

AGENDA

Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

NOVEMBER 28, 2005

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

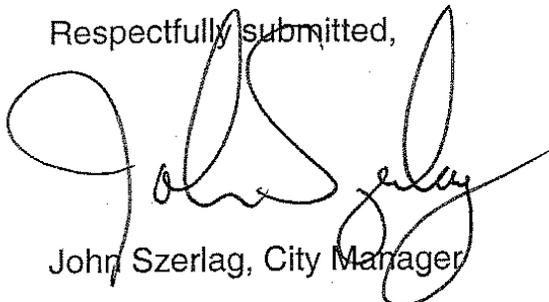
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

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

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

Respectfully submitted,



John Szerlag, City Manager



CITY COUNCIL

AGENDA

November 28, 2005 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor David Lomasney – Zion Christian Church 1

ROLL CALL: 1

CERTIFICATES OF RECOGNITION: 1

A-1 Presentations: No Presentations 1

CARRYOVER ITEMS: 1

B-1 No Carryover Items 1

PUBLIC HEARINGS: 1

C-1 No Public Hearings 1

POSTPONED ITEMS: 1

D-1 Zoning Ordinance Text Amendment (ZOTA 201) – Article 28.30.00, Commercial Indoor Recreation in the M-1 Light Industrial Zoning District 1

CONSENT AGENDA: 2

E-1a Approval of “E” Items NOT Removed for Discussion 2

| | | |
|--|---|----------|
| E-1b | Address of “E” Items Removed for Discussion by City Council and/or the Public | 3 |
| E-2 | Approval of City Council Minutes | 3 |
| E-3 | Proposed City of Troy Proclamations: None Submitted | 3 |
| E-4 | Standard Purchasing Resolutions: None Submitted | 3 |
| <u>PUBLIC COMMENT: Limited to Items Not on the Agenda</u> | | 3 |

REGULAR BUSINESS: **3**

| | | |
|-----|--|---|
| F-1 | Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA); Planning Commission; b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Ethnic Issues Advisory Board; Historic District Commission; Liquor Committee; Personnel Board; Troy Daze Advisory Committee | 3 |
|-----|--|---|

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS: **10**

| | | |
|-----|---|----|
| G-1 | Announcement of Public Hearings: None Submitted | 10 |
| G-2 | Green Memorandums: None Submitted | 11 |

COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda **11**

| | | |
|-----|--|----|
| H-1 | Council Member Cristina Broomfield requests further discussion on the November 21, 2005 public hearing item C-1, Commercial Vehicle Appeal - 34551 Dequindre | 11 |
| H-2 | Council Member Cristina Broomfield requests discussion of the I-75/Long Lake/Crooks interchange improvement project | 11 |

COUNCIL COMMENTS: **11**

| | | |
|-----|---------------------|----|
| I-1 | No Council Comments | 11 |
|-----|---------------------|----|

REPORTS: **11**

| | | |
|-----|---|----|
| J-1 | Minutes – Boards and Committees: None Submitted | 11 |
|-----|---|----|

| | | |
|--|---|-----------|
| J-2 | Department Reports: None Submitted | 11 |
| J-3 | Letters of Appreciation: None Submitted | 11 |
| J-4 | Proposed Proclamations/Resolutions from Other Organizations: None Proposed | 11 |
| J-5 | Calendar | 11 |
| | RECESSED: City Council Will Recess to the Council Boardroom for Discussion of the Study Item | 11 |
| <u>STUDY ITEMS:</u> | | 11 |
| K-1 | Presentation of 2005 Organizational Positives and 2006-2008 Goals and Objectives | 11 |
| <u>PUBLIC COMMENT: Address of "K" Items</u> | | 11 |
| <u>CLOSED SESSION:</u> | | 12 |
| L-1 | Closed Session: No Closed Session Requested | 12 |
| <u>RECONVENED</u> | | 12 |
| <u>ADJOURNMENT</u> | | 12 |
| <u>SCHEDULED CITY COUNCIL MEETINGS:</u> | | 12 |
| | Monday, December 5, 2005 Regular City Council | 12 |
| | Monday, December 19, 2005 Regular City Council | 12 |
| | Monday, January 9, 2006 Regular City Council | 12 |
| | Monday, January 23, 2006 Regular City Council | 12 |
| | Monday, February 6, 2006 Regular City Council..... | 12 |
| | Monday, February 20, 2006 Regular City Council..... | 12 |
| | Monday, February 27, 2006 Regular City Council..... | 12 |

CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor David Lomasney – Zion Christian Church

ROLL CALL:

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations: No Presentations

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings

POSTPONED ITEMS:

D-1 Zoning Ordinance Text Amendment (ZOTA 201) – Article 28.30.00, Commercial Indoor Recreation in the M-1 Light Industrial Zoning District

Suggested Resolution A, Planning Commission Version

Resolution #2005-11-
Moved by
Seconded by

RESOLVED, that Article IV (Definitions) and XXVIII (M-1 LIGHT INDUSTRIAL DISTRICT), of Chapter 39, the Zoning Ordinance, be **ADOPTED**, as recommended by the Planning Commission, Version “A”.

Or

Suggested Resolution B, City Management Version

Resolution #2005-11-
 Moved by
 Seconded by

RESOLVED, that Article IV (Definitions) and XXVIII (M-1 LIGHT INDUSTRIAL DISTRICT), of Chapter 39, the Zoning Ordinance, be **ADOPTED**, as recommended by City Management, version "B".

Or

Suggested Resolution C, City Council Version

Resolution #2005-11-
 Moved by
 Seconded by

RESOLVED, That Article IV (Definitions) and XXVIII (M-1 LIGHT INDUSTRIAL DISTRICT), of Chapter 39, the Zoning Ordinance, be adopted, as proposed by City Council, version "C".

Yes:
 No:

CONSENT AGENDA:

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

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

Suggested Resolution
 Resolution #2005-11-
 Moved by
 Seconded by

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

Yes:
 No:

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

E-2 Approval of City Council MinutesSuggested Resolution

Resolution #2005-11-

RESOLVED, That the Minutes of the Regular City Council Meeting of November 21, 2005 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations: None Submitted

E-4 Standard Purchasing Resolutions: None Submitted**PUBLIC COMMENT: Limited to Items Not on the Agenda**

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

REGULAR BUSINESS:

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 11“F” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA); Planning Commission; b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Ethnic Issues Advisory Board; Historic District Commission; Liquor Committee; Personnel Board; Troy Daze Advisory Committee

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

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

(a) Mayoral Appointments

Suggested Resolution

Resolution #2005-11-

Moved by

Seconded by

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

Local Development Finance Authority (LDFA)

Appointed by Mayor, Council Approval - Council Alternates (2) - Term expires with term of office

Term expires with term of office

Term expires with term of office

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---|--------------|
| John Szerlag, City Manager | 06/30/2007 |
| Douglas Smith, Real Estate & Development Director | 06/30/2007 |
| Keith Pretty, President-Walsh College | 06/30/2008 |
| Michael M. Adamczyk, Asst. Supt. Business Services-Troy Schools | 06/30/2008 |
| Robin E. Beltramini, Council Member-City of Troy | 06/30/2006 |
| Cristina Broomfield, Council Member-City of Troy (Alternate) | 11/08/2005 |
| David Eisenbacher, Council Member-City of Troy (Alternate) | 11/08/2005 |

INTERESTED APPLICANTS

| NAME | COUNCIL TERM EXPIRES |
|---------------------|----------------------|
| Cristina Broomfield | 11/09/09 |
| Wade Fleming | 11/09/09 |
| Martin Howrylak | 11/06/07 |
| David Lambert | 11/06/07 |
| Jeanne Stine | 11/06/07 |
| Louise Schilling | 11/06/07 |

Planning Commission

Appointed by Mayor, Council Approval (9) - 3 Year Terms

Term Expires 12/31/08

Term Expires 12/31/08

Term Expires 12/31/08

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---|--------------|
| Gary G. Chamberlain (Does not request reappointment) | 12/31/05 |
| Lynn Drake-Batts (Alt PC Rep on BZA) | 12/31/06 |
| Fazlullah M. Khan | 12/31/06 |
| Christopher Kulesza (Student) | 07/01/06 |
| Larry Littman | 12/31/07 |
| Robert M. Schultz (Requests reappointment) | 12/31/05 |
| Thomas Strat (Requests reappointment) | 12/31/05 |
| Mark J. Vleck | 12/31/07 |
| David T. Waller | 12/31/06 |
| Wayne C. Wright (PC Rep on BZA) | 12/31/07 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-----------------------|---|----------------------|
| James K. Campbell | 10/31/05- 11/2007 | 11/14/05 |
| Kul B. Gauri | 07/03/03-07/13/05- 07/2007 | 07/21/03-10/17/05 |
| Patrick C. Hall | 01/26/01-03/10/03- 03/2005 | 02/05/01-03/17/03 |
| Dan Kaiser | 10/18/04- 10/2006 | 11/08/04 |
| Laurence G. Keisling | 04/29/04- 04/2006 | 05/03/04 |
| Chris Komasar | 11/14/05- 11/2007 | 11/21/05 |
| Rosemar Kornacki | 07/18/05- 07/2007 | 07/18/05 |
| David Lakin | 01/13/04- 01/2006 | 02/02/04 |
| Carmelo Milia | 06/14/01-06/04/03-10/03/05- 09/2007 | 07/09/01-06/16/03 |
| David Ogg | 02/09/99-04/16/01-06/09/03- 01/19/05- 01/2007 | 04/23/01-06/16/03 |
| Joseph M. Polito, Jr. | 10/28/05- 10/2007 | 11/14/05 |
| Mark Pritzlaff | 04/17/03- 04/2005 | 04/28/03 |
| Jayshree Shah | 01/12/03-04/23/04- 04/2006 | 02/02/04-05/03/04 |
| Frank Shier | 02/18/03- 02/2005 | 03/03/03 |
| Beatrice G. Smits | 12/02/03-12/2005 | 12/15/03 |
| Lon M. Ullmann | 03/19/01-03/10/03- 03/2005 | 04/09/01 |
| Brian J. Wattles | 07/10-01- 07/2003 | 07/23/01 |

Yes:

No:

(b) City Council AppointmentsSuggested Resolution

Resolution #2005-11-

Moved by

Seconded by

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

Advisory Committee for Persons with Disabilities

Appointed by Council (9 Regular Members; 3 Alternates) – 3 Year Terms

Term Expires 07/01/06 **(Student)**

(Alternate) Unexpired Term Expires 11/01/06

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---|--------------|
| Cynthia Buchanan | 11/01/07 |
| Susan Burt | 11/01/06 |
| Angela J. Done | 11/01/08 |
| Adam Fuhrman (Alternate) | 11/01/06 |
| Peggy Hammond | 11/01/08 |
| Theodora House | 11/01/06 |
| Nancy Johnson (Alternate) - Resigned | 11/01/06 |
| Pauline Manetta | 11/01/06 |
| Dorothy Ann Pietron | 11/01/07 |
| Mark Pritzlaff (Alternate) | 11/01/06 |
| Jeffrey Stewart | 11/01/08 |
| Susan Werpetinski | 11/01/07 |
| (Student) | 07/01/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------------|------------------|----------------------|
| Margaret Apte | 01/19/05-01/2007 | 01/24/05 |
| Kathleen Ann Connor | 02/25/04-02/2006 | 03/01/04 |
| Mary E. Freliga | 09/21/05-09/2007 | 10/03/05 |
| O. Carlene Geier | 08/10/05-08/2007 | 08/15/05 |
| Renee Uitto | 12/03/04-12/2006 | 12/06/04 |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------|--------------|----------------------|
| None on file. | | |

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 Year Terms

Term Expires 04/30/08

Unexpired Term 04/30/06

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--|--------------|
| James Berar | 04/30/07 |
| Burdette L. Black, Jr. (Bud) | 04/30/07 |
| Merrill W. Dixon (Sr Rep for Parks & Rec Board) | 04/30/06 |
| Marie Hoag (Resigned) | 04/30/06 |
| Pauline Y. Noce | 04/30/07 |
| David S. Ogg | 04/30/08 |
| Josephine Rhoads | 04/30/08 |
| JoAnn Thompson | 04/30/06 |
| William Weisgerber (Does not request reappointment) | 04/30/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-------------------------|--|----------------------|
| Kathleen Ann Connor | 02/25/04- 02/2006 | 03/01/04 |
| Mary E. Freliga | 11/25/02-09/21/05- 09/2004 | 12/02/02 |
| Kul B. Gauri | 07/31/05- 07/2007 | |
| Dorothy A. Pietron | 12/21/98-07/10/01-09/21/05- 09/2007 | 07/23/01 |
| Mark Pritzlaff | 04/17/03- 04/2005 | 04/28/03 |
| Shiva Shakara K. Sastry | 07/20/04- 07/2006 | 08/23/04 |
| Donald E. Schafer | 06/08/04- 06/2006 | 06/21/04 |
| Remedios Solarte | 09/15/04- 09/2006 | 09/20/04 |
| Nancy Wheeler | 03/108/04- 03/2006 | 04/12/04 |

Ethnic Issues Advisory Board

Appointed by Council (9) – 3 & 2 Year Terms

Unexpired Term Expires 09/30/08

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---|--------------|
| Anju Brodbine | 09/30/08 |
| Reuben Ellis | 09/30/07 |
| Kelly Gu (Student) | 09/30/06 |
| LuLu Guo (Student) | 09/30/06 |
| Michelle Haight | 09/30/07 |
| Amini Hashmi (Not a registered voter; to submit letter of resignation) | 09/30/08 |
| Tom Kaszubski | 09/30/07 |
| Padma Kuppa | 09/30/08 |
| Mark Pritzlaff | 09/30/07 |
| Malina (Melanie) Sarma | 09/30/07 |
| Oniell Shah | 09/30/08 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|------|--------------|----------------------|
|------|--------------|----------------------|

| | | |
|----------------------|---------------------------|----------|
| Margaret Apte | 01/19/05-01/2007 | 01/24/05 |
| Kathleen Ann Connor | 02/25/04-02/2006 | 03/01/04 |
| Angela Done | 08/10/05-08/2007 | 10/17/05 |
| Yogesh Gusani | 08/17/05-08/2007 | 09/12/05 |
| Kelly Jones | 08/17/05-08/2007 | 09/12/05 |
| Awni Y. Fakhoury | 10/14/05-10/2007 | 10/24/05 |
| Al Petrusis | 02/11/03-07/31/03-07/2005 | 02/17/03 |
| Jayshree (Gita) Shah | 04/23/04-04/2006 | 05/03/04 |
| Remedios A. Solarte | 08/15/05-08/2007 | 09/20/04 |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------|--------------|----------------------|
| None on file. | | |

Historic District Commission

Appointed by Council (7) – 3 Year Terms

*One member must be an architect**Two members-Historical Society recommendations**One member – Historical Comm. recommendation*

Term expires 03/01/08

Term Expires 07/01/06 (Student)

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--|--------------|
| Marjorie A. Biglin | 03/01/07 |
| Wilson Deane Blythe (Does not request reappointment) | 03/01/05 |
| Barbara Chambers (Historical Commission) | 03/01/08 |
| Robert Hudson | 05/15/06 |
| Paul C. Lin (Architect) | 05/15/06 |
| Ann Partlan (Historical Society) | 03/01/08 |
| Muriel Rounds | 05/15/06 |
| (Student) | 07/01/05 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|----------------|---------------------------|----------------------|
| Al Petrusis | 02/11/03-07/31/03-07/2005 | 02/17/03-08/18/03 |
| Mark Pritzlaff | 04/17/03-04/2005 | 04/28/03 |
| Nancy Wheeler | 03/08/04-03/2006 | 04/12/04 |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------|--------------|----------------------|
| None on file. | | |

Liquor Committee

Appointed by Council - (7) – 3 Year Terms

Term Expires 07/01/06 (Student)

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|---------------------|--------------|
| Henry W. Allemon | 01/31/06 |
| Alex Bennett | 01/31/06 |
| Max K. Ehlert | 01/31/06 |
| W.S. Godlewski | 01/31/08 |
| Patrick C. Hall | 01/31/06 |
| James R. Peard | 01/31/06 |
| Bohdan L. Ukraineec | 01/31/08 |
| (Student) | 07/01/05 |
| Capt. Gary Mayer | (Ex-officio) |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-----------------|--------------|----------------------|
| Kelsey Brunette | 11/22/05 | 11/28/05 |

INTERESTED APPLICANTS

| NAME | COUNCIL TERM EXPIRES |
|---------------------|----------------------|
| Cristina Broomfield | 11/09/09 |
| Wade Fleming | 11/09/09 |
| Martin Howrylak | 11/06/07 |
| David Lambert | 11/06/07 |
| Jeanne Stine | 11/06/07 |
| Louise Schilling | 11/06/07 |

Personnel Board

Appointed by Council (5) – 3 years

Unexpired Term Expires 04/30/06

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--|--------------|
| Deborah L. Baughman | 04/30/08 |
| Albert T. Nelson, Jr. | 04/30/06 |
| Stephen Patrick, Jr. (Resigned) | 04/30/06 |
| Ronald L. Tschirhart | 04/30/08 |
| James E. Vanderbrink | 04/30/06 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-----------------|-----------------------------------|----------------------|
| Patrick C. Hall | 06/16/03- 05/2005 | 07/07/03 |
| Laurie G. Huber | 06/18/01-09/21/05- 09/2007 | 07/09/01-10/03/05 |
| Mark Pritzlaff | 04/17/03- 04/2005 | 04/28/03 |
| Jayshree Shah | 04/23/04- 04/2006 | 05/03/04 |
| Renee Uitto | 12/03/04- 12/2006 | 12/06/04 |

Troy Daze Advisory Committee

Appointed by Council (9) – 3 years

Term Expires 11/30/08

Term Expires 11/30/08

Term Expires 11/30/08

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--|--------------|
| Berj Alexanian (Student) | 07/01/06 |
| Robert A. Berk | 11/30/06 |
| Jim D. Cyrulewski | 11/30/07 |
| Cecile Dilley | 11/30/07 |
| Michael S. Gonda | 11/30/06 |
| William F. Hall (Requests reappointment) | 11/30/05 |
| Kessie Kaltsounis (Requests reappointment) | 11/30/05 |
| Marilyn K. Musick | 11/30/07 |
| Robert S. Preston (Requests reappointment) | 11/30/05 |
| Jeffrey Stewart Parks & Rec Board Rep (Also serves on Advisory Board for Persons with Disabilities) | 09/30/06 |
| Cheryl Whitton-Kaszubski | 11/30/06 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------------|--|----------------------------|
| James K. Campbell | 10/31/05- 11/2007 | 11/14/05 |
| Amin Hashmi | 08/22/02-09/07/05- 09/2007 | 09/00/05 |
| Laurie G. Huber | 09/22/00-06/18/01- 09/21/05- 09/2007 | 09/22/00-07/09/01-10/03/05 |
| Victor Lenivov | 04/08/04- 04/2006 | 04/12/04-04/28/03 |
| Mark Pritzlaff | 04/17/03- 04/2005 | 04/28/03 |
| Frank Shier | 02/18/03- 02/2005 | 03/03/03 |
| Remedios A. Solarte | 09/15/04- 09/2006 | 09/20/04 |

INTERESTED STUDENT APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|---------------|--------------|----------------------|
| None on file. | | |

Yes:

No:

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Green Memorandums: None Submitted

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

H-1 Council Member Cristina Broomfield requests further discussion on the November 21, 2005 public hearing item C-1, Commercial Vehicle Appeal - 34551 Dequindre

H-2 Council Member Cristina Broomfield requests discussion of the I-75/Long Lake/Crooks interchange improvement project

COUNCIL COMMENTS:

I-1 No Council Comments

REPORTS:

J-1 Minutes – Boards and Committees: None Submitted

J-2 Department Reports: None Submitted

J-3 Letters of Appreciation: None Submitted

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

J-5 Calendar

RECESSED: City Council Will Recess to the Council Boardroom for Discussion of the Study Item

STUDY ITEMS:

K-1 Presentation of 2005 Organizational Positives and 2006-2008 Goals and Objectives

PUBLIC COMMENT: Address of “K” Items

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16,

during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

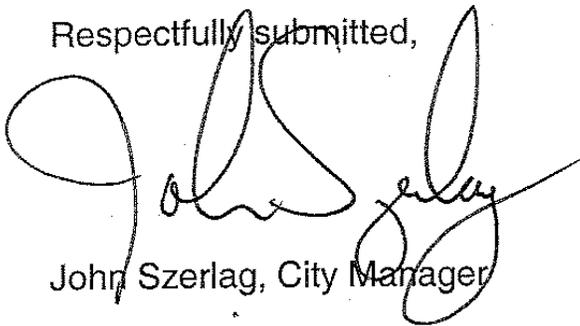
CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

RECONVENED

ADJOURNMENT

Respectfully submitted,



John Szerlag, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

- Monday, December 5, 2005 Regular City Council
- Monday, December 19, 2005 Regular City Council
- Monday, January 9, 2006 Regular City Council
- Monday, January 23, 2006 Regular City Council
- Monday, February 6, 2006 Regular City Council
- Monday, February 20, 2006..... Regular City Council
- Monday, February 27, 2006..... Regular City Council

November 23, 2005

TO: John Szerlag, City Manager

FROM: Douglas J. Smith, Director of Real Estate & Development
Mark F. Miller, Planning Director

SUBJECT: AGENDA ITEM – POSTPONED ITEM – ZONING ORDINANCE TEXT
AMENDMENT (ZOTA-201) – Article 28.30.00 Commercial Indoor
Recreation in the M-1 Light Industrial Zoning District.

RECOMMENDATION

City Council conducted a public hearing on November 14, 2005 and postponed the ZOTA to November 28, 2005. Furthermore, City Council requested that definitions be provided for performance studios and performance theaters.

Resolution “A” was recommended by the Planning Commission and includes performance theaters as a permitted use. Resolution “B” is recommended by City Management, and excludes performance theaters and permits performance studios. Resolution “C” includes the same proposed provisions as Resolution “B”, with an additional definition for performance studio.

City Management prepared the following definitions for performance studios and performance theaters, as requested by City Council. The definition for performance studio was included in Resolution “C”. However, the definition for performance theater was not included in Resolution “C” because it is not listed as a permitted use in the Zoning Ordinance.

- **PERFORMANCE STUDIO:** A building or a portion of a building where the principal use of the space is the provision of instruction in the various arts, including but not limited to dance, theater, music, and singing. This shall not preclude student performances.
- **PERFORMANCE THEATER:** A building or portion of a building where the principal use of the space is dramatic, dance, or musical performances or similar activities, in front of an audience, including performances on film, television, music video, or multimedia. Performance theaters shall include theaters, assembly halls, concert halls or similar places of assembly.

BACKGROUND

The Link School of the Arts (1077 Rankin) submitted a Zoning Ordinance text amendment application to permit dance schools in the M-1 district. The Planning

Commission determined that arts and dance schools should be included in a category known as indoor commercial recreation, and this category should be considered as a use permitted by Special Use Approval in M-1.

Commercial Indoor Recreation Facilities are appropriate uses in the M-1 Light Industrial District for a number of reasons:

1. These uses are compatible with uses presently permitted in the M-1 district;
2. The text amendment will be consistent with neighboring communities, which generally permit similar uses in their industrial districts;
3. The amendment will encourage the re-use of buildings and properties in the M-1 District; and
4. There are a significant number of vacant, relatively large, high-bayed buildings that would be appropriate for these types of uses.

The definition of "Indoor Commercial Recreation Facility" considered at the Planning Commission Public Hearing included dance studios and performance theaters. Discussion at Planning Commission focused on dance and performance studios, but not performance theaters. This inadvertent inclusion of performance theaters was identified by Richard Carlisle, the City's Planning Consultant, following the Planning Commission Public Hearing. Therefore, three resolutions are prepared for City Councils consideration. Resolution "A" is the Planning Commission's recommendation which includes performance theaters. Resolution "B" is City Management's recommendation, which excludes performance theaters. Resolution "C" is identical to Resolution "B", including definitions for performance studios.

Attachments:

1. ZOTA 201, City Council Public Hearing Draft Version "A".
2. ZOTA 201, City Council Public Hearing Draft Version "B".
3. ZOTA 201, City Council Public Hearing Draft Version "C".
4. Minutes from July 12, 2005 Planning Commission Regular Meeting.
5. Minutes from November 14, 2005 City Council Meeting.

Prepared by RBS/MFM

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CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
VERSION "A"

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39 of the Code of the City of Troy.

Section 2. Amendment to Article IV of Chapter 39

Article IV of Chapter 39 of the Code of the City of Troy is amended to add a new section 04.20.73, which defines Indoor Commercial Recreation Facilities, to read as follows:

04.20.73 INDOOR COMMERCIAL RECREATION FACILITY: An enterprise conducted entirely within a building, which receives a fee in return for the provision of some recreational activity or facility. Such activities and facilities include racquetball, tennis courts, gymnasiums, swimming pools, skating rinks, dance studios, performance theaters, skateboard parks, climbing facilities, miniature golf courses, indoor driving ranges, batting cages, firing ranges, basketball courts, soccer fields and similar activities or facilities. Such facilities may provide ancillary accessory uses such as pro shops or snack bars.

04.20.734 JUNK YARDS: an open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to; scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk but does not include uses established entirely within enclosed buildings.

Section 3 – Amendment to Article XXVIII of Chapter 39

Article XXVIII of Chapter 39 of the Code of the City of Troy is amended to add a new Section 28.30.09 which permits Indoor Commercial Recreational Facilities as Special Uses in the M-1 Light Industrial District, to read as follows:

28.30.09 Indoor commercial recreation facilities, subject to the following conditions:

A. Off-street parking requirements shall be determined based on the Zoning Ordinance requirements.

28.30.109 Other uses of a similar character to those permitted above, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

Section 4. Savings

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

Section 5. Severability Clause

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

Section 6. Effective Date

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

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

Louise Schilling, Mayor

Tonni Bartholomew, City Clerk

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CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
VERSION "B"

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39 of the Code of the City of Troy.

Section 2. Amendment to Article IV of Chapter 39

Article IV of Chapter 39 of the Code of the City of Troy is amended to add a new section 04.20.73, which defines Indoor Commercial Recreation Facilities, to read as follows:

04.20.73 INDOOR COMMERCIAL RECREATION FACILITY: An enterprise conducted entirely within a building, which receives a fee in return for the provision of some recreational activity or facility. Such activities and facilities include racquetball, tennis courts, gymnasiums, swimming pools, skating rinks, performance studios, skateboard parks, climbing facilities, miniature golf courses, indoor driving ranges, batting cages, firing ranges, basketball courts, soccer fields and similar activities or facilities. Such facilities may provide ancillary accessory uses such as pro shops or snack bars.

04.20.734 JUNK YARDS: an open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to; scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk but does not include uses established entirely within enclosed buildings.

Section 3 – Amendment to Article XXVIII of Chapter 39

Article XXVIII of Chapter 39 of the Code of the City of Troy is amended to add a new Section 28.30.09 which permits Indoor Commercial Recreational Facilities as Special Uses in the M-1 Light Industrial District, to read as follows:

28.30.09 Indoor commercial recreation facilities, subject to the following conditions:

A. Off-street parking requirements shall be determined based on the Zoning Ordinance requirements.

28.30.109 Other uses of a similar character to those permitted above, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

Section 4. Savings

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

Section 5. Severability Clause

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

Section 6. Effective Date

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

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

Louise Schilling, Mayor

Tonni Bartholomew, City Clerk

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CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
VERSION "C"

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39 of the Code of the City of Troy.

Section 2. Amendment to Article IV of Chapter 39

Article IV of Chapter 39 of the Code of the City of Troy is amended to add a new section 04.20.73, which defines Indoor Commercial Recreation Facilities, to read as follows:

04.20.73 INDOOR COMMERCIAL RECREATION FACILITY: An enterprise conducted entirely within a building, which receives a fee in return for the provision of some recreational activity or facility. Such activities and facilities include racquetball, tennis courts, gymnasiums, swimming pools, skating rinks, performance studios, skateboard parks, climbing facilities, miniature golf courses, indoor driving ranges, batting cages, firing ranges, basketball courts, soccer fields and similar activities or facilities. Such facilities may provide ancillary accessory uses such as pro shops or snack bars.

04.20.734 JUNK YARDS: an open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to; scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes automobile wrecking yards and includes any area of more than two hundred (200) square feet for storage, keeping or abandonment of junk but does not include uses established entirely within enclosed buildings.

04.20.109 MEZZANINE: an intermediate or fractional story between the floor and ceiling or a main story occupying not more than one third (1/3) of the floor area of such main story.

04.20.1104 MOTEL: a series of attached, semi-detached or detached rental units containing bedroom, bathroom and closet space. Units shall provide

for overnight lodging and are offered to the public for compensation, and shall cater primarily to the public traveling by motor vehicle.

- 04.20.111~~2~~ MUNICIPALITY: the City of Troy.
(Renumbered: 01/10/2005)
- 04.20.112~~3~~ NATURAL FEATURE, SIGNIFICANT: a natural area as designated by the Planning Commission OR City Council which exhibits unique topographic, ecological, hydrological characteristics, such as a wetland, floodplain, water feature, individual trees over 10 inch diameter, woodland areas, rolling topography with pre-development grades exceeding 15%, significant views, or other unique natural features.
(Added: 01/10/2005)
- 04.20.113~~4~~ NON-CONFORMING BUILDING: a building or portion thereof, existing at the effective date of Ordinance 23, or amendments thereto, that does not conform to the provisions of this Chapter relative to height, bulk, area, or yards for the district in which it is located.
- 04.20.114~~5~~ NON-CONFORMING USE: a use which lawfully occupied a building or land at the effective date of Ordinance 23, or amendments thereto, that does not conform to the use regulations of the district in which it is located.
- 04.20.115~~6~~ NURSERY, PLANT MATERIAL: a space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this Chapter does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

(Rev. 12-13-93)
- 04.20.116~~7~~ NURSERY SCHOOL: See Section 04.20.28 "Child Care Center":

(Rev. 12-13-93)
- 04.20.117~~8~~ NURSING OR CONVALESCENT HOME:
Shall refer to a state licensed medical establishment providing accommodation and care for aged or infirmed persons, or for those who are bedfast or needing considerable nursing care, but not including facilities for the treatment of sickness or injuries or facilities for surgical care.

(12-13-93)

- 04.20.1189 OFF-STREET PARKING LOT: a facility other than for single family dwellings providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than three (3) vehicles.
- 04.20.11920 OPEN FRONT STORE: a business establishment so developed that service to the patron be extended beyond the walls of the structure, not requiring the patron to enter the structure. The term "open front store" shall not include automobile repair stations, automobile service stations, or uses involving drive-up windows or service pedestals.
(Renumbered: 01/10/2005)
- 04.20.1204 OPEN SPACE: a parcel or area of land that is intended to provide light and air, and is designed for resource protection, aesthetic, or recreational purposes. Open space uses may include, but are not limited to, lawns, decorative plantings, walkways, active and passive recreation areas, land use buffers, playgrounds, fountains, woodlands, wetlands and bio-retention facilities. Open space shall not be deeded to include streets, driveways, parking lots, or other surfaces designed or intended for vehicular traffic.
(Added: 01/10/2005)
- 04.20.1212 OPEN SPACE, COMMON: open space within or related to a development, not in individually owned lots, which is designed for and dedicated to the common use or enjoyment of the residents of the development or general public.
(Added: 01/10/2005)
- 04.20.1223 PARKING SPACE: an area of definite length and width, said area shall be exclusive of drives, aisles, or entrances giving access thereto, and shall be fully accessible for the storage or parking of permitted vehicles.
- 04.20.123 PERFORMANCE STUDIO: A building or a portion of a building where the principal use of the space is the provision of instruction in the various arts, including but not limited to dance, theater, music, and singing. This shall not preclude student performances.
- 04.20.124 PLACES OF ASSEMBLY:
Places of Assembly shall include, but not be limited to, the following: Restaurants (in excess of 20 seats), Health Clubs, Fitness Clubs, Athletic Clubs, Business Schools, Colleges, Martial Arts Schools, Dance Studios, Commercial Recreation Facilities, Lecture Facilities, Social Clubs, Fraternal Organizations, Theaters and Auditoriums and uses similar to the above.

Section 3 – Amendment to Article XXVIII of Chapter 39

Article XXVIII of Chapter 39 of the Code of the City of Troy is amended to add a new Section 28.30.09 which permits Indoor Commercial Recreational Facilities as Special Uses in the M-1 Light Industrial District, to read as follows:

28.30.09 Indoor commercial recreation facilities, subject to the following conditions:

A. Off-street parking requirements shall be determined based on the Zoning Ordinance requirements.

28.30.109 Other uses of a similar character to those permitted above, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

Section 4. Savings

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

Section 5. Severability Clause

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

Section 6. Effective Date

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

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

Louise Schilling, Mayor

Tonni Bartholomew, City Clerk

A Regular Meeting of the Troy City Council was held Monday, November 21, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM

Pastor Jack Mannschreck of Big Beaver United Methodist Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

Mayor Louise E. Schilling
Robin Beltramini (Absent)
Cristina Broomfield
Wade Fleming
Martin F. Howrylak (Absent)
David A. Lambert
Jeanne M. Stine

Vote on Resolution to Excuse Council Members Beltramini and Howrylak

Resolution #2005-11-517
Moved by Stine
Seconded by Broomfield

RESOLVED, That Council Members Beltramini and Howrylak’s absence at the Regular City Council meeting of Monday, November 21, 2005 is **EXCUSED** due to being out of the county.

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

CERTIFICATES OF RECOGNITION:

-
- A-1 Presentations:**
a) **National Red Ribbon Campaign – Troy Families for Safe Homes** – Students from Martell, Smith & Larson schools presented petitions to members of City Council pledging to lead a healthy lifestyle.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 34551 Dequindre

Resolution #2005-11-518
Moved by Broomfield
Seconded by Lambert

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

NOW, THEREFORE, BE IT RESOLVED, That the request from Kurt Head, 34551 Dequindre, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford dump truck in a residential district is hereby **APPROVED** for six (6) months.

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

MOTION FAILED

C-2 Parking Variance – 1414 Combermere

Resolution #2005-11-519
Moved by Stine
Seconded by Broomfield

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal.

NOW, THEREFORE, BE IT RESOLVED, That the request from Scott Machinski, representing Ovonic Battery, for waiver of 3 additional parking spaces at the development at 1414 Combermere be **APPROVED**.

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

C-3 Rezoning Application – Northeast Corner of Rochester Road and Wattles Road, Section 14 – B-1 to B-2 (Z 710)

Resolution #2005-11-520
Moved by Stine
Seconded by Fleming

RESOLVED, That the B-1 to B-2 rezoning request, located on the northeast corner of Rochester and Wattles, Section 14, part of parcel 88-20-14-351-056, being 2.7 acres feet in size, is described in the following legal description and illustrated on the attached drawing:

T2N, R11E, SW ¼ of Section 14

Lots 9, 10, and 11, except the west 42 ft. of each lot taken for road, also except the south 27 ft. of Lot 11 taken for road, and also the west ½ of Lot 12, except the south 27 ft. taken for road of Supervisor's Plat No. 22 (Liber 13, page 45 of Oakland County Records). Containing 1.65 ac. of land, more or less, and subject to restrictions and easements of record.

BE IT FINALLY RESOLVED, That the proposed rezoning is hereby **GRANTED**, as recommended by City Management and the Planning Commission.

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

C-4 Zoning Ordinance Text Amendment (ZOTA 214-B) – Article IV and X, Approval of Group Child Care Homes on a Temporary Basis in the R-1A through R-1E Districts

Resolution #2005-11-521
 Moved by Broomfield
 Seconded by Fleming

RESOLVED, That Article IV (DEFINITIONS) and Article X (ONE FAMILY RESIDENTIAL DISTRICTS) of the City of Troy Zoning Ordinance, be **AMENDED** to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 214-B: Temporary Approval of Group Child Care Homes), as recommended by the Planning Commission and City Management.

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

POSTPONED ITEMS: No Postponed Items

The meeting **RECESSED** at 8:40 PM.

The meeting **RECONVENED** at 8:48 PM.

CONSENT AGENDA:

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

Resolution #2005-11-522
 Moved by Lambert
 Seconded by Broomfield

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

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

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

E-2 Approval of City Council Minutes

Resolution #2005-11-522-E-2

RESOLVED, That the Minutes of the 7:10 PM Special City Council Meeting and the 7:30 PM Regular City Council Meeting of November 14, 2005 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations: No Proclamations Proposed

E-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidder – Installation of Street Trees**

Resolution #2005-11-522-E-4a

RESOLVED, That a contract to furnish and install 2500 street trees for planting in residential right-of-way areas is hereby **AWARDED** to the low bidder, Steele's Landscape Services of Rochester, MI, for an estimated cost of \$312,500.00, at unit prices contained in the attached bid tabulation opened October 25, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

E-5 City of Troy Investment Policy and Establishment of Investment Accounts

Resolution #2005-11-522-E-5

RESOLVED, That the Investment Policy and Establishment of Investment Accounts outlined in the memorandum from Assistant City Manager-Finance and Administration John M. Lamerato dated November 2, 2005 with annual review and approval is hereby **APPROVED**, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Acceptance of Four Utility Easements from Gary F. and Brenda Abitheira – Sidwell #88-20-22-381-002 and -013

Resolution #2005-11-522-E-6

RESOLVED, That the Permanent Easements for storm sewer and sanitary sewer and two Permanent Easements for sidewalk received from Gary F. and Brenda Abitheira, owners of properties having Sidwell #88-20-22-381-002 and 013 are hereby **ACCEPTED**; and

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

E-7 Request for Acceptance of Warranty Deed from Deagle Development, Inc. – Sidwell #88-20-27-327-005, -006, and -007

Resolution #2005-11-522-E-7

RESOLVED, That the Warranty Deed for right-of-way from Deagle Development, Inc., owner of property having Sidwell #88-20-27-327-005, 006, & 007 is hereby **ACCEPTED**; and

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

E-8 Acceptance of Permanent Easement for Watermain, Project No. 05.902.3, from Southeastern Michigan Chapter, NECA, Inc. – Sidwell #88-20-26-200-087

Resolution #2005-11-522-E-8

RESOLVED, That the Permanent Easement for watermain from Southeastern Michigan Chapter, NECA, Inc., owner of property in the northeast ¼ of Section 26, having Sidwell #88-20-26-200-087 is hereby **ACCEPTED**; and

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

E-9 Private Agreement for HCR Manor Care – Project No. 02.935.3

Resolution #2005-11-522-E-9

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

E-10 Acceptance of Two Permanent Easements for Sidewalk from Helpis M. Youssef – Sidwell #88-20-15-252-043 and Alexander Mansour – Sidwell #88-20-15-252-045

Resolution #2005-11-522-E-10

RESOLVED, That the two Permanent Easements for sidewalk from the property owner Helpis M. Youssef, having Sidwell #88-20-15-252-043, and Alexander Mansour, owner of property having Sidwell #88-20-15-252-045, are hereby **ACCEPTED**; and

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

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No appointments made b) City Council Appointments: Board of Canvassers

(a) Mayoral Appointments – No appointments made

(b) City Council Appointments

Resolution #2005-11-523
Moved by Broomfield
Seconded by Lambert

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

Board of Canvassers

Appointed by Council (4) – 4 years

Leah Beth Inabnitt Term Expires 12/31/09

Mary Shiner Term Expires 12/31/09

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

F-2 2005-2006 Budget Amendment No. 1

Resolution #2005-11-524
Moved by Stine
Seconded by Broomfield

RESOLVED, That 2005-06 Budget Amendment No. 1 be **APPROVED** as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-5

No: None
Absent: Beltramini, Howrylak

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: No Announcements Submitted

G-2 Green Memorandums: No Memorandums Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Troy Historic District Commission/Draft – June 15, 2005
 - b) Troy Historic District Commission/Final – September 20, 2005
 - c) Employees’ Retirement System Board of Trustees/Final – October 12, 2005
 - d) Parks and Recreation Advisory Board/Final – October 13, 2005
 - e) Planning Commission Special/Draft – October 25, 2005
 - f) Planning Commission Special/Study/Draft – October 25, 2005
 - g) Planning Commission Special/Study/Draft – November 1, 2005
- Noted and Filed

J-2 Department Reports:

- a) Finance Department – City Council Expense Report for September, 2005
 - b) City of Troy Monthly Financial Report – October, 2005
- Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Craft from Paula Komar Regarding the Efforts of Officer Lenczewski
- b) Letter of Thanks to Tonni Bartholomew and Barbara Holmes from Mary Beth Halushka Regarding the November Election
- c) Letter of Appreciation to Chief Craft from Bettie Goss, Assistant Principal at Athens High School, Commending Officer Pokley for His Outstanding Efforts
- d) Letter of Thanks to Tonni Bartholomew from Marilyn Henry, In Appreciation of Election Day Visit
- e) Letter of Thanks to Detective Steve Brandimore from the Clackamas County Sheriff’s Office Domestic Violence Enhanced Response Team
- f) Letter of Thanks to Kathleen Bobick from Fanica Bleanda, In Appreciation of Her Assistance with a District Court Matter

Noted and Filed

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

J-5 Calendar

Noted and Filed

**J-6 Southeastern Oakland County Resource Recovery Authority (SOCRRA) –
Quarterly Report for October, 2005**

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session – No Closed Session Requested

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

Louise E. Schilling, Mayor

Tonni L. Bartholomew, City Clerk

A Regular Meeting of the Troy City Council was held Monday, November 21, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM

Pastor Jack Mannschreck of Big Beaver United Methodist Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

Mayor Louise E. Schilling
Robin Beltramini (Absent)
Cristina Broomfield
Wade Fleming
Martin F. Howrylak (Absent)
David A. Lambert
Jeanne M. Stine

Vote on Resolution to Excuse Council Members Beltramini and Howrylak

Resolution #2005-11-517
Moved by Stine
Seconded by Broomfield

RESOLVED, That Council Members Beltramini and Howrylak’s absence at the Regular City Council meeting of Monday, November 21, 2005 is **EXCUSED** due to being out of the county.

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

a) **National Red Ribbon Campaign – Troy Families for Safe Homes** – Students from Martell, Smith & Larson schools presented petitions to members of City Council pledging to lead a healthy lifestyle.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 34551 Dequindre

Resolution #2005-11-518
Moved by Broomfield
Seconded by Lambert

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

NOW, THEREFORE, BE IT RESOLVED, That the request from Kurt Head, 34551 Dequindre, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford dump truck in a residential district is hereby **APPROVED** for six (6) months.

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

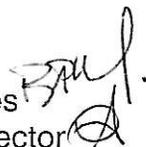
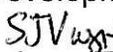
MOTION FAILED

C-2 Parking Variance – 1414 Combermere

Resolution #2005-11-519
Moved by Stine
Seconded by Broomfield

October 20, 2005

TO: John Szerlag, City manager

FROM: Brian Murphy, Assistant City Manager / Services 
Doug Smith, Real Estate and Development Director 
Steve Vandette, City Engineer 
John Abraham, Deputy City Engineer/Traffic Engineer 

RE: I-75 Crooks Interchange Improvement Project

City Management met with Councilman Wade Fleming, Councilwoman Cristina Broomfield and their invitee, Mr. David Krall Jr. of White Chapel Cemetery on November 22, 2005. This was pursuant to the comments made by Councilman Fleming regarding the above project at the November 21 Council Meeting.

Attached is a resolution forwarded to us by Councilwoman Broomfield in this regard for City Council consideration at their November 28 Meeting

Resolution #1

WHEREAS, the City of Troy opposes any and all plans or designs to construct entrance and exit ramps on or off of I-75 at Long Lake Road, otherwise known as the I-75/Long Lake Road Interchange project, and any and all plans or designs to extend entrance and exit ramps or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area because of opposition from many residents in the City of Troy, the proposed project's variety of negative impacts to White Chapel Memorial Park Cemetery, the surrounding residential neighborhoods, the environment, and other numerous impacts.

WHEREAS, the City of Troy continues to support modifications and improvements to the I-75/Crooks Road Interchange only as long as any recommendation to extend entrance and exit ramps or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange does not impact the Long Lake Road/I-75 area.

WHEREAS, due to the above expressed concerns, opposition, and impacts, the City of Troy wishes formally to withdraw its prior support and express its opposition to any plan or design to construct entrance and exit ramps to or from I-75 at Long Lake Road and any plan or design to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area.

WHEREAS, the City of Troy **WILL NOT PARTICIPATE IN FUNDING OR APPROVE** of any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area by any local, state or federal governmental entity.

THEREFORE, BE IT RESOLVED, That the Troy City Council **Rescinds** all prior resolutions in support of the I-75 Crooks/Long Lake Interchange Improvement project, that contemplate or support proceeding with any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area including, but not limited to, the following:

- (a) Resolution #2004-06-304a (Approval of Contract Between City of Troy and Michigan Department of Transportation (MDOT) for Right-of-Way Acquisition, I-75 / Crooks / Long Lake Interchange Improvement Project, Project No. 99.120.6),

(b) Resolution #2004-06-304b (Approval to Retain the Professional Services of Independent Fee Appraiser(s) to Appraise Property for the I-75 / Crooks / Long Lake Interchange Improvements), and

(c) Resolution #2004-06-334 (Retention of Special Legal Counsel), and

(d) Resolution #2005-05-230 (Directing Staff to Proceed with the Environmental Assessment, and after the Environmental Assessment is complete, begin to acquire property for the project where applicable).

THEREFORE, BE IT RESOLVED, That the Troy City Council Hereby **Terminates** the portion of the Contract Between the City of Troy and Michigan Department of Transportation (MDOT) for Right-of-Way Acquisition, I-75/Crooks/Long Lake Interchange Improvement Project, Project No. 99.120.6 as referenced by Resolution #2004-06-304a as to any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, and directs City Staff to effectuate this termination.

THEREFORE, BE IT RESOLVED, That the Troy City Council Hereby **Terminates** its retention of the Professional Services of Independent Fee Appraisers as referenced by Resolution #2004-06-304b and its Retention of Special Legal Counsel as referenced by Resolution #2004-06-334 and directs City Staff to effectuate both terminations.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to **ABANDON** any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area before any further monies are expended on property acquisition or the Environmental Assessment (EA).

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to **ABANDON** immediately any and all property appraisals and acquisitions for any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area before any further monies are expended on property acquisition or the Environmental Assessment (EA).

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** the City of Troy's representative to the Southeast Michigan Council of Governments (SEMCOG) to vote to remove any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area from any and all current or future Federal, State, Regional, Metro Transportation Improvement Plans.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** the Mayor and City Manager to send correspondence to the Michigan Department of Transportation, the Governor, the Federal Highway Administration, and the Southeast Michigan Council of Governments, along with a copy of this resolution, to include the following:

(a) Express the City of Troy's opposition to any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, and

(b) Express the City of Troy's unwillingness to participate in funding or approve of any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, and

(c) Request that the above government officials and agencies abandon any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, and

(d) Request that the above government officials and agencies dismiss any alternative design plan during the Environmental Assessment for improvements to the I-75/Crooks Road Interchange that would consider constructing entrance and exit ramps on or off I-75 at Long Lake Road and any design that would extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, and

(e) Remove any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area from any and all current or future Federal, State, Regional, Metro and County Transportation Improvement Plans.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to **AMEND** the City of Troy's Master Land Use Plan to remove any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area,

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to take any and all other steps to effectuate the Troy City Council's desire to abandon and oppose any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City and MDOT staff to **PROCEED** with the Environmental Assessment (EA) to study design alternatives to improve the I-75/Crooks Road Interchange **only** and to **DISMISS** any and all consideration of any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area. The Troy City Council **DIRECTS** City and MDOT staff to proceed with the Environmental Assessment to study design alternatives to improve the I-75/Crooks Road Interchange, **if and only if**, all consideration of any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area are dismissed as a possible design alternative.

THEREFORE, BE IT RESOLVED, That the Troy City Council Directs City Staff to not participate in funding or approve of any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road

Interchange that would impact the Long Lake Road/I-75 area by any local, state or federal governmental entity.

Resolution #2

WHEREAS, the City of Troy opposes any and all plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any and all plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area, right-of-way properties acquired by the City of Troy for said above proposed plans or designs are no longer needed by the City of Troy.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to sell or otherwise dispose of the following right-of-way properties:

(a) The East 484.00 feet of the North 660.00 of the following described parcel: Part of the North $\frac{1}{2}$ of Section 16, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Beginning at the North $\frac{1}{4}$ Corner of said Section 16; thence South, along the North and South $\frac{1}{4}$ line, also being the Easterly Line of I-75 Highway, to the Center of said Section 16; thence South 87 degrees 15 minutes 00 seconds East, 1461.86 feet, along the East and West $\frac{1}{4}$ line of said Section 16, thence North 03 degrees 23 minutes 56 seconds East, 330.00 feet; thence South 87 degrees 15 minutes 00 seconds East, 165.00 feet; thence North 03 degrees 23 minutes 56 seconds East, 1740.63 feet; thence North 87 degrees 13 minutes 56 seconds West, 726.35 feet; thence North 03 degrees 06 minutes 25 seconds East 668.00 feet; thence North 87 degrees 13 minutes 56 seconds West 916.98 feet to the point of beginning. Except the North 60.00 feet taken for Long Lake Road. Containing 290,395 Sq. Ft. or 6.67 acres, more or less.

(b) Town 2 North, Range 11 East, City of Troy, Section 9, Oakland County, Michigan. Part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the West 183.00 Feet of a parcel described as beginning at a point distant East 231.05 Feet from the South $\frac{1}{4}$ Corner; Thence North 379.50 Feet; Thence East 347.20 Feet; Thence South 378.80 Feet; Thence West 346.45 Feet to beginning; Excepting Therefrom the South 60.00 Feet Taken for Road, and

Town 2 North, Range 11 East, City of Troy, Section 9, Oakland County, Michigan, Part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the North 100.00 Feet Except the West 183.00 Feet of a parcel described as beginning at a point distant East 231.05 Feet From the South $\frac{1}{4}$ Corner; Thence North Thence West 346.45 Feet to Beginning, and

Town 2 North, Range 11 East, City of Troy, Section 9, Oakland County, Michigan, Part of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the South 100.00 Feet of The North 200.00 Feet, Except the West 183.00 Feet of a parcel described as beginning at a point distant East 231.05 Feet From the South $\frac{1}{4}$ Corner; Thence North 379.50 Feet; Thence East 347.20 Feet; Thence South 378.80 Feet; Thence West 346.45 Feet to beginning, and

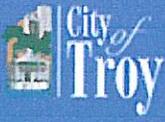
Town 2 North, Range 11 East, City of Troy, Section 9, Oakland County, Michigan, Part of the West ½ of the Southeast ¼ beginning at a point distant East 231.05 Feet From the South ¼ Corner; Thence North 379.50 Feet; Thence East 347.20 Feet; Thence South 378.80 Feet; Thence West 346.45 Feet to beginning; Except the North 200.00 Feet; Also Except the West 183.00 Feet; and Also Except the South 60.00 Feet Taken for Road.

- (c) Part of the Northeast ¼ of Section 16, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, commencing at the North ¼ corner of Section 16; thence South 00 degrees 40 minutes 21 seconds East 60.00 feet along the North-South ¼ line and the Easterly right-of-way line of I-75 to the point of beginning; thence North 89 degrees 07 minutes 57 seconds East 432.84 feet along the South right-of-way line of Long Lake Road; thence South 00 degrees 31 minutes 03 seconds East 600.00 feet; thence North 89 degrees 07 minutes 57 seconds East 151.19 feet; thence South 26 degrees 23 minutes 34 seconds West 386.68 feet; thence South 26 degrees 23 minutes 35 seconds West 192.84 feet; thence South 28 degrees 24 minutes 30 seconds West 209.85 feet; thence South 21 degrees 26 minutes 42 seconds West 256.27 feet; thence South 07 degrees 31 minutes 10 seconds West 256.27 feet; thence South 00 degrees 33 minutes 17 seconds West 108.97 feet; thence South 89 degrees 19 minutes 39 seconds West 81.38 feet to a point on the North-South ¼ line and the Easterly right-of-way line of I-75; thence along said line North 00 degrees 40 minutes 21 seconds West 1897.47 feet to the point of beginning.

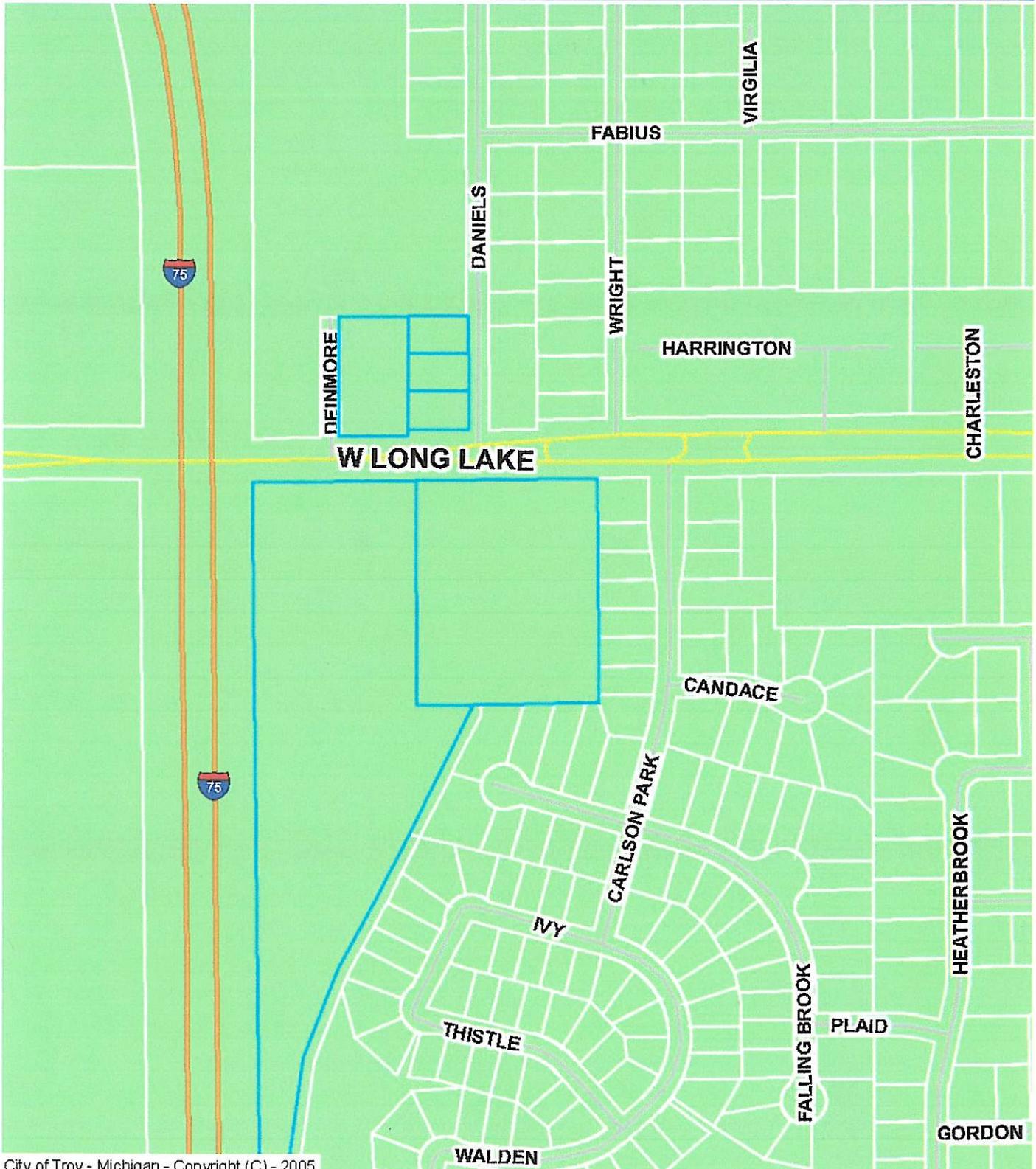
These properties shall first be offered for sale to the original owners from whom it was acquired by the City of Troy at the purchase price that the City of Troy acquired the properties from said original owners. The original owners of the properties from whom the properties were acquired by the City of Troy must accept the offer within three (3) months of the date of this resolution. Thereafter, these properties shall then be sold to any individual, party or corporation for fair market value. However, no right-of-way properties previously acquired by the City of Troy for said entrance and exit ramps on or off I-75 at Long Lake Road or said entrance/exit ramps and/or collector-distributor lanes/roads shall be sold, transferred, or otherwise provided to any other governmental entity for the construction of any plans or designs to construct entrance and exit ramps on or off I-75 at Long Lake Road and any plans or designs to extend entrance and exit ramps and/or construct collector-distributor lanes/roads adjacent to I-75 to or from the I-75/Crooks Road Interchange that would impact the Long Lake Road/I-75 area.

THEREFORE, BE IT RESOLVED, That the proceeds from the sale of the right-of-way properties to the degree necessary shall be used to implement the Civic

Center Task Force Initiatives. Any funds remaining shall be devoted to other projects at the discretion of the City Council.



Geographical Information Systems Online



City of Troy - Michigan - Copyright (C) - 2005

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

November 2005

| November 2005 | | | | | | |
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| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
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| | November 1 | 2 | 3 | 4 | 5 |
| | 7:30pm Planning Commission-Study (Council Boardroom) | 8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:00pm ADVISORY COMMITTEE FOR PERSONS WITH | 10:00am Senior Advisory Board meeting (Comm Ctr conf rm) | | |
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| | City General Election | | 7:30pm Park Board meeting (Comm Ctr conf rm) | | 12 |
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| 14 | | | | | |
| 7:10pm City Council-Special David Eisenbacher (Council Chambers) 7:30pm City Council-Regular (Council Chambers) | 7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C) | 7:30am CANCELLED DDA MEETING (Conference Room Lower Level) | | | 19 |
| | | | | | 20 |
| 21 | | | | | |
| 7:30pm City Council-Regular (Council Chambers) | | | THANKSGIVING City Hall Closed | | 26 |
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| 7:30pm City Council-Regular (Council Chambers) | 7:30pm Planning Commission-Regular (Council Chambers) | | | | |
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December 2005

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| January 2006 | | | | | | |
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| | | | December 1 | 2 | 3 |
| | | | 10:00am Senior Advisory Board meeting (Comm Ctr conf rm) | | 4 |
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| 7:30pm City Council-Regular (Council Chambers) | 7:00pm Tree Lighting Ceremony - City Hall 7:30pm Planning Commission-Study (Council Boardroom) | 8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:00pm ADVISORY COMMITTEE FOR PERSONS WITH | | | 11 |
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| 12 | 13 | 14 | 15 | 16 | 17 |
| | 12:00pm Updated: Assessing Board of Review (Conference Room D) 7:30pm Planning Commission-Regular (Council Chambers) | | | | 18 |
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| 19 | 20 | 21 | 22 | 23 | 24 |
| 7:30pm City Council-Regular (Council Chambers) | 7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C) | 7:30am DDA Meeting (Conference Room Lower Level) | | City Hall Closed | 25 |
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| City Hall Closed | | | | City Hall Closed | |
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January 2006

January 2006

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February 2006

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| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
|--|--|---|----------|--------|---------------|
| | | | | | January 1, 06 |
| 2 City Hall Closed | 3 | 4 8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL) | 5 | 6 | 7 |
| 9 7:30pm City Council Meeting (Council Chambers) | 10 | 11 | 12 | 13 | 14 |
| 16 | 17 7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C) | 18 7:30am DDA Meeting (Conference Room Lower Level) | 19 | 20 | 21 |
| 23 7:30pm City Council Meeting (Council Chambers) | 24 | 25 | 26 | 27 | 28 |
| 30 | 31 | | | | 29 |