development does not fit in downtown feeling of city and vacant property does not mean the City should allow building.

PUBLIC HEARING CLOSED

Mr. Amber said the proposed development is one story less and 11 to 12 feet lower than is allowed by right.

Mr. Cowan said he discussed the possibility of a conditional rezoning with his client and his client has decided to go forward with the traditional Rezoning Request. Mr. Cowan said his client is under a time constraint with respect to the purchase agreement and a resubmittal process would place his client in a precarious position. Mr. Cowan shared that Amber House Properties is an owner-operated company. He said his client has given concessions on the Preliminary Site Plan application with respect to the building height and dimensions.

Mr. Schepke said he does not like the aesthetics of the development and would not support the request.

Mr. Savidant reminded the Board that the applicant is moving forward with the Preliminary Site Plan submittal, however the site plan is not being considered at this time. Furthermore, the Rezoning Request meets the Master Plan.

Mr. Sanzica, who voted no on the Rezoning Request at the December 10, 2013 meeting, said he would support the Rezoning Request this evening because the applicant has demonstrated his intent with the Preliminary Site Plan submission and has acted in good faith.

Mr. Schultz said he would not support the Rezoning Request because the proposed site plan drawings are not a condition to the rezoning. He expressed concerns with the potential future use of the site. Mr. Schultz said the proposed

development will be an asset to the City and he has no doubt the applicant is honest and forthright in what he wants to build.

Chair Tagle addressed the positives of the proposed development with respect to aesthetics, location, height and buffer to residential.

Mr. Savidant addressed the audience with respect to the roles of the Planning Commission and City Council.

Resolution # PC-2014-01-003

Moved by: Sanzica

Seconded by: Edmunds

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O to BB rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

- 1) The request complies with the Master Plan
- 2) The Form-Based District would permit greater flexibility in use and development of the property.
- 3) The abundance of Office District property in the City has been well documented.
- 4) The rezoning would be compatible with surrounding zoning and land use.
- 5) The site can be adequately served with municipal water and sewer.

Yes: Edmunds, Gottlieb, Hutson, Krent, Sanzica, Tagle

No: Schepke, Schultz

Absent: Strat

MOTION CARRIED

DATE: January 9, 2013

TO: Planning Commission

FROM: R. Brent Savidant, Planning Director

SUBJECT: PUBLIC HEARING - REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

The applicant, Amber Properties Company, seeks a rezoning of the subject parcel from O (Office) District to BB (Big Beaver) District. The Planning Commission held a public hearing on this item on December 10, 2013 however the 300-foot mailing list was incorrect. Therefore the Planning Commission must hold a public hearing that complies with public notice requirements.

The site is within the Big Beaver classification in the City of Troy Master Plan. This classification supports residential development along the Big Beaver Corridor.

The attached report prepared by Carlisle/Wortman Associates, Inc. (CWA), the City's Planning Consultant, summarizes the rezoning request. CWA prepared the report with input from various City departments including Planning, Engineering, Public Works and Fire. City Management supports the findings of fact contained in the report and agrees with the recommendation.

Please be prepared to discuss this item at the January 14, 2014 Planning Commission Regular meeting.

Attachments:

1. Maps
2. City of Troy Master Plan (excerpt)
3. Report prepared by Carlisle/Wortman Associates, Inc.
4. Public comment

G:\REZONING REQUESTS\Z 745 Amber Town Center Townhomes and Lofts\PC Memo 01 14 2014.doc

PROPOSED RESOLUTION

REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Resolution # PC-2014-01-

Moved by:

Seconded by:

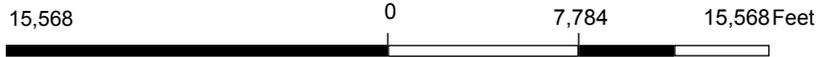
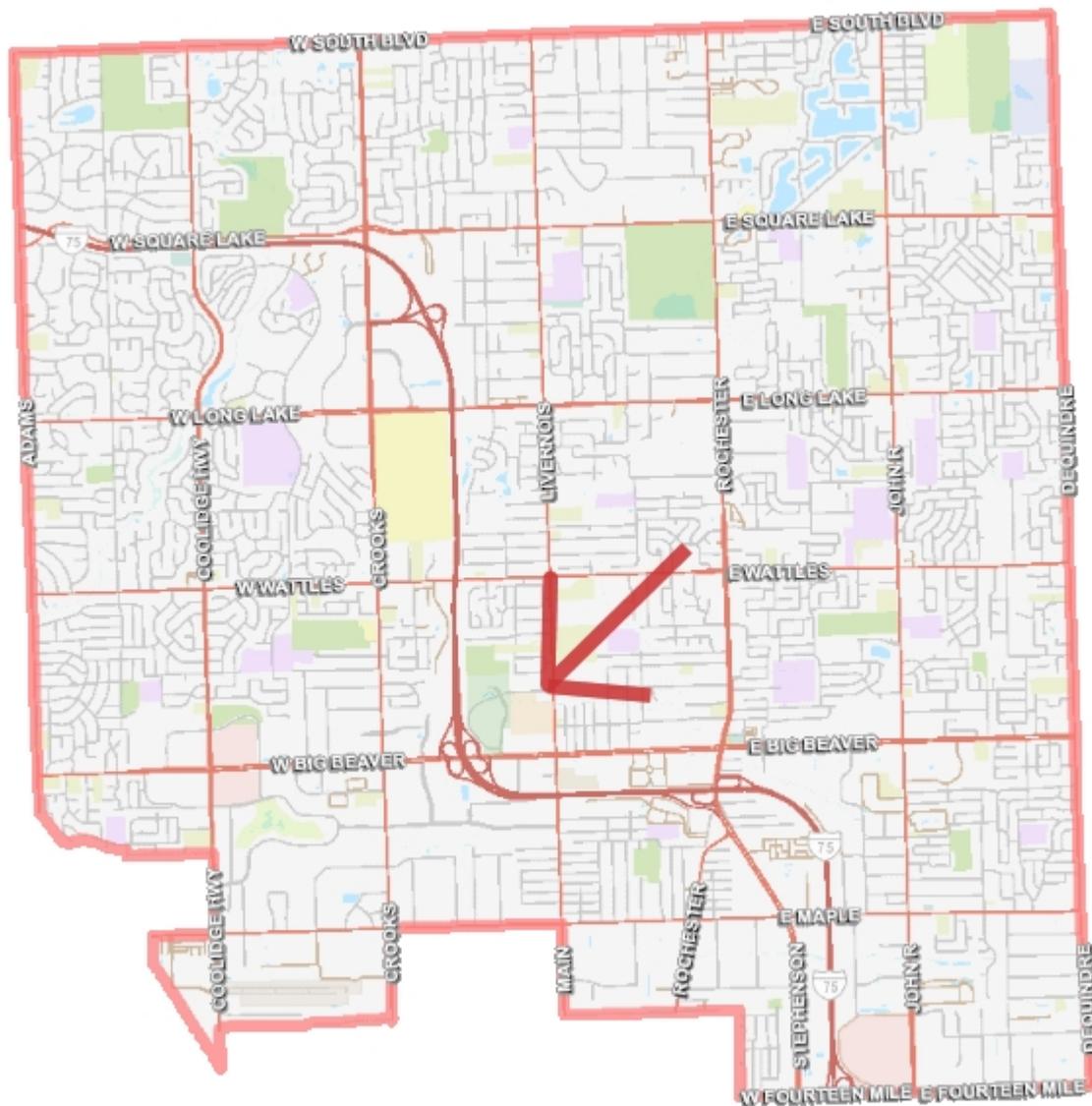
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- 3) The abundance of Office District property in the City has been well documented.
- 4) The rezoning would be compatible with surrounding zoning and land use.
- 5) The site can be adequately served with municipal water and sewer.

Yes:

Absent:

MOTION CARRIED / FAILED



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Legend:

Street Name Text

188 0 94 188Feet

Scale 1: 1,128

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Printed: 11/19/2013



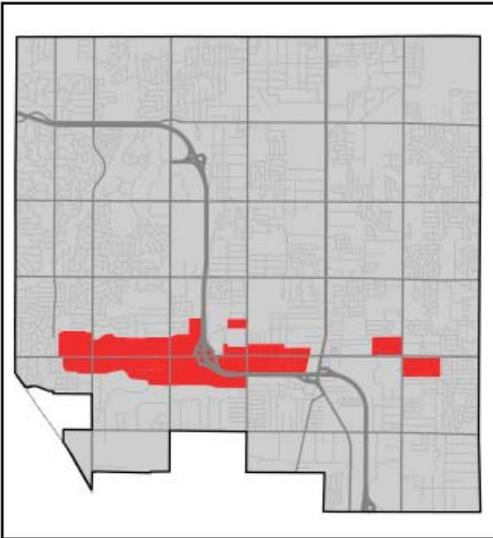
Legend:

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

226 0 113 226Feet

Scale 1: 1,353

Big Beaver Road: A World Class Boulevard



- *Home to large, landmark projects and mixed-use regional destinations.*
- *Central gathering area of the community.*
- *A collection of international corporations, local companies, and establishments which complement these high-visibility uses.*

The Big Beaver Road corridor is responsible for the first impression many people have throughout Michigan when they think of the City of Troy. The high-rise buildings, Somerset Collection, and its immediate proximity to I-75 are frequently the main elements visitors remember about the Corridor and the City. **In order to remain competitive and continue to be a leader in economic development in Southeast Michigan, Troy must plan for this Corridor to evolve in light of a changing economy.** In that spirit, the City adopted the key concepts of the Big Beaver Corridor Study in 2006:

- Gateways, Districts and Transitions
- Trees and Landscape as Ceilings and Walls
- Walking Becomes Entertainment - Much to Observe & Engage In
- Mixing the Uses Turns on the Lights - Energetic Dynamic of Mixed Uses with a Focus on Residential

- The Automobile & Parking are No Longer #1.
- Civic Art as the Wise Sage of the Boulevard

The uses and character of this future land use category are driven by the recommendations of the Big Beaver Corridor Study and subsequent efforts of the Planning Commission to create new zoning techniques to implement those recommendations.

This Study provided a comprehensive analysis of the existing and potential characteristics of this important area. The planned future land uses in the Big Beaver Corridor are in large part considered mixed-use, to allow for a wave of new residential development and the redevelopment of individual sites to make a more meaningful contribution to the quality of life of the City. The main difference between the various mixed-use districts planned in the Study is building height. The intended characteristics of the various districts are also very different, and are the topic of in-depth analysis in the Study. Some important recommendations of that Study are listed below.

- Moving toward the creation of distinct physical districts by building from lot line to lot line along the right-of-way rather than continuing to be a collection of isolated towers.
- Becoming flexible with land use relationships. The use of vertically integrated mixed-use commercial, office and residential towers should be promoted. The use of prominent ground floor retail, restaurants and cafes allows visual interest and activity for visitors and residents.
- Contain parking in structures that are shared by surrounding developments. Do not allow off-street parking to be visible from major thoroughfares.
- Landscape Big Beaver and intersecting thoroughfares with rows of mature trees.

DESIGN CONCEPT

- This will be a vibrant high-rise business and residential district.
- Pedestrian use will be promoted through massive landscaping, wide sidewalks, outdoor cafes, and public art.
- The Big Beaver Corridor Study and Big Beaver Development Code provide for a specific land development pattern.
- Architectural design must create an interesting visual experience for both sidewalk users at close range and for those viewing the skyline from a distance.

SITE DESIGN ATTRIBUTES

- Parking should be located in rear yards.
- Development should include intense street tree planting along Big Beaver.
- Cafes, plazas, parks and similar amenities to draw pedestrians will be encouraged.
- Buildings will frame the street network by building to the front and side property lines. Exceptions for cafes, plazas and access roads may be permitted.

BUILDING DESIGN ATTRIBUTES

- Buildings should rise in height toward Crooks Road in the east-west direction.

- Buildings should rise in height toward Big Beaver in the north-south direction.
- Ground level stories should be a minimum of twelve feet in height; with large expanses of transparent glass.
- Fenestration at the ground level should be highlighted through the use of awnings, overhangs or trim detailing, and building caps or roofs should provide a visually interesting skyline.



Big Beaver Corridor Study; Birchler Arroyo Associates, Inc.



Concept Sketch from the Big Beaver Corridor Study; Birchler Arroyo Associates, Inc.



CARLISLE

WORTMAN
associates, inc.

605 S. Main Street, Ste. 1
Ann Arbor, MI 48104

(734) 662-2200
(734) 662-1935 Fax

Date: December 5, 2013

Land Use and Zoning Analysis For Amber Properties - Troy, Michigan

GENERAL INFORMATION

Applicant	Amber Properties
Project Name:	Amber Town Center
Location:	Northwest Corner of Town Center Dr. and Livernois Rd.
Zoning:	O, Office Building District
Action Requested:	Rezoning to Big Beaver Formal Based District
Required Information:	Provided

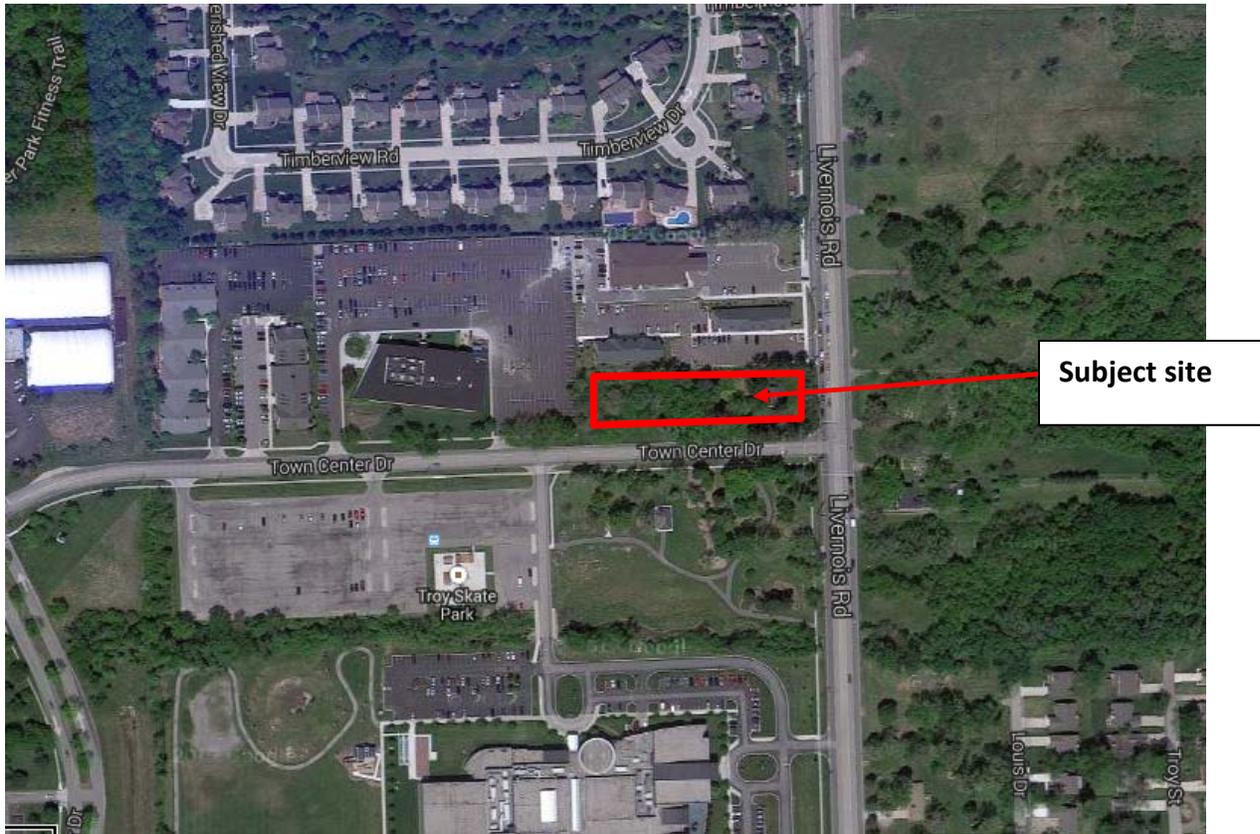
SITE DESCRIPTION

The applicant is requesting a rezoning of a 1.21 acre vacant parcel from O – Office to Big Beaver (Form Based) District. The applicants' intent is to construct a residential project on the property which would be permitted in the Big Beaver District, based on the site and street types.

Although a concept plan has been supplied, it is purely illustrative. A more detailed site plan and other documents are required for preliminary site plan approval.

NEIGHBORING ZONING AND LAND USE

The neighboring zoning and use to the north and west are Office, to the south is Community Facilities, and used as a park and across Livernois is residential but largely vacant.



MASTER PLAN

The site is located within the area designated as Big Beaver in the Master Plan. The Big Beaver designation responds to the recommendations set forth in the Big Beaver Corridor Study, which promotes higher density, vertically integrated mixed-use commercial, office, and residential uses. The Plan encourages increased residential units along and in proximity to Big Beaver. Development of residential uses should be designed with a strong orientation towards the roadway corridor to support pedestrian activity and frame the street.

Neighboring zoning, land use, and master plan designations are summarized in the following chart:

	NORTH	South	East	West
Zoning	O	CF	R-1F	O
Land Use	Office	Park	Vacant/Res.	Office
Master Plan	Big Beaver	Public	Residential	Big Beaver

NATURAL RESOURCES

The site is vacant and appears to have been previously graded. There, it is devoid of any significant natural features.

DEVELOPMENT POTENTIAL

The City has an abundance of land zoned and used for office purposes. With the current vacancy rate, it is unlikely that office use of the property is reasonable.

The full development potential of the site within the form based district will be determined through submission of a site plan. However, this specific property is required to be designated as a Site Type C using Town Center (a collector) as its principal frontage. Therefore, residential use is permitted. In addition, Building Forms A-D are permitted.

TRAFFIC IMPACT AND SITE ACCESS

Due to the principal and sole access from Town Center, traffic impact is not expected to be an issue. The location of access points on Town Center Drive will be reviewed during the site plan review process. Cross-access to the north will be required in order to distribute traffic.

ESSENTIAL FACILITIES AND SERVICES

The site is served by municipal water and sewer. All utility locations, as well as stormwater management will be considered during site plan review.

OTHER

The applicant has submitted a Concept Plan. A Concept Plan is illustrative and not required to provide the detail necessary for a site plan review. If the rezoning is granted, the applicant is encouraged to thoroughly review the building form requirements as set forth in Section 5.03 and design standards set forth in Section 5.04 E. The Concept Plan does not reflect consideration of all of these standards, including parking location along Livernois, ground story activation, and pedestrian orientation. These are details that will be considered during the site plan review process, provided the rezoning is approved.

RECOMMENDATIONS

We would recommend approval of the subject rezoning for the following reasons:

- 1) The request complies with the Master Plan
- 2) The Form-Based District would permit greater flexibility in use and development of the property.
- 3) The abundance of Office District property in the City has been well documented.

- 4) The rezoning would be compatible with surrounding zoning and land use.
- 5) The site can be adequately served with municipal water and sewer.

Please contact me if you have any questions.



CARLISLE/WORTMAN ASSOC., INC.
Richard K. Carlisle, PCP, AICP
President

225-02-1336

From: [Debra](#)
To: [Planning](#)
Subject: Planning File No. Z 745 Amber Town Center Townhomes and Lofts
Date: Wednesday, January 08, 2014 5:31:20 PM

Planning Department -

I am writing on behalf of Mr. and Mrs. William Black who reside at 3364 Livernois. They wish to express their concerns regarding the consideration of the re-zoning for the Amber Town Center Townhomes and Lofts.

Mr. and Mrs. William Black are not in favor of a five story residential building at the corner of Town Center Drive and Livernois.

It will greatly affect the traffic flow more than a business would at that corner. It would definitely need to be reviewed for safety because of the park directly across the street and the busy sidewalk crossing. You are already aware that Towncenter Drive accommodates traffic for the city offices, library, tennis courts, outdoor swim area, recreational trails, community center and various businesses. The Towncenter Drive intersection at Livernois and the out let on to Big Beaver are extremely busy already. Why would you want to add "living quarters" to such a congested area?

It will also set the precedence for future development in the area. The undeveloped land across the road may be subject to the same type of structure. It is important to develop residential areas - that is understood - but keep residential as residential. It is not part of the Big Beaver Corridor!

Thank you.

Sincerely,

Mr. and Mrs. William Black

From: [Karen J Collingsworth-Crusse](#)
To: [Planning](#)
Subject: Planning Commission Public Hearing Tues. 1/14
Date: Tuesday, January 14, 2014 1:24:14 PM

To Whom It May Concern,

The Planning Commission will hold a Public Hearing at 7 p.m. tonight on a re-zoning request, namely Z745 Amber Town Center Townhomes and Lofts. There will be several homeowners from the adjoining Westwood Park subdivision in attendance tonight to express their concerns regarding this proposed change.

Kind regards,
Karen J. Collingsworth-Crusse

Karen J. Collingsworth-Crusse

Vice President
Trust and Estate Advisor

COMERICA WEALTH MANAGEMENT

One Woodward Avenue, MC 3318 | Suite 2600 | Detroit, MI 48226
(313) 222-5575 | Fax: (313) 222-6286

January 17, 2014

Members of City Council
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

Subject: Proposed Amber Town Center Townhomes and Lofts
10 – 90 Town Center Drive
Troy, MI 48083

Ladies and Gentlemen:

I am a 25 year resident of Troy and moved into Amber Creek East Apartments on Kirts Blvd. in 1999. I'm a registered voter and proud to be a member of the Troy Community. I like renting from Amber Apartments and especially like that they handle the water bill, cut the grass, plow the snow, pay the taxes, and maintain my apartment so I don't have to.

I support Amber's rezoning request for the property on Town Center Drive and think a new apartment development there would greatly benefit the community as a whole. Young professionals who are looking for a nice place to live and want to move to Troy will find this location near the Troy Community Center, library, tennis courts, and park the place to be in the Big Beaver District of the City.

I respectfully request that my letter of support for rezoning this property to the Big Beaver District and the Amber Town Center Townhomes and Lofts development be entered into the public record of the Troy City Council meeting scheduled for January 27, 2014.

Thank you for allowing me the opportunity to submit these comments.

Sincerely,



Robert M. Plater
659 Kirts Blvd., Apt. 110
Troy, MI 48084

January 17, 2014

City Council Members
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

Subject: Proposed Big Beaver District Rezoning
Vacant Property at Town Center Drive and Livernois

Dear City of Troy Members of Council:

As a longtime member of the Troy business and residential community through my involvement in the management of Somerset Park Apartments, I support the proposed rezoning of the vacant property at the northwest corner of Town Center Drive and Livernois by the City of Troy to the Big Beaver District.

We consider residential housing opportunities that are attractive to professionals with good jobs, especially new construction developments that would be allowed in the Big Beaver District, to be good for the City of Troy and all of its residents. Being near City Offices, the Troy Community Center, Library, and tennis courts is a particularly desirable location for new apartments and we should welcome them to the City of Troy.

It is our understanding that with rezoning approval of this property by the City of Troy to the Big Beaver District, Amber Properties Company intends to develop this site for new apartments and lofts, and we sincerely hope they are successful in their efforts. We thus encourage your full support. Thank you.

Sincerely,



George M. Nyman
President
Professional Property Management, Inc./ Nykel Management LLC.
managing agent for Somerset Park Apartments



January 21, 2014

Mayor Dane Slater
and Troy City Council
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48084

Re: Amber Properties Company
3409 Livernois, Troy, Michigan

Dear Mayor Slater and City Council Members:

The undersigned and our Firm represent Amber Properties Company ("Amber"), the applicant for rezoning to the Big Beaver District designation for the property at 3409 Livernois. The site is located at the northwest corner of Livernois and Town Center. This letter is written in support of Amber's rezoning request.

Amber is very pleased to have received an affirmative recommendation for rezoning from the Troy Planning Commission at its meetings of December 10, 2013 (6-3 vote) and January 14, 2014 (6-2 vote). The clear majority of the Planning Commission believed Amber met the City's criteria for rezoning. Amber is very pleased to have the opportunity to bring this exciting project to Troy's dynamic Big Beaver Corridor.

As stated below, the rezoning request meets the goals and objectives of the Troy Master Plan.

Rezoning is Consistent with Troy's Master Plan

The Troy Master Plan supports housing options for Troy residents in the Big Beaver Corridor, as stated:

Only recently has the City begun to fully embrace more "urban" housing styles, by encouraging their development as part of a mixed use, planned unit development projects. The City of Troy must recognize the importance of having a variety of housing styles represented within the community, and describes how having these units will help Troy become a more vibrant place. While not all knowledge-economy workers and their families are seeking urban lifestyles, this is an area where Troy has room to grow. (p. 83)

Mayor Dane Slater
and City Council
City of Troy
January 21, 2014
Page 2

Amber Apartments are an upscale, urban housing style which fits into the niche which the City recognizes. The proposed project will include townhomes, loft-style and studio apartments. Recent Amber developments in Oakland County are well known for their "urban" interior design, including wood floors, open ceilings, metal stairways and other design elements that attract a variety of workers including those in health-care and knowledge-based industries.

The Troy Master Plan in its discussion of Big Beaver Road encourages new residential development. The proposed Amber Apartments project will be within walking distance of many of the shopping areas and restaurants on Big Beaver Road. The development will be adjacent to the Troy Community Center which will allow greater utilization by the apartment residents.

Rezoning will not be Detrimental to the Property of Other Persons Located in the Vicinity

The Amber Apartment project will be part of an existing mixed-use area, blending in and not creating any conflict with surrounding office, residential, commercial and municipal uses.

The immediate vicinity already encompasses:

- A) Office uses to the north;
- B) Single family homes to the north;
- C) Commercial buildings to the west; and
- D) Troy Community Center and park to the south.

Clearly, there already exists a variety of uses in the immediate vicinity, and the proposed multi-family use will enhance the mixed-use nature of the area. Adequate on-site parking is provided for the Amber Apartment project and there are nearby off-site parking options as well. Amber has submitted a site plan for the project that does not require any variances for parking, set-backs or otherwise.

Mayor Dane Slater
and City Council
City of Troy
January 21, 2014
Page 3

Rezoning Will Meet Goals of Big Beaver District

The proposed Amber Apartment project will meet the goals of Section 5.04 (Big Beaver District) of the Zoning Ordinance to:

1. Establish a development pattern in which new buildings and building modifications enhance the character of the existing built environment.
2. Orient building entrances and storefronts to the street to add visual interest, increase pedestrian traffic, and to reduce crime through increased surveillance.
3. Enhance a sense of place and contribute to the sustainability of the City.
4. Allow a pattern of development which will encourage transportation alternatives (walking, biking, and transit) to reduce automobile dependence and fuel consumption.
5. Add value to property along the Big Beaver Corridor.

All of the above criteria are met by the proposed rezoning and project. In particular, the residential presence will increase walkability and bicycle usage to Big Beaver Road and the Troy Community Center.

Such Rezoning is Consistent with Adjacent Zoning Districts

The rezoning of the subject property is a natural extension of the adjacent Big Beaver District, which is directly to the south. The rezoning will be consistent with nearby residential subdivisions, but provide a different and desirable housing option.

Amber's Proposed Project

The requested zoning designation will allow Amber to apply for approval to construct an upscale, multi-family building at this location. The project will include townhome, 1 and 2 bedroom loft and studio units. They will have wood floors, exposed ceilings, in-unit washer/dryer and other amenities. Amber intends to provide necessary off-street parking and does not anticipate having to request variances.

Mayor Dane Slater
and City Council
City of Troy
January 21, 2014
Page 4

Amber has completed seven new projects in the last seven years in Royal Oak and Clawson. The two newest buildings, Amber Corners and Amber Crossing, have very positive tenant demographics. At both locations, about 80% of residents hold a Bachelors, Masters or Ph.D./J.D./M.D. degree. Average yearly income is in excess of \$60,000. Monthly rentals for these properties are between \$825 and \$2,195 depending on the unit. We believe Amber's tenants are the future residents Troy wishes to attract to the community.

Outreach to Neighbors

In preparation for our two meetings with the Planning Commission and the January 27th City Council meeting, Amber has taken the following actions:

- Prior to the December 10, 2013 Planning Commission meeting, sent 22 letters to all parties who received notice from the City describing the project and making Amber available to answer any questions.
- On January 2, 2014, Jerry Amber met with Dr. Craig Goldin of the Cosmetic Dentistry Institute, who had attended the December 10th meeting and expressed concerns about some aspects of the project. Mr. Amber believes the meeting went well and he was able to satisfy Dr. Goldin's primary concerns that the building might be too close to the lot line. In fact, the building has been pushed as far south as practicable and away from the lot line.
- Prior to the January 14th Planning Commission meeting, Amber sent 10 letters to residential neighbors who inadvertently did not receive the City's first notice for the December 10th meeting, describing the request and making Amber available for any questions.
- After the January 14th Planning Commission meeting, Mr. Amber, Amber's architect and myself answered questions from residents who attended the meeting.

Mayor Dane Slater
and City Council
City of Troy
January 21, 2014
Page 5

- Amber is holding a meeting for residential neighbors at the Troy Community Center on January 22nd at 7:30 p.m. to further discuss the project.
- We have been in touch with Michael Fahmy, who owns and operates the physical therapy business in a nearby building. We have forwarded a copy of the landscape plan at Mr. Fahmy's request.

Amber has taken all steps to answer questions and provide information to its neighbors. Amber recognizes that it will be at this location for many years and wants to be a "good neighbor."

Amber has been a family operated business since 1960. It now owns and manages 1,200 apartment units in Royal Oak, Clawson, Berkley and Troy. Amber properties are well kept and its apartments have a very positive reputation in the community. Two of its recent projects have demonstrated that building a quality product in close proximity to businesses, stores and restaurants attracts great interest and tenants.

On behalf of Amber Properties Company, we respectfully request your approval of the rezoning request at your January 27th meeting. We look forward to attending the meeting. In the meantime, if you have any questions or issues you want addressed at the meeting, please let us know.

Sincerely,

PLUNKETT COONEY



Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw

cc: Jerry Amber

Open.19331.70425.13664820-1



MEMORANDUM

Date: January 22, 2014

To: Brian Kischnick, City Manager

From: Aileen Bittner, City Clerk

Subject: Rezoning Protest Petitions – Amber Town Center Townhomes and Lofts

On January 17th, a resident of Timberview Drive delivered Rezoning Protest Petitions, signed by other Timberview Drive residents, to the City Clerk's Office (Attachment 1). These petitions were determined to be invalid due to the signers all owning property outside the 100' radius surrounding the subject property which is the northwest corner of Livernois and Town Center (Attachment 3).

On January 22nd, another resident of Timberview Drive delivered Rezoning Protest Petitions signed by residents of Troy from Ivy Lane, Faircastle Drive, Kingsway Drive and Cherrywood Drive (Attachment 2). These residences are all located well outside the 100' radius surrounding the subject property. The January 22nd petitions are determined to be invalid.

Valid Rezoning Protest Petitions must contain signatures of 20% of the owners of properties within 100' of the subject property. If a petition is determined to be valid, the City Council would need a super majority vote of 5 instead of a majority vote of 4 in order to pass a rezoning resolution. The misconception is that a valid Rezoning Protest Petition kills a resolution for rezoning. The question has come up many times in the past few months. City Administration has consistently and diligently reiterated the petition rules and super majority vote rule to petition circulators and signers.

The City Clerk's Office notifies the circulator of the outcome of their petition submittal and includes a copy of the section of the Zoning Enabling Act that pertains to Rezoning Protest Petitions. I've attached that section for your reference as well (Attachment 4). The petitions are kept on file in the City Clerk's Office as public records.

E. Conde Bruce (sp)
Clerk 16 Jan 14

27 Jan

2014 JAN 17 AM 11:29



Rezoning Protest Petition

✓ = Registered Voter
✓ = Property Owner

Submit this form to: **City Clerk's Office
City of Troy
500 W. Big Beaver
Troy, MI 48084**

Date: 1.13.2014

Contact Person: John B. Casse
Address: 55 TIMBERVIEW DR
City: Troy State: MI Zip: 48064
Telephone: 248.777.7576

Rezoning case being protested:

Case #: Z-745 Applicant Name: Amica Properties
Amica Town Center Townhouses + Lofts
Parcel 88-20-21-426-010

What is a valid rezoning protest petition?

If a valid rezoning protest petition is filed in opposition to a rezoning request, the City Council cannot approve the request unless it does so by a vote of two-thirds of all Council members. A simple majority can approve all other rezoning requests. To be considered valid, the protest petition must:

- (1) Be signed by the owner(s) of twenty percent (20%) or more of the area of land included in the proposed change **or** be signed by the owner(s) of twenty percent (20%) or more of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change. **Publicly owned land shall be excluded in the calculating the twenty percent (20%) land area requirement.**
- (2) Be signed by all persons having an ownership interest in the property as represented on the property deed - i.e., both spouses, the managing partner of a partnership, etc.
- (3) Include a statement of opposition on each page of signatures at the top of the petition. The statement should be simply and clearly worded.
- (4) Be submitted to the office of the City Clerk, 500 W. Big Beaver, at or before 12:00 p.m. on the date the Rezoning is scheduled for action by the City Council.

Attach signatures to this sheet on the form provided. The signature form may be duplicated if necessary.



2014 JAN 17 AM 11:29

Rezoning Protest Petition

Case #: Z-745

Statement of Opposition:

We, the undersigned property owners, hereby protest the proposed Rezoning from the D Office zoning district(s) to the BB Bg bwn rezoning district(s) Rezoning case identified above, applicant name Amber Land Homes

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Adverse to surrounding residential property values, no benefit to city or residents and increases noise & traffic

Print Name (clearly): Kayed & Fadia Azar Date: 1-13-2014

Description or Parcel # of Parcel(s) Owned:

Signature: Fadia Azar

Address: 60 Millstone Dr. Troy, MI 48084

Print Name (clearly): Hong Lang Date: 1-13-2014

Description or Parcel # of Parcel(s) Owned:

Signature: Hong Lang (NR)

Address: 76 Millstone Dr. Troy, MI

Print Name (clearly): WASEEM ALAM Date:

Description or Parcel # of Parcel(s) Owned:

Signature: Waseem Alam

Address: 92 MILLSTONE DR

Print Name (clearly): NOGIN AMIN Date: 1-13-14

Description or Parcel # of Parcel(s) Owned:

Signature: Negin Amin

Address: 124 MILLSTONE DR, TROY, MI 48084

Print Name (clearly): DINESH J. DAGLI Date: 1/13/14

Description or Parcel # of Parcel(s) Owned:

Signature: Dinesh J. Dagle

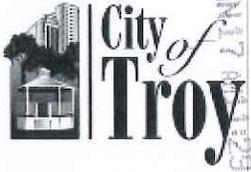
Address: 140 MILLSTONE DR TROY MI 48084

Print Name (clearly): Qing Huang Date:

Description or Parcel # of Parcel(s) Owned:

Signature: Qing Huang

Address: 138 Millstone Dr. Troy, MI 48084



2014 JAN 17 AM 11:29

2014 JAN 17 AM 11:29

Rezoning Protest Petition

Case #: Z- 745

Statement of Opposition:

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the O Office zoning district(s) to the BB Big Box zoning district(s) Rezoning case identified above, applicant name Arten Tardif

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Adverse to surrounding residential property values, no benefit to city or residents and increases noise + traffic

Print Name (clearly): Ashwin & Rita Dalal Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: _____

Signature: Rita Dalal

Address: 204 Millstone DR - TROY MI 48084

Print Name (clearly): Suresh & Krishna Subramanian Date: 1/13/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Suresh

Address: 3583 CHERISHED VIEW DR. TROY, MI 48084

Print Name (clearly): Michelle & Rob Warner Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: 3551 Chenshed View 48084 Millstone/Timberley

Signature: [Signature]

Address: 3551 Chenshed View

Westwood Park

Print Name (clearly): Bill Xia Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: _____

Signature: Bill Xia (Not signature)

Address: 202 Timberview DR. Troy, MI 48084

Print Name (clearly): MINAL & NAHDEO KALE Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: _____

Signature: NM Kale

Address: 186 TIMBERVIEW DR TROY, MI 48084

Print Name (clearly): Brad Shah Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: _____

Signature: [Signature]

Address: 3574 Chenshed view Drive Troy, MI 48084



2014 JAN 17 AM 11:29

Rezoning Protest Petition

Case #: Z- 745

Statement of Opposition:

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the O Office zoning district(s) to the B0 Big Beaver zoning district(s) Rezoning case identified above, applicant name Anchor Town Homes

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Address to surrounding residential property values, no benefit to city or residents and increased noise + traffic

Print Name (clearly): Draga Palincas Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: _____
Signature: Draga Palincas
Address: 187 Millstone Dr, Troy, MI 48084

Print Name (clearly): RAJI VASUDEVAN Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: _____
Signature: Raji Vasudevan (NR)
Address: 203 Millstone Dr, Troy, MI 48084

Print Name (clearly): VIRU PATEL Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: _____
Signature: V. Patel (NR)
Address: 3615 Cherished View Troy MI 48084

Print Name (clearly): Brad Rugh Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: _____
Signature: BRAD RUGH
Address: 3567 Cherished View Dr. Troy, MI 48084

Print Name (clearly): Ying zhang Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: 215 Timberview Drive.
Signature: Ying zhang
Address: 215 Timberview Drive, Troy, MI 48084

Print Name (clearly): Steve Jamil Date: 1/13/14
Description or Parcel # of Parcel(s) Owned: _____
Signature: Steve Jamil
Address: 199 Timberview Drive, Troy, MI, 48084



2014 JAN 17 AM 11:29

Rezoning Protest Petition

Case #: Z- 745

Statement of Opposition:

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the O Office zoning district(s) to the BD Big Bear zoning district(s) Rezoning case identified above, applicant name Amber Townshend

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Adverse to surrounding residential properties value, no benefit to city and increased noise + traffic

Print Name (clearly): Akbal Brikha Date: 1-13-14

Description or Parcel # of Parcel(s) Owned: _____

Signature: _____

Address: 103 Timberview Dr, Troy MI 48084

Print Name (clearly): MANISHA BAJWA Date: 1-13-14

Description or Parcel # of Parcel(s) Owned: _____

Signature: Manisha Bajwa

Address: 87 Timberview Dr TROY MI 48084

Print Name (clearly): Jaw B. Conuse Date: 1.13.2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Jaw Conuse

Address: 55 TIMBERVIEW Dr TROY MI 48084

Print Name (clearly): SEEMA GARG Date: 1/13/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Seema Garg (NR)

Address: 39 Timberview Troy MI-48084

Print Name (clearly): MARCY YEE Date: 1/13/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Marcy Yee

Address: 23 TIMBERVIEW TROY, MI 48084

Print Name (clearly): RICHARD D. MINNICK II Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: 28 MILLSTONE DRIVE WP #1

Signature: Richard Minnick II

Address: 28 MILLSTONE DR. TROY 48084

Not property owner



17014 07017 AM 11:29

Rezoning Protest Petition

Case #: Z-745

Statement of Opposition:

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the D Office zoning district(s) to the Big Beaver BB zoning district(s) Rezoning case identified above, applicant name Amber Tonhones

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Adverse to surrounding residential property values, no benefit to city or residents and increases noise + traffic

Print Name (clearly): CHETAN PASTORI Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: [Signature]
Address: 13535 CHERISHED VIEW, TROY, MI 48084

Print Name (clearly): Janet Peterson Date: 1-13-14
Description or Parcel # of Parcel(s) Owned: _____
Signature: [Signature]
Address: 183 Timberview Dr. Troy 48084

Print Name (clearly): SHENG LIU Date: 1-13-2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: [Signature]
Address: 90 Timberview Dr. Troy 48084

Print Name (clearly): LALATIAKSHA KUMBAR Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____ (NR)
Address: 38 TIMBERVIEW DR, TROY 48084

Print Name (clearly): QIBIAO SHEN Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____ (NR)
Address: 3599 Cherished View, Troy. MI 48084

Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____



2014 JAN 17 AM 11:29

2014 JAN

Rezoning Protest Petition

Case #: Z-745

Statement of Opposition:

We, the undersigned property owners, hereby protest the proposed Rezoning from the Office zoning district(s) to the BB Business zoning district(s) Rezoning case identified above, applicant name Area Townhomes

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: Adverse to surrounding residential property values, no benefit to City or residents and increased noise + traffic

Print Name (clearly): FLAMED SADRWA Date: 1/13/2014

Description or Parcel # of Parcel(s) Owned:

Signature: [Signature]

Address: 44 Millstone Dr., Troy, MI 48084

Print Name (clearly): LEONARDO STACCO Date: 1-13-2014

Description or Parcel # of Parcel(s) Owned:

Signature: [Signature]

Address: 75 Millstone Trust MI 48084

Print Name (clearly): NURAMEO VINLUAN Date: 1-13-2014

Description or Parcel # of Parcel(s) Owned:

Signature: Nurameo O. Vinluan

Address: 91 Millstone Drive Troy MI 48084

Print Name (clearly): SANJAY SHAH Date: 1-13-14

Description or Parcel # of Parcel(s) Owned:

Signature: [Signature]

Address: 123 Millstone Dr Troy MI 48084

Print Name (clearly): Joe Morelli Date: 1/13/2014

Description or Parcel # of Parcel(s) Owned:

Signature: [Signature]

Address: 155 Millstone Dr Troy MI 48084

Print Name (clearly): STEPHEN BRASKARAN Date: 1/13/14

Description or Parcel # of Parcel(s) Owned: 171 Millstone Dr, Troy 48084

Signature: Stephen Dubny (NR)

Address:



2014 JAN 17 09:11:29

Rezoning Protest Petition

Case #: Z- 745

Statement of Opposition:

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the O Office zoning district(s) to the BB Big Beaver zoning district(s) Rezoning case identified above, applicant name Amber Townhomes.

The Rezoning is scheduled for action by the City Council on 1-14-2014 (date)

The reason(s) for this protest is/are: adverse to surrounding residential property values, no benefit to City or residents, increased noise and traffic

Print Name (clearly): XIAOJIN WANG & MINGHUA YANG Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: Xiaojin Wang Minghua Yang (NR)
Address: 135 Timberview Dr. Troy, MI 48084

Print Name (clearly): SEN & "CARMENCITA" YOLLY MARBAS Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: Sen F. Marbas Carmencita M. Marbas
Address: 151 Timberview Dr. Troy, MI 48084

Print Name (clearly): CHRISTINE AUSTIN Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: Christine Austin (NR)
Address: 106 Timberview Dr. Troy, MI 48084

Property in Kenneth Austin's name

Print Name (clearly): GEORGE COLLINS Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: George Collins
Address: 139 MILLESTONE DR 48084

Print Name (clearly): GADGEEL SHIRISH & MANISHA Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: Gadgeel Shirish (NR)
Address: 122 Timberview Dr. Troy, MI 48084

Print Name (clearly): Ghassan Gebara Date: 1/13/2014
Description or Parcel # of Parcel(s) Owned: _____
Signature: Ghassan Gebara
Address: 138 Timberview Dr Troy, MI 48084

/ = All Petition signers live outside 100' from parcel being rezoned.



Rezoning Protest Petition

Submit this form to: City Clerk's Office
City of Troy
500 W. Big Beaver
Troy, MI 48084

14 JAN 22 PM 12:53

Date: 1/22/14

Contact Person: XIAOJIN WANG ✓

Address: ✓ 135 Timberview Dr

City: Troy State: MI Zip: 48084

Telephone: 248-250-0012

Rezoning case being protested:

Case #: Z-745 Applicant Name: Ameber Town Center
Townhomes and Loft

What is a valid rezoning protest petition?

If a valid rezoning protest petition is filed in opposition to a rezoning request, the City Council cannot approve the request unless it does so by a vote of two-thirds of all Council members. A simple majority can approve all other rezoning requests. To be considered valid, the protest petition must:

- (1) Be signed by the owner(s) of twenty percent (20%) or more of the area of land included in the proposed change **or** be signed by the owner(s) of twenty percent (20%) or more of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change. **Publicly owned land shall be excluded in the calculating the twenty percent (20%) land area requirement.**
- (2) Be signed by all persons having an ownership interest in the property as represented on the property deed - i.e., both spouses, the managing partner of a partnership, etc.
- (3) Include a statement of opposition on each page of signatures at the top of the petition. The statement should be simply and clearly worded.
- (4) Be submitted to the office of the City Clerk, 500 W. Big Beaver, at or before 12:00 p.m. on the date the Rezoning is scheduled for action by the City Council.

Attach signatures to this sheet on the form provided. The signature form may be duplicated if necessary.



Statement of Opposition:

2014 JAN 22 PM 12:53

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the _____ zoning district(s) to the 13B zoning district(s)
Rezoning case identified above, applicant name _____

Amber towncenter Townhomes and Loft

The Rezoning is scheduled for action by the City Council on 1/27/14 (date)

The reason(s) for this protest is/are: devalue the surrounding Property values, traffic, noise, unstablizze the region where families, kids and seniors often visit.

Print Name (clearly): Xiu Juan Ma, Feng Lin Date: 01/17/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Xiu Juan Ma

Address: 346 IVY Ln, Troy MI 48098

Print Name (clearly): Gengmei Wang Date: 01/18/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Gengmei Wang

Address: 5797 Faircastle Dr. Troy, MI 48098

Print Name (clearly): Wenhua Jin Date: 1/20/2014

Description or Parcel # of Parcel(s) Owned: _____

Signature: Wenhua Jin

Address: 2079 Kingsway Dr, Troy, MI 48098

Print Name (clearly): _____ Date: _____

Description or Parcel # of Parcel(s) Owned: _____

Signature: _____

Address: _____

Print Name (clearly): _____ Date: _____

Description or Parcel # of Parcel(s) Owned: _____

Signature: _____

Address: _____

Print Name (clearly): _____ Date: _____

Description or Parcel # of Parcel(s) Owned: _____

Signature: _____

Address: _____



Statement of Opposition:

2014 JAN 22 PM 12:53

We, the undersigned property owners, hereby **protest** the proposed Rezoning from the 0 zoning district(s) to the BB zoning district(s) Rezoning case identified above, applicant name Amber Town Center Townhomes and Loft

The Rezoning is scheduled for action by the City Council on 1/27/14 (date)

The reason(s) for this protest is/are: not go along with Troy's Masterplan. create traffic, noise, unstablize the region where families, children and seniors often visit.

Print Name (clearly): Wei Ren Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: Wei Ren
Address: 4312 Cherrywood Dr. Troy 48098

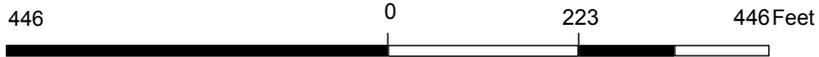
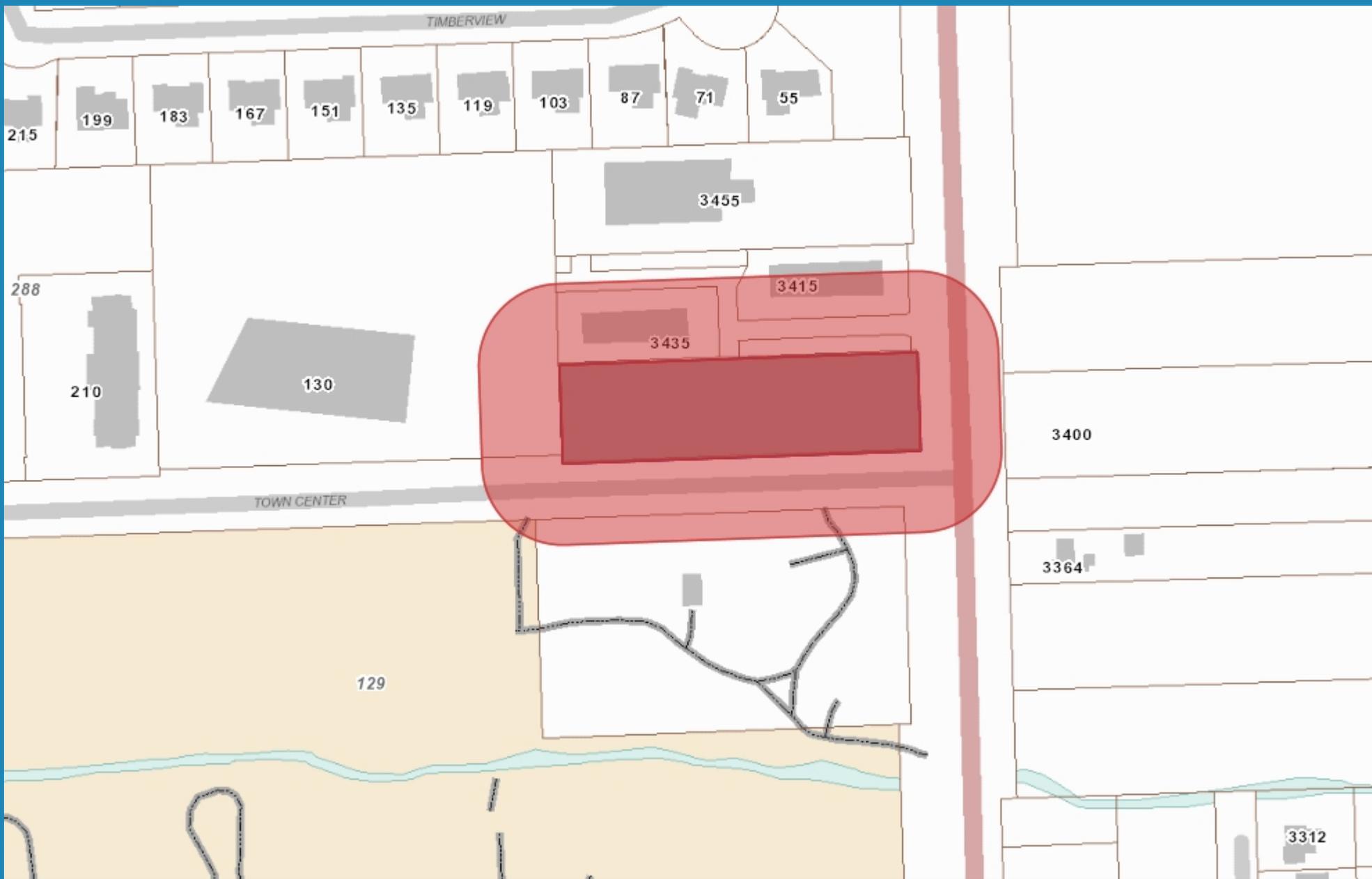
Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____

Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____

Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____

Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____

Print Name (clearly): _____ Date: _____
Description or Parcel # of Parcel(s) Owned: _____
Signature: _____
Address: _____



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.

Attachment 4

MICHIGAN ZONING ENABLING ACT (EXCERPT) Act 110 of 2006

125.3403 Amendment to zoning ordinance; filing of protest petition; vote.

Sec. 403. (1) An amendment to a zoning ordinance by a city or village is subject to a protest petition as required by this subsection. **If a protest petition is filed, approval of the amendment to the zoning ordinance shall require a 2/3 vote of the legislative body,** unless a larger vote, not to exceed a 3/4 vote, is required by ordinance or charter. The protest petition shall be presented to the legislative body of the city or village before final legislative action on the amendment and shall be signed by 1 or more of the following:

- (a) The owners of at least 20% of the area of land included in the proposed change.
 - (b) **The owners of at least 20% of the area of land included within an area extending outward 100 feet from any point on the boundary** of the land included in the proposed change.
- (2) Publicly owned land shall be excluded in calculating the 20% land area requirement under subsection (1).

History: 2006, Act 110, Eff. July 1, 2006.



CITY COUNCIL AGENDA ITEM

DATE: January 21, 2014

TO: Brian Kischnick, City Manager

FROM: Mark Miller, Director of Economic & Community Development
Thomas Darling, Director of Financial Services
Cathleen Russ, Library Director

SUBJECT: 2013/14 Budget Amendment No. 1 – Library Services

Background:

The Library recently received a bequest in the amount of \$25,000 from the estate of Mark Solomon, a long-time Library supporter. His generosity is appreciated very much by Library Staff. When Library Staff determined how best to use this bequest, priority was given to patron requests and the technology goals emphasized in the Library's strategic plan.

This bequest exceeded the amount the Library anticipated and budgeted for in donations revenue in the 2013/2014 budget. Accordingly no associated expenditures were budgeted for the 2013/2014 fiscal year.

Use of fund balance is requested in order to purchase the LEAP module for the Library's automated system, Polaris. Polaris is offering an "early adopter" discount for customers who purchase this module by April 1, 2014.

Budget Request

Revenues:	Current Budget	Amended Budget	Increase/(Decrease)
Other revenue	\$2,000	\$27,000	\$25,000
Expenditures:			
Capital projects	580,000	622,000	42,000
Change in Fund Balance	0	(17,000)	(17,000)
Budgeted Ending Fund Balance	845,024	828,024	(17,000)

Requested capital projects include:

1. 3M Polaris Cloud Library
This is an additional source for eBooks for patrons, which integrates seamlessly with TPL's Polaris catalog, and allows patrons to download eBooks to their device, directly from the Library's catalog. \$5,500
2. Community Profiles module for Polaris automated system
This module creates a searchable database, viewable in the Library's catalog, of all community groups, such as the Troy Historical Society, the Troy Nature Society, the Troy Community Coalition, etc. This clearinghouse connects patrons with community groups, in a "one stop shop" format. For example, if a person searched the Library's catalog for "drug abuse," information about the Troy Community Coalition would appear, in addition to other Library resources. \$2,200
3. An API Site license for Polaris automated system
An API license is needed to incorporate Community Profiles and the 3M Cloud Library into the Polaris system. This license will also enable the Library's catalog to be searchable from TPL's Facebook page. \$6,375
4. Create a collection of loanable eReaders
This is one of the most frequently requested services by patrons. This collection would allow patrons to "try before they buy" by checking out an eReader device that has been pre-loaded with several popular titles. \$4,000
5. Youth Services furniture refurbishment
The bottom has literally dropped out of 10 chairs in the Youth Services area. These funds will allow for the repair and/or replacement of these chairs. \$7,000
6. LEAP module for Polaris automated system
No more waiting in lines! This module allows staff to provide many Library services to patrons where they are via the use of tablet computers, similar to the Apple Store, Nordstrom's, and many other retail stores. This will allow staff to take many Library functions on the road and do more community outreach and engagement, a goal of the Strategic Plan. \$16,700

Financial Considerations:

Funding for the requested capital projects will come from the following sources:

1. Solomon bequest \$25,000
2. Use of existing fund balance \$17,000

Legal Considerations:

The budget amendment will keep the City in compliance with P.A. 621 of 1978 Uniform Budgeting Act.



CITY COUNCIL AGENDA ITEM

January 21, 2014

TO: The Honorable Mayor and City Council Members

FROM: Brian Kischnick, City Manager
Thomas Darling, Director of Financial Services

SUBJECT: 2013/14 Budget Amendment No. 2 – Furlough Termination

Background:

The City Council unanimously approved the termination of furlough hours required of City employees effective January 1, 2014 at the December 2, 2013 regular council meeting notated as item I-5.

As part of the recommendation, management would submit a budget amendment to the 2013/14 budget for City Council approval to recognize the increased expenditures related to this action. The estimated additional costs reported in that recommendation was \$250,000 to \$400,000.

Please see below management's proposed budget amendment in the amount of \$294,500 for the City General Fund and \$66,510 for all remaining funds that have a combined total of \$361,010.

Budget Request:

General Fund (Expenditures)	Current Budget	Amended Budget	Increase/(Decrease)
Building Inspection	\$1,617,600	\$1,618,260	\$660
Council/Exec Administration	3,522,100	3,547,450	25,350
Engineering	1,894,800	1,908,070	13,270
Finance	2,586,600	2,600,960	14,360
Fire	4,757,100	4,770,160	13,060
Other General Government	1,906,500	1,910,830	4,330
Police	24,113,900	24,307,110	193,210
Recreation	3,952,500	3,957,940	5,440
Streets, Drains and Parks	8,153,800	8,178,620	24,820
Change in Fund Balance	(1,771,300)	(2,065,800)	(294,500)
Budgeted Ending Fund Balance (Adj. 6/30/2013 actual)	34,988,806	34,694,306	(294,500)

Other Funds (Total Expenditures)	Current Budget	Amended Budget	Increase/(Decrease)
Refuse	\$4,490,500	4,491,240	\$740
Library (current includes BA#1)	3,253,000	3,261,990	8,990
Sewer	14,247,800	14,253,020	5,220
Water	18,985,900	19,007,330	21,430
Building Operations	1,055,900	1,062,680	6,780
Information Technology	1,805,300	1,815,090	9,790
Motor Pool	5,014,100	5,027,660	13,560
Total Other Funds	48,852,500	48,919,010	66,510

Financial Considerations:

Funding for the requested amendments will come from existing fund balance/net asset reserves,

Legal Considerations:

The budget amendments will keep us in compliance with P.A. 621 of 1978 Uniform Budgeting Act, which calls for budgets to be amended when necessary.

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

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, January 13, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. ROLL CALL:

- a) Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Ellen Hodorek
- Ed Pennington
- Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1 Mayor Dane Slater Presented a Proclamation in Recognition of County Executive L. Brooks Patterson**

D. CARRYOVER ITEMS:

- D-1 No Carryover Items**

E. PUBLIC HEARINGS:

- E-1 Public Hearing for Community Development Block Grant (CDBG) Request to Waive Unobligated 2011 Funds**

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2014-01-001

Moved by Campbell

Seconded by Fleming

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th); and

WHEREAS, The Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years to help comply with this regulation; and

WHEREAS, All unobligated 2011 and older funds are at risk of recapture; and

WHEREAS, The City of Troy may protect unobligated 2011 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate Waiver Request form must be submitted for each line item to the Manager of the Oakland County Community & Home Improvement Division;

NOW THEREFORE, BE IT RESOLVED, That the City of Troy hereby **REQUESTS TO WAIVE** recapture of 2011 CDBG funds as follows:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
731170	Parks-Recreational Facilities	\$12,713.27

Yes: All-7
No: None

MOTION CARRIED

E-2 Public Hearing for Reprogramming Community Development Block Grant (CDBG) Program Year 2011 Funds

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2014-01-002
Moved by Henderson
Seconded by Campbell

WHEREAS, The City Council of the City of Troy, after conclusion of a Public Hearing on this date, January 13, 2014, has determined that program year 2011 unexpended funds of \$12,713.27 from Parks-Recreational Facilities should be reprogrammed to the Flood Drain Improvements Project, Lovington Street from Minnesota to Dequindre in Section 36;

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to reprogram funds from program year 2011 to the Flood Drain Improvement Project, Lovington Street from Minnesota to Dequindre in Section 36.

Yes: All-7
No: None

MOTION CARRIED

E-3 Public Hearing for Community Development Block Grant (CDBG) Program Year 2014 Funds

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2014-01-003
Moved by Fleming
Seconded by Henderson

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on January 13, 2014 for the purpose of receiving public comments regarding the proposed use of PY 2014 Community Development Block Grant funds (CDBG) in the approximate amount of \$153,106.00; and

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need;

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
172160-732170	Public Services (Yard Services)	\$45,932.00
172170-731332	Parks-Recreational Facilities	\$107,174.00;

THEREFORE, BE I T RESOLVED, That the City of Troy CDBG application is hereby **AUTHORIZED** to be submitted to Oakland County for inclusion in Oakland County’s Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby **AUTHORIZED** to **EXECUTE** all documents, agreements, or contracts which result from this application to Oakland County.

Yes: All-7
No: None

MOTION CARRIED

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) **Mayoral Appointments: None**

b) **City Council Appointments: None**

I-2 Board and Committee Nominations: a) Mayoral Nominations – Board of Review; b) City Council Nominations – Election Commission, Historic District Commission, Liquor Advisory Committee, Traffic Committee

a) **Mayoral Nominations:**

Resolution #2014-01-004
Moved by Slater
Seconded by Henderson

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

Board of Review
Appointed by Mayor
3 Regular Members
3-Year Term

Nominations to the Board of Review:

Term Expires: 01/31/2017

Eileen Turner

Term currently held by: Eileen Turner

Yes: All-7
No: None

MOTION CARRIED

b) **City Council Nominations:**

Resolution #2014-01-005
Moved by Henderson
Seconded by Campbell

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

Election Commission

Appointed by Council
2 Regular Members and 1 Charter Member
1 Year Term

Nominations to the Election Commission:

Term Expires: 01/31/2015

David C. Anderson

Term currently held by: David C. Anderson

Term Expires: 01/31/2015

Timothy Dewan

Term currently held by: Timothy Dewan

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Liquor Advisory Committee:

Term Expires: 01/31/2017

W. Stan Godlewski

Term currently held by: W. Stan Godlewski

Term Expires: 01/31/2017

David Gorcyca

Term currently held by: Vacancy - Ukraine Bohdan's term
(not registered elector in Troy)

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Liquor Advisory Committee:

Term Expires: 01/31/2017

Richard Kilmer

Term currently held by: Richard Kilmer

Term Expires: 01/31/2017

Al Petruilis

Term currently held by: Al Petruilis

Term Expires: 01/31/2017

Peter Ziegenfelder

Term currently held by: Peter Ziegenfelder

Yes: All-7
No: None

MOTION CARRIED

I-3 No Request for Closed Session**J. CONSENT AGENDA:**

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

Resolution #2014-01-006
Moved by Pennington
Seconded by Fleming

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

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2014-01-006-J-2

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

- a) City Council Special Meeting Minutes-Draft – December 2, 2013
 - b) City Council Meeting Minutes-Draft – December 16, 2013
-

J-3 Proposed City of Troy Proclamations:

- a) Proclamation in Recognition of County Executive L. Brooks Patterson
-

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Pool Maintenance and Repair Services**

Resolution #2014-01-006-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish two-year (2) requirements of pool maintenance and repairs for both indoor and outdoor pools at the Troy Family Aquatic Center and the Community Center with two (2) one-year options to renew to the sole bidder meeting specifications, B & B Pool and Spas of Livonia, Michigan, for an estimated annual cost of \$20,000.00, at rates contained in the bid tabulation opened December 19, 2013, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of June 30, 2018; and

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

J-5 Request for Acceptance of Two Warranty Deeds for Adria Estates Site Condominium

Resolution #2014-01-006-J-5

RESOLVED, That Troy City Council hereby **ACCEPTS** two warranty deeds from Mondrian Properties Adria, LLC, owner of the property having Sidwell #88-20-11-104-013 & 88-20-11-151-020; and

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

J-6 Request for Acceptance of a Warranty Deed for Right of Way from Clearview Homes

Resolution #2014-01-006-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** a warranty deed for right-of-way from Clearview Homes, LLC, owner of the property having Sidwell #88-20-22-401-047; and

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

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) January 27, 2014 - Rezoning Application (File Number Z 745) – Proposed Amber Center Townhomes and Lofts, West side of Livernois, North of Town Center, 3409 Livernois, Section 21, From O (Office) District to BB (Big Beaver) District

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

Ron Butterbaugh	Spoke about financial difficulties and the status of teacher contracts within the Troy School District.
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M. COUNCIL REFERRALS:

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

Mayor Slater addressed the current condition of the roads, specifically pertaining to potholes. He commended City staff for their efforts to repair the roads.

O. REPORTS:**O-1 Minutes – Boards and Committees:**

- a) Zoning Board of Appeals-Final – November 19, 2013
 - b) Zoning Board of Appeals-Draft – December 17, 2013
Noted and Filed
-

O-2 Department Reports:

- a) Planning Commission 2013 Annual Report
 - b) Building Department Activity Report – December, 2013
 - c) 2013 Fourth Quarter Litigation Report
 - d) Overpayment of 2009 Assistance to Firefighters Grant
Noted and Filed
-

O-3 Letters of Appreciation:

- a) To Mayor Slater and City Council From Deb Biggs Thomas, State of Michigan Department of Education Regarding The Troy Library Hosting a Training on eResources
Noted and Filed
-

O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted
Noted and Filed

O-5 Notice of Hearing for the Gas Customers of Consumers Energy Company – January 16th, 2014
Noted and Filed

P. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):

Q. STUDY ITEMS:

Q-1 No Study Items

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:03 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: January 8, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Timothy L. Richnak, Public Works Director
 Samuel P. Lamerato, Superintendent of Fleet Maintenance

Subject: Standard Purchasing Resolution 3: Exercise Renewal Option - Michigan Intergovernmental Trade Network (MITN) Gasoline and Diesel Fuel

History

- The City of Troy purchases approximately 160,000 gallons of gasoline and 66,000 gallons of diesel fuel annually to power the City's fleet of vehicles and equipment.
- This commodity is currently being purchased via a Michigan Intergovernmental Trade Network (MITN) cooperative bid that includes 18 member municipalities situated in Macomb, Oakland and Wayne County. Cumulatively, approximately three million gallons of gasoline and one million gallons of diesel fuel are purchased annually through this MITN cooperative bid.
- The bid is structured so MITN members pay for fuel based on the per gallon wholesale rack average as published daily by the Oil Price Information Service (OPIS), plus a delivery fee (bid factor) per gallon. Bid award is based on the lowest factor quoted per type of fuel delivery plus the OPIS daily average for Detroit, Michigan.
- Sterling Heights hosts this MITN cooperative bid. The Sterling Heights City Council approved the split award to Petroleum Traders, RKA, and Atlas Oil, the lowest bidders meeting specifications for two (2) year requirements of gasoline and diesel fuel with an option to renew for two (2) additional years on December 6, 2011.
- On January 9, 2012 Troy City Council approved the two (2) year contract with an option to renew for two (2) additional years {Resolution #2012-01-006-J-4c}.
- The current contract expires January 31, 2014.

Purchasing

- The original bid award included an option to extend the contract, upon mutual consent, for the purchase of gasoline and diesel fuel for an additional two (2) year period as per the bid specifications.
- It is recommended to extend the bid award for two (2) additional years with the contract to expire January 31, 2016 for the following reasons:
 - Upon review of the current State of Michigan Mideal bid, the MITN cooperative bid offers a lower overall price for both gasoline and diesel fuel, which will produce an additional annual savings for the City of Troy of approximately \$3,565.00.
 - The consensus of the MITN cooperative members is to extend the award of the bid.
 - The current vendors Petroleum Traders Corporation, RKA Petroleum Companies and Atlas Oil Companies have agreed to honor the original terms and conditions of the MITN cooperative bid for an additional two (2) year period.
 - All three (3) vendors have performed very well over the last two (2) years.



CITY COUNCIL AGENDA ITEM

Financial

- Pricing is established by taking the OPIS average, which is a benchmark price used to fix the price of a gallon of gas/fuel on the day of delivery, and then adding the bid factor(s) as applicable:
 - Gasoline .0078
 - Diesel .0027
- Prices charged to municipalities through the bid will fluctuate based on market conditions, but are considerably lower than consumer pump prices. Since gasoline prices cannot be held firm, this method allows both parties to enter into an adjustable contract for a lengthy period of time.
- Funds for this contract are available in the Equipment, Operations and Maintenance – Fuel Operating Budget.

Recommendation

City management recommends the option to exercise the renewal option of this contract; renewing for two (2) years to purchase gasoline and diesel fuel from the low bidders meeting specifications – Petroleum Traders Corporation of Fort Wayne, IN, RKA Petroleum Companies of Romulus, MI and Atlas Oil Company of Taylor, MI as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the original bid tabulation opened November 1, 2011 with a contract expiring January 31, 2016.



CITY COUNCIL ACTION REPORT

January 16, 2014

TO: Brian Kischnick, City Manager

FROM: Tom Darling, Director of Financial Services
Nino Licari, City Assessor

SUBJECT: Agenda Item – 2014 Poverty Exemption Guidelines (changes from previous year)

History:

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

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

The State Tax Commission (STC) has ruled that the Income Guidelines that are used as a portion of the guidelines may not be less than the Federal Poverty Guidelines established each year. Those guidelines have increased approximately \$300 per set for 2014.

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

The total asset limit, which includes the value of the home, is \$226,600, increased from \$204,800 in 2013, based on the estimated 11% average residential value increase we expect to see this year in Troy.

Financial Considerations:

- There were 16 exemptions applied for in 2013 at the March Board of Review. Of these, 8 were granted exemptions totaling \$623,780 in Taxable Value (T/V). This amounts to \$6,562.17 in exempted City taxes.

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

This year, there were 3 exemptions granted at the July Board (\$129,980 T/V), and 2 at the December Board (\$117,400 T/V). These additional exemptions accounted for exempted Taxable Value of \$247,380, and exempted City taxes of \$2,602.44. Total exempted City taxes equals \$9,164.61.

The total loss of City taxes for Poverty Exemptions in 2012 was \$7,169.58.

Legal Considerations:

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

Policy Considerations:

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

Options:

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

**POVERTY EXEMPTION GUIDELINES
INCOME STANDARDS 2014**

The following are the Poverty thresholds as of 12/31/13 for use in setting Poverty Exemption Guidelines for **2014** assessments:

Number of Persons Residing in Homestead	Poverty Threshold
1 Person	\$11,490
2 Persons	15,510
3 Persons	19,530
4 Persons	23,550
5 Persons	27,570
6 Persons	31,590
7 Persons	35,610
8 Persons	\$ 39,630
9 Persons (or more) add \$4,020 for each additional person	

CITY OF TROY
POVERTY EXEMPTION GUIDELINES – 2014

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

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

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

- STANDARD #1** Applicants must file a Poverty Exemption Affidavit in order to be considered for any exemption. Documentation such as, Federal/State Income Tax Forms, Homestead Property Tax Credit, W-2 Forms, Deeds or Land Contracts and personal identification is **mandatory**, and must be attached to the Affidavit.
- STANDARD #2** A Poverty Exemption will not be granted if the household income is greater than the Income Standards Guideline.
- STANDARD #3** A Poverty Exemption will not be granted if the Assessed Value of the home exceeds \$113,300.
- STANDARD #4** Applicants total assets cannot exceed \$226,600. This includes the value of your home.

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

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

POVERTY EXEMPTION AFFIDAVIT (for 2014 A/V Year)

(Address)

(Sidwell #)

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

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

2. Supplemental Assistance: List monthly amount of:

- a) Food Stamps _____
- b) Surplus Food _____
- c) Transportation _____

3. Residence Information:

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

4. Employment information:

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

5. Children/Relatives/Boarders:

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

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

If Yes: How much: per month _____ year _____

6. Transportation:

Do you own any automobiles? Yes ___ No ___

If Yes: Please provide the following information:

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

7. Additional Assets:

Please provide information about any additional assets listed.

Checking Account: Yes ___ No ___ Current Balance _____

Savings Account: Yes ___ No ___ Current Balance _____

I.R.A. Yes ___ No ___ Current Balance _____

Keogh Yes ___ No ___ Current Balance _____

Deferred Comp Yes ___ No ___ Current Balance _____

Annuities Yes ___ No ___ Current Balance _____

Stocks/Bonds/Funds Yes ___ No ___ Current Balance _____

Money Market Yes ___ No ___ Current Balance _____

Treasury Bills Yes ___ No ___ Current Balance _____

Savings Bonds Yes ___ No ___ Current Balance _____

8. Attach copies of the following:

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

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

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

(Signed) Phone Number _____

(Signed) Phone Number _____

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

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

Year _____ Assessment _____ Board of Review A/V _____

For a March Board of Review Appeal, please submit by March 11
For a July Board of Review Appeal, please submit by July 14
For a December Board of Review Appeal, please submit by
December 8.



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RICK SNYDER
GOVERNOR

R. KEVIN CLINTON
STATE TREASURER

**BULLETIN NO. 14 of 2013
CHANGES FOR 2014
November 4, 2013**

TO: Assessors
Equalization Directors

FROM: State Tax Commission (STC)

RE: **PROCEDURAL CHANGES FOR THE 2014 ASSESSMENT YEAR**

The purpose of this Bulletin to provide information on statutory changes or procedural changes for the 2014 assessment year.

A. Inflation Rate Used in the 2014 Capped Value Formula.

The inflation rate, expressed as a multiplier, to be used in the 2014 Capped Value formula is 1.016. The 2014 Capped Value Formula is as follows:

2014 CAPPED VALUE = (2013 TAXABLE VALUE - LOSSES) X 1.016 + ADDITIONS

The preceding formula does not include 1.05 because the inflation rate multiplier of 1.016 is lower than 1.05.

B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2014.

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

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons **shall not** be set lower than \$19,530 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than \$19,530. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2014 assessments.

Size of Family Unit	Poverty Guidelines
1	\$ 11,490
2	\$ 15,510
3	\$ 19,530
4	\$ 23,550
5	\$ 27,570
6	\$ 31,590
7	\$ 35,610
8	\$ 39,630
For each additional person	\$4,020

Note: PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 5 of 2012 for more information on poverty exemptions.

Note: P.A. 135 of 2012 changed the requirements for filing documentation in support of a poverty exemption to allow an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This does include the owner of the property who is filing for the exemption.

C. Multipliers for the Valuation of Free-Standing Communication Towers.

The State Tax Commission recommends that, subject to the qualifications stated below, communication towers should be valued for the 2014 assessment year using the table of **historical** (original cost when the tower was new) cost valuation multipliers set forth in the multiplier table below. These multipliers have been developed in a manner such that they account for the typical depreciation which is expected for a tower of the indicated age and also account for changes in the cost of the tower and erecting it that have occurred since the time the tower was constructed. On this basis, the multiplier table which is shown below is intended to predict the current true cash value of a tower of the vintage year in which the tower was constructed. An important component in determining the current value of a tower built in a given year is the change in the cost of materials, particularly changes in the cost of steel, between the time of construction and the current Tax Day. Since the table considers both depreciation and changes in construction costs, and since changes in construction cost have not always occurred at a constant rate, the multiplier table does not always evidence a decline in the rate by which the historical cost must be adjusted in order to determine current value. This effect is expected and can be better understood if one remembers that the multiplier table is not a depreciation table and the multipliers are applied to the historic cost of construction, not to the current replacement cost.

APPROVAL OF 2014 POVERTY EXEMPTION GUIDELINES

Resolution # 2014-

Moved by:

Supported by:

RESOLVED, that, pursuant to MCL 211.7u, the City Council of the City of Troy hereby approves the proposed "Poverty Exemption Guidelines" for 2014, as presented by the City Assessor in a memorandum dated January 16, 2014, a copy of which shall be attached to the original minutes of this meeting.

Yes:

No:



CITY COUNCIL AGENDA ITEM

Date: January 24, 2014

To: Brian Kischnick, City Manager

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

Subject: JOINT CITY COUNCIL/PLANNING COMMISSION MEETING – February 11, 2014

City Council and Planning Commission participated in a joint meeting on November 26, 2013. Topics discussed at the meeting included the following:

1. City of Troy Master Plan amendments
2. Infill development, including residential
3. Big Beaver Road development not meeting increased density
4. Sober Living Facilities
5. Maximum building height in GB General Business District

Both boards agreed to have regular meetings, with a limited number of topics so that discussion could be focused and effective.

The next joint meeting of City Council and Planning Commission is scheduled for Tuesday, February 11, 2014 at 6:00 PM to 7:00 PM in the Council Board Room of Troy City Hall. The meeting is scheduled to last one hour in order to facilitate a timely progression to the Planning Commission Regular meeting which follows the joint meeting.

The topics to be discussed at the meeting include the following:

1. Maximum building height in GB General Business District
2. City of Troy Master Plan amendment



CITY COUNCIL AGENDA ITEM

Date: January 20, 2014

To: Brian Kischnick, City Manager

From: William Nelson, Fire Chief
David Roberts, Assistant Fire Chief/Fire Marshal

Subject: Delegation of Fireworks Inspections

The Michigan Bureau of Fire Services (BFS) is seeking departments that are interested in applying for inspection delegation for consumer fireworks sales facilities (CFRS) under Section 19 of 2011PA 256. This delegation would be effective for one year. The local fire department would be responsible for conducting inspections of the permanent and temporary CFRS locations within its jurisdiction. The certification, plan review, and citation functions will remain the responsibility of the BFS. Fire departments that elect to have delegation authorization will receive 70% of the application fee paid for the consumer fireworks certificate (\$700 for permanent facilities and \$420 for temporary facilities).

Legal Considerations

To qualify for inspection delegation, the local fire department must enter into a written agreement annually with the Bureau after acceptance of application. All inspections shall be conducted by a certified fire inspector using the promulgated Fireworks Fire Safety Rules and documented on Bureau-approved forms. (The Troy Fire Department currently has five certified inspectors, four of whom are listed.)

Included for reference are supporting documents from the State of Michigan.

Recommendation

The Fire Department believes such delegation of authority for the inspection of CFRS facilities is in the best interest of the City and therefore recommends a signed resolution for this delegation authority.

Enclosed for Council's review is the delegation authority authorization form (emailed 01/20/14) and associated sample agreement with the BFS.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
RICHARD W. MILLER
STATE FIRE MARSHAL

RICK SNYDER
GOVERNOR

STEVE ARWOOD
DIRECTOR

Memorandum

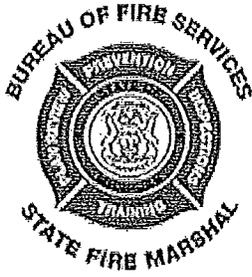
DATE: January 6, 2014
TO: All Fire Chiefs
FROM: Richard Miller, State Fire Marshal *RM*
SUBJECT: Fireworks Inspection Delegation Authority

The Bureau of Fire Services (BFS) is seeking fire departments that are interested in applying for fireworks delegation authority for consumer fireworks retail sales facilities (CFRS) under Sections 19 and 11(5) of PA 256 of 2011.

The BFS has revised and simplified the application process for delegation this year. In order to qualify for inspection delegation authority you must complete all of the following:

1. Read and understand the BFS Fireworks Delegation of Authority procedures.
2. Submit a signed Fireworks Delegation of Authority Authorization Application (BFS- 504) request form to the State Fire Marshal's office by 5:00 p.m., Friday, January 24, 2014.
3. If your department is considered for delegation of authority, the BFS will send an individualized Delegation Agreement. The Delegation Agreement must be signed and returned to the State Fire Marshal's office by Friday, February 21, 2014. (NOTE: The Delegation agreement must be signed by the local certifying official of your local unit of government/governing body (city, village or township) and the fire chief to perform fireworks delegation inspection duties.)
4. All state-certified inspectors who will be performing CFRS inspections must attend and complete the BFS delegation training program. The mandatory fireworks delegation training will take place on Tuesday, February 18, 2014, in the Lansing area. Details of the training will be sent to the contact information provided on the application form once solidified.
5. Once you have met all the requirements, you will receive an executed copy of the Delegation Agreement signed by the State Fire Marshal granting you delegation inspection duties of all CFRS within your jurisdiction.

Any questions can be directed to the Bureau of Fire Services at fireworksDelegation@michigan.gov or 517-373-7441.



Bureau of Fire Services
Procedures

12/19/2013
08-01

Subject: Fireworks Delegation of Authority Program

PURPOSE

Public Act 256 of 2011, 28.469, Sec. 11(5) and Sec. 19 allows for LARA to delegate inspection duties under this act to 1 or more local units of government/governing body (city, village or township) to carry out inspections duties for approved fireworks facilities within their jurisdiction.

Those approved to provide delegated authority will be responsible to conduct facility inspections of both permanent and temporary structure types within their area of jurisdiction. Delegated authority will exclude certificate issuance, plan review, citation and enforcement functions. The delegated authority will only be valid during the fireworks season it is issued for.

Compensation for the delegated authority fireworks inspection duties will be 70% of the Consumer Grade Fireworks Certificate Fee for the structure type that was collected (\$700 for permanent and \$420 for temporary) at the time of application. Compensation will be paid to the local unit of government/governing body (city, village or township) financial entity upon completion and submission of a final facility inspection report and if an actual fireworks facility inspection of a structure was completed.

If a local unit of government/governing body (city, village or township) declines to participate in the program described in this subsection, the department retains its inspection duties under this act.

PROCEDURE

The following procedure shall be used by local fire departments and authorities who have been granted delegation rights by the State Fire Marshal for fireworks facilities within their local jurisdiction. Strict adherence to this procedure shall be followed in order to maintain a consistent and uniform fireworks safety program. Failure to abide by Bureau policies and directives may result in the termination of the Fireworks Inspection Delegation Program and forfeit any agreed upon compensation.

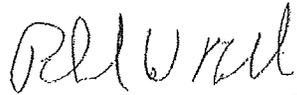
A local fire department, authority or local units of government/governing body (city, village or township) requesting local fireworks delegation duties under Sections 11(5) and 19 of the act and shall be subject to the following conditions:

1. Complete a Fireworks Delegation of Authority Authorization Application (BFS- 504) form to perform delegated inspection duties to the State Fire Marshal's office by the deadline date established by the State Fire Marshal.
2. Submit a signed Delegation Agreement by the deadline date established by the State Fire Marshal. The Delegation agreement must be signed by your local certifying official of your local units of government/governing body (city, village or township) and the fire chief to perform fireworks delegation inspection duties.
3. All state certified fire inspectors who will be conducting fireworks delegation inspection duties shall attend and complete all required Bureau fireworks delegation training. Notifications of training will be sent directly to the contact e-mail address(es) listed on the application. Updated contact information will be the responsibility of the department or authority. **Please note: all certified fire inspectors attending the fireworks delegation training will be required to sign in at the start of training and sign out at the end of training. Failure to complete the required training may be grounds for denial of delegation of authority by the State Fire Marshal.**
4. Receive a copy of the executed Delegation Agreement. A copy of the Delegation Agreement will be returned to the delegated department once the Bureau has verified that the required inspector training has been completed and the delegation agreement has been signed by the State Fire Marshal.
5. Once the Bureau of Fire Services office approves a consumer grade fireworks certificate for your jurisdiction, you will receive e-mail notification of the location via e-mail on record. The local delegated authority shall verify that the CFRS location is within their jurisdictional boundaries and provide an e-mailed confirmation back to fireworksdelegation@michigan.gov within 3 business days of notification.
6. Only state certified fire inspectors will perform delegated inspections and will be enforced.
7. Upon receiving a Consumer Fireworks Retail Sales (CFRS) file jacket from the BFS office, contact shall be made to the CFRS representative listed on the file jacket within 5 business days of receiving the file to determine when a Fireworks facility inspection is to be conducted. The actual site location should be verified at this time as well to ensure the CFRS has not attempted to relocate the CFRS from the already approved site plan location.

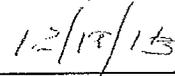
8. The facility inspection shall take place at the location (site) approved by Bureau of Fire Services Plan Review Division. The facility inspection shall determine if the CFRS is in compliance and can be approved for retail sales of consumer grade fireworks.
9. When requested by the CFRS facility, a fireworks compliance inspection of the structure shall be conducted by the delegated authority within 3 business days. A delegated authority shall not hold up the inspection or approval pending local approvals for permitting and or zoning.
10. All inspection reports shall be completed on Bureau of Fire Services inspection report (BFS-40d). All inspection reports shall be electronically generated and submitted in Microsoft Word format to the regional field office within 5 business days of completing the facility inspection. Any questions pertaining to the BFS-40d inspection report can be directed to the BFS Region Supervisor for the delegated area.
11. Any deficiencies found in the delegated inspection report(s) will be returned to the delegated authority by the BFS for correction. Any inspection report returned to the delegated authority shall be corrected and returned to the BFS Regional Office within 5 business days of receipt.
12. Failure to complete and submit reports/paperwork within the specified timeframes may be cause for dismissal from the delegation program and/or cause for funding interruption for a specific location and/or future delegated authority consideration.
13. If the CFRS is actively selling product prior to the facility inspection because the applicant attested to compliance with NFPA 1124 during the application process, they should be found in complete compliance at the time of the inspection. If serious violation(s) exist, a BFS Field Inspector or Regional Supervisor shall be notified to discuss the violations and determined if civil fines shall be issued by a BFS Field Inspector.
14. If the CFRS site is found vacant, contact shall be made to the appropriate BFS Regional Field Supervisor. No delegation payments will be made for inspections attempted at a vacant site.
15. All required inspection reports must be submitted to the BFS regional supervisor by August 1 each calendar year to ensure delegated authority payment. The facility inspection report must be submitted and approved in order to receive the delegated payment.

16. All complaints during normal business hours shall be forwarded to a BFS Field Inspector or Regional Field Supervisor immediately upon receiving them. After hours complaints can be made through the BFS Fireworks Complaint Hotline at 1-855-345-6442.

17. All delegation agreements will be review by the State Fire Marshal's office to verify the departments or authority's compliance of Act 256 of 2011, the promulgated fireworks rules and BFS Fireworks Delegation Authority procedure as outlined prior to granting future individual delegation authority requests.



State Fire Marshal/Director Signature



Date



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
RICHARD W. MILLER STATE
FIRE MARSHAL

STEVEN H. HILFINGER
DIRECTOR

DELEGATION AGREEMENT

Between
The Michigan Department of Licensing & Regulatory Affairs
Bureau of Fire Services
and
SAMPLE FIRE DEPARTMENT
EXPIRATION
April 30, 2015

I. Purpose

This agreement is entered into for the purpose of delegating responsibility for inspection duties of consumer fireworks retail locations in accordance with the Michigan Fireworks Safety Act, PA 256 of 2011, as amended, MCL 28.469.

II. Local Agency Responsibilities

The **SAMPLE FIRE DEPARTMENT** agency agrees:

- A. To abide by all terms of this agreement including all attachments (i.e. procedures).
- B. To the use of State Certified Fire Inspectors to perform all delegated inspections.
- C. To complete all delegated inspections within the time frames as specified by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services.
- D. To complete all delegated inspections using the applicable rules promulgated in accordance with MCL 28.470.
- E. To utilize all report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for all delegated inspections of consumer fireworks retail locations.
- F. To follow and apply all Department of Licensing & Regulatory Affairs, Bureau of Fire Services, procedures regarding the inspection of consumer fireworks retail locations.
- G. To the proper conduct and demeanor of their employee(s) while performing delegated inspections in accordance with this agreement.

- H. To attend training opportunities provided by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, necessary for the proper completion of delegated inspections.

III. Department of Licensing & Regulatory Affairs, Bureau of Fire Services responsibilities

The Bureau of Fire Services agrees:

- A. To abide by the terms of this agreement, including all attachments.
- B. To provide the technical assistance and supervision necessary for the proper administration of this agreement.
- C. To provide any report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for the reporting of inspections performed in accordance with this agreement.
- D. To provide the **SAMPLE FIRE DEPARTMENT** with copies of applicable Department of Licensing & Regulatory Affairs, Bureau of Fire Services procedures, manuals, or other documents necessary for the implementation of this agreement.
- E. To provide the opportunity for training for an appropriate number of employees of the **SAMPLE FIRE DEPARTMENT**, as determined by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, regarding rules, laws, or procedures necessary for the completion of inspections delegated in accordance with this agreement.
- F. To annually review the delegation of authority to perform inspections of consumer fireworks retail locations to verify compliance with MCL 28.455.
- G. To notify the Agency, in writing, of intent to revoke delegated authority if the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, finds that the terms of the agreement have not been kept, or if the Department intends to withdraw the delegation program.
- H. To revoke the authority of the employee(s) to perform delegated inspections upon notification of the **SAMPLE FIRE DEPARTMENT** that the request for delegation has been rescinded.
- I. To inform the State Fire Safety Board of all decisions by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in delegating or revoking the authority delegated under MCL 28.469.

IV. Conflict of Interest

The **SAMPLE FIRE DEPARTMENT** and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, are subject to the provisions of Act No. 317, PA of 1968, as amended, being MCL 15.321 et seq, and Act No. 196, PA of 1973, as amended, being MCL 15.341 et seq.

V. Liability

- A. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the **SAMPLE FIRE DEPARTMENT** or unit of government pursuant to the terms of this agreement shall be the responsibility of the Agency if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the unit of government or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- B. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or its employees shall be the responsibility of the Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the State, its agencies, the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them as provided by common law, statute, or court decision.
- C. In the event that liability to third parties, and/or loss, or damages arises as a result of activities which go beyond the mere fact of agreement between the **SAMPLE FIRE DEPARTMENT** and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in fulfillment of their responsibilities under this agreement, such a liability, loss or damage shall be borne in relation to each party's responsibilities under that joint activity, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the governing body, unit of government, the State and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them, as provided by common law, statute, or court decision.

VI. Compensation from Application Fees

During the time this agreement is in effect, the financial entity for **SAMPLE FIRE DEPARTMENT** will receive 70% of the consumer fireworks application fee paid by the applicant for facility inspection duties within the **SAMPLE FIRE DEPARTMENT** jurisdiction. This amounts to \$700 per permanent structure and \$420 per temporary structure.

VII. Statutory Authority

Authority to perform inspections of consumer fireworks retail locations to verify compliance with MCL 28.455 is delegated to the certified fire inspector(s) of the **SAMPLE FIRE DEPARTMENT** by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, under provision of Michigan Fireworks Safety Act, PA 256 of 2011 as amended, MCL 28.469. This delegation does not include any authority to issue citations or otherwise enforce the provisions of the Fireworks Safety Act.

Name, Title Local Certifying Official (print)

Signature

Date

Name, Fire Chief (print)

Signature

Date

Name, State Fire Marshal (print)

Signature

Date

Not an official document

MICHIGAN DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
 BUREAU OF FIRE SERVICES
 PO BOX 30700
 LANSING MI 48909

Reset Form

FIREWORKS DELEGATION OF AUTHORITY AUTHORIZATION APPLICATION

All Departments / Authorities and local units of Government / Governing Body (City, Village or Township) requesting Delegated Inspection Authorization must meet all requirements (indicated below) to be considered for approval to participate in the Fireworks Inspection Delegation Program:

1. Submit completed Fireworks Delegation of Authority Authorization Application Form (BFS-504).
2. Submit a signed Delegation Agreement (BFS-204).
3. Approved department / authority State Certified Inspectors must attend and complete the delegation inspectors training provided by the Bureau of Fire Services. Please Note: Training will include the following:
 BFS Fireworks Policy / Procedure Inspection process, NFPA Code requirements, BFS reporting requirements, payment process / instructions and revocation of delegation of authority.
4. An executed Delegation Agreement will be returned to confirm delegation approval to conduct inspection duties for all CFRS locations within your jurisdiction.

All inspections shall be conducted by a state certified fire inspector applying Act 256 of 2011, the promulgated Fireworks Fire Safety General Rules, BFS Fireworks Delegation of Authority program policy / procedures and documented on specified Bureau forms.

**APPLICATION MUST BE RECEIVED BY CLOSE OF BUSINESS ON:
 JANUARY 24, 2014**

SECTION A	DEPARTMENT / AUTHORITY PROVIDING INSPECTION DUTIES
Department or Authority Name:	Troy Fire Department
Contact Name(s):	David Roberts
Mailing Address:	500 W. Big Beaver Rd.
Street Address:	500 W. Big Beaver Rd.
Phone Number(s):	248-524-3419
E-Mail Address:	robertsdj@troymi.gov
SECTION B	ADDITIONAL CITIES, TOWNSHIPS OR VILLAGES THAT WILL BE WITHIN THE JURISDICTION OF THE DEPARTMENT OR AUTHORITY
City, Township or Village:	

SECTION C STATE CERTIFIED FIRE INSPECTORS

Certified Inspector:	Tonya Perry	Inspector #:	01-455
E-Mail Address:	perrytj@troymi.gov	Expiration Date:	12/2014
Certified Inspector:	Chuck Roberts	Inspector #:	10-036
E-Mail Address:	robertscj@troymi.gov	Expiration Date:	12/2014
Certified Inspector:	Mike Koehler	Inspector #:	12-0247
E-Mail Address:	m.koehler@troymi.gov	Expiration Date:	12/2015
Certified Inspector:	Pete Hullinger	Inspector #:	13-0164
E-Mail Address:	hullingerp@troymi.gov	Expiration Date:	08/2016

SECTION D PAYMENT INFORMATION FOR LOCAL UNIT OF GOVERNMENT or GOVERNING BODY (CITY, VILLAGE OR TOWNSHIP) OR AUTHORITY

Governing Name:	City of Troy
Contact Name(s):	Lisa Burnham
Mailing Address:	500 West Big Beaver Troy Mi 48084
Phone Number(s):	248.524.3412
E-Mail Address:	lisa.burnham@troymi.gov
State of Michigan Vendor ID# for EFT Payments: (www.cpexpress.state.mi.us)	2386027333

PLEASE NOTE: If the Local Unit of Government or Governing Body is not registered on the State of Michigan vendor file you will not be able to participate in this program. The Vendor ID# is required on this document prior to submitting. An executed Delegation Agreement will be returned to confirm delegation approval to conduct inspection duties for all CFRS locations within your jurisdiction. Note: If approved the Delegation of Authority will only be valid thru April 30, 2015.

If you do not submit the form by the deadline date, you will *not* be considered for Fireworks Delegation of Authority.

Please direct questions to the Bureau of Fire Services via email at FireworksDelegation@michigan.gov or call 517-373-7441.

<p>FORMS CAN BE E-MAILED, MAILED OR FAXED TO: DEPARTMENT OF LICENSING & REGULATORY AFFAIRS BUREAU OF FIRE SERVICES PO BOX 30700 3101 TECHNOLOGY BLVD. SUITE H LANSING, MI 48910 FAX: (517) 332-1427 FireworksDelegation@michigan.gov</p>	<p>Submit by E-Mail</p> <p>Print Form</p>
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FOR BUREAU USE ONLY		
<input type="checkbox"/> APPROVE	APPROVAL SIGNATURE	BUREAU DATE STAMP
<input type="checkbox"/> DENY	REASON <input type="checkbox"/> DEADLINE <input type="checkbox"/> EFT <input type="checkbox"/> OTHER	
	DENIAL SIGNATURE	



CITY COUNCIL AGENDA ITEM

Date January 21, 2014

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police

Subject: Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County (Introduced by: Chief Gary Mayer)

History

The City of Troy has been a member of the TIA since 1975. The TIA is a private non-profit organization that is responsive to the problems and needs of local traffic officials. They are a source for traffic facts, including traffic crashes and traffic operations data. The City of Troy obtains citywide traffic crash statistics including intersection and road segment crash reports and ranking, county traffic crash trends, location specific crash details, and alcohol related statistics from the TIA. As a TIA member they are provided without charge.

The TIA works with the Troy Police Department on several enforcement-related projects and grants, including recent and ongoing speed limit studies in order for the City of Troy to be compliant with Public Act 85. They facilitated the Police Department in obtaining over \$17,000.00 last year in federal grants for alcohol and seat belt enforcement. The TIA also works with our adjacent communities to improve traffic in the general area that can be a secondary benefit to the City.

Purchasing

N/A

Financial

The renewal membership fee for the year 2014 is \$25,100.00, which is a \$1300 increase from 2013. Funds are available in the Police Department's Operating Funds, Membership and Dues.

Recommendation

It is recommended that the City of Troy renew its membership with the Traffic Improvement Association. The partnership the City has developed with the TIA over the past 37 years has led to many collaborative efforts that have enhanced traffic safety in our community.

Prepared by Sergeant Michael Szuminski

Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on May 22, 2013 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan
Jayne Saeger
Steve Toth
Gretchen Waters

Absent:

Al Petruilis

Also Present:

Paul Evans, Zoning and Compliance Specialist
Julie Dufrane, Assistant City Attorney

2. APPROVAL OF AGENDA – Add Item 3 “Election of Officers”.

3. ELECTION OF OFFICERS

Motion by Carolan
Second by Waters

RESOLVED, to postpone Election of Officers to the regularly scheduled July 24, 2013 Board meeting because a full Board is not present.

Yes: All

MOTION PASSED

4. APPROVAL OF MINUTES

Moved by Carolan
Seconded by Waters

RESOLVED, to approve the March 27, 2013 meeting minutes.

Yes: All

MOTION PASSED

5. HEARING OF CASE - None

6. OTHER BUSINESS – Study Session

Mr. Evans summarized Board duties as enumerated in City Code Chapter 90 Animals. Ms. Dufrane made a brief presentation on the Open Meetings Act. A brief discussion with questions and answers followed.

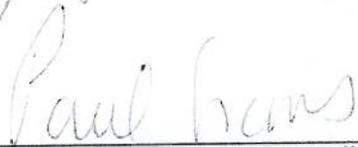
7. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:12 p.m.

Respectfully submitted,



Jayne Saeger, Chair



Paul Evans, Zoning and Compliance Specialist

G:\Animals\Animal Control Appeal Board\Minutes\2013\Final\2013 05 22 Final.doc

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 10, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

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

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2013-12-094

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-12-095

Moved by: Edmunds
Seconded by: Kempen

RESOLVED, To approve the minutes of the November 26, 2013 Special/Study meeting as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

5. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 411) – Proposed The Alan Group Office, Southeast Corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the Special Use Request and Preliminary Site Plan application. He stated that the parking requirements are met, a correction to his report dated November 28, 2013. Mr. Carlisle recommended approval of the Special Use Request and Preliminary Site Plan application conditioned on the applicant addressing the items identified in his report as part of the Final Site Plan submittal.

Scott Bowers of Bowers and Associates Architects was present to represent the applicant. He addressed details of the screen wall and displayed color renderings, elevations and color samples.

There was discussion on:

- Screen wall; i.e., brick mold, poured on site, opacity of gates.
- Accolades to applicant on proposed development.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-12-096

Moved by: Sanzica

Seconded by: Krent

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed office building and outdoor storage yard, located at the southeast corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District be granted, subject to the following conditions:

1. Relocate the handicapped parking adjacent to the building.
2. Correct the location of bike parking.
3. Submit outdoor storage wall detail.
4. Submit color details.

Yes: All present (9)

MOTION CARRIED

REZONING REQUEST

6. PUBLIC HEARING – REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Mr. Carlisle reviewed the Rezoning Request application. He informed the Board the Rezoning Request only is before the Board this evening; the conceptual site plan provided by the applicant is illustrative only and should not be considered in the Board's decision. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as stated in his report, dated December 5, 2013.

Mr. Hutson advised the Board that his firm in previous years has represented the applicant but he feels there is no conflict of interest on his part. It was the consensus of the Board that no conflict of interest exists.

Present were the applicant, Jerome Amber of Amber Properties Company, and Dennis Cowan of Plunkett Cooney.

Mr. Cowan said his firm is excited to represent the Amber Properties Company proposed development in Troy. He said contact was made with the property owners within the radius of the public hearing notification and to date no responses or comments were received. Mr. Cowan stated that Amber Properties Company develops residential only.

Mr. Amber briefly shared the history of his company and property ownership in nearby communities. He addressed the tenant draw, architecture and style of the proposed development. Mr. Amber said if the rezoning request is approved, it is his intent to submit a Preliminary Site Plan application in time for the Planning Commission meeting scheduled in February.

There was discussion on:

- Subject property as relates to Master Plan and Office district designation.
- Proposed five-story building height in relation to adjacent properties.
- Rezoning Request only before Board; not conceptual site plan.
- Walkability / attraction to Civic Center area.

Mr. Amber circulated pictures of an existing development in Royal Oak and addressed the five-story building height. He said a line of sight outline demonstrating the shadowing effect would be provided at the time of site plan review.

PUBLIC HEARING OPENED

Craig Goldin of Cosmetic Dentistry Institute, 3415 Livernois, voiced opposition to the proposed rezoning. He voiced concerns with the building height as relates to shadowing effect, street visibility and setbacks.

PUBLIC HEARING CLOSED

Discussion continued on:

- Allowable building heights and required setbacks for Office and Big Beaver zoning districts.
- Double frontage of subject property; applicant determines front, side yards.
- Flexible uses allowed in the Big Beaver zoning district.
- Parcel(s) inclusive of the Big Beaver zoning designation in the Master Plan.
- Intent of Zoning Ordinance to place building closer to street.
- Challenge of infill development.

Mr. Carlisle addressed the conceptual site plan in terms of building form, parking and proposed site access point. He indicated those details would be considered during site plan review, provided the Rezoning Request is approved, and he is confident the issues could be resolved. Mr. Carlisle also noted that the applicant would be encouraged to pull the building closer to the presence on Town Center.

Mr. Savidant said the proposed Rezoning Request would be announced to the City Council at their December 16 meeting and a Public Hearing would be scheduled on January 13, 2014.

Resolution # PC-2013-12-097

Moved by: Edmunds

Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O (Office) to BB (Big Beaver) rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

1. The request complies with the Master Plan.
2. The Form-Based District would permit greater flexibility in use and development of the property.
3. The abundance of Office District property in the City has been well documented.
4. The rezoning would be compatible with surrounding zoning and land use.
5. The site can be adequately served with municipal water and sewer.

Discussion on the motion on the floor.

Mr. Schultz said he would not support the rezoning request because he has serious concerns with the type of use and development that could end up on the property. He does not think the proposed development is a good and reasonable development as outlined, and would have preferred that a conditional rezoning application be submitted by the applicant.

Vote on the motion on the floor.

Yes: Edmunds, Hutson, Kempen, Krent, Strat, Tagle
No: Sanzica, Schepke, Schultz

MOTION CARRIED

Mr. Schultz said his earlier comments reflect the basis for his no vote.

Mr. Schepke said he has concerns with the building height and potential of other uses on the property.

Mr. Sanzica said he would have preferred more plan details and would have considered a conditional rezoning request.

ZONING ORDINANCE TEXT AMENDMENT

7. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246) – Assisted Living Facilities/Site Plan Review Standards

Mr. Carlisle reviewed five recommendations for the Board’s consideration to address Zoning Ordinance language relating to the potential development of assisted living facilities.

A brief discussion followed.

Chair Tagle opened the floor for public comment.

Omar Shouhayib, 4254 Beach, addressed development projects relating to elderly care and apartment/loft style residential.

Chair Tagle closed the floor for public comment.

Mr. Savidant said he would prepare appropriate draft Zoning Ordinance language and schedule a Public Hearing for the proposed Zoning Ordinance Text Amendment.

OTHER BUSINESS

8. **PUBLIC COMMENTS** – For Items on Current Agenda

There was no one present who wished to speak.

9. **PLANNING COMMISSION COMMENTS**

There were general Planning Commission comments.

Mr. Kempen announced his term has expired and he was not reappointed to the Board. He thanked his fellow commissioners for the enjoyable experience and their support.

Board members commended and thanked Mr. Kempen for his service to the Board.

Holiday wishes were exchanged.

The Regular meeting of the Planning Commission adjourned at 8:40 p.m.

Respectfully submitted,

John J. Tagle, Chair

Kathy L. Czarnecki, Recording Secretary

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 10, 2013 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

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

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2013-12-094

Moved by: Schultz
Seconded by: Sanzica

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2013-12-095

Moved by: Edmunds
Seconded by: Kempen

RESOLVED, To approve the minutes of the November 26, 2013 Special/Study meeting as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

SPECIAL USE REQUEST AND PRELIMINARY SITE PLAN REVIEW

5. PUBLIC HEARING – SPECIAL USE AND PRELIMINARY SITE PLAN REVIEW (File Number SU 411) – Proposed The Alan Group Office, Southeast Corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the Special Use Request and Preliminary Site Plan application. He stated that the parking requirements are met, a correction to his report dated November 28, 2013. Mr. Carlisle recommended approval of the Special Use Request and Preliminary Site Plan application conditioned on the applicant addressing the items identified in his report as part of the Final Site Plan submittal.

Scott Bowers of Bowers and Associates Architects was present to represent the applicant. He addressed details of the screen wall and displayed color renderings, elevations and color samples.

There was discussion on:

- Screen wall; i.e., brick mold, poured on site, opacity of gates.
- Accolades to applicant on proposed development.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2013-12-096

Moved by: Sanzica

Seconded by: Krent

RESOLVED, That Special Use Approval and Preliminary Site Plan Approval for the proposed office building and outdoor storage yard, located at the southeast corner of Bellingham and Brinston (PID# 88-20-26-428-031), Section 26, Currently Zoned IB (Integrated Industrial and Business) District be granted, subject to the following conditions:

1. Relocate the handicapped parking adjacent to the building.
2. Correct the location of bike parking.
3. Submit outdoor storage wall detail.
4. Submit color details.

Yes: All present (9)

MOTION CARRIED

REZONING REQUEST

6. PUBLIC HEARING – REZONING APPLICATION (File Number Z 745) – Proposed Amber Town Center Townhomes and Lofts, West side of Livernois, North of Town Center (3409 Livernois), Section 21, From O (Office) District to BB (Big Beaver) District

Mr. Carlisle reviewed the Rezoning Request application. He informed the Board the Rezoning Request only is before the Board this evening; the conceptual site plan provided by the applicant is illustrative only and should not be considered in the Board's decision. Mr. Carlisle recommended approval of the Rezoning Request for the reasons as stated in his report, dated December 5, 2013.

Mr. Hutson advised the Board that his firm in previous years has represented the applicant but he feels there is no conflict of interest on his part. It was the consensus of the Board that no conflict of interest exists.

Present were the applicant, Jerome Amber of Amber Properties Company, and Dennis Cowan of Plunkett Cooney.

Mr. Cowan said his firm is excited to represent the Amber Properties Company proposed development in Troy. He said contact was made with the property owners within the radius of the public hearing notification and to date no responses or comments were received. Mr. Cowan stated that Amber Properties Company develops residential only.

Mr. Amber briefly shared the history of his company and property ownership in nearby communities. He addressed the tenant draw, architecture and style of the proposed development. Mr. Amber said if the rezoning request is approved, it is his intent to submit a Preliminary Site Plan application in time for the Planning Commission meeting scheduled in February.

There was discussion on:

- Subject property as relates to Master Plan and Office district designation.
- Proposed five-story building height in relation to adjacent properties.
- Rezoning Request only before Board; not conceptual site plan.
- Walkability / attraction to Civic Center area.

Mr. Amber circulated pictures of an existing development in Royal Oak and addressed the five-story building height. He said a line of sight outline demonstrating the shadowing effect would be provided at the time of site plan review.

PUBLIC HEARING OPENED

Craig Goldin of Cosmetic Dentistry Institute, 3415 Livernois, voiced opposition to the proposed rezoning. He voiced concerns with the building height as relates to shadowing effect, street visibility and setbacks.

PUBLIC HEARING CLOSED

Discussion continued on:

- Allowable building heights and required setbacks for Office and Big Beaver zoning districts.
- Double frontage of subject property; applicant determines front, side yards.
- Flexible uses allowed in the Big Beaver zoning district.
- Parcel(s) inclusive of the Big Beaver zoning designation in the Master Plan.
- Intent of Zoning Ordinance to place building closer to street.
- Challenge of infill development.

Mr. Carlisle addressed the conceptual site plan in terms of building form, parking and proposed site access point. He indicated those details would be considered during site plan review, provided the Rezoning Request is approved, and he is confident the issues could be resolved. Mr. Carlisle also noted that the applicant would be encouraged to pull the building closer to the presence on Town Center.

Mr. Savidant said the proposed Rezoning Request would be announced to the City Council at their December 16 meeting and a Public Hearing would be scheduled on January 13, 2014.

Resolution # PC-2013-12-097

Moved by: Edmunds

Seconded by: Strat

RESOLVED, That the Planning Commission hereby recommends to the City Council that the O (Office) to BB (Big Beaver) rezoning request, located on the west side of Livernois, north of Town Center (3409 Livernois), in Section 21, being approximately 1.22 acres in size, be approved, for the following reasons:

1. The request complies with the Master Plan.
2. The Form-Based District would permit greater flexibility in use and development of the property.
3. The abundance of Office District property in the City has been well documented.
4. The rezoning would be compatible with surrounding zoning and land use.
5. The site can be adequately served with municipal water and sewer.

Discussion on the motion on the floor.

Mr. Schultz said he would not support the rezoning request because he has serious concerns with the type of use and development that could end up on the property. He thinks the proposed development is a good and reasonable development as outlined but would prefer that the applicant submit a conditional rezoning application.

Vote on the motion on the floor.

Yes: Edmunds, Hutson, Kempen, Krent, Strat, Tagle
 No: Sanzica, Schepke, Schultz

MOTION CARRIED

Mr. Schultz said his earlier comments reflect the basis for his no vote.

Mr. Schepke said he has concerns with the building height and potential of other uses on the property.

Mr. Sanzica said he would have preferred more plan details and would have considered a conditional rezoning request.

ZONING ORDINANCE TEXT AMENDMENT

7. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 246) – Assisted Living Facilities/Site Plan Review Standards

Mr. Carlisle reviewed five recommendations for the Board’s consideration to address Zoning Ordinance language relating to the potential development of assisted living facilities.

A brief discussion followed.

Chair Tagle opened the floor for public comment.

Omar Shouhayib, 4254 Beach, addressed development projects relating to elderly care and apartment/loft style residential.

Chair Tagle closed the floor for public comment.

Mr. Savidant said he would prepare appropriate draft Zoning Ordinance language and schedule a Public Hearing for the proposed Zoning Ordinance Text Amendment.

OTHER BUSINESS

8. **PUBLIC COMMENTS** – For Items on Current Agenda

There was no one present who wished to speak.

9. **PLANNING COMMISSION COMMENTS**

There were general Planning Commission comments.

Mr. Kempen announced his term has expired and he was not reappointed to the Board. He thanked his fellow commissioners for the enjoyable experience and their support.

Board members commended and thanked Mr. Kempen for his service to the Board.

Holiday wishes were exchanged.

The Regular meeting of the Planning Commission adjourned at 8:40 p.m.

Respectfully submitted,



John J. Tagle, Chair



Kathy L. Czarnecki, Recording Secretary

A meeting of the Retiree Health Care Benefits Plan & Trust Board of Trustees was held on Wednesday, December 11, 2013, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 4:13 p.m.

Trustees Present: Mark Calice
William R. Need (Ex-Officio)
Thomas Darling, CPA
Dave Henderson
Steve Pallotta

Trustees Absent: Brian Kischnick
Thomas J. Gordon, II

Also Present: Brenda Carter

Minutes

Resolution # ER – 2013-12-12

Moved by Pallotta
Seconded by Darling

RESOLVED, The Minutes of the November 13, 2013 meeting be approved.

Yeas: All- 5

Absent: Kischnick, Gordon

Investments

The System Administrator reviewed excerpts from 6/30/2013 audited financial statements.

Becky Sorenson and Darren McBride of UBS presented a snapshot of Troy's investments as of September 30, 2013. They indicated that the Retiree Health Care Benefits Plan & Trust was using the same investment policy as the Employee Retirement System. The Board stated that the Retiree Health Care Benefits Plan & Trust should have its own policy. The Board discussed the current investments and shared concerns about increased premiums. Sorenson is to put a policy together and send it to the System Administrator.

OTHER BUSINESS – UBS AGREEMENT FOR INVESTMENT CONSULTING SERVICES

The Board reviewed of UBS Agreement Letter with a caveat. UBS had concerns about cross-trading and want item 10 struck from the agreement. UBS also noted they would provide invoices to the Board (item #5).

Resolution # ER – 2013-12-13

Moved by Pallotta
Seconded by Stansbury

RESOLVED, The Board directs the System Administrator to enter into contract with UBS Financial Services to provide investment consulting for the City of Troy Retiree Healthcare Benefit Plan & Trust contingent upon UBS Financial Services agreement to

1. Sign the Letter of Agreement as prepared by the System Attorney.
2. Change UBS Agreement section 10 paragraph 2 to read “under the laws of Michigan”.
3. Remove paragraph 12 (Arbitration).

Yeas: All- 5

Absent: Kischnick, Gordon

OTHER BUSINESS – TRANSFER OF WADDELL & REED PORTFOLIO

Resolution # ER – 2013-12-14

Moved by Pallotta

Seconded by Stansbury

RESOLVED, The Board directs the System Administrator to transfer all positions in the portfolio of Waddell & Reed into UBS custodial account?

Yeas: All- 5

Absent: Kischnick, Gordon

OTHER BUSINESS – CHANGE OF MEETING DATE

Resolution # ER – 2013-12-15

Moved by Pallotta

Seconded by Stansbury

RESOLVED, The Board directs the System Administrator to change meeting date from Wednesday January 8, 2014 at 12:00 p.m. to Wednesday January 15, 2014 at 12:00 p.m.

Yeas: All- 5

Absent: Kischnick, Gordon

OTHER BUSINESS – MUNICIPAL BONDS

Resolution # ER – 2013-12-16

Moved by Stansbury

Seconded by Pallotta

RESOLVED, The Board directs the System Administrator to dissolve three bonds (Waddle & Reed, Waddle & Reed Municipal Bond Fund, and IV1 Bond Fund for the total cost of five (5) million dollars.

Yeas: All- 5

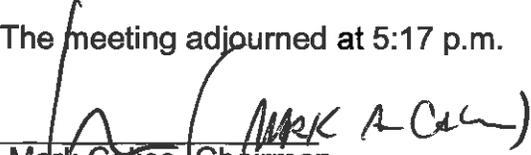
Absent: Kischnick, Gordon

Public Comment

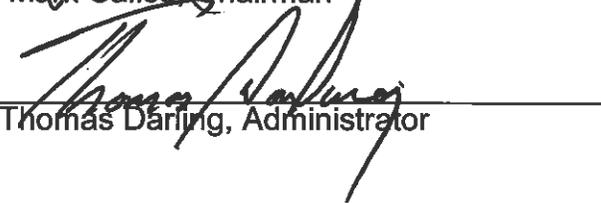
None

The next meeting is February 12, 2014 at 1:30 p.m. at Troy City Hall, Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 5:17 p.m.



Mark Calice, Chairman



Thomas Darling, Administrator

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – December 11, 2013

A meeting of the Employees' Retirement System Board of Trustees was held on **Wednesday December 11, 2013** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 1:41 p.m.

Trustees Present: Mark Calice
Thomas J. Gordon, II
Thomas Darling, CPA
William R. Need (Ex-Officio)
Brian Kischnick
Steve Pallotta
Dave Henderson
Milton Stansbury

Trustees Absent: None

Also Present: Brenda Carter

Minutes

Resolution # ER – 2013-12-31

Moved by Kischnick

Seconded by Pallotta

RESOLVED, The Minutes of the November 13, 2013 meeting be approved.

Yeas: All-7

Absent: None

Retirement Requests

None

Other Business – Greystone Investment Update

Greystone Investment presented a detailed performance report and noted areas of possible compliance concerns to the Board. They stated their job was to assist the Board with selecting managers. Greystone stated that they are able to modify reports per the Board's request. The Board noted potential savings using Greystone as consultants. The Board asked the Pension Administrator to come back with a proposal to allocate 33% of total portfolio.

Other Business – City Council Study Session – November 11/2013 – Retirement and Retiree Healthcare Plans

Chairman Calice will address the City Council's comments.

INVESTMENTS

Pension Administrator explained the excerpts from 6/30/2013 audited financial statements in lieu of the Board receiving a 150 page document.

Pension Administrator went over the October 31st 2013 investment portfolio.

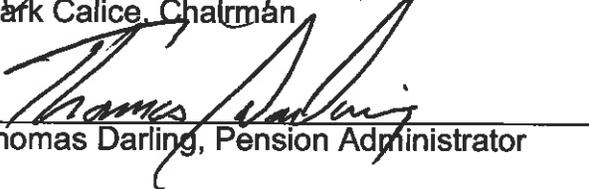
Public Comment

None

The next meeting is Wednesday January 8, 2014 at 12:00 p.m. at Troy City Hall, Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 4:07 p.m.


Mark Calice, Chairman


Thomas Darling, Pension Administrator

On December 17, 2013, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chair Kneale called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Bruce Bloomingdale
Glenn Clark
Kenneth Courtney
David Eisenbacher
Allen Kneale
Thomas Krent
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
Julie Quinlan Dufrane, Assistant City Attorney
Paul McCown, ZBA alternate (in audience)

2. APPROVAL OF MINUTES – November 19, 2013

Moved by Courtney
Seconded by Clark

RESOLVED, to approve the November 19, 2013 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – Item 4A applicant has withdrawn their application and will not be heard.

4. HEARING OF CASES

A. VARIANCE REQUEST, ROBERT A. CHAPMAN, 482 STARR – Variance request, Robert A. Chapman, 482 Starr - In order to split a parcel into two parcels, a variance from the requirement that new parcels have a 60 foot width and frontage. One of the proposed lots will have a 50 foot width and frontage. Zoning Ordinance Section 4.06 (C), R-1E Zoning.

WITHDRAWN BY APPLICANT

- B. VARIANCE REQUEST, MARVIN PISARCZYK for WITZENMANN USA, 1201 and 1305 STEPHENSON HIGHWAY – In order to construct an addition to both buildings that will connect the buildings, a 10 foot variance to the required minimum 10 foot side yard setback. This variance is needed for both properties. Zoning Ordinance Section 4.15 (C), IB Zoning District.

Moved by Courtney
 Seconded by Krent

RESOLVED, to postpone the matter to the regularly scheduled January 21, 2014 Zoning Board of Appeals meeting.

Yes: All

MOTION PASSED

- C. VARIANCE REQUEST, BRANDON MULLER for CLARK HILL PCL, 268-388 JOHN R – In order to construct parapet walls, a 5 foot variance to the required maximum 30 foot height limit. Zoning Ordinance Section 4.13 (C), CB Zoning District.

Moved by Lambert
 Seconded by Clark

RESOLVED, to postpone the matter to the regularly scheduled January 21, 2014 Zoning Board of Appeals meeting.

Yes: All

MOTION PASSED

- D. ZONING ORDINANCE INTERPRETATION, 4924 ROCHESTER – To interpret whether the proposed principal use of property constitutes a community center, a club, place of worship, or some other use under the City’s Zoning Ordinance. Zoning Ordinance Section 15.04 (B and D).

Moved by Krent
 Seconded by Courtney

RESOLVED, to allow the property owner’s representative 10 minutes to make his presentation.

Yes: All

MOTION PASSED

Moved by Clark
 Seconded by Courtney

RESOLVED, to postpone the matter to the regularly scheduled January 21, 2014 Zoning Board of Appeals meeting.

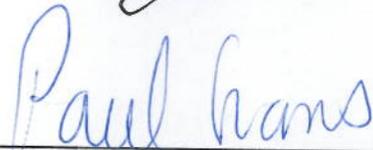
Yes: All

MOTION PASSED

5. COMMUNICATIONS – None
6. MISCELLANEOUS BUSINESS – None
7. PUBLIC COMMENT – None
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 9:50 p.m.

Respectfully submitted,


Allen Kneale, Chair


Paul Evans, Zoning and Compliance Specialist



CITY COUNCIL AGENDA ITEM

Date: January 14, 2014

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police
Keith A. Frye, Captain

Subject: 2013 Annual Towing Contract Review– A & M Towing

History

- September 14, 2009 Troy City Council awarded a three (3) year contract with an option to renew for three (3) additional years to provide towing and storage services to A & M Service Center, Inc. of Troy, MI {Resolution #2009-09-272}.
- September 10, 2012 Troy City Council approved the three (3) year renewal option with the contract expiring September 30, 2015 upon mutual consent of both parties and successful performance of the contract with A & M Service Center, Inc. under the same terms and conditions. {Resolution #2012-09-180-J-4e}.
- As per City Council's request at the time of the contract renewal approval; this memo details the annual review and report of A&M Service Center's performance and compliance.

Report

Over the 2013 calendar year, A&M Service Center, Inc. dealt with 2,250 impounded / abandoned vehicles. These numbers do not reflect or include the assistance received from A&M Service Center, Inc. personnel for Police Department vehicles, or for other City department vehicles. There were an additional 56 vehicles towed from private property by other towing companies. In total, 2,306 vehicles were towed as indicated in the attached table (see Table A).

In every instance, the staff of A&M Service Center, Inc. displayed an eagerness to cooperate and work with the Police Department. There were very few complaints from officers regarding the service provided by A&M Service Center, Inc. Any minor concerns raised by officers were amicably resolved between the Police Department and A&M Service Center, Inc. staff.

There have been no complaints or evidence of non-compliance with contract prices/fees, and no complaints associated with the police and private party auctions conducted for the City by A&M Service Center, Inc. personnel. Those auctions are conducted under the administrative oversight of Police Department personnel.

Attachment:

1. Table A: 2013 summary of Impounded Vehicles



CITY COUNCIL AGENDA ITEM

Table A: 2013 Summary of Impounded/Towed Vehicles

Abandoned (both public and private property)	106
Assist Other Dept	4
Arrests	286
Citizens Assists	27
DWLS	181
Fatal Accidents	7
Impound	62
Investigation	21
Medical/Request Ambulance	4
OUI	43
OVI	293
PDA	709
PDA/OVI	17
PIA	351
PIA/OVI	13
Recovered UDAA & Stolen Vehicles	19
Road Hazard	143
Vehicle Fire	20
Total	2306



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to

File Number:

477 Michigan Avenue
26th Floor
Detroit, Michigan 48226

December 5, 2013

Chief Gary G. Mayer
Troy Police Department
500 West Big Beaver
Troy, Michigan 48084

Dear Chief Mayer,

Many thanks to you and the Troy Police Department for hosting the Complex Terrorist Attack Tabletop Exercise on November 12, 2013, at your training facility in Troy. The input and efforts of your officers and staff, particularly Lieutenant Tom Gordon, were outstanding and ensured that the exercise was a tremendous success.

Thank you and your department for the great partnership, and I look forward to seeing and working with you and your staff again in the future.

Sincerely,

Paul M. Abbate
Special Agent in Charge
Detroit Division

LT. Tom Gordon-

TOM - THANKS FOR YOUR WORK TO MAKE THIS EXERCISE A SUCCESS. IT IS VERY IMPORTANT FOR ALL OF US IN LAW ENFORCEMENT, THE PRIVATE SECTOR, HOSPITALS, EMERGENCY AMBULANCE TRANSPORT, THE FIRE SERVICE TO WORK WITH OUR FEDERAL PARTNERS.



**International Academy of
Design & Technology**

January 8, 2014

Safebuilt-City of Troy
Paul Featherston
Building Official
500 W. Big Beaver Road
Troy, MI 48084

Dear Paul:

We would like to thank you for coming to our Building Codes class at IADT a few weeks ago. Your knowledge on egress for residential was helpful and supported class objectives. The in-class exercise was a fantastic opportunity to get students to practice what you were sharing with them.

Your time and shared knowledge are most appreciated. As their instructor, it is great to have someone in the field speak because you have hands-on experience.

I would like to invite you back the next time I teach this class.

Hope all is well with you. Happy New Year!

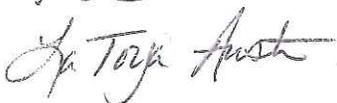
Best,



Anne Wilkinson, NCIDQ, IIDA, IDEC
Program Lead – Interior Design
1850 Research Drive
Troy, MI 48083







O-3b