

AGENDA

Regular Meeting of the

CITY COUNCIL OF THE CITY OF TROY

NOVEMBER 21, 2005

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

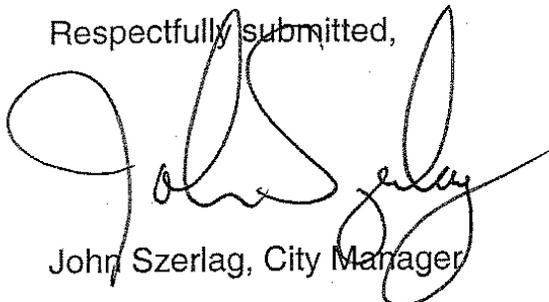
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

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

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

Respectfully submitted,



John Szerlag, City Manager



CITY COUNCIL

AGENDA

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

CALL TO ORDER: **1**

**INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Jack Mannschreck – Big Beaver
United Methodist Church** **1**

ROLL CALL: **1**

CERTIFICATES OF RECOGNITION: **1**

- A-1 Presentations: 1
 - a) National Red Ribbon Campaign – Troy Families for Safe Homes 1

CARRYOVER ITEMS: **1**

- B-1 No Carryover Items 1

PUBLIC HEARINGS: **1**

- C-1 Commercial Vehicle Appeal – 34551 Dequindre 1
- C-2 Parking Variance – 1414 Combermere 3
- C-3 Rezoning Application – Northeast Corner of Rochester Road and Wattles Road,
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- C-4 Zoning Ordinance Text Amendment (ZOTA 214-B) – Article IV and X, Approval of
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- E-3 Proposed City of Troy Proclamations: No Proclamations Proposed 6

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- E-8 Request for Acceptance of Permanent Easement for Watermain, Project No. 05.902.3, from Southeastern Michigan Chapter, NECA, Inc. – Sidwell #88-20-26-200-087 7

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- E-10 Request for Acceptance of Two Permanent Easements for Sidewalk from Helpis M. Youssef – Sidwell #88-20-15-272-043 and Alexander Mansour – Sidwell #88-20-15-272-045 8

PUBLIC COMMENT: Limited to Items Not on the Agenda **8**

REGULAR BUSINESS: **8**

- F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA); Planning Commission ~~No Appointments Scheduled~~; b) City Council Appointments: Advisory Committee for Persons with

Disabilities; Advisory Committee for Senior Citizens; Board of Canvassers; Historic District Commission; Liquor Committee; ~~Local Development Finance Authority (LDFA)~~; Personnel Board; ~~Planning Commission~~; and Troy Daze Advisory Committee 9

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CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Jack Mannschreck – Big Beaver United Methodist 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:

a) National Red Ribbon Campaign – Troy Families for Safe Homes

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 34551 Dequindre

Suggested Resolution

Resolution #2005-11-

Moved by

Seconded by

Proposed Resolution A (For Approval)

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:_____

_____.

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 _____ (not to exceed two years).

Or Proposed Resolution B (For Denial)

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 not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

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 **DENIED**.

Yes:
No:

C-2 Parking Variance – 1414 Combermere

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

Proposed Resolution A (For Approval)

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**.

Or Proposed Resolution B (For Denial)

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 there are practical difficulties justifying the variances; and

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met.

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 **DENIED**.

Yes:

No:

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

Suggested Resolution

Resolution #2005-11-

Moved by

Seconded by

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:

No:

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

Suggested Resolution

Resolution #2005-11-

Moved by

Seconded by

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:

No:

POSTPONED ITEMS: No Postponed Items

CONSENT AGENDA:

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

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

Suggested Resolution

Resolution #2005-11-

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 Minutes

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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

Suggested Resolution

Resolution #2005-11-

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 Request for Acceptance of Two Permanent Easements for Sidewalk from Helpis M. Youssef – Sidwell #88-20-15-272-043 and Alexander Mansour – Sidwell #88-20-15-272-045

Suggested Resolution
Resolution #2005-11-

RESOLVED, That the two Permanent Easements for sidewalk from the property owner Helpis M. Youssef, having Sidwell #88-20-15-272-043, and Alexander Mansour, owner of property having Sidwell #88-20-15-272-045, 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

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 ~~No Appointments Scheduled~~; b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Board of Canvassers; Historic District Commission; Liquor Committee; ~~Local Development Finance Authority (LDFA); Personnel Board; Planning Commission;~~ and 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 – ~~No Appointments Scheduled~~

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 Alternate (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 years

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 Appointments

Suggested 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 years

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 years

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 |

Board of Canvassers

Appointed by Council (4) – 4 years

Term Expires 12/31/09

Term Expires 12/31/09

CURRENT MEMBERS

| NAME | TERM EXPIRES |
|--|--------------|
| Leah Beth Inabnitt (D) (Requests reappointment) Recommendation | 12/31/05 |

| | |
|--|----------|
| letter rec'd from Oakland County Democratic Party | |
| Gloria Inglehart (D) | 12/31/07 |
| Mary Shiner (R) (Requests reappointment) Recommendation letter rec'd from Oakland County Republican Party | 12/31/05 |
| Carole Webb (R) | 12/31/07 |

INTERESTED APPLICANTS

| NAME | DATE APPLIED | DATE SENT TO COUNCIL |
|-------------------|------------------|----------------------|
| Daniel H. Bliss | 03/17/03-03/2005 | 04/14/03 |
| Mark Pritzlaff | 04/17/03-04/2005 | 04/28/03 |
| Charles J. Salgat | 03/08/04-03/2006 | 04/12/04 |

Historic District Commission

Appointed by Council (7) – 3 years

One member must be an architect.

Two members-Historical Society recommendations.

One member – Historical Commission 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 years

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. Ukrainec | 01/31/08 |
| (Student) | 07/01/05 |
| Capt. Gary Mayer | (Ex-officio) |

INTERESTED STUDENT APPLICANTS

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

Local Development Finance Authority (LDFA)

Appointed by Council – Council Alternate (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 |

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 |

Planning Commission

Appointed by Council (9) — 3 years

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 |

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:

F-2 2005-2006 Budget Amendment No. 1

Suggested Resolution

Resolution #2005-11-

Moved by

Seconded by

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:

No:

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

J-2 Department Reports:

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

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
-

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

J-5 Calendar

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

STUDY ITEMS:

K-1 No Study Items Submitted

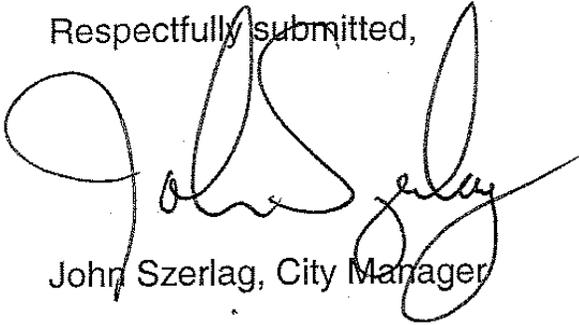
PUBLIC COMMENT: Address of “K” Items

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

CLOSED SESSION:

L-1 Closed Session – No Closed Session Requested

Respectfully submitted,



John Szerlag, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

- Monday, November 28, 2005 Regular City Council
- 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

DATE: November 15, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building & Zoning

SUBJECT: Agenda Item - Public Hearing
Commercial Vehicle Appeal
34551 Dequindre

On May 26, 2005, Mr. Kurt Head was issued a citation regarding a commercial vehicle that was parked on the residential property noted above. That citation was issued because the Ford dump truck parked on the property did not comply with the exceptions found in Chapter 39, Section 40.66.00.

In response to the citation, Mr. Head has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of November 21, 2005.

The existing home on this property has a living area of 1,508 square feet. Based upon the requirements of Section 40.56.01, the maximum size of an attached garage could be 1,131 square feet. The property in question is 73' wide and 280' deep. Based upon the provisions of Section 40.56.02, a total of 858 square feet of detached accessory buildings could be constructed. An existing 360 square foot detached garage exists on the property. This means that an additional 498 square foot of detached building could be constructed.

Should you have any questions or require additional information, kindly advise.

Attachments

Prepared by: Mark Stimac, Director of Building and Zoning

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: KURT HEAD

ADDRESS: 34551 Dequinder

CITY: TROY MI. ZIP: MI PHONE: 586 944-7400

ADDRESS OF SITE: 34551 Dequinder

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S)
FL0CCP46707

LICENSE PLATE NUMBER(S) 6623 AF

DESCRIPTION OF VEHICLE(S) Ford 600 1976

REASON FOR APPEAL (see A - D below) C + D

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... 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 there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject 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 that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Kurt Head
(signature of applicant) **KURT HEAD**

STATE OF MICHIGAN
COUNTY OF MACOMB

On this 7th day of SEPTEMBER, 2005 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Richard Conflitti, Jr.
Notary Public, Acting in MACOMB County, Michigan

My Commission Expires: 1-9-2011



GEORGE JEROME & CO.
www.GeorgeJerome.com

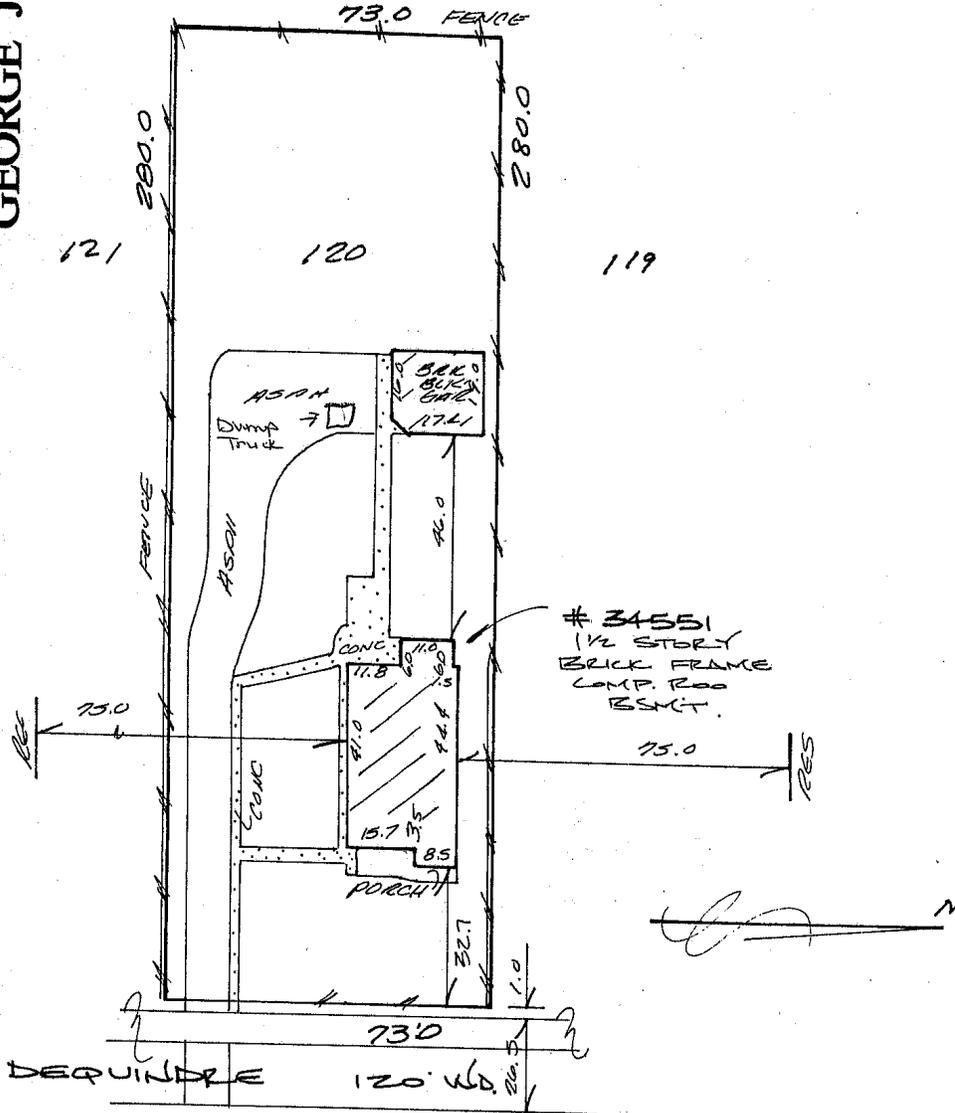
GEORGE JEROME & CO



MORTGAGE REPORT for:
QUEST FINANCIAL

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS • 28304 HAYES • ROSEVILLE, MI 48066 • (586)774-3000
LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

Lot 120, "SUPERVISOR'S PLAT OF PLAINVIEW FARMS" a subdivision of part of the N.E. 1/4 of Section 36, T.2 N., R.11 E., Troy Township (now City of Troy), Oakland County, Michigan. Recorded in Liber 5 of Plats, Page 58 of Oakland County Records.



CERTIFICATE: We hereby certify to: QUEST FINANCIAL SERVICES
that we have inspected the above-described property in accordance with the description furnished and confirmed to be correct by mortgagee or mortgagee's title company for the purpose of a new mortgage loan to be made by KURT HEAD

mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. The location of fences, driveways, other buildings, and non-permanent structures shown are only approximate. Any easements shown are either recorded in the subdivision plat or appear in the instrument referenced in the title policy, if both have been furnished to us. This report does not locate or identify the existence or absence of utilities entering into or crossing above or below the property. This report is to be used for mortgage purposes only and not for the purpose of establishing property lines, nor for construction purposes. No property lines were established and no property corners were set. This is not an ALTA type survey. This cannot be used for future refinance purposes or transferred to any future property owners.

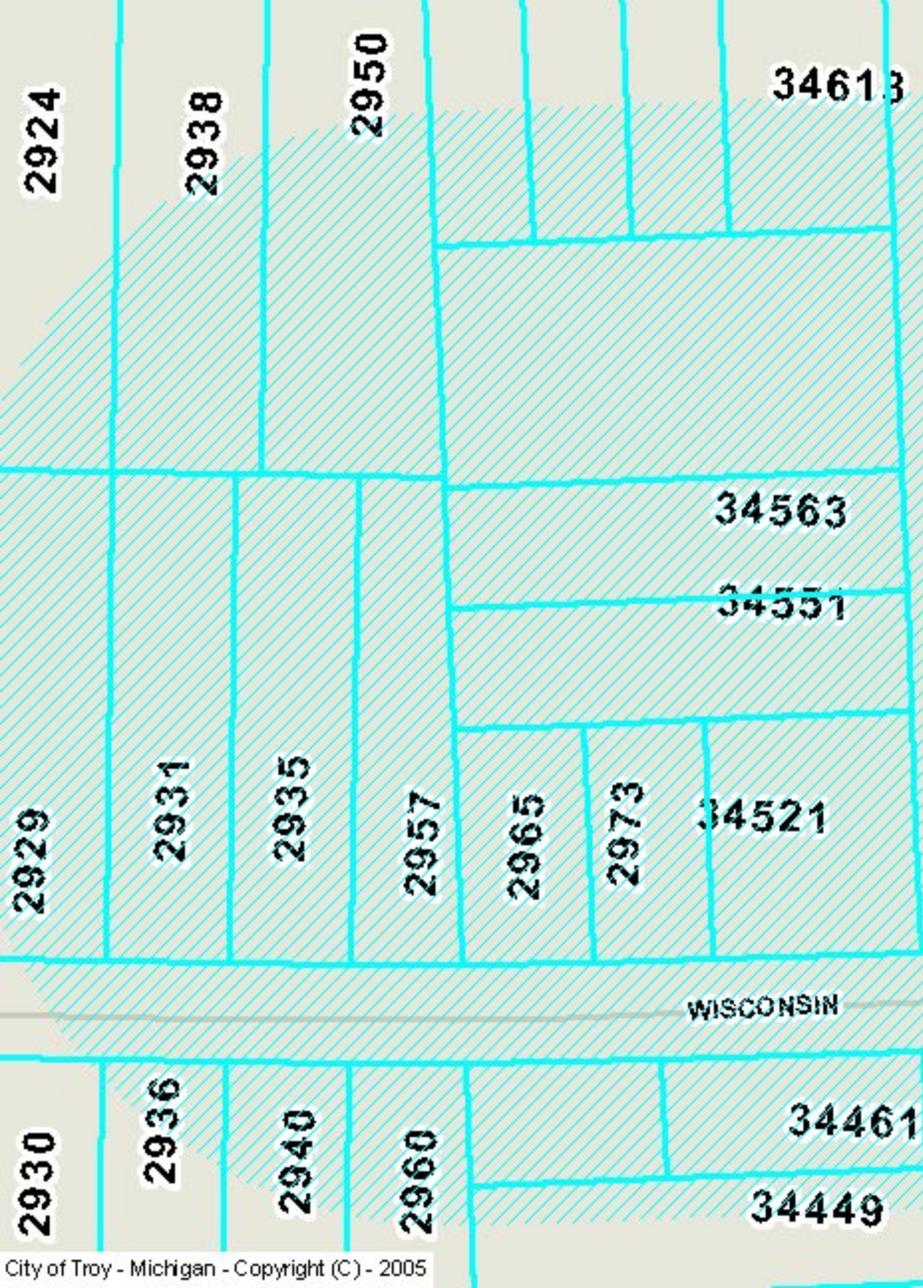
REVISED _____
DRAWN BY 72

George G. Jerome
GEORGE G. JEROME
PROFESSIONAL LAND SURVEYOR

DATED 08-20-04







DEQUINDRE

WISCONSIN

DATE: November 15, 2005

TO: John Szerlag, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Agenda Item – Public Hearing
Parking Variance, 1414 Combermere

We have received a permit application from Scott Machinski, representing Ovonic Battery Company to install a pair of pre-manufactured storage cabinets in the rear of the existing industrial building at 1414 Combermere. These cabinets take up one parking space and eliminate the use of three additional parking spaces. The existing building is 9,989 square feet. Based upon this area of the building, a minimum of 22 parking spaces are required per Section 40.21.81 of the Zoning Ordinance. As proposed there would only be 19 parking spaces available.

In light of this 3 parking space deficiency the plans for the installation of the cabinets has been denied. In response to our denial, the petitioners have filed an appeal asking for a variance on the parking requirement. In accordance with Section 44.01.00 a public hearing on the request has been scheduled for your meeting of November 21, 2005.

We have included copies of the appeal request as well as the supporting documentation for your information.

Prepared by: Mark Stimac, Director of Building and Zoning

| | |
|---|---|
| PARKING VARIANCE APPLICATION FOR PUBLIC HEARING BEFORE CITY COUNCIL CITY OF TROY | RECEIVED NOV 01 2005 BUILDING DEPT. |
|---|---|

TO TROY CITY COUNCIL

DATE: 11-1-05

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: Scott MACHINSKI Phone: 248-640-2227

Address: 2956 WATERVIEW ROCHESTER HILLS 48309

Address of Property: 1414 COMBERMEDE

Lot # 11 Subdivision: BEECH HILL SUB

Zoning District: M-1 Sidwell # _____

Owner of Property: MALICO COMPANY Phone: 248-334-0879

Address: 97 N. CASS AVE. PONTIAC Mich.

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: OCT 24, 2005

Has there been a previous appeal involving this property? NO If Yes, state date _____ and particulars _____

REASON FOR VARIANCE:

Dimension of Stall? _____

Parking Spaces Required: 22

Number of Stalls? _____

Parking Spaces Provided: ~~22~~ 19

Other Dimensions? _____

Variance Requested: 3 PARKING SPACES

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN)
COUNTY OF Macomb Acting)
in Oakland

I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 11-1-05 _____ S.A. Mack
(Signature of Applicant)

Signed and Sworn to before me this 1ST day of November 20 05

Melinda J. Cihone
Notary Public

MELINDA J. CIHONE
NOTARY PUBLIC MACOMB CO., MI
MY COMMISSION EXPIRES Jun 28, 2008
ACTING IN OAKLAND COUNTY MI

My Commission Expires: 6/28/2008

Filing Fee \$200.00 _____ Date Paid _____

Model L39-3145

Non-Combustible, Enclosed Storage Cabinet

- **Nominal Dimensions:** 27' (L) x 5' (D) x 10' (H)
- **Weight:** Approximately 6,100 lbs. Clearance provided beneath the sump for forklift or crane strap access.
- **Construction:** Fully welded 11 gauge tubular and angle frame construction. Exterior walls of 16-gauge galvanized steel sheet.
- **Interior Dimensions:** 4 Storage Bays
Bay Dimensions: 154"L x 50"D x 50"H
- **Storage Capacity:** Capacity: Three 4-Drum Pallets, per Bay
Total capacity: 48 ea. 55-gal. drums. Two tier construction.
- **Load Levels:** Storage: 9,600 lbs. per Bay
Roof: 40 psf
Wind: 19 psf (90 mph) / Unit must be anchored.
Seismic: Zone 4
- **Sump Capacity:** 411 gallons. Sump volume exceeds 10% of the volume of containers or the volume of the largest container stored, whichever is greater, as required by EPA.
- **Storage Platform:** Galvanized steel grating.
- **Finish:** Interior walls and sump will be treated with a corrosion resistant epoxy coating. Exterior will be coated with a UV resistant acrylic enamel.
- **Color:** Blue
- **Access:** Two (2) Lockable, Sliding Doors. Sliding Doors provide access to half of the cabinet.
- **Ventilation:** Passive air vents with rainguard construction.
- **Grounding:** Unit will be supplied with a 10 foot copper clad grounding rod, six feet of #6 copper wire, and a grounding connector located on exterior corner of building.
- **Placarding:** An NFPA 704 placard will be placed on the unit. A free numbering kit will be sent separately via US mail along with a Maintenance & Installation Manual.

RECEIVED
NOV 01 2005
BUILDING DEPT.



500 West Big Beaver
Troy, Michigan 48084
www.troymi.gov

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

October 24, 2005

Ovonic Battery Company
Scott Machinski
1414 Combermere
Troy, MI 48084

Dear Mr. Machinski:

We are in receipt of your application for a Building Permit to install 2 storage cabinets in the parking lot behind the Ovonic Battery Company facility located at 1414 Combermere.

This application does not meet the requirements set forth in the Zoning Ordinance for the following reasons:

Section 40.21.81 requires one parking space for every 450 square feet of gross building area for industrial uses. This 9,989 square foot building is therefore required to have 22 parking spaces. The site currently has 22 spaces. The installation of the storage cabinets will reduce the available parking by 3 spaces.

Therefore, unless you revise your plans to comply, we are unable to issue this permit. However, if you so desire, you may make application to City Council for relief of the parking requirements. Applications for a parking variance are available at the Building Department.

If you have any questions regarding the above, please feel free to contact me.

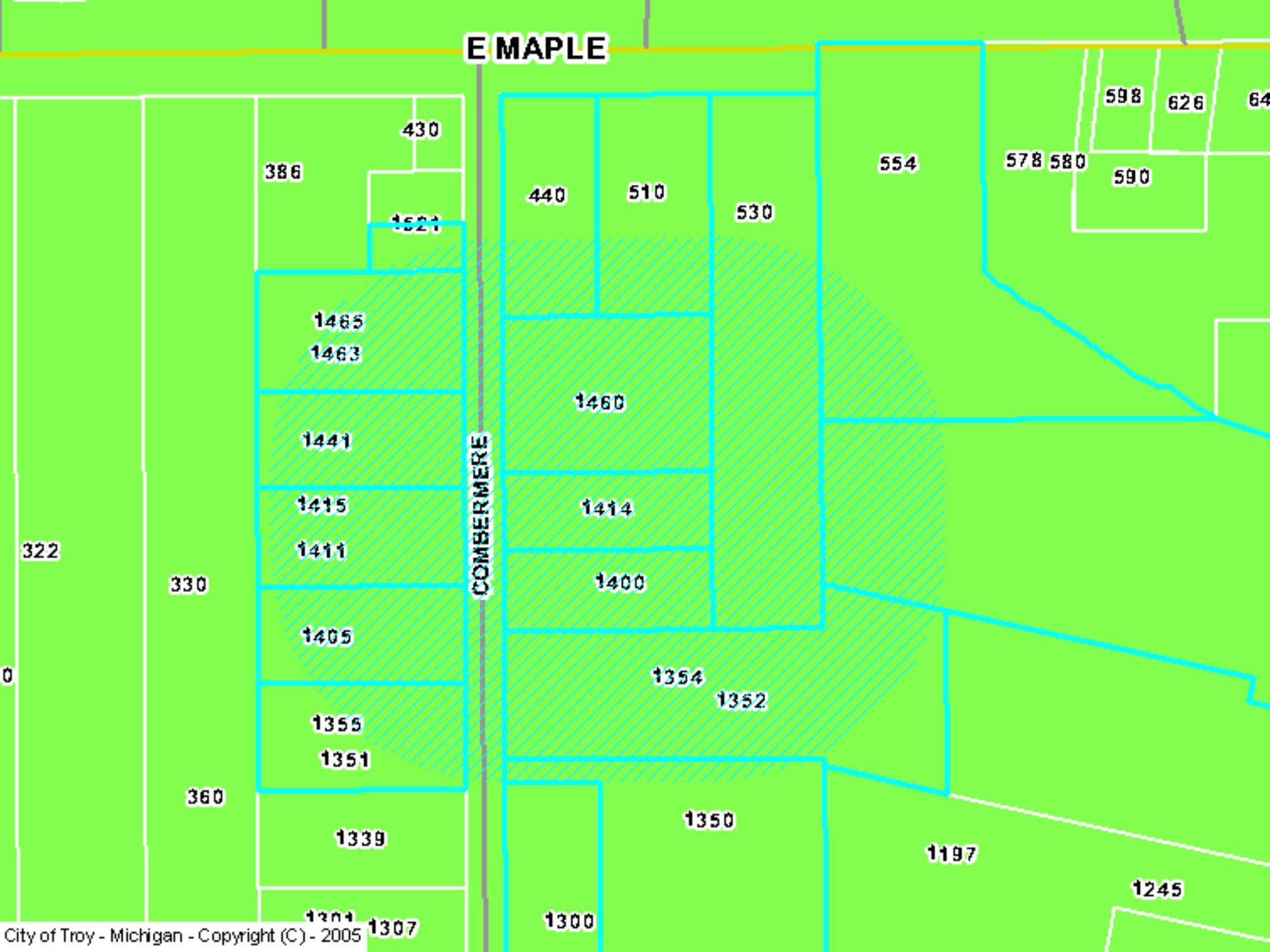
Sincerely,

CITY OF TROY

Mark Stimac, R.A., C.B.O.
Director of Building and Zoning

RECEIVED
NOV 01 2005
BUILDING DEPT.

E MAPLE



COMBERMERE

RECEIVED

NOV 14 2005

BUILDING DEPT.

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

I ok it for them on 14.12 Cornermen
I don't care what they do there
as long as the City do it for them

NAME: Eather Breitmeyer

ADDRESS OR PROPERTY DESCRIPTION House, 1521 Cornermen

Troy, MI
48083

DATE: November 16, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – PUBLIC HEARING - REZONING APPLICATION –
Northeast corner of Rochester Road and Wattles Road, Section 14 – B-1
to B-2 (Z 710)

RECOMMENDATION

The Future Land Use Plan calls for Low Rise Office at this location. Planning Department records indicate that the northern quadrants of the Rochester/Wattles intersection were given this designation in 1982 in an effort to indicate an end point for the extension of strip commercial development to the north along Rochester Road. Prior to 1982, the property was classified as Neighborhood Service. This rezoning will not extend commercial zoning any further to the north or east; rather, it will permit an expanded list of commercial uses in an existing commercially viable retail strip center.

The parcel is located at the intersection of Wattles and Rochester Road, one of the busiest major thoroughfares in Troy. The existing B-1 zoning is compatible with abutting uses and zoning districts, as is the proposed B-2 zoning. The commercial zoning is bordered by O-1 to the north and P-1 to the east, both districts serving to buffer the corner from residential zoning districts. The potential uses that would be permitted under B-2 zoning would be appropriate in this location, including a music store.

Most of the parcel has been zoned B-1 since 1954, as shown on the earliest available version of the City of Troy Zoning District Map. It has been used for commercial purposes since that time. The eastern portion of the parcel was zoned from O-1 and R-1C to B-1 and P-1 in 1985.

The Planning Commission recommended approval of the rezoning request at the October 25, 2005 Special/Study meeting. City Management recommends approval of the rezoning request.

BACKGROUND

At the October 11, 2005 Regular meeting, the Planning Commission suggested that the applicant apply to the Board of Zoning Appeals for an interpretation of the Zoning Ordinance, as related to whether a music store is considered a permitted use in the B-1 Local Business District. The applicant submitted an application for a rezoning and a

BZA interpretation. The applicant may, at their request, withdraw either application or continue both applications. The interpretation request is scheduled for the December 20, 2005 BZA meeting.

GENERAL INFORMATION

Name of Owner / Applicant:

The owner and applicant is Matthew Jonna of JLJ Investments, LLC.

Location of Subject Property:

The property is located on the northeast corner of Rochester Road and Wattles Road in Section 14.

Size of Subject Parcel:

The parcel is approximately 2.7 acres in area.

Current Use of Subject Property:

The property is presently used as a retail center. Tenants include Blockbuster, Papa Romano's, Ridley's Bakery and Cafe, Fedex Kinko's and Accent Florist.

Current Zoning Classification:

B-1 Local Business District.

Proposed Zoning of Subject Parcel:

B-2 Community Business District.

Proposed Uses and Buildings on Subject Parcel:

The applicant wishes to rezone the parcel to B-2 so that he can lease vacant tenant space to Marshall Music. The Director of Building and Zoning determined that music stores are not permitted uses in the B-1 District and are permitted in the B-2 District.

Current Use of Adjacent Parcels:

North: Office and condominium.

South: Service station and daycare center.

East: Single family residential.

West: Bank.

Zoning Classification of Adjacent Parcels:

North: O-1 Office Building.

South: B-1 Local Business.

East: P-1 Vehicular Parking.

West: O-1 Office Building.

ANALYSIS

Range of Uses Permitted in the Proposed B-2 Zoning District and Potential Build-out Scenario:

PRINCIPAL USES PERMITTED:

Any retail business or service establishment permitted in B-1 Districts as Principal Uses Permitted and Uses Permitted Subject to Special Conditions, except as otherwise provided in the Article, subject to the regulations applicable in the following sections of this Article.

Any retail business whose principal activity is the sale of merchandise in an enclosed building, except for those limited to or first permitted in the B-3 General Business District.

Any service establishment of a showroom or workshop nature, of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer; or an establishment doing radio or home appliance repair, photographic studios and reproduction and similar service establishments that require a retail adjunct.

Business establishments which perform services on the premises, such as but not limited to: banks, credit unions, savings and loan associations, loan companies, insurance offices, travel services, and real estate offices.

Private clubs, fraternal organization, and lodge halls.

Restaurants, or other places serving food or beverage, except those having the character of a drive-in or open front store.

Theaters, assembly halls, concert halls or similar places of assembly, when conducted completely within enclosed buildings.

Business schools and colleges or private schools operated for profit, not including nursery schools.

Other uses similar to the above uses.

Accessory structures and uses customarily incident to the above permitted uses.

USES PERMITTED SUBJECT TO SPECIAL CONDITIONS:

Drive-up windows or service facilities, as accessory to principal uses within B-2 districts, apart from restaurants,

Outside seating areas, of twenty (20) seats or less, for restaurants or other food service establishments,

USES PERMITTED SUBJECT TO SPECIAL USE APPROVAL

Drive-up windows or service facilities, as an accessory to restaurants permitted within this district

Bowling alley, billiard hall, indoor archery range, indoor skating, rinks, indoor tennis courts, athletic or health clubs, or similar forms of indoor commercial recreation, when the subject uses are located at least 100 feet from any Residential District.

Open air business uses when developed as uses subordinate to primary uses and structures within the B-2 District as follows:

- A. Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies.
- B. Recreational space providing shuffle board, miniature golf, tennis, or similar outdoor recreation, when part of a planned development.
- C. Outdoor driver training and testing areas on or abutting the site of a driving school.

Outside seating areas, in excess of twenty (20) seats, for restaurants, or other food service establishments

Facilities within a retail establishment for installation, in vehicles, of items sold at retail at that location.

Vehicular and Non-motorized Access:

Access to the parcel is provided on both Rochester and Wattles.

Potential Storm Water and Utility Issues:

The applicant is proposing to use an existing vacant building. No construction is proposed.

Natural Features and Floodplains:

The Natural Features Map does not indicate any significant natural features located on the property.

Compliance with Future Land Use Plan:

Neither the existing zoning nor the proposed zoning complies with the Future Land Use Plan. The property is classified on the Future Land Use Plan as Low Rise Office, which correlates with the O-1 Office Building District. According to Planning Department records, the parcel was classified on the Master Plan as Low Rise Office since the Commercial Area Plan Amendment in 1982, in an effort to indicate an end point for the extension of strip commercial development to the north along Rochester Road. Prior to being amended in 1982 the plan classified the parcel as Neighborhood Service Center, which is a commercial designation.

Compliance with Location Standards:

There are no location standards for the B-2 Community Business District.

Attachments:

1. Maps.
2. Minutes from the October 11, 2005 Planning Commission Regular meeting.
3. Minutes from the October 25, 2005 Planning Commission Special/Study meeting.
4. Letter from applicant, received by Planning Department on September 12, 2005.

Prepared by RBS, MFM

cc: Applicant
File (Z 710)

G:\REZONING REQUESTS\Z-710 Rochester Rd Retail Center Sec 14\CC Public Hearing ZOTA 710 11 21 05.doc

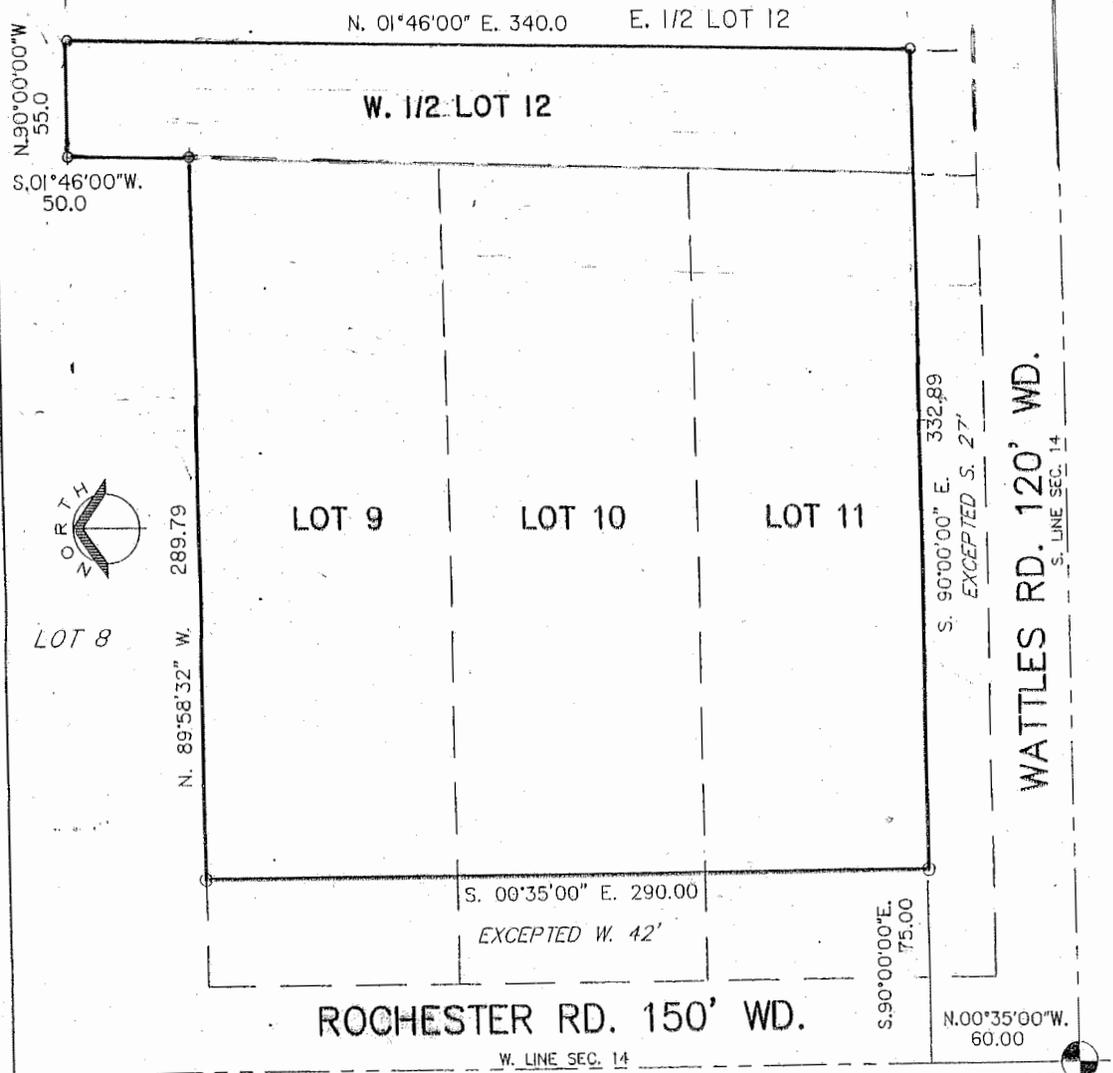
CITY OF TROY



Certificate of Land Survey

PROPERTY DESCRIPTION:

Situated in the City of Troy, Oakland County, Michigan,
 Lots 9, 10 and 11 except the West 42 feet of each lot taken for road, also except the
 South 27 feet of Lot 11 taken for road, also the West 1/2 of Lot 12, except the
 South 27 feet taken for road, Supervisor's Plat No. 22 a subdivision of part of the
 S.W. 1/4 of Sec. 14, T. 2 N., R. 11 E., Troy Township (now City of Troy) Oakland Co.,
 Mich. as recorded in Liber 13 of Plats, Page 45 of Oakland County Records.



REVISED

SEP 27 2005

PLANNING DEPT

The error of closure is no greater than 1 in 5000, which is within the accuracy of survey as required in Act No. 288 of Public Acts of 1967. This survey complies with the requirements of Sec. 3, Public Act 132 of 1970.

[Signature]
 HARRY H. KEMNITZ P.S. NO. 16931



DEL-TEC
 Surveying & Engineering
 5800 Twelve Mile Rd.
 Warren, MI 48092

(586) 573-8288 • Fax (586) 573-8965

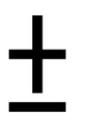
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 REV. 9-22-05

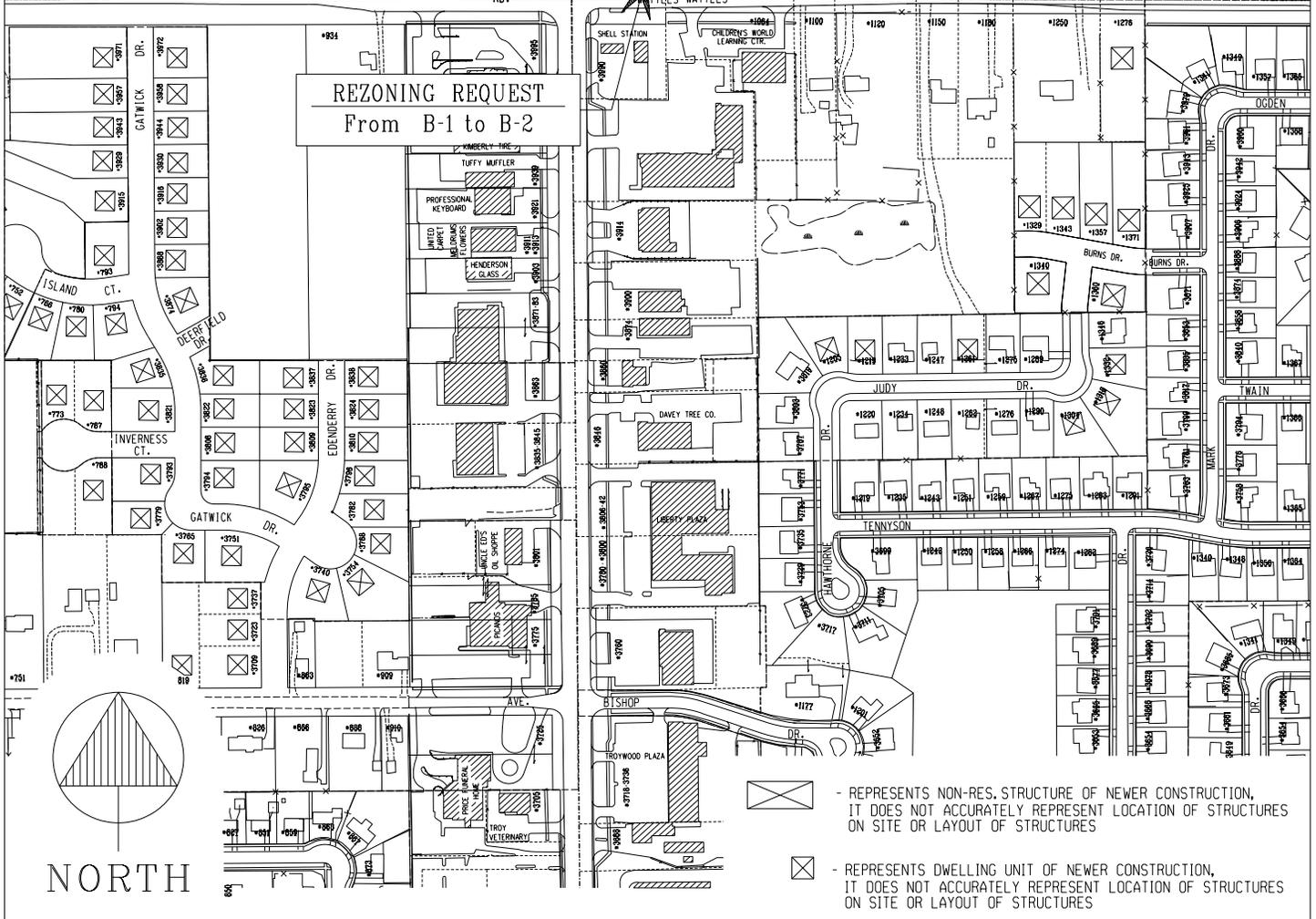
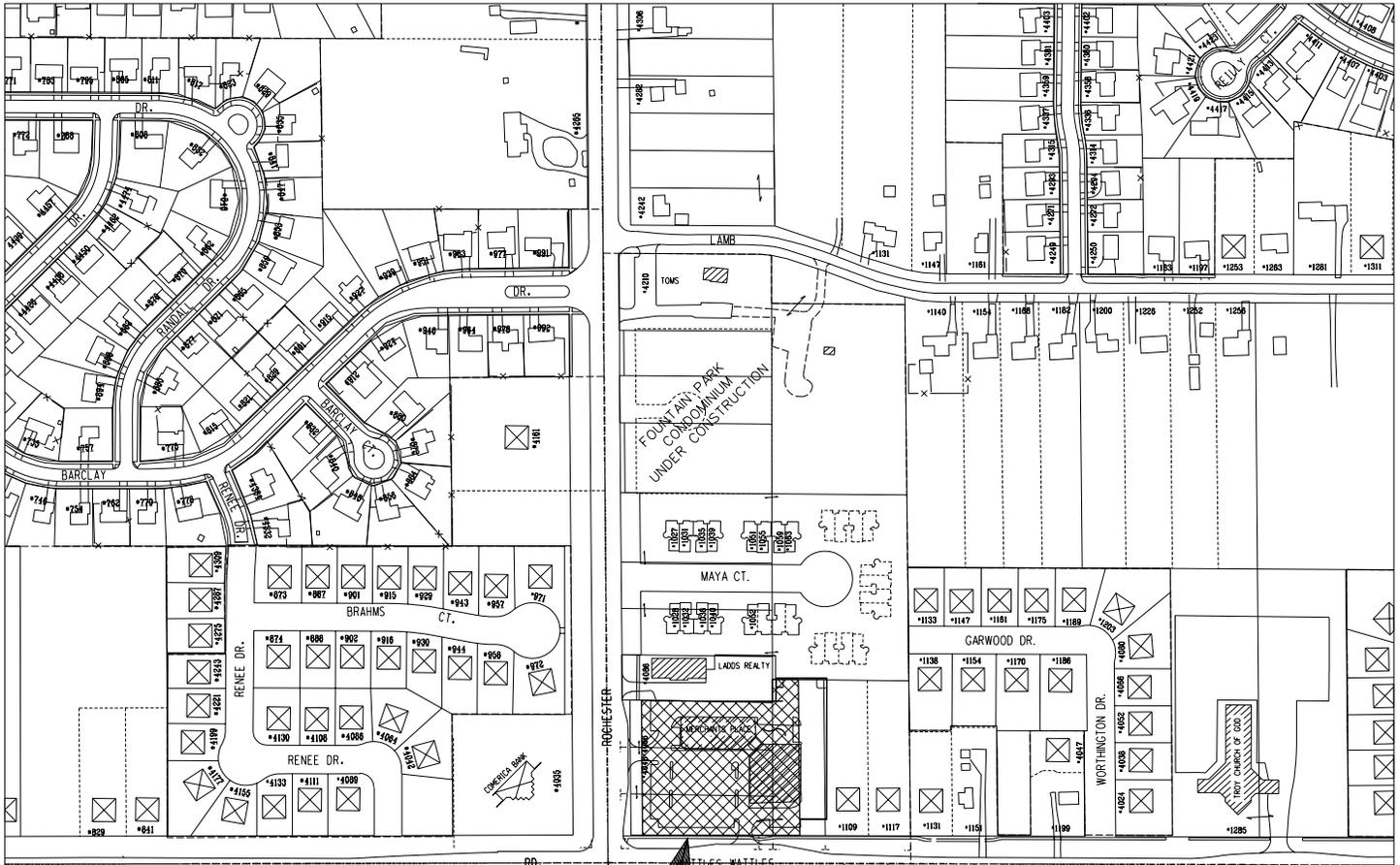
REZONING REQEUST
FROM B-1 TO B-2
EX. 4048-4060 ROCHESTER RD RETAIL CENTER
PROPOSED MARSHALLS MUSIC
NE CORNER WATTLES & ROCHESTER RD
SEC. 14 (Z-710)

REZONING REQEUST
FROM B-1 TO B-2

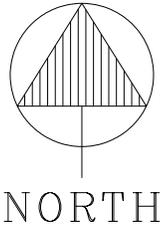


0 100 200 Feet



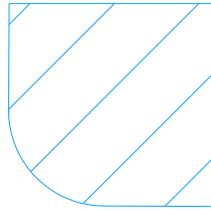
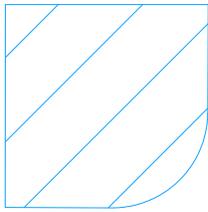
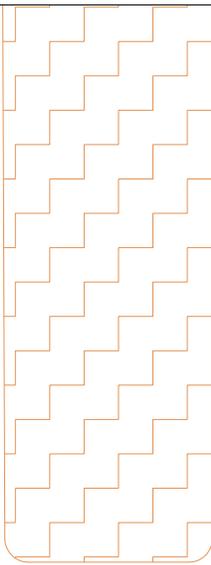
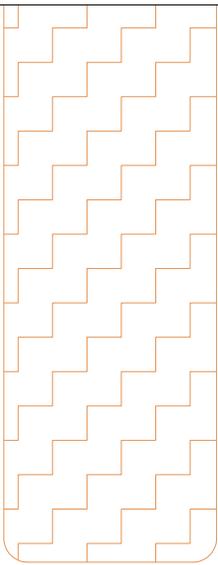


REZONING REQUEST
From B-1 to B-2

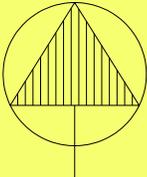
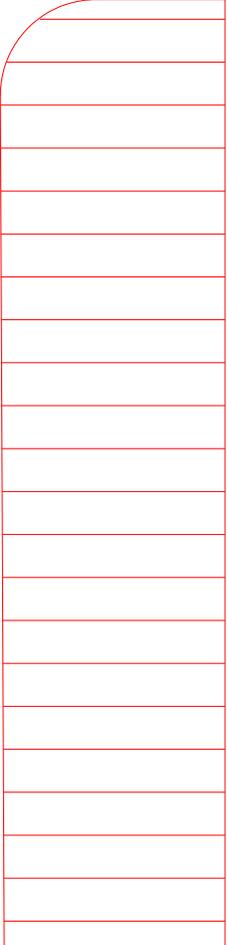


- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
- REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

ROCHESTER



REZONING REQUEST
From B-1 to B-2



NORTH

REZONING REQUEST

6. **PUBLIC HEARING – PROPOSED REZONING (Z 710)** – Existing Shopping Center (to include proposed Marshall’s Music store), Northeast corner of Rochester Road and Wattles Road (4048-4060 Rochester Road), Section 14 – From B-1 (Local Business) to B-2 (Community Business)

Mr. Savidant presented a summary of the Planning Department report for the proposed rezoning. He referenced communication from the Director of Building and Zoning that provides an interpretation of the Zoning Ordinance as relates to B-1 and B-2 zoning. Mr. Savidant reported that it is the recommendation of City Management to approve the rezoning request.

Marc Swoish of Purtan & Swoish, P.C., 4198 Orchard Lake Road, West Bloomfield, was present to represent the petitioner. Mr. Swoish said the rezoning change would have no dramatic affect on anyone in the City. He said the rezoning would allow Marshall’s Music to move from its existing location in Troy, resulting in a long-time vacant space being leased and a viable tenant remaining in the City.

PUBLIC HEARING OPENED

No one was present to speak.

Mr. Schultz asked what zoning district the existing Marshall’s Music store is in.

Mr. Miller said he did not know off-hand but would look it up.

Mr. Schultz referenced the interpretation of the Director of Building and Zoning, specifically his comment that Section 20.10.00 states that B-1 zoning was established for “day-to-day convenience, shopping and service needs of persons residing in adjacent residential areas.” Mr. Schultz questioned how Marshall’s Music, a local business, would not be appropriate when there are two national chain stores currently existing in the retail center. He said rezoning from B-1 to B-2 would further the inconsistency of the Future Land Use Plan, and he believes that Marshall’s Music is equally consistent in the local business zone as is Kinko’s, Blockbuster Video and the florist shop. Mr. Schultz suggested the petitioner apply to the Board of Zoning Appeals (BZA) for an interpretation of the Zoning Ordinance, and the Planning Commission hold the rezoning request in an open state until the end of the month.

Mr. Wright agreed that the existing stores at that location are not local businesses but city-wide businesses, and said Marshall’s Music should fall under the same classification. Mr. Wright said he lives on the other side of Troy and frequents the various stores in the shopping center.

Chair Strat agreed. He also frequents Kinko’s and lives on the opposite side of the city.

Mr. Littman noted people from afar and wide frequented a very well known wine shop previously located in the retail center. Mr. Littman cited an unattended consequence from the proposed rezoning would be that the entire shopping center is bought and developed into something undesirable by the City. He said he would support Marshall's Music going in the location by a means other than rezoning.

Mr. Swoish said discussions with the City led him to believe that the rezoning process would be the most expeditious process to take as well as provide more consistent zoning for the entire retail center. Mr. Swoish said he respectfully disagrees with the original ruling that Marshall's Music is not a B-1 use.

Discussion followed on the scheduling of the rezoning request through the approval process of City Council, and the time frame to obtain an interpretation from the Board of Zoning Appeals.

Mr. Waller said consideration should be given to the reasonableness of having a consistent zoning classification for the whole corner.

Mr. Miller reviewed the allowable uses and required setbacks in B-2 zoning.

Resolution # PC-2005-10-164

Moved by: Schultz

Seconded by: Wright

RESOLVED, That the Planning Commission disagrees with the Building and Zoning Department's interpretation of the City of Troy Zoning Ordinance related to musical instrument sales, rental, service and/or musical instruction. These uses fall within the category of specialty shops (Section 20.20.02) and personal service establishments (Section 20.20.03), which are both uses permitted by right in the B-1 Local Business Zoning District. The Planning Commission requests that the applicant seek an interpretation from the Board of Zoning Appeals.

BE IT FURTHER RESOLVED, That the Future Land Use Plan classifies the parcel as Low Rise Office. Neither the existing B-1 zoning district nor the proposed B-2 zoning district is consistent with the Future Land Use Plan. Prior to considering a rezoning request that is inconsistent with the Future Land Use Plan, the Planning Commission prefers that the applicant attempt to solve this use issue without rezoning the property. The Planning Commission would respectfully request that the Board of Zoning Appeals review this subject during its meeting scheduled for October 18, 2005.

BE IT FINALLY RESOLVED, That the B-1 to B-2 rezoning request located on the northeast corner of Rochester and Wattles, within Section 14, being approximately 2.7 acres in size, be tabled to the October 25, 2005 Special/Study Meeting.

Discussion on the motion on the floor.

Mr. Littman said he would prefer to have the item go to the Board of Zoning Appeals for an interpretation.

Chair Strat suggested that the request to be placed on the BZA agenda come directly from Marshall's Music.

Mr. Miller noted the original communication to/from the Director of Building and Zoning was with the President of Marshall's Music Company; the second communication was with the representing attorney.

Vote on the motion on the floor.

Yes: Khan, Schultz, Strat, Waller, Wright
No: Drake-Batts, Littman, Vleck
Absent: Chamberlain

MOTION CARRIED

Chair Strat announced the Public Hearing would remain open.

Mr. Littman said there is a slim chance for the request to get on the October BZA meeting agenda. He would prefer that the request be handled through the BZA.

Mr. Schultz said nothing in the motion precludes the BZA from acting on the matter at its November meeting should it not make the October agenda. Mr. Schultz said the timing still provides the Planning Commission to take action at its October 25 Special/Study Meeting should it be necessary.

Chair Strat asked what would happen if the Planning Commission took action on the rezoning request at the same time the petitioner seeks an interpretation from the BZA.

Mr. Motzny said the petitioner would have time to withdraw the rezoning request before City Council action, should the BZA overrule the Building Department decision.

Ms. Drake-Batts said she has no problem rezoning the property to B-2.

Mr. Vleck said he has no problem rezoning the property to B-2, but would like to get the BZA's interpretation of the Zoning Ordinance.

Mr. Kulesza said he is familiar with the reason that Marshall's Music wants to move the store location. He questioned the impact any delay in the rezoning process or BZA action would have on the music class schedule.

TABLED ITEM

8. **PUBLIC HEARING – PROPOSED REZONING (Z 710)** – Existing Shopping Center (to include proposed Marshall's Music store), Northeast corner of Rochester Road and Wattles Road (4048-4060 Rochester Road), Section 14 – From B-1 (Local Business) to B-2 (Community Business)

Mr. Miller presented a summary of the rezoning request that was tabled at the October 11, 2005 Regular Meeting. The applicant's request for interpretation of the Zoning Ordinance is on the November 15, 2005 Board of Zoning Appeals (BZA) agenda. Mr. Miller reported that it is the recommendation of the City Management to approve the rezoning request.

The petitioner was not present.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED**Resolution # PC-2005-10-169**

Moved by: Wright

Seconded by: Littman

RESOLVED, To table the item to the November 29, 2005 Regular Meeting to allow the Board of Zoning Appeals to address the issue.

Discussion on the motion on the floor.

Mr. Wright said he sees no need to rezone the property, and said Marshall's Music store is no more out of place in the B-1 zoning district than Kinko's, Blockbuster, or some of the other businesses in the shopping center.

There was a lengthy discussion and comments from around the table with respect to going forward with the rezoning request to City Council, obtaining an interpretation from the BZA independently or simultaneously with the rezoning request, the intent of the petitioner to remain in the City, and the review of all B-1 zoning districts.

Vote on the motion on the floor.

Yes: Littman

No: Drake-Batts, Schultz, Strat, Vleck, Waller, Wright

Absent: Chamberlain, Khan

MOTION FAILED

Mr. Wright said he would support either action that would get Marshall's Music in the shopping center. He personally feels an interpretation from the BZA would be appropriate and the most expeditious action to take.

Members Schultz, Vleck and Drake-Batts agreed that going forward concurrently on both the BZA interpretation and the rezoning request is in the best interest of the City and most expeditious.

Resolution # PC-2005-10-170

Moved by: Schultz

Seconded by: Waller

WHEREAS, The Planning Commission feels that it is of the utmost importance to the economic viability of the City of Troy to encourage desirable businesses to remain and/or locate in the City. Furthermore, the City Management should do everything within its powers to simplify and expedite the processes businesses must follow to establish and/or relocate their operations in our City;

WHEREAS, The Planning Commission disagrees with the Building Department's decision that Marshall's Music does not meet the criteria for locating within the B-1 (Community Business) zoning district, while the same department has ruled that Blockbuster Video and FedEx/Kinko's meet those criteria. While the Planning Commission has recommended and requested that the Board of Zoning Appeals provide an interpretation of the B-1 zoning district as it applies to Marshall's Music, that interpretation will not take place until Tuesday, November 15, 2005;

WHEREAS, it is in the best interest of the citizens of Troy to expedite the ability of Marshall's Music to relocate their business to a new facility within the City. Furthermore, because the most expeditious means of accomplishing same is to recommend the rezoning of the parcel in question from B-1 to B-2 and rezoning that parcel does not create a non-conformity with relation to the new zoning district;

THEREFORE BE IT RESOLVED, That the Planning Commission hereby recommends to the City Council that the B-1 to B-2 rezoning request, located on the northeast corner of Rochester and Wattles, within Section 14, being approximately 2.7 acres in size, be granted.

Yes: All present (7)

No: None

Absent: Chamberlain, Khan

MOTION CARRIED

To Whom It May Concern:

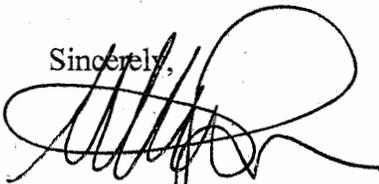
I am the owner, manager and operator of JLJ Investments, L.L.C. ("JLJ"), a Michigan limited liability company that was established to manage the property described in the aforementioned rezoning request. As the Planning Commission and City Council are probably aware, a large portion of the property has been vacant for almost three years, in spite of JLJ's diligent efforts to lease the property. In that time period, JLJ has only received one serious letter of intent to lease the vacant space. That letter of intent was provided by Marshall Music, a large-scale music store that sells musical instruments and provides classes, lessons and instructions on musical instruments.

As the Planning Commission and City Council are probably aware, the property is currently zoned as a B-1 Local Business District. According to the Zoning Department for the City of Troy, Marshall Music's proposed use is not permitted in B-1 Zoning Districts. With that said, however, Marshall Music's proposed use is permitted in B-2 or B-3 Zoning Districts. As such, JLJ has requested that the Planning Commission and City Council rezone the property in question to a B-2 Zoning District so that Marshall Music can operate from the property. Given the fact that the space is currently vacant, the fact that JLJ has been unable to procure a viable tenant for the property in the last three years, and the fact that rezoning the property to a B-2 Zoning District will not negatively impact the surrounding area, the City of Troy and the surrounding community will benefit significantly if the Planning Commission and City Council rezone the property to a B-2 Zoning District.

Rezoning the property will allow JLJ to revitalize the vacant property, and to use the property in a manner consistent with the needs and desires of the citizens of the surrounding area. More importantly, rezoning the property will bring a new business to the area, and new opportunities and conveniences to the inhabitants of the City of Troy. The new use of the property will also make the area a more desirable location for other businesses to relocate to or to establish a presence in the City of Troy.

For the above reasons, JLJ respectfully requests that the Planning Commission and City Council approve the aforementioned rezoning request, and allow it to use the vacant property for a more beneficial use to the community.

Sincerely,



Matthew Jonna

REC'D

SEP 12 2005

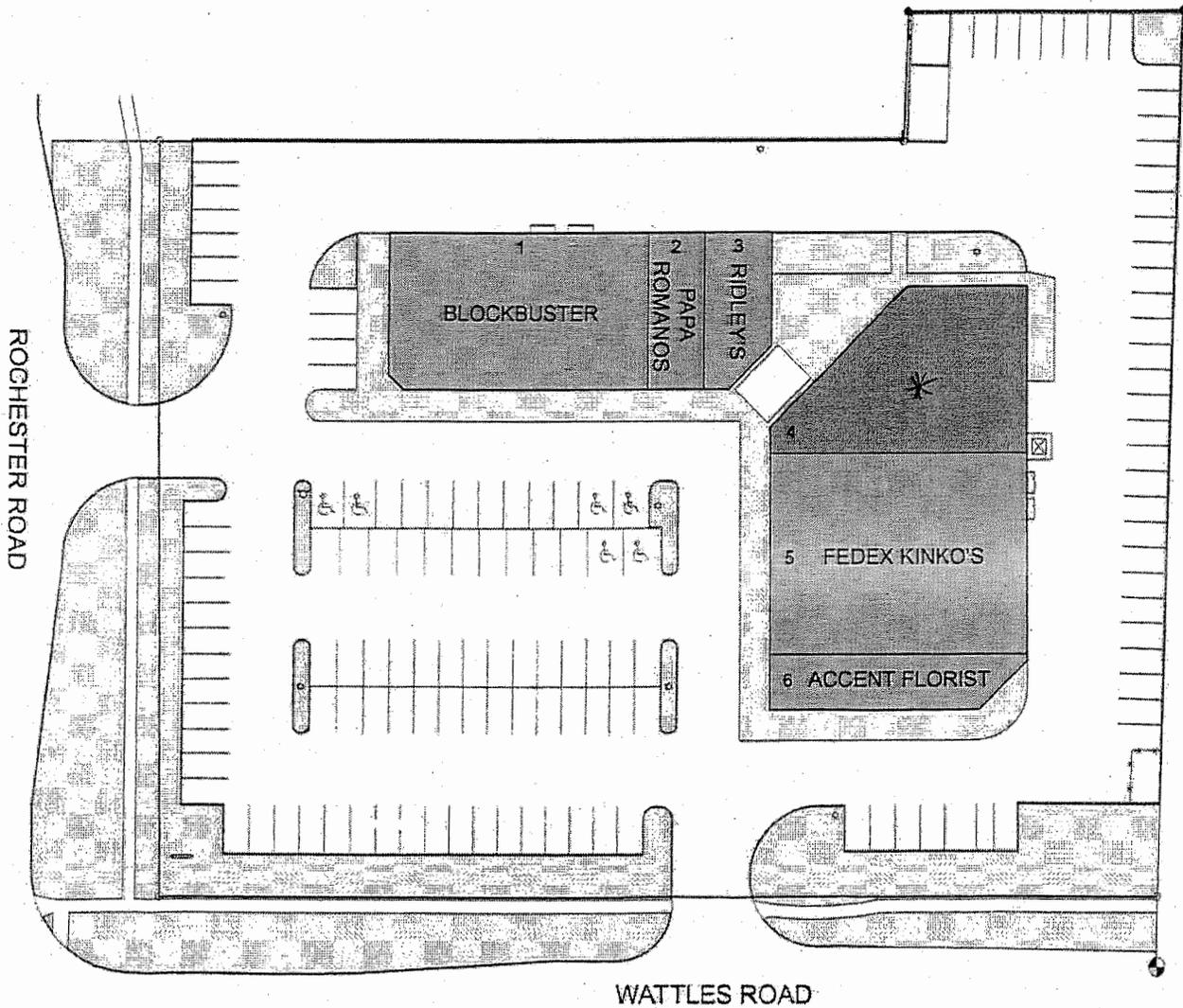
PLANNING DEPT.

TROY RETAIL CENTER

MJMGROUP LLC

www.mjmgroupllc.com

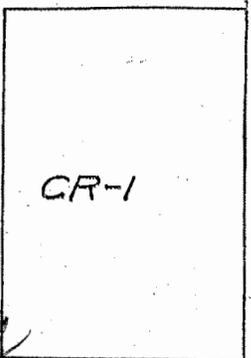
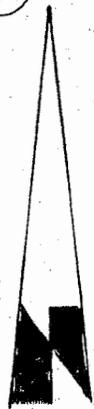
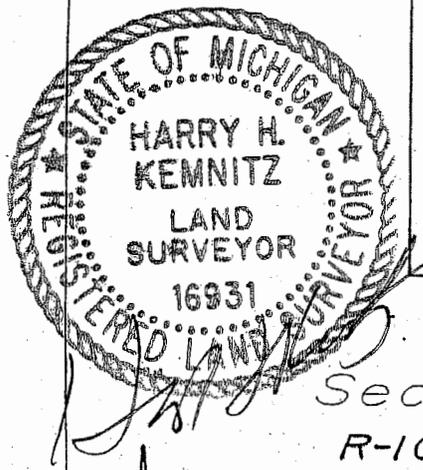
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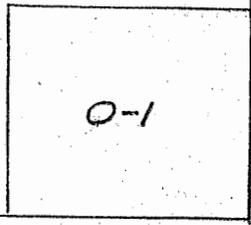
| NO. | TENANT | SF |
|-----|----------------|-------|
| 1 | BLOCKBUSTER | 6,000 |
| 2 | PAPA ROMANOS | 1,200 |
| 3 | RIDLEY'S | 1,672 |
| 4 | AVAILABLE | 5,156 |
| 5 | FEDEX KINKO'S | 7,500 |
| 6 | ACCENT FLORIST | 1,820 |

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SEP 12 2005
PLANNING DEPT.

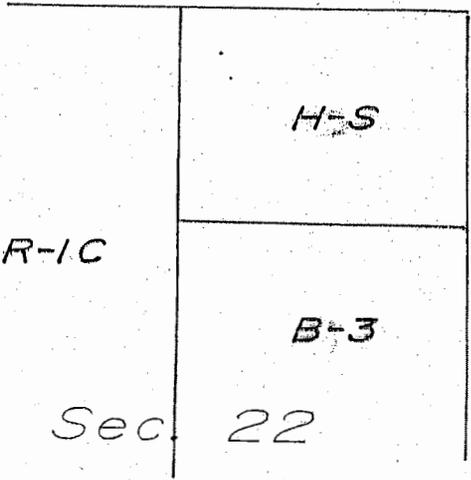
SITE LOCATION & ZONING MAP



Sec. 15
R-1C



O-1

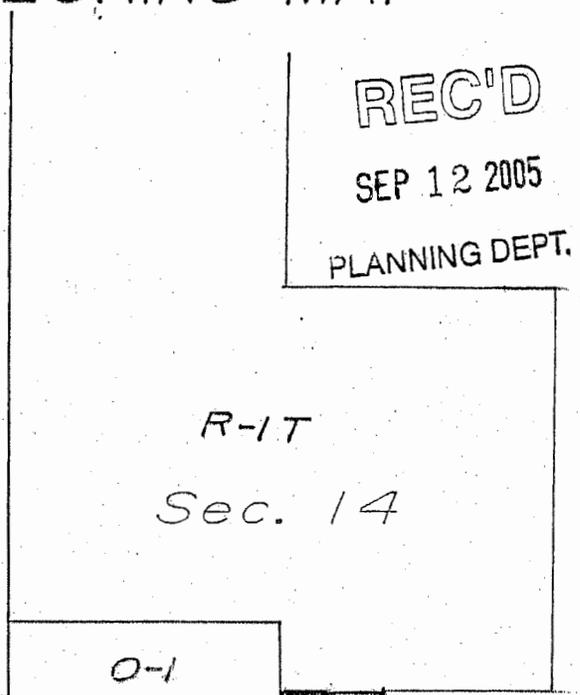


R-1C

H-S

B-3

Sec 22



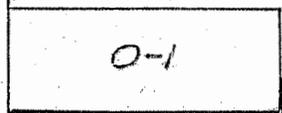
REC'D

SEP 12 2005

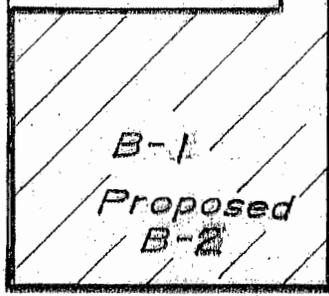
PLANNING DEPT.

R-1T

Sec. 14



O-1



B-1

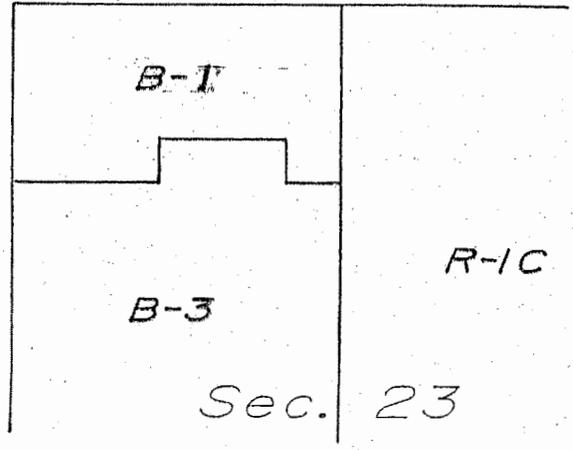
Proposed
B-2

P-1

R-1C

Rochester Rd.

E. Wattles Rd.



B-1

B-3

R-1C

Sec. 23

JOB NO. 8561 SCALE 1" = 200'
DATE 9-07-05

△ DEL-TEC △
Surveying & Engineering
5800 Twelve Mile Rd.
Warren, MI 48092
(586) 573-8288 • Fax (586) 573-8965

November 14, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – PUBLIC HEARING – 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

RECOMMENDATION

On October 3, 2005, City Council adopted a resolution requesting that the Planning Commission set a public hearing to consider a proposed amendment that would allow for Group Child Care Homes in the R-1A through R-1E districts on a temporary basis. This would permit Group Child Care Homes on a temporary basis, until after the City Council conducts a public hearing on proposed ordinance revisions. This temporary text amendment would be rescinded at the same time that the new provisions related to Group Child Care Homes are adopted.

The Planning Commission held a public hearing on this item at the October 25, 2005 Special/Study meeting and recommended approval of the proposed amendment. City Management concurs with the Planning Commission recommendation.

BACKGROUND

The Department of Human Services Office of Children and Adult Licensing adopted revisions to Admincode R 400.1801, which are the official licensing rules for state-licensed child care facilities, on September 13, 2005. Effective January 1, 2006, Group Day Care Homes and Family Day Care Homes shall be known as Group Child Care Homes and Family Child Care Homes, respectively.

There are approximately 20 Group Child Care Homes currently operating in the City of Troy. While all of these Group Child Care Homes have valid State licenses, they are not permitted uses in the City of Troy and therefore are operating illegally. The Planning Commission is currently considering ZOTA 214, a proposed Zoning Ordinance amendment to permit Group Child Care Homes in the R-1A through R-1E districts. City Management had suspended enforcement of the 20 zoning violations as the Planning Commission considered the amendment, but cannot do so indefinitely. The City Charter charges the City Manager with the responsibility of enforcing the laws of the

City of Troy, including the Zoning Ordinance. The proposed text amendment (ZOTA 214-B) permits Group Child Care Homes on a temporary basis and eliminates the City Manager's obligation to cite the 20 Group Child Care Homes with violations.

Note that ZOTA 214-B proposes that the definition for Family Child Care Homes be updated and a new definition for Group Child Care Homes be added.

The Planning Commission intends to hold a Public Hearing on ZOTA 214 at the December 13, 2005 Regular Meeting.

Prepared by RBS, MFM

Attachments:

1. ZOTA 214-B, Temporary Approval of Group Child Care Homes.
2. City Council Resolution from October 3, 2005.
3. Planning Commission minutes from the October 25, 2005 Special/Study meeting (draft).
4. Planning Commission Actions on ZOTA 214.

G:\ZOTAs\ZOTA 214 Group Day Care Homes\CC Public Hearing ZOTA 214-B 11 21 05.doc

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
City Council Public Hearing Draft
ZOTA 214-B: Temporary Approval of Group Child Care Homes

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 Articles IV and X of Chapter 39

Article IV Definitions is amended to provide definitions for family child care homes and group child care homes. Article X of Chapter 39 of the Code of the City of Troy is amended to permit group child care homes on a temporary basis by special conditions in the R-1A through R-1E One Family Residential Districts.

(Underlining, except for major section titles, denotes changes.)

04.20.60 FAMILY DAY CHILD CARE HOME: ~~A private residence in which one (1) to six (6) children under the age of eighteen (18) are received for care and supervision from other than a parent or legal guardian for periods of less than twenty-four (24) hours a day, in addition to children related to an adult member of the family by blood, marriage or adoption. Family Day Care Home includes a home that gives care to such unrelated children for more than a total of thirty (30) days during a calendar year.~~ A private residence that the child care provider lives in and cares for up to six unrelated children for more than 4 weeks in a year when the children's parents/guardians are not immediately available.

04.20.689 GRADE: the term "grade" shall mean a ground elevation established for the purpose of regulating the number of stories and the height of the building. The building grade shall be the level of the ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

04.20.69 GROUP DAY CHILD CARE HOME: A private residence that the child care provider lives in and cares for up to 12 unrelated children for more than 4 weeks in a year when the children's parents/guardians are not immediately available.

10.25.05 Group Child Care Homes, as defined in Section 04.20.69, licensed by the State of Michigan and in operation as of [Date of Approval of ZOTA 214-B by City Council], shall be permitted to continue on a temporary basis not to exceed 30 days after the Troy City Council has had the opportunity to conduct a public hearing and take final action on any proposed revisions to Chapter 39, Article X, related to the regulation of Group Child Care Homes, as set forth in ZOTA 214.

Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this 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 4. Severability Clause

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

Section 5. Effective Date

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

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2005.

Louise Schilling, Mayor

Tonni Bartholomew, City Clerk

F-5 Update and Recommendation Regarding Child Group Day Care Homes in the R-1A through R-1E Zoning Districts

Resolution #2005-10-466

Moved by Beltramini

Seconded by Schilling

WHEREAS, City Council adopted Resolution #CC-2005-09-432, which advised the Planning Commission to advance, at their September 27, 2005 meeting, a recommendation to City Council regarding child group day care homes;

WHEREAS, The Planning Commission conducted a public hearing at the September 27, 2005 Special/Study Meeting, and adopted Resolution #PC-2005-09-152, which tabled action on ZOTA 214 to the December 13, 2005 Regular Meeting, and also to expedite necessary actions to study this item at the next Planning Commission meeting in October.

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **REQUESTS** the Planning Commission to set a public hearing to consider a proposed amendment to Chapter 39, Article 10.00 that would temporarily allow for child group day care homes, which are State licensed child group day care homes with 7 to 12 children, to be located in the R-1A through R-1E Zoning Districts until 15 days after the Troy City Council has had the opportunity to conduct a public hearing on any proposed revisions to Chapter 39, Article 10.00.

Yes: All-7

ZONING ORDINANCE TEXT AMENDMENT

9. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 214-B) – Articles 04.20.00 and 10.30.00, Group Day Care Homes in the R-1A through R-1E Districts on a Temporary Basis**

Mr. Miller reviewed the Resolution adopted by City Council on October 3, 2005 that requested the Planning Commission to set a Public Hearing on a proposed zoning ordinance text amendment that would allow group day care homes in the R-1A through R-1E districts on a temporary basis. He said the amendment would essentially legalize the approximate 20 group day care homes currently licensed and existing at the time the amendment is adopted by City Council.

Discussed at length were the following two conditions of the proposed amendment:

- The date of final action by City Council that would affect the existing group day care homes.
- The timeframe the temporary basis would be in affect after City Council takes final action.

Mr. Motzny said consideration and approval of the proposed amendment should be based on whether the members believe a public purpose would be served.

PUBLIC HEARING OPENED

John Bjelobrk of 5581 Mandale, Troy, was present. Mr. Bjelobrk asked how many members of the Planning Commission live next door to or within 300 feet of a family or group day care home. He also asked if any member of the Planning Commission has a friend or relative who operates a day care center. Mr. Bjelobrk said he would be willing to swap houses with Chair Strat so he would have the opportunity to experience living next to a group day care home. He voiced concern with the City procedure to notify only those residents living within 300 feet of existing group day care homes, and said the issue should be placed on a city-wide ballot. Mr. Bjelobrk voiced concern that a fire in a group day care home would jeopardize his family’s safety and affect the cost of his insurance coverage. He asked that group day care homes not be grandfathered. Mr. Bjelobrk addressed traffic, noise, and parking concerns, and encouraged parents to raise their own children.

Curtis Childs of 1931 Atlas Court, Troy, was present. Mr. Childs said approximately 800 homes have been receiving the Public Hearing notices and very few negative responses have come forward.

PUBLIC HEARING CLOSED

Resolution # PC-2005-10-

Moved by: Drake-Batts

Seconded by: Littman

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles IV and X, pertaining to Group Day Care Homes in the R-1A through R-1E Zoning Districts on a Temporary Basis, be amended as follows:

1. To remove “[Date of Final Action by City Council]” and replace and substitute it with “[The Approval of ZOTA 214-B by City Council]”.

Discussion on the motion on the floor.

Mr. Waller asked that the Resolution be amended to change all entries of 10 days to 100 days, with reference to the timeframe of the temporary basis after the Troy City Council has had the opportunity to conduct a Public Hearing and take final action.

A brief discussion followed on the wording of the zoning ordinance text amendment.

Mr. Motzny suggested a recess to prepare the appropriate wording of the Resolution.

Chair Strat requested a recess at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Ms. Drake-Batts withdrew the motion on the floor. Mr. Littman was in agreement with the withdrawal.

Resolution # PC-2005-10-171

Moved by: Drake-Batts
 Seconded by: Littman

RESOLVED, That group day care homes as defined in Section 04.20.69, licensed by the State of Michigan and in operation as of the date of approval of ZOTA 214-B by City Council, shall be permitted to continue on a temporary basis not to exceed thirty (30) days after the Troy City Council has had the opportunity to conduct a Public Hearing and take final action on any proposed revisions to Charter 39, Article X, related to the regulation of group day care homes as set forth in ZOTA 214.

Yes: Drake-Batts, Littman, Schultz, Strat, Vleck, Waller
 No: Wright
 Absent: Chamberlain, Khan

MOTION CARRIED

Mr. Wright said the Planning Department has received several letters from neighbors who are opposed to group day care homes because of traffic, parking, and noise. Mr. Wright said he personally thinks a group day care home is a commercial enterprise that should not exist in a residential zone.

**Planning Commission Actions on
ZOTA 214 Group Daycare Homes
in the R-1 Residential Zoning Districts**

| MEETING DATE | TYPE OF MEETING | ACTION |
|---------------------|------------------------|--|
| April 27, 2004 | Study Meeting | Potential Ordinance Revision Discussion and Presentation by Ms. Schafer |
| May 4, 2004 | Study Meeting | Potential Ordinance Revision Discussion followed by Resolution #PC-2004-05-052 - Request for written confirmation that the Building Dept. violation at 5593 Mandale be held in abeyance while PC attempts to move forward with ZOTA, MOTION APPROVED |
| July 27, 2004 | Study Meeting | Potential Ordinance Revision Discussion |
| Sept. 28, 2004 | Study Meeting | Potential Ordinance Revision Discussion |
| March 1, 2005 | Study Meeting | Brief Discussion after Planning & Zoning Report |
| June 7, 2005 | Study Meeting | Zoning Ordinance Text Amendment Discussion followed by Resolution #PC-2005-06-094, directing the Planning Dept. not to extend any more effort on ZOTA 214, and to look into applicability of the State Building Code for family daycare homes to see if anything should be done in the City Ordinances to clear up potential legalities, MOTION FAILED |
| June 28, 2005 | Study Meeting | Zoning Ordinance Text Amendment Discussion followed by Resolution #PC-2005-06-108, that a Public Hearing on ZOTA 214 be scheduled for August 9, 2005 and notices be sent to residents within 300 ft. of the existing 19 group daycare homes and that City Management provide a memo outlining pros and cons on the matter and that additional Special Use criteria be developed, MOTION APPROVED |
| July 12, 2005 | Regular Meeting | During Good of the Order comments, Mr. Motzney provided an explanation to his memo addressing the Public Hearing for ZOTA 214 |
| August 2, 2005 | Study Meeting | Discussion of House Bill 4398 including Sec. 206 (4) the requirement to permit conditionally group day care homes in residential districts |
| August 9, 2005 | Regular Meeting | Public Hearing, followed by Resolution #PC-2005-08-131, Planning Commission shall take no further action related to group day care homes until State Legislature and Governor have taken final action on House Bill 4398, MOTION APPROVED |

**Planning Commission Actions on
ZOTA 214 Group Daycare Homes
in the R-1 Residential Zoning Districts**

| | | |
|--------------------|-----------------|--|
| August 23, 2005 | Study Meeting | During Good of the Order comments, Chair Strat notified members that City Manager notified him that the State legislature is not going forward with modifications regarding group day care homes in House Bill 4398 and that Mr. Szerlag requested they resume action on ZOTA 214 |
| September 13, 2005 | Regular Meeting | During Good of the Order comments, Mr. Miller notified members that City Council adopted a resolution requesting the Planning Commission take action on ZOTA 214 at the September 27, 2005 Public Hearing |
| September 27, 2005 | Study Meeting | Resolution #PC-2005-09-150 rescinding resolution PC-2005-08-131, MOTION APPROVED. Planning Commission then held a Public Hearing followed by Resolution #PC-2005-09-152 that the Planning Commission hold a Public Hearing for ZOTA 214 at the Planning Commission Regular Meeting in December, MOTION APPROVED. |
| October 4, 2005 | Study Meeting | Mr. Miller notified members that City Council adopted a resolution requesting the Planning Commission have a public hearing to consider an amendment that would temporarily allow for child group day care homes, which are State licensed, to be located in the R-1 Zoning Districts until 15 days after the Troy City Council has had the opportunity to conduct a public hearing on ZOTA 214. Discussion of ZOTA 214 B (Group Daycare Homes on a Temporary Basis) followed by Resolution #PC-2005-10-158, that a Public Hearing for ZOTA 214 B (Group Daycare Homes on a Temporary Basis) be held at the Planning Commission Study Meeting of October 25, 2005, MOTION APPROVED. Discussion of ZOTA 214, no resolution passed. |
| October 11, 2005 | Regular Meeting | Discussion of ZOTA 214, no resolution passed. |
| October 25, 2005 | Study Meeting | Public Hearing on ZOTA 214 B (Group Daycare Homes on a Temporary Basis) followed by Resolution #PC-2005-10-171, recommending approval of ZOTA 214 B - Group Daycare Homes on a Temporary Basis, MOTION APPROVED. Discussion of ZOTA 214, no resolution passed. |
| November 1, 2005 | Study Meeting | Discussion of ZOTA 214, no resolution passed. |

A Special Meeting of the Troy City Council was held Monday, November 14, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:17 PM

ROLL CALL:

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations: Mayor Schilling presented a proclamation on behalf of the City of Troy in recognition of Council Member David Eisenbacher's service to the community.

PUBLIC COMMENT: Address of "K" Items

ADJOURNMENT

The meeting **ADJOURNED** at 7:28 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, City Clerk

A Regular Meeting of the Troy City Council was held Monday, November 14, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:39 PM

Reverend Richard Peacock of the First United Methodist Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

A-1 Presentations: 2005-2006 City Council Convenes: (a) Installation of New Members

a) Installation of New Members

Members of the City Council who begin new terms will be administered the Oath of Office.

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 (con't): 2005-2006 City Council Convenes: (b) Adoption of Rules of Procedure; (c) Appointment of Mayor Pro Tem

b) Adoption of Rules of Procedure

Attached is a copy of the Rules of Procedure, which is subject to renewal and/or amendment at this time.

Resolution #2005-11-503
Moved by Howrylak
Seconded by Stine

RESOLVED, That the Rules of Procedure of the City Council of the City of Troy are hereby **ADOPTED** as recorded by the City Clerk in the Minutes of this meeting.

Yes: All-7

c) Appointment of Mayor Pro Tem

Council's Rules of Procedure address the appointment of Mayor Pro Tem as follows:

1. Appointment of Mayor Pro Tem

The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Cristina Broomfield, Martin F. Howrylak, Jeanne M. Stine, David A. Lambert, Wade Fleming, Robin Beltramini

Resolution #2005-11-504

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Cristina Broomfield is hereby **APPOINTED** to serve as Mayor Pro Tem for the City Council of the City of Troy.

Yes: All-7

Council Member Broomfield was administered the Oath of Office as Mayor Pro Tem of the City Council.

- d) **National Red Ribbon Campaign – Troy Families for Safe Homes** – The petitioner requested that the National Red Ribbon Campaign be rescheduled to appear on the agenda of the next Regular City Council meeting scheduled for Monday, November 21, 2005.
- e) **Recognition for Outstanding Support from the City of Troy and the Troy Police Department by Command Sgt. Major Joseph Haddad** – In appreciation of the ongoing support of the United States military given by the City of Troy, the City of Troy's Police Department and Troy citizens, Mayor Schilling, City Manager John Szerlag and Chief Charles Craft accepted two original prints depicting the legacy and history of the rank of Command Sergeant Major by Pennsylvania artist Larry Solomon commissioned by the members of Sgt. Major Joseph Haddad's class at the Sergeants Major Academy in Ft. Bliss, Texas.
- f) As representative of the three sponsor groups (*Fleet Equipment Magazine*, Tom Johnson and CCG Systems, Inc.) of the 100 Best Fleet Program, Steve Specht, recognized the City of Troy's outstanding fleet operation ranking them in the top ten nationally. Mr. Specht added that CCG Systems, Inc. further honored the City of Troy's fleet operation by awarding them with one of their "Hero Awards" at their national conference held in Virginia.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Community Development Block Grant (CDBG) Year 2002 Project Description Amendment

Resolution #2005-11-505
Moved by Stine
Seconded by Lambert

RESOLVED, That the City Council of the City of Troy **AUTHORIZES** the reprogramming of CDBG Program Year 2002 funds and to **EXPEND** our CDBG Program Year 2002 appropriation balance of \$11,309.85 on Flood Drain Improvements, from Account #3616, Special Assessment to Account #2696, Flood Drain Improvements.

Yes: All-7

C-2 Request to Re-program and Waive Recapture of Community Development Block Grant (CDBG) 2003 Funds

Resolution #2005-11-506
Moved by Stine
Seconded by Broomfield

RESOLVED, That the City Council of the City of Troy **AUTHORIZES** Water/Sewer Improvements for Charnwood Subdivision Area, Phase #1, Section 6 be added to the activity list of CDBG projects for 2003; and

BE IT FURTHER RESOLVED, That Year 2003 unspent funds should be **RE-PROGRAMMED** from Flood Drain Improvements to Water Sewer Improvements.

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 2003 and older funds are at risk of recapture December 31, 2005; and

WHEREAS, Troy may protect unobligated 2003 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate Waiver Request Form must be submitted for each 2003 line item to the Manager of the Oakland of the Oakland County Community and Home Improvement Division no later than Friday, November 25, 2005.

NOW, THEREFORE, BE IT RESOLVED, That Troy hereby requests to **RE-PROGRAM** and **WAIVE** recapture of 2003 CDBG funds as follows:

Existing (From):

| <u>Account #</u> | <u>ACTIVITY DESCRIPTION</u> | <u>AMOUNT</u> |
|------------------|-----------------------------|---------------|
| 803229-2696 | Flood Drain Improvements | \$55,637.70 |

Proposed (To):

| <u>Account #</u> | <u>ACTIVITY DESCRIPTION</u> | <u>AMOUNT</u> |
|------------------|-----------------------------|---------------|
| 803229-3824 | Water Sewer Improvements | \$55,637.70 |

Yes: All-7

C-3 Community Development Block Grant (CDBG) 2006 Application

Resolution #2005-11-507

Moved by Stine

Seconded by Beltramini

WHEREAS, The City of Troy will receive approximately \$166,316.00 for Community Development Block Grant funds for the year 2006; and

WHEREAS, On November 14th, 2005 a Public Hearing was held before the City Council of the City of Troy, at which Public Hearing, persons were given an opportunity to provide written and oral views to the Troy City Council, the authority responsible for enacting the budget, and to ask questions about the entire budget and the relationship of the Home Chore Program, Administration, and Water Sewer Improvements for Charnwood Subdivision Area, Phase #1, Section 6; and

WHEREAS, The City Council of the City of Troy, after conclusion of the Public Hearing on this date has determined that funding should be provided through the 2006 Community Development Block Grant (CDBG) Program for the Home Chore Program; Administration, and Water Sewer Improvements for Charnwood Subdivision Area, Phase #1, Section 6.

NOW, THEREFORE, BE IT RESOLVED, That the Home Chore Program, Administration, and Water Sewer Improvements for Charnwood Subdivision Area, Phase #1, Section 6 are hereby **DESIGNATED** as Community Development Block Grant (CDBG) Projects for 2006; and

BE IT FINALLY RESOLVED, That the Mayor of the City of Troy is **AUTHORIZED TO SIGN** the Application and Subrecipient Agreement and **SUBMIT** them to Oakland County.

Yes: All-7

C-4 Zoning Ordinance Text Amendment (ZOTA 201) – Article 28.30.00, Commercial Indoor Recreation in the M-1 Light Industrial Zoning District

Resolution #2005-11-508
Moved by Beltramini
Seconded by Stine

RESOLVED, That Zoning Ordinance Text Amendment (ZOTA 201)-Article 28.30.00, Commercial Indoor Recreation in the M-1 Light Industrial Zoning District be **POSTPONED** until the Regular City Council meeting scheduled for Monday, November 28, 2005 so that City Management can develop and present proper definitions of “performance studios” and “performance theaters” for Article IV of the Zoning Ordinance to the Planning Commission.

Yes: All-7

The meeting **RECESSED** at 8:43 PM.

The meeting **RECONVENED** at 8:53 PM.

POSTPONED ITEMS:

D-1 No Postponed Items

CONSENT AGENDA:

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

Resolution #2005-11-509
Moved by Lambert
Seconded by Stine

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-5, E-7 and E-14 which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

E-2 Approval of City Council Minutes

Resolution #2005-11-509-E-2

RESOLVED, That the Minutes of the Regular City Council Meeting of October 24, 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 Bidders – Traffic Control Signs and Posts**

Resolution #2005-11-509-E-4a

RESOLVED, That one-year contracts to provide Traffic Control Signs and Posts with an option to renew for one (1) additional year are hereby **AWARDED** to the low bidders, Vulcan Signs, Osburn Associates, Inc., Rocal, Inc., Unistrut Detroit Service Co., Allied Municipal Supply and Dornbos Sign & Safety, Inc. at unit prices contained in the bid tabulation opened October 19, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring December 16, 2006.

b) **Standard Purchasing Resolution 8: Best Value Award – Sale of Surplus Parcels**

Resolution #2005-11-509-E-4b

RESOLVED, That contracts to sell \$562,862.00 of surplus real estate parcels be **AWARDED** to the highest bidders as listed on the attached bid tabulation(s) opened October 26, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting and are summarized below:

| Parcel # | Sidwell # | Minimum Bid | High Bid | Name of Bidder |
|----------|--------------------|---------------------|---------------------|-----------------------------------|
| 1 | 20-01-476-032 | \$340,000.00 | \$411,000.00 | Bassam Askar of Troy |
| 21 | 20-26-433-019, 020 | \$ 70,000.00 | \$ 71,250.00 | Bostick Real Estate LLC of Warren |
| 24 | 20-27-155-013 | \$ 60,000.00 | \$ 66,112.00 | Gary Abitheira of Troy |
| 27 | 20-34-201-009 | \$ 13,000.00 | \$ 14,500.00 | Rick & Renee Van Daal of Oakland |
| | | GRAND TOTAL: | \$562,862.00 | |

BE IT FURTHER RESOLVED, That the Real Estate and Development Department may **EXPEND** the necessary funds for title insurance and recording, to be taken from the proceeds of said sales, to close and record these real estate parcels; and

BE IT FINALLY RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO SIGN** a Warranty Deed to be delivered at closing.

c) **Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – Radio Equipment**

Resolution #2005-11-509-E-4c

RESOLVED, That the Troy City Council does hereby **AUTHORIZE** the Troy Police Department to receive a United States Department of Justice, Save our School Grant and **EXPEND** funds for the for the purchase of radio equipment from M/A-Com, Inc. of Lynchburg, VA at an estimated cost of \$40,000.00 through an Oakland County Contract in accordance with the Appendix, Radio Equipment Price Breakdown; and

BE IT FURTHER RESOLVED, That the Police Department budget is hereby **AMENDED** to receive grant funding of \$40,000.00 so it may be expended on radio equipment described above.

d) **Standard Purchasing Resolution 1: Award to Low Bidder Contract 06-2 – Sylvan Glen Golf Course Streambank Restoration**

Resolution #2005-11-509-E-4d

RESOLVED, That Contract No. 06-2, Sylvan Glen Golf Course Streambank Restoration, be **AWARDED** to Dan's Excavating, Inc., 12955 23 Mile Road, Shelby Township, MI 48315 at an estimated total cost of \$1,128,115.10; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor's submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost.

E-6 Amendment #4 – Office Space Rental Agreement – Emerald Food Services – Community Center Café/Pro Shop Contract

Resolution #2005-11-509-E-6

RESOLVED, That the Addendum #4 to the Original Agreement with Emerald Food Services dated March 18, 2002 be **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-8 Approval of Temporary Trailer – Chuck E. Cheese – 740 John R

Resolution #2005-11-509-E-8

RESOLVED, That the request from Todd Horchner, Director of Training for CEC Entertainment, to temporarily place an office trailer for use as a hiring office at 740 John R is hereby **APPROVED** from the date of November 30, 2005, until December 21, 2005, in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

E-9 Lifeguard and CPR Supplies for the Troy Family Aquatic Center and Troy Community Center

Resolution #2005-11-509-E-9

WHEREAS, The American Red Cross is the sole known provider of Red Cross training supplies in Michigan; and

WHEREAS, The American Red Cross has been providing training supplies for lifeguard and CPR programs and classes at the Troy Family Aquatic Center and Troy Community Center for the past year.

NOW, THEREFORE, BE IT RESOLVED, That a contract to purchase American Red Cross training supplies for the Troy Family Aquatic Center and Troy Community Center from the sole known provider in Michigan, the American Red Cross is hereby **APPROVED** at an estimated total cost of \$18,000.00, expiring December 31, 2006.

E-10 Private Agreement for Beech Lane Splits – Project No. 05.930.3

Resolution #2005-11-509-E-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Deagle Development, Inc., is hereby **APPROVED** for the installation of storm sewer, sanitary sewer, sidewalk, paving and soil erosion controls 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-11 Private Agreement for Fifth Third Bank – Project No. 05.919.3

Resolution #2005-11-509-E-11

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Fifth Third Bank, is hereby **APPROVED** for the installation of water main, storm sewer, paving and sidewalk 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-12 Transfer of SDD and SDM License for Atlas Market and Bakery**(a) Transfer License**

Resolution #2005-11-509-E-12a

RESOLVED, That the request from MJMN, INC. to transfer all stock interest in 2005 SDD & SDM licensed corporation located at 36949 Dequindre, Troy MI 48084, Oakland County wherein sole stockholder Masoud Matti transfers 100 shares of stock to new stockholder, Kawkab Matti “above all others”; be **CONSIDERED FOR APPROVAL**.

It is the consensus of this legislative body that the application **BE RECOMMENDED** “above all others” for issuance.

(b) Agreement

Resolution #2005-11-509-E-12b

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

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with MJMN, INC. to transfer all stock interest in 2005 SDD & SDM licensed corporation located at 36949 Dequindre, Troy MI 48084, Oakland County wherein sole stockholder Masoud Matti transfers 100 shares of stock to new stockholder, Kawkab Matti

“above all others”; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-13 Acceptance of Permanent Storm Drain Easement, Permanent Sanitary Sewer Easement, Permanent Public Utility Easement, Warranty Deed for Nada Court, Covington Estates Site Condominium – Sidwell #88-20-15-201-041

Resolution #2005-11-509-E-13

RESOLVED, That the Permanent Storm Drain Easement, Permanent Sanitary Sewer Easement, Permanent Public Utility Easement, and the Warranty Deed for Nada Court, all being part of The Covington Estates Condominium project are hereby **ACCEPTED**.

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

E-15 Contract Amendment #1 – Automatic Meter Reading System

Resolution #2005-11-509-E-15

WHEREAS, On Monday, September 12, 2005, the Troy City Council authorized City Administration to negotiate and amend a contract with SLC Meter Service, Inc. of Davisburg, MI to expand the scope of work to include 26,000 residential meters (CC Res#2005-09-427).

NOW, THEREFORE, BE IT RESOLVED, That the contract amendment negotiated by the City of Troy with SLC Meter Service, Inc. to provide automatic meter reading system software, equipment and services for approximately 26,000 residential meters over a four (4) year period expiring December 31, 2009 at an estimated annual cost of \$347,035.00, with additional equipment purchases allowed for new housing units and commercial /industrial installations for a total of ten (10) years through December 31, 2015 is hereby **APPROVED**, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

E-5 Transfer Ownership of a Class C (Quota) License – Spectadium – 2511 Livernois

(a) Transfer License

Resolution #2005-11-510a

Moved by Beltramini

Seconded by Stine

RESOLVED, That the request from AG SPORTS, INC. to transfer ownership of a 2005 Class C Licensed Business with Dance-Entertainment Permit, Outdoor Service (1 area) and 3 bars; request new Official Permit (Food) to be located at 2511 Livernois, Troy, MI 48084, Oakland County, from Premier Sports, L.L.C. “above all others”; be **CONSIDERED FOR APPROVAL**.

It is the consensus of this legislative body that the application **BE RECOMMENDED** “above all others” for issuance.

Yes: All-7

(b) Agreement

Resolution #2005-11-510b

Moved by Beltramini

Seconded by Stine

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

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with AG SPORTS, INC. to transfer ownership of a 2005 Class C Licensed Business with Dance-Entertainment Permit, Outdoor Service (1 area) and 3 bars; request new Official Permit (Food) to be located at 2511 Livernois, Troy, MI 48084, Oakland County, from Premier Sports, L.L.C. “above all others”; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

E-7 Payment of 2006 Membership Dues – National League of Cities

Resolution #2005-11-511

Moved by Stine

Seconded by Fleming

RESOLVED, That the invoice in the amount of \$5,953.00 for 2006 membership dues to the National League of Cities is **APPROVED** for payment.

Yes: Beltramini, Broomfield, Fleming, Lambert, Stine, Schilling

No: Howrylak

MOTION CARRIED

E-14 Authorization to Publish and Solicit for Public Sealed Bid – Sale of 3 Surplus Parcels

Resolution #2005-11-512

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the Real Estate and Development Department, in conjunction with the Purchasing Department is **AUTHORIZED** to advertise to sell by sealed bid to the highest

bidder, at or above the minimum bid value established as the appraised value, the following surplus parcels:

| <u>Parcel #</u> | <u>Sidwell#</u> | <u>Appraised Value</u> | <u>Type Property</u> |
|-----------------|---------------------|------------------------|----------------------|
| 15 | 20-23-351-001 & 002 | \$ 20,000.00 | Vacant B-2 |
| 17 | 20-23-354-048 | \$ 90,000.00 | Vacant B-3 |
| 20 | 20-26-429-045 | \$18,000.00 | Vacant M-1 |

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled; b) City Council Appointments: Southeastern Michigan Council of Governments (SEMCOG)

(a) Mayoral Appointments – No Appointments Scheduled

(b) City Council Appointments

Resolution
Moved by Stine
Seconded by Fleming

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

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council - (1 Council Member) – 2 years

Robin Beltramini

Term Expires 11/14/07

Vote on Resolution to Amend

Resolution #2005-11-513
Moved by Lambert
Seconded by Broomfield

RESOLVED, That the Resolution to appoint a Delegate to the Southeastern Michigan Council of Governments (SEMCOG) be **AMENDED** by **INSERTING** Mark Miller as the alternate delegate.

Yes: All-7

(b) Vote on City Council Appointments to SEMCOG as Amended

Resolution #2005-11-514

Moved by Stine
Seconded by Fleming

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

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council - (1 Council Member) – 2 years

Robin Beltramini Term Expires 11/14/07

Mark Miller (Alternate) Term Expires 11/14/07

Yes: All-7

F-2 Purchase of Replacement Ladder Truck

Resolution #2005-11-515
Moved by Stine
Seconded by Howrylak

WHEREAS, On Monday, September 12, 2005, the Troy City Council authorized City Administration to negotiate the purchase of an aerial ladder truck (CC Res#2005-09-425) with Sutphen Corporation of Amlin, Ohio.

NOW, THEREFORE, BE IT RESOLVED, That the purchase of one (1) aerial platform ladder truck from Sutphen Corporation of Amlin, OH is hereby **APPROVED** at an estimated cost of \$769,522.00.

Yes: All-7

F-3 Traffic Committee Recommendations – October 19, 2005

Resolution #2005-11-516
Moved by Howrylak
Seconded by Broomfield

a) No Changes at Glyndebourne and Red Maple

RESOLVED, That **NO CHANGES** be made at Glyndebourne and Red Maple as the warrants for a four (4) way stop have not been met.

b) Establishment of Fire Lanes/Two Away Zones at Midtown Square Condos – Maple and Coolidge

RESOLVED, That fire lanes/tow away zones shown in the attached sketch **BE ESTABLISHED** at Midtown Square Condos, Maple and Coolidge.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Commercial Vehicle Appeal – 34551 Dequindre – November 21, 2005
- b) Parking Variance – 1414 Combermere – November 21, 2005
- c) Rezoning Application – Northeast Corner of Rochester Road and Wattles Road, Section 14 – B-1 to B-2 (Z 710) – November 21, 2005
- d) 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 – November 21, 2005

Noted and Filed

G-2 Green Memorandums:

- a) 2005 Troy Daze

Noted and Filed

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

H-1 No Council Referrals

COUNCIL COMMENTS:

I-1 No Council Comments

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Board of Canvassers/Final – April 6, 2004
- b) Civil Service Commission (Act 78)/Final – August 10, 2004
- c) Parks and Recreation Advisory Board/Final – May 12, 2005
- d) Advisory Committee for Senior Citizens/Final – September 1, 2005
- e) Employees' Retirement System Board of Trustees/Final – September 14, 2005
- f) Library Board/Final – September 15, 2005
- g) Board of Zoning Appeals/Draft – September 20, 2005
- h) Board of Zoning Appeals/Final – September 20, 2005
- i) Planning Commission Special/Study/Final – September 27, 2005

- j) Troy Youth Council/Final – September 28, 2005
- k) Ethnic Issues Advisory Board/Draft – October 4, 2005
- l) Planning Commission Special/Study/Draft – October 4, 2005
- m) Planning Commission Special/Study/Final – October 4, 2005
- n) Advisory Committee for Persons with Disabilities/Draft – October 5, 2005
- o) Advisory Committee for Persons with Disabilities/Final – October 5, 2005
- p) Building Code Board of Appeals/Draft – October 5, 2005
- q) Building Code Board of Appeals/Final – October 5, 2005
- r) Advisory Committee for Senior Citizens/Draft – October 6, 2005
- s) Planning Commission Regular/Draft – October 11, 2005
- t) Planning Commission Regular/Final – October 11, 2005
- u) Library Advisory Board/Draft – October 13, 2005
- v) Civil Service Commission (Act 78)/Draft – October 17, 2005
- w) Board of Zoning Appeals/Draft – October 18, 2005
- x) Troy Youth Council/Draft – October 26, 2005
- y) Advisory Committee for Senior Citizens/Draft – November 3, 2005
- z) Board of Canvassers/Draft – November 9, 2005
- aa) Employees' Retirement System Board of Trustees/Draft – November 9, 2005

Noted and Filed

J-2 Department Reports:

- a) 2006 Sanctuary Lake League Rates
- b) City of Troy Quarterly Financial Report – September 30, 2005
- c) Council Member Lambert's Travel Expense Report for the Michigan Municipal League Annual Meeting
- d) Police Department - 2005 Year-to-Date Crime and Calls for Service Report
- e) Building Department – Permits Issued During the Month of October, 2005
- f) City Attorney's Office – 2005 Third Quarter Litigation Report
- g) Library Rankings
- h) Real Estate and Development Department – Ford and Earl Property
- i) Planning Department – Status of Zoning Ordinance Text Amendment (ZOTA 216) – Additional Retail Along Major Thoroughfares in the M-1 (Light Industrial) Zoning District

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter to Chief Craft from Dan DeWolf Regarding the Professionalism and Efforts of Officer Villerot
- b) Certificate of Appreciation to John M. Lamerato from the Michigan Government Finance Officers Association Mentoring Program Committee
- c) Letter of Appreciation from the Troy Daze Festival Committee to Mayor Schilling and City Council, Thanking Department Directors Carol Anderson, Tim Richnak, Chief Craft, Chief Nelson, Jeanette Bennett and Cindy Stewart and Their Staff for the Assistance with the Troy Daze Festival
- d) Letter of Appreciation from the Troy Daze Festival Committee to John Szerlag, Thanking Carol Anderson, Jeff Biegler and the Parks and Recreation Staff for Their Contributions with the Troy Daze Festival
- e) Letter of Appreciation from the Troy Daze Festival Committee to John Szerlag, Thanking Chief Craft, Captain Mayer, Lt. Scherlinck, Sgt. Kowalski, Officer Harrison, Officer

Lepola, Mick Gobler, the Directed Patrol Unit, the Community Services Section, Officers from the Patrol Division, Police Service Aides, and the Explorers Unit for Their Assistance with the Troy Daze Festival

- f) Letter of Appreciation from the Troy Daze Festival Committee to John Szerlag, Thanking Chief Nelson, Fire Department Liason Bob Matlick, Tonya Perry, Rod Bovensiep, Yanuz Bora, Chuck Reisterer, Eric Caloia, Bill McNabb and Dave Roberts for Their Assistance with the Troy Daze Festival
 - g) Letter of Appreciation from the Troy Daze Festival Committee to John Szerlag, Thanking Tim Richnak, Tom Rosewarne, Duane Blucher, Todd Culver, Doug Billings, Tracey Crane, Larry Holmes, Jonathan King and John Zawojkyj for Their Assistance in Setting up and Tearing Down the Troy Daze Festival
 - h) Letter of Appreciation from the Troy Daze Festival Committee to John Szerlag, Thanking Cindy Stewart, Andrea Herzog, Sue Davis, Shawn Polito, Matt Rundell, Chuck Davis and Jeff Verhoef for Their Contributions with the Troy Daze Festival
 - i) Letter of Appreciation from Deborah Barczyk to the Troy Fire Department, Thanking Karen Lawson for the Fire Safety Presentation
 - j) Letter of Thanks to Susan Lancaster from Jeannie Niland, Michigan Association of Code Enforcement Officers, In Appreciation of Her Presentation
 - k) Letter of Appreciation to Brian Goul from Edith Andersen Regarding Mario Walden
 - l) Letter of Thanks to Chief Nelson from Kelly McConnell, Briarwood Manor Homeowners Association, In Appreciation of Firefighter Merian and the Troy Fire Department
 - m) Letter of Appreciation to Sgt. Zielinski from Paul Scobie, Troy Youth Assistance, Thanking Sgt. Zielinski for His Presentation
 - n) Letter of Thanks to Chief Craft from Ann Strecker Regarding the Efforts of Officer Dungien and the Troy Police Department
 - o) Letter of Thanks to Chief Craft from Michael Bouchard, Oakland County Sheriff, In Appreciation of the Assistance by the Troy Police Department
- Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Notice of Hearing for the Electric Customers of the Detroit Edison Company – Case No. U-14702

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION: No Closed Session Requested

ADJOURNMENT

The meeting **ADJOURNED** at 9:29 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, City Clerk

November 15, 2005

To: John Szerlag, City Manager

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

Subject: **Agenda Item** – Standard Purchasing Resolution 1 – Award To Low Bidder – Installation of Street Trees

RECOMMENDATION

On October 25, 2005, sealed bid proposals were opened to furnish and install an estimated 2500 bare root Street Trees for residential Right-of-Way areas. After reviewing these proposals, City management recommends awarding the contract to the low bidder, Steele's Services of Rochester, MI, for an estimated cost of \$312,500.00 at unit prices contained in the attached bid tabulation. The contract will commence in late winter, early spring of 2005/2006, when trees are still dormant.

SUMMARY

The contract will be to furnish and install 2500 bare root trees between the sidewalk and curb in front of Troy homes. At no time will a monoculture be created by the new plantings. This planting is in response to the significant loss of ash tree from emerald ash borer.

BUDGET

Funds for these materials will be available through the Parks and Recreation Capital account #401780.7974.130 for Subdivision Improvements.

64 Vendors Notified on MITN System
4 Bid Responses Rec'd
1 No Bid: (1) Company could not bid due to their busy spring schedule.

Prepared by: Ron Hynd, Landscape Analyst

Opening Date -- 10-25-05
 Date Prepared -- 11/4/05

CITY OF TROY
 BID TABULATION
 STREET TREES

ITB-COT 05-48

VENDOR NAME:

| | | | |
|---------------------------|-------------|-------------|---------------|
| * STEELE'S | MARINE CITY | SOULLIERE | NURSERY |
| SERVICES | NURSERY CO | YARD CARE | MERCHANT, INC |
| 001979 | 467 5704246 | 726010329 | 062268 |
| CHECK AMOUNT: \$ 2,000.00 | \$ 2,000.00 | \$ 2,000.00 | \$ 2,000.00 |

**PROPOSAL: To Provide and Install for the City of Troy an Estimated 2500 Bare Root Street Trees-Spring 2006
 In Accordance with the Specifications**

| | | | | | |
|--|------------------|----------------|---------------|---------------|---------------|
| PRICE PER TREE INSTALLATION | | \$ 125.00 | \$ 134.00 | \$ 145.00 | \$ 159.00 |
| ESTIMATED TOTAL COST FOR 2500 TREES * | | \$ 312,500.00 | \$ 335,000.00 | \$ 362,500.00 | \$ 397,500.00 |
| CONTACT INFORMATION | Hrs of Operation | 8-5pm | 8-5pm | 8-5pm | 8-4pm |
| | Phone Number | (248)852-6140 | (810)560-9099 | (810)798-8006 | (734)761-1774 |
| LIST OF NINE TREE TYPES | Y or N | YES | YES | YES | YES |
| | How many listed: | NINE | TWELVE | NINE | TEN |
| STATEMENT OF GUARANTEE | Y or N | ONE YEAR | AS SPECIFIED | ONE YEAR | AS SPECIFIED |
| INSURANCE | Can meet | XX | XX | XX | XX |
| | Cannot meet | | | | |
| DELIVERY | | 5/30/06 LATEST | AS SPECIFIED | BY HAND | FOB TROY, MI |
| TERMS | | 10 PROX NET 30 | NET 30 DAYS | BLANK | NET 30 DAYS |
| GUARANTEE | | As Specified | As Specified | As Specified | As Specified |
| EXCEPTIONS | | BLANK | BLANK | BLANK | LISTED IN BID |
| | | | | | |
| | | | | | |
| ACKNOWLEDGEMENT: | Y or N | YES | YES | YES | YES |

NO BIDS:
Sherman Nursery Farms

* DENOTES LOW BIDDER

ATTEST:
Charlene McComb
Ron Hynd
Linda Bockstanz

 Jeanette Bennett
 Purchasing Director



Downloading History for ITB-COT 05-48 St Trees



Print Report

The report below shows all fax and e-mail vendors that matched this document when it was originally issued. It also shows all vendors that have downloaded or ordered the document and any subsequent amendments as of 11/15/2005.

| | |
|------------------------|---|
| Document Title: | Installation of Bare Root Street Trees, Spring 2006 |
| Date Issued: | 10/3/2005 |
| Close Date: | 10/25/2005 |

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

| Acct # | Company Name | Service | Date Obtained Document | Date Obtained Amendments |
|--------|---|---------|------------------------|--------------------------|
| 16951 | Acorn Farms Inc. | Free | 10/18/2005 | |
| 18520 | Astoria Laminations | Free | 10/18/2005 | |
| 20316 | brookstone growers inc. | E-mail | | |
| 20153 | C & H Site Development | E-mail | 10/13/2005 | |
| 16702 | Christensen's Plant Center | E-mail | 10/3/2005 | |
| 19437 | Concord Nurseries, Inc. | E-mail | | |
| 11681 | D and J Lawn and Snow Corp. | E-mail | | |
| 22500 | D. Singh | Free | 10/8/2005 | |
| 12481 | Davey Tree Expert Company | E-mail | 10/4/2005 | |
| 16488 | Discount Tree Sales and Transplanting | Free | 10/8/2005 | |
| 21808 | DSA Wholesale | E-mail | | |
| 10657 | Envision Enterprises | E-mail | | |
| 13905 | Excell Landscaping | Free | 10/21/2005 | |
| 22653 | George Twal | Free | 10/20/2005 | |
| 10938 | Great Lakes Landscaping & Construction Inc. | Fax | | |
| 22571 | Green Acres Turf & Tree Farm | Free | 10/11/2005 | |
| 19922 | Howard & Associates Landscape, LLC | Free | 10/12/2005 | |
| 14212 | Huggett Sod Farm, Inc. | Fax | | |
| 19350 | James J. Leamon Landscape Design and | E-mail | | |

| Acct # | Company Name | Service | Date Obtained Document | Date Obtained Amendments |
|--------|--|---------|------------------------|--------------------------|
| | Construction | | | |
| 14945 | John Deere Landscapes | E-mail | 10/5/2005 | |
| 19573 | Kingsway Landscaping | Fax | | |
| 16835 | Kirtland Landscape Inc. | E-mail | | |
| 22541 | Landscape Solutions | Free | 10/6/2005 | |
| 22366 | Lawn World Inc | Free | 10/13/2005 | |
| 20719 | LawnCrafters | Free | 10/19/2005 | |
| 13464 | Loch Le Monde Landscapes | Free | 10/8/2005 | |
| 20925 | Margolis Nursery Inc. | Fax | | |
| 11900 | MARINE CITY NURSERY CO | Fax | 10/13/2005 | |
| 22493 | Metro Detroit Landscaping & MCMC Trophy | Free | 10/10/2005 | |
| 11639 | Mike's Tree Surgeons, Inc. | E-mail | | |
| 14001 | Mueller's sunrise Nursery, Inc. | Free | 10/12/2005 | |
| 22179 | Northland Services, LLC | Fax | | |
| 11936 | Northside True Value Hardware | Fax | | |
| 22476 | Nursery Merchant, Incorporated | Free | 10/12/2005 | |
| 15680 | nutri-turf lawn and tree service | Fax | | |
| 15606 | O'Neal Father & Sons | Free | 10/9/2005 | |
| 10203 | Owen Tree Service, Inc. | E-mail | | |
| 18539 | Oxford Ornamentals Landscape Nursery, Inc. | Fax | | |
| 10061 | Parks Landscaping & Snow Service | E-mail | 10/3/2005 | |
| 15672 | Perfect Irrigation & Landscape | E-mail | | |
| 22344 | Priority Contractors | Fax | | |
| 11361 | Quickie Carpet Cleaning | Free | 10/11/2005 | |
| 10116 | Rasch's Landscape Express, LLC | E-mail | 10/4/2005 | |
| 16449 | RAY WIEGAND'S NURSERY, INC | E-mail | 10/7/2005 | |
| 19544 | S.S. Seeding, Inc. | Free | 10/10/2005 | |
| 16190 | shades of green | Fax | | |
| 17862 | Sheldon Construction, Inc. | Free | 10/24/2005 | |
| 14349 | Shemin Nurseries, Inc. | Free | 10/20/2005 | |
| 12936 | SHERMAN NURSERY FARMS | E-mail | 10/14/2005 | |
| 21985 | sickles construction | Free | 10/24/2005 | |
| 12565 | snows nursery | E-mail | 10/19/2005 | |
| 19191 | Soulliere Yard Care and Landscaping | Free | 10/24/2005 | |
| 13914 | Steele's Service's LLC | E-mail | 10/7/2005 | |
| 20648 | Steinkopf Nursery | E-mail | | |
| 15269 | Tiede Landscaping | E-mail | 10/6/2005 | |
| 10133 | Titan Lawn Care | Free | 10/21/2005 | |
| 13915 | Tom's Landscaping & Nursery, Inc. | Fax | 10/10/2005 | |
| 15543 | Tranquility Springs, LLC | Free | 10/4/2005 | |

| Acct # | Company Name | Service | Date Obtained Document | Date Obtained Amendments |
|--------|--------------------------------------|---------|------------------------|--------------------------|
| 13480 | Tri-County Tree Expert Co., Inc. | E-mail | | |
| 20605 | Trim Cut Landscaping LLC | Free | 10/18/2005 | |
| 13921 | WALKER LANDSCAPING, INC. | E-mail | | |
| 14338 | Washtenaw Inc., Maintenance Services | E-mail | 10/24/2005 | |
| 22009 | Wholesale Trees L.L.C. | E-mail | 10/8/2005 | |
| 17135 | Wildtype | Free | 10/17/2005 | |

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November 2, 2005

TO: John Szerlag, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance and Administration

SUBJECT: City of Troy Investment Policy and Establishment of Investment Accounts

The current investment policy was initially approved in November 1999 and each year thereafter with the stipulation that it be reviewed and approved annually by City Council.

The current policy has served us well during the past year and is in compliance with Act 20 PA 1943, as amended, therefore I'm not requesting any changes at this time and recommend that the City Council approve the City of Troy investment policy for another year.

I would also like to update our resolution authorizing the establishment of investment accounts at the following institutions: Charter One, Citizens Bank, Comerica Bank, Fifth Third Bank, Flagstar Bank, Huntington National Bank, Independent Bank, JP Morgan Chase Bank, LaSalle Bank, Merrill Lynch, Michigan Class-MBIA, Michigan Heritage Bank, Mischler Financial Group, National City Bank, Republic Bank, Salomon Smith Barney, TCF Bank, and The Private Bank.

CITY OF TROY INVESTMENT POLICY
To Comply with Act 20 PA 1943, as amended

Purpose: It is the policy of the City of Troy to invest its funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the City and comply with all State statutes governing the investment of public funds.

Scope: This investment policy applies to all financial assets of the City. These assets are accounted for in the various funds of the City and include the general fund, special revenue funds, debt service funds, and capital project funds (unless bond ordinances and resolutions are more restrictive), enterprise funds, internal service funds, trust and agency funds, and any new fund established by the City.

Objectives: The primary objectives, in priority order, of the City's investment activities shall be:

Safety – Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

Diversification – The investments will be diversified by security type and institution, in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Liquidity – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment – The investment portfolio shall be designed with the objective of obtaining a rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

Delegation of Authority to Make Investments: Authority to manage the investment program is derived from the following: City of Troy City Council's most current resolution establishing investment accounts (2004-11-576-E-24). Management responsibility for the investment program is hereby delegated to the City of Troy Assistant City Manager/ Finance and Administration who shall establish written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to safekeeping, cash purchase or delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, collateral/depository agreements and banking service contracts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Assistant City Manager/Finance and Administration.

The Assistant City Manager/Finance and Administration shall be responsible for all transactions undertaken and shall establish a system of controls. The Investment Policy shall be reviewed and approved by the City Council annually.

List of Authorized Investments: The Assistant City Manager/Finance and Administration is limited to investments authorized by Act 20 of 1943, as amended, and may invest in the following:

- (a) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- (b) Certificates of deposit, savings accounts, deposit accounts, or depository of a financial institution. Authorized depositories shall be designated by the City of Troy City Council.
- (c) Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
- (d) Repurchase agreements consisting of instruments listed in (a).
- (e) Bankers' acceptances of United States banks.
- (f) Obligations of this state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one standard rating service.
- (g) Investment pools through an inter-local agreement under the urban cooperation act of 1967, 1987 (Ex Sess) PA 7, MCL 124.501 to 124.512
- (h) Investment pools organized under the surplus funds investment pool act, 1982 PA 367, 129.111 to 129.118.
- (i) The investment pools organized under the local government investment pool act, 1986 PA 121, MCL 129.141 to 129.150.

Safekeeping and Custody: All security transactions, including collateral for repurchase agreements and financial institution deposits, entered into by the Assistant City Manager/Finance and Administration may be on a cash basis or a delivery vs. payment basis as determined by the Assistant City Manager/Finance and Administration. Securities may be held by a third party custodian designated by the Assistant City Manager/Finance and Administration and evidenced by safekeeping receipts as determined by the Assistant City Manager/Finance and Administration.

Prudence: Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

November 15, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – REQUEST FOR ACCEPTANCE OF FOUR
UTILITY EASEMENTS FROM GARY F. AND BRENDA
ABITHEIRA - Sidwell #88-20-22-381-002 & 013

In connection with the redevelopment of two parcels on Kilmer Avenue, located in the southwest ¼ of Section 22, the Real Estate and Development Department has acquired four easements from the property owners Gary F. and Brenda Abitheira. The consideration on each of these documents is \$1.00:

| <u>SIDWELL #</u> | <u>OWNER</u> | <u>DOCUMENT TYPE</u> |
|------------------------|----------------------------|----------------------------|
| 88-20-22-381-013 | Gary F. & Brenda Abitheira | Sidewalk Easement |
| 88-20-22-381-002 & 013 | Gary F. & Brenda Abitheira | Storm Sewer Easement |
| 88-20-22-381-002 | Gary F. & Brenda Abitheira | Sidewalk Easement |
| 88-20-22-381-002 | Gary F. & Brenda Abitheira | Sanitary Sewer Easement |

Management recommends that City Council accept the attached documents.

KILMER AVENUE
SIDWELL #88-20-22-381-002 & 013



PERMANENT EASEMENT

Sidwell #88-20-22-381-013

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 178 Larchwood , Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sidewalk, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

THE NORTH 5.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

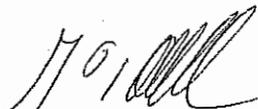
TOWN 2 NORTH, RANGE 11 EAST, SECTION 22, LOTS 12 TO 16 INCLUSIVE, OF "BURGESS BUNGALOW SUBDIVISION" AS RECORDED IN LIBER 46, PAGE 34 OF PLATS, OAKLAND COUNTY RECORDS.

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

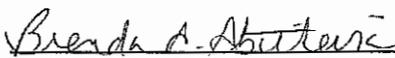
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 25TH day of OCTOBER A.D. 2005.

In presence of:
WITNESS



*Gary F. Abitheira (L.S.)



*Brenda A. Abitheira (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25TH day of OCTOBER, 2005, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.



*PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

My Commission Expires 12-31-11
Acting in OAKLAND County, Michigan

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

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

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

PERMANENT EASEMENT

Sidwell #88-20-22-381-002 & 013

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 178 Larchwood , Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm sewer, surface drainage and public utilities, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

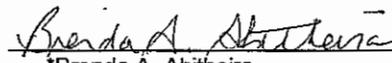
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 25TH day of OCTOBER A.D. 2005.

In presence of:
WITNESS



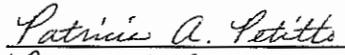
*Gary F. Abitheira (L.S.)



*Brenda A. Abitheira (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25TH day of OCTOBER, 2005, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.



*PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

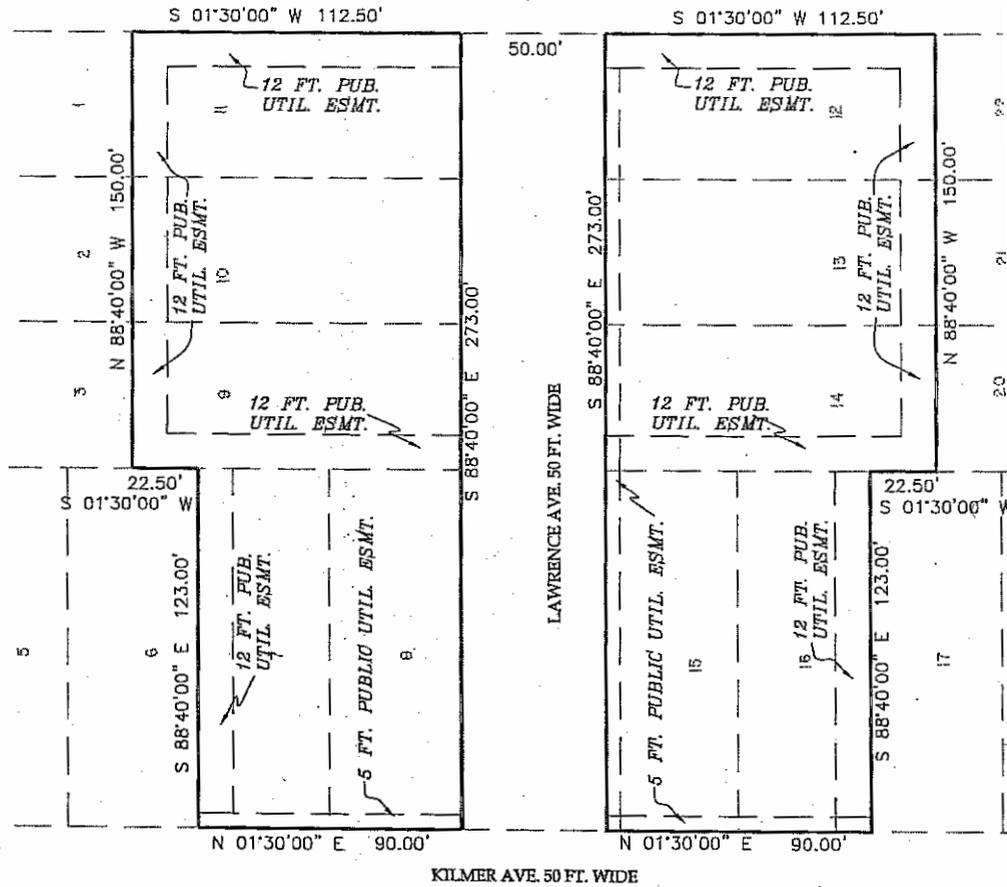
My Commission Expires 12-31-11
Acting in OAKLAND County, Michigan

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

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

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

EXHIBIT "A"



OVERALL LEGAL DESCRIPTION

LOT 7 THROUGH 16, BURGESS BUNGALOW SUBDIVISION, A PART OF LOT 135 OF REPLAT OF OUTLOT "A" OF BIG BEAVER SUBDIVISION, PART OF S.W. 1/4 OF SECTION 22, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 46 OF PLAT, PAGE 34 OF OAKLAND COUNTY RECORDS.

STORM SEWER EASEMENT

AN EASEMENT FOR STORM SEWER, SURFACE DRAINAGE AND PUBLIC UTILITY BEING PART OF LOT 7 THROUGH 16, BURGESS BUNGALOW SUBDIVISION, A PART OF LOT 135 OF REPLAT OF OUTLOT "A" OF BIG BEAVER SUBDIVISION, PART OF S.W. 1/4 OF SECTION 22, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 46 OF PLAT, PAGE 34 OF OAKLAND COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS THE NORTHERLY 12 FEET AND THE WESTERLY 5 FEET OF LOT 7, THE WESTERLY 12 FEET OF LOT 9, THE NORTHERLY 12 FEET OF THE LOTS 9, 10 & 11, THE EASTERLY 12 FEET OF LOT 11, THE EASTERLY 12 FEET OF LOT 12, THE SOUTHERLY 12 FEET AND THE NORTHERLY 5 FEET OF LOTS 12, 13, & 14, THE WESTERLY 12 FEET OF LOT 14, THE NORTHERLY 5 FEET OF LOTS 12 THROUGH 15, THE SOUTHERLY 12 FEET OF LOT 16 AND THE WESTERLY 5 FEET OF LOTS 15 & 16.

HENNESSEY



ENGINEERS, INC

ENGINEERING THE FUTURE

2674 WEST JEFFERSON AVE.
SUITE 200
TRENTON, MI 48183
(734) 692-3300
FAX (734) 692-3203

TITLE . STORM SEWER EASEMENT
KILMER DEVELOPMENT
CITY OF TROY
OAKLAND COUNTY, MICHIGAN

| | | |
|-------------|----------|---------------------------|
| FILE NAME: | FILE # | D.1 |
| DRAWN | DMH | APPROVED |
| PROJECT No. | 53252 | SCALE 1" = 50' |
| DATE | 10/21/05 | DRAWING NUMBER SHEET 1 OF |

PERMANENT EASEMENT

Sidwell #88-20-22-381-002

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 178 Larchwood , Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sidewalk, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

THE SOUTH 5.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

TOWN 2 NORTH, RANGE 11 EAST, SECTION 22, LOTS 7, 8, 9, 10 AND 11 OF "BURGESS BUNGALOW SUBDIVISION" AS RECORDED IN LIBER 46, PAGE 34 OF PLATS, OAKLAND COUNTY RECORDS.

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 25TH day of OCTOBER A.D. 2005.

In presence of:
WITNESS

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

[Signature] (L.S.)
*Brenda A. Abitheira

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25TH day of OCTOBER, 2005, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.

[Signature]
*PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

My Commission Expires 12-31-11
Acting in OAKLAND County, Michigan

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

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

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

PERMANENT EASEMENT

Sidwell #88-20-22-381-002

Gary F. Abitheira and Brenda A. Abitheira, husband and wife, Grantors, whose address is 178 Larchwood , Troy, MI 48083 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sanitary sewer, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

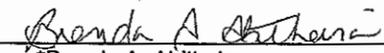
This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed THEIR signature(s) this 25TH day of OCTOBER A.D. 2005.

In presence of:
WITNESS



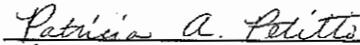
*Gary F. Abitheira (L.S.)



*Brenda A. Abitheira (L.S.)

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 25TH day of OCTOBER, 2005, by Gary F. Abitheira and Brenda A. Abitheira, husband and wife.



* PATRICIA A. PETITTO
Notary Public, OAKLAND County, Michigan

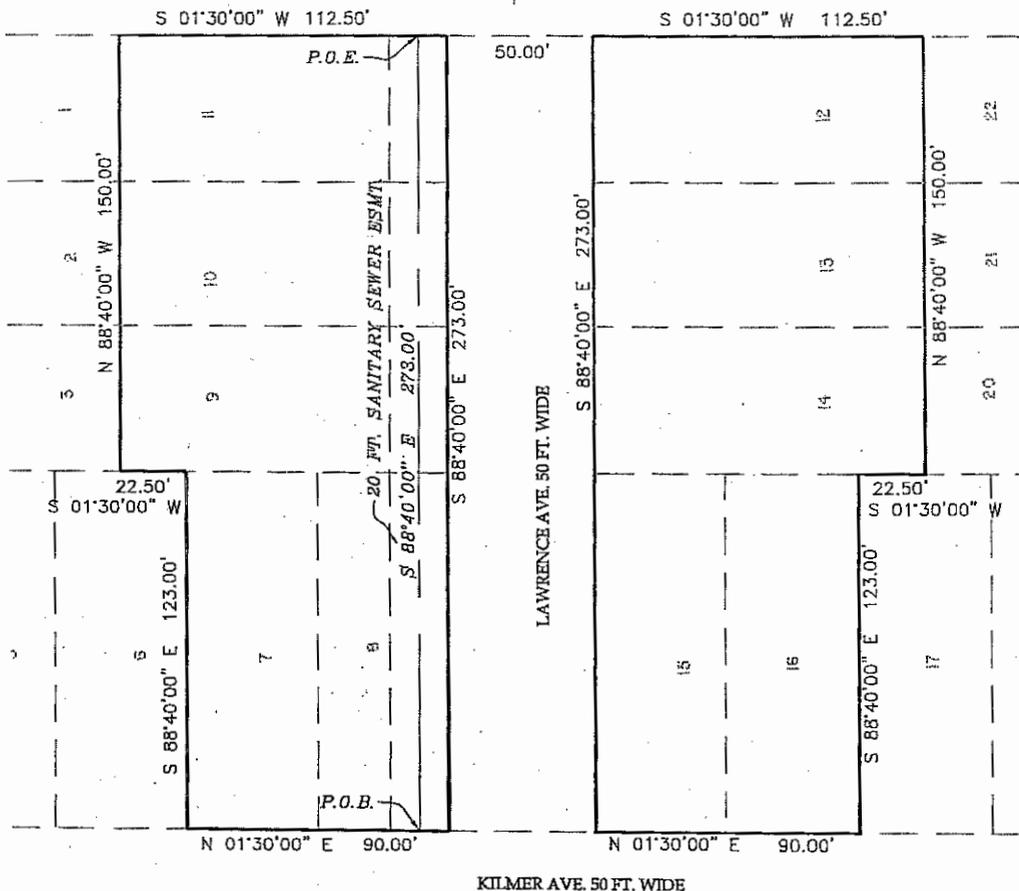
My Commission Expires 12-31-11
Acting in OAKLAND County, Michigan

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

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

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

EXHIBIT "A"



OVERALL LEGAL DESCRIPTION

LOT 7 THROUGH 16, BURGESS BUNGALOW SUBDIVISION, A PART OF LOT 135 OF REPLAT OF OUTLOT "A" OF BIG BEAVER SUBDIVISION, PART OF S.W. 1/4 OF SECTION 22, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 46 OF PLAT, PAGE 34 OF OAKLAND COUNTY RECORDS.

SANITARY SEWER EASEMENT

A 20 FT. WIDE SANITARY SEWER EASEMENT BEING PART OF LOT 8 THROUGH 11, BURGESS BUNGALOW SUBDIVISION, A PART OF LOT 135 OF REPLAT OF OUTLOT "A" OF BIG BEAVER SUBDIVISION, PART OF S.W. 1/4 OF SECTION 22, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 46 OF PLAT, PAGE 34 OF OAKLAND COUNTY RECORDS, CENTERLINE MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF KILMER AVE. 50 FT. WIDE AND BEING N01°30'00"E 10.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 8 AND PROCEEDING THENCE S88°40'00"E 273.00 FEET TO THE POINT OF ENDING.

HENNESSEY



ENGINEERS, INC

ENGINEERING THE FUTURE

2674 WEST JEFFERSON AVE.
SUITE 200
TRENTON, MI 48183
(734) 692-3300
FAX (734) 692-3203

TITLE SANITARY SEWER EASEMENT
KILMER DEVELOPMENT
CITY OF TROY
OAKLAND COUNTY, MICHIGAN

| | | | |
|-------------|----------|----------------|--------------|
| FILE NAME: | | FILE # | D.1 |
| DRAWN | DMH | APPROVED | |
| PROJECT No. | 53252 | SCALE | 1" = 50' |
| DATE | 10/21/05 | DRAWING NUMBER | SHEET 1 OF 1 |

November 15, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – REQUEST FOR ACCEPTANCE OF
WARRANTY DEED FROM DEAGLE DEVELOPMENT, INC.
Sidwell #88-20-27-327-005, 006 & 007

In connection with the development of three vacant parcels located on Beech Land located in the southeast ¼ of Section 27, the Real Estate and Development Department has acquired a Warranty Deed for right-of-way from the property owner Deagle Development, Inc.. The consideration on this document is \$1.00

Management recommends that City Council accept the attached document.

BEECH LANE
Right-of-Way Dedication
Sidwell # 88-20-27-327-005, 006 & 007



WARRANTY DEED

Sidwell #88-20-27-327-005, 006, 007 (part of)
Resolution #

The Grantor(s) Deagle Development, Inc., a Michigan Corporation, whose address is: 328 Evaline, Troy, MI 48085
convey(s) and warrant(s) to the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500
West Big Beaver Road,, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of
Oakland and State of Michigan:

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

For the sum of One Dollar and no/cents (\$1.00)

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

Dated this 14 day of OCTOBER, 2005.

Signed in presence of:
(not required)

Signed by:
Deagle Development, Inc., a Michigan corporation

By *Murray Deagle*
Murray Deagle
its: President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 14 day of October, 2005, by Murray Deagle,
President, of Deagle Development, Inc, a Michigan corporation, on behalf of the corporation.

Larysa Figol
* LARYSA FIGOL

Notary Public, OAKLAND County, MI
My commission expires: MARCH 2, 2006
Acting in OAKLAND County, MI

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

Tax Parcel #88-20-27-327-005.006.007 (pt of) Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"
RIGHT OF WAY DEDICATION

LEGAL DESCRIPTION – PARCEL "A"

Lot 35 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, T. 2 North, R. 11 East, City of Troy, Oakland County, Michigan as recorded in Liber 18 of Plats, Page 8, O.C.R. Containing 13,135 sq.ft. or 0.302 acres and being subject to all easements of the record.

LEGAL DESCRIPTION – PARCEL "B"

North 1/2 of Lot 36 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, T. 2 North, R. 11 East, City of Troy, Oakland County, Michigan as recorded in Liber 18 of Plats, Page 8, O.C.R. Containing 6,568 sq.ft. or 0.151 acres and being subject to all easements of the record.

LEGAL DESCRIPTION – PARCEL "C"

South 1/2 of Lot 36 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, T. 2 North, R. 11 East, City of Troy, Oakland County, Michigan as recorded in Liber 18 of Plats, Page 8, O.C.R. Containing 6,568 sq.ft. or 0.151 acres and being subject to all easements of the record.

RIGHT OF WAY DEDICATION – PARCEL "A"

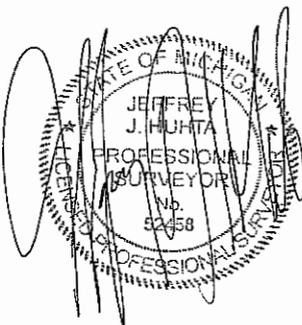
The Westerly 5 feet of Lot 35 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 18 of Plats, Page 8, Oakland County Records.
Containing 355 sq. ft. or 0.008 acres of land, more or less.

RIGHT OF WAY DEDICATION – PARCEL "B"

The Westerly 5 feet of Northerly 1/2 of Lot 36 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 18 of Plats, Page 8, Oakland County Records.
Containing 178 sq. ft. or 0.004 acres of land, more or less.

RIGHT OF WAY DEDICATION – PARCEL "C"

The Westerly 5 feet of Southerly 1/2 of Lot 36 of "Council Heights" a subdivision of a part of the SW 1/4 of Section 27, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 18 of Plats, Page 8, Oakland County Records.
Containing 178 sq. ft. or 0.004 acres of land, more or less.



BEARING REFERENCE NOTE:

All the bearings shown hereon are based on the Plat of "Council Heights", a subdivision recorded in Liber 18 of plats, Page 12, O.C.R.

NF NOWAK & FRAUS

Civil Engineering • Land Surveying • Land Planning

46777 Woodward Avenue

Pontiac, MI 48342

November 15, 2005

TO: John Szerlag, City Manager

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

SUBJECT: AGENDA ITEM – REQUEST FOR ACCEPTANCE OF A
PERMANENT EASEMENT FOR WATERMAIN
PROJECT NO. 05.902.3 - Sidwell #88-20-26-200-087

In connection with the development of a property located on the west side of Bellingham, south of Big Beaver, having Sidwell #88-20-26-200-087, in the northeast ¼ of Section 26, the Real Estate and Development Department has acquired a permanent easement for watermain from the property owner, Southeastern Michigan Chapter, NECA, Inc. The consideration on this document is \$1.00

Management recommends that City Council accept the attached document.

SOUTHEASTERN MICHIGAN CHAPTER, NECA, INC.
NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION
#88-20-26-200-087



PERMANENT EASEMENT

Sidwell # 88-20-26-200-087
Project # 05.902.3
Resolution #

SOUTHEASTERN MICHIGAN CHAPTER, NECA, INC., a Michigan non-profit corporation, Grantor, whose address is 25180 Lahser Road, PO Box 385, Southfield, MI 48037 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 5th day of OCTOBER A.D. 2005.

SOUTHEASTERN MICHIGAN CHAPTER, NECA, INC.,
a Michigan non-profit corporation

By [Signature] (L.S.)
Daniel Tripp
Its EXECUTIVE V.P. - SECRETARY

STATE OF MICHIGAN)
COUNTY OF)

The foregoing instrument was acknowledged before me this 5th day of OCTOBER, 2005, by Daniel Tripp, EXEC. V.P. - SECRETARY, of, SOUTHEASTERN MICHIGAN CHAPTER, NECA, INC., a Michigan non-profit corporation, on behalf of the corporation.

[Signature]

Notary Public, Oakland County, Michigan

(Corporations)

My Commission Expires SANDRA K. WHITE
Acting in County of Michigan
Notary Public, State of Michigan
County of Oakland

Prepared by:
Larysa Figol
500 West Big Beaver

Return to:
City Clerk, City of Troy
500 West Big Beaver Road
My Commission Expires May 2, 2012
Acting in the County of OAKLAND

WATERMAIN EASEMENT

EXHIBIT "A"

PARCEL DESCRIPTION

Unit 1, of "The Automation Alley Technology Park Troy Condominium", part of the Northwest 1/4 and Northeast 1/4 of Section 26, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 32860, Pages 144-146, Oakland County Records.

WATERMAIN EASEMENT

Part of Unit 1, of "The Automation Alley Technology Park Troy Condominium", part of the Northwest 1/4 and Northeast 1/4 of Section 26, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 32860, Pages 144-146, Oakland County Records, described as:

Commencing at the Northwest corner of Unit 1;

thence S.00°36'00"E. 243.55 feet along the West line of Unit 1;

thence N.89°24'00"E. 398.84 feet along the South line of Unit 1;

thence 0.62 feet along the arc of a 305.00 foot radius non-tangent curve to the right having a central angle of 00°07'02" and a chord bearing N.08°33'35"E. 0.62 feet along the East line of Unit 1 to the Point of Beginning;

1. thence N.79°30'11"W. 7.19 feet;
 2. thence S.89°24'00"W. 200.29 feet;
 3. thence N.45°36'00"W. 15.36 feet;
 4. thence N.00°36'00"W. 37.65 feet;
 5. thence N.89°24'00"E. 20.00 feet;
 6. thence S.00°36'00"E. 28.51 feet;
 7. thence N.89°24'00"E. 147.31 feet;
 8. thence N.00°36'00"W. 40.57 feet;
 9. thence N.89°24'00"E. 20.00 feet;
 10. thence S.00°36'00"E. 40.57 feet;
 11. thence N.89°24'00"E. 25.78 feet;
 12. thence S.79°30'11"E. 9.14 feet to the East line of Unit 1;
 13. thence 20.00 feet along the arc of a 305.00 foot radius non-tangent curve to the left having a central angle of 03°45'28" and a chord bearing S.10°29'49"W. 20.00 feet along the East line of Unit 1 to the Point of Beginning.
- Containing 5,726 square feet, more or less.

SHEET 2 of 2

| | |
|----------|---------|
| DATE | 9-19-05 |
| SCALE | NONE |
| JOB NO. | 04-021 |
| DRAWN BY | JEREMY |



FENN and ASSOCIATES INC.
LAND SURVEYING

November 15, 2005

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services
Steven Vandette, City Engineer SJV_{wyt}

SUBJECT: Agenda Item - Private Agreement for HCR Manor Care
Project No. 02.935.3

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

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

Approval is recommended.

Prepared by: G. Scott Finlay
Civil Engineer

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

G:\Projects\Projects – 02.935.3\Private Agreement Cover Letter.doc

Enclosed Private Agreement, Detailed Summary, Sketch

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

PROJECT NO. 02.935.3

PROJECT LOCATION: NW 1/4 Sec. 3

RESOLUTION NO. _____

DATE OF COUNCIL APPROVAL: _____

KNOW ALL MEN BY THESE PRESENT; That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Health Care & Retirement Corp. of America whose address is 7361 Calhoun Place, Suite 300, Rockville, MD 20855 and whose telephone number is 240-453-8500 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of Water main, Sanitary sewer, Storm sewer, Paving, Sidewalks, Detention & Soil erosion in accordance with plans prepared by Nowak & Fraus whose address is 1310 N Stehenson Hwy., Royal Oak, MI 48067 and whose telephone number is 248-399-0886, and approved BY THE City of Troy Engineering Department.

SECOND: That the Owners agree to contribute the approximate contract price of \$84,414.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

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

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the owner by the City after final inspection and approval by the City of Troy Engineering Department. In addition, the owners agree to contribute the following cash fees:

| | | |
|---|-----------|--------------------|
| * Plan Review and Construction Inspection Fee (Public Improvements) | \$ | 6,837.53 |
| Engineering Review Fee (Private Improvements) (PA1) | \$ | 4,648.31 |
| Water Main Testing Fee (PA2) | \$ | 650.00 |
| Street Cleaning/Road Maintenance (Refundable) | \$ | 2,500.00 |
| Soil Erosion Control | \$ | 872.07 |
| TOTAL: | \$ | \$15,507.91 |

* 8.1% (.081) of approximate contract price

CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS**(PRIVATE AGREEMENT)**PROJECT NO. **02.935.3**

PROJECT LOCATION:

NW 1/4 Sec. 3

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

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

FOURTH: Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$ 99,921.91 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

FIFTH: Owners agree that if, for any reason, including, but not limited to, field changes or specification changes as required by the City, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and the City will disburse such additional amounts in accordance with Paragraph SECOND hereof.

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

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

PROJECT NO. 02.935.3

PROJECT LOCATION: NW 1/4 Sec. 3

RESOLUTION NO. _____

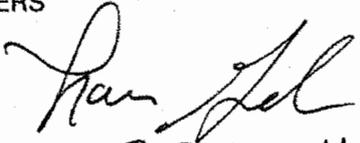
DATE OF COUNCIL APPROVAL: _____

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

OWNERS

CITY OF TROY

By:



By:

LARRY GODLA V.P.

Please Print or Type

Louise E. Schilling, Mayor

Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this _____ day of _____, A.D.20_____, before me personally appeared _____ known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: _____

DETAILED SUMMARY OF REQUIRED ESCROW DEPOSITS AND CASH FEES
PRIVATE AGREEMENT FOR HCR MANOR CARE
PROJECT NO. 02.935.3

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

Escrow Deposits:

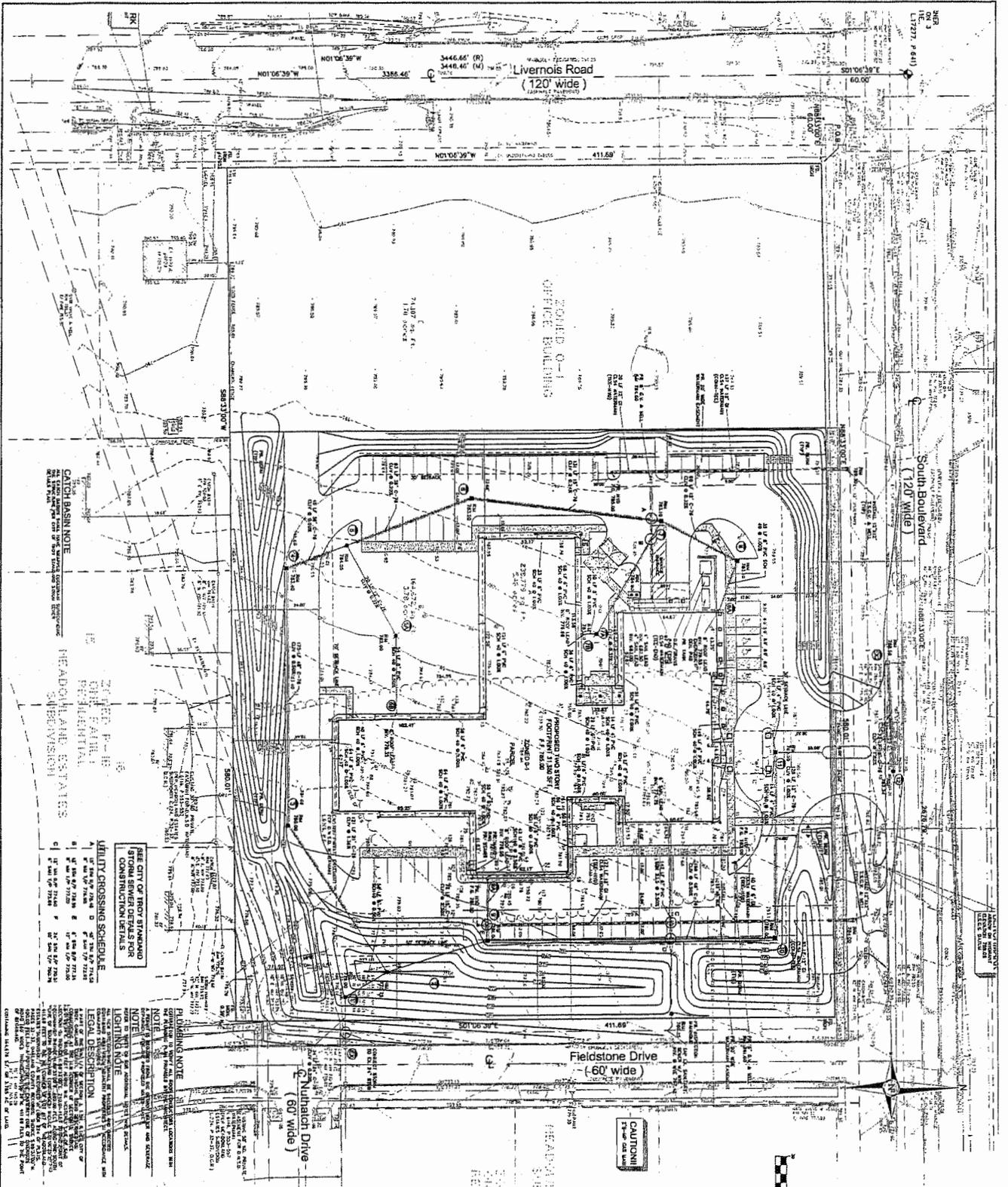
| | |
|----------------|-----------|
| Paving (ROW) | 22,984.00 |
| Water main | 53,760.00 |
| Sanitary sewer | 7,670.00 |

Total Escrow Deposits: (check) **\$ 84,414.00**

Cash Fees:

| | |
|----------------------------------|---------------|
| Review & Inspection | \$6,837.53 |
| Engineering Review | 4,648.31 |
| Water Main Testing Fee | 650.00 |
| Street Cleaning/Road Maintenance | 2,500.00 |
| Soil Erosion Control | <u>872.07</u> |

Total Cash Fees: (check) **\$ 15,507.91**



CATCH BASIN NOTE
 1. ALL CATCH BASINS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF TROY STANDARD SPECIFICATIONS FOR CONSTRUCTION DETAILS.

HEADSPLASH ESTIMATES SHEET

SEE CITY OF TROY STANDARD CONSTRUCTION DETAILS

UTILITY CROSSING SCHEDULE

PLUMBING NOTE

CAUTION

ESTIMATED QUANTITIES

STORM SEWER

SEWERY SEWER

WATERMAIN

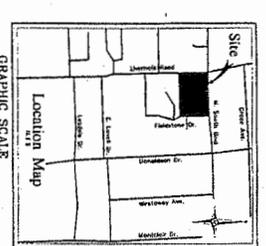
LEGEND

CONTRACTOR

DATE

SCALE

PROJECT



GRAPHIC SCALE

1" = 100'

CONSULTING ENGINEERS
LAND PLANNERS

NOWAK & FRAUS

1310 N. Stephenson Highway
 Royal Oak, MI 48067-1268
 TEL: (248) 339-0485
 FAX: (248) 339-0487

PROJECT
 Headland Health Care
 120 Bed Nursing Home

CLIENT
 IICR Manor Care
 7361 Calhoun Place,
 Suite 300
 Rockville, MD 20855
 Contact: Rich Stoddy
 Tel: (240) 453-8500

PROJECT LOCATION
 Part of the NW 1/4
 of Section 3
 T3N, R11E,
 City of Troy,
 Oakland County, MI

UTILITY PLAN

DATE
 11/20/03

SCALE
 1" = 30'

PROJECT NO.
 02.0313

DATE
 11/20/03

November 15, 2005

TO: John Szerlag, City Manager

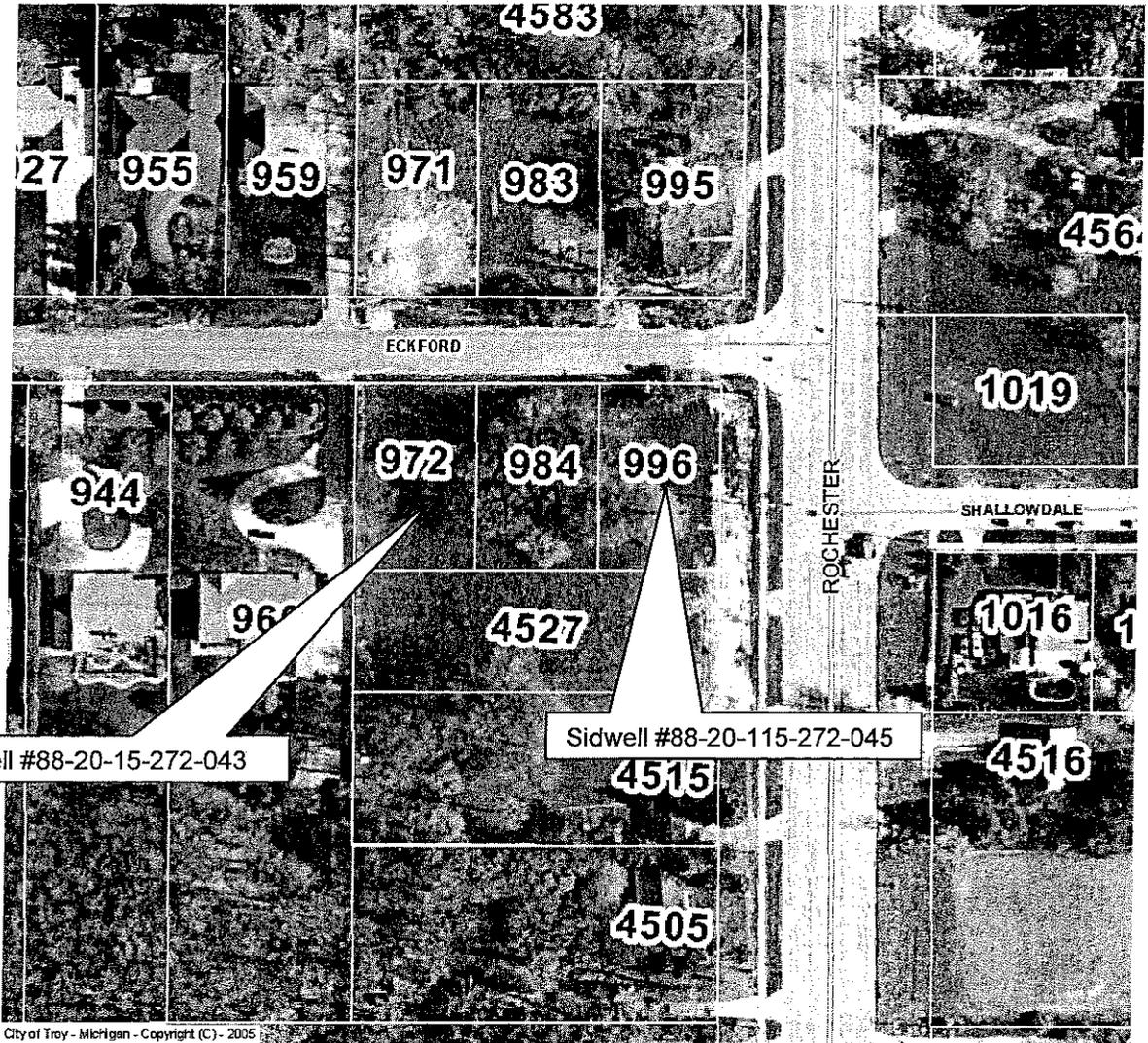
FROM: Brian P. Murphy, Assistant City Manager/Services
Douglas J. Smith, Real Estate Development Director

SUBJECT: AGENDA ITEM – REQUEST FOR ACCEPTANCE OF TWO
PERMANENT EASEMENTS FOR SIDEWALK –
Sidwell #88-20-15-272-043 & 88-20-15-272-045

In connection with the redevelopment of two residential properties, located on Eckford Road, west of Rochester Road, in the Northeast ¼ of Section 15, the Real Estate and Development Department has acquired sidewalk easements from the property owner, Helpis M. Youssef, having Sidwell #88-20-15-272-043 and Alexander Mansour owner of property having Sidwell #88-20-15-272-045. The consideration on both documents is \$1.00

Management recommends that City Council accept the attached easements.

ECKFORD SIDEWALK EASEMENTS
Sidwell # 88-20-15-272-043 & 88-20-15-272-045



PERMANENT EASEMENT

Sidwell #88-20-15-272-045
Resolution #

Alexander Mansour, a single man, Grantor(s), whose address is 996 Eckford, Troy, MI 48085 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sidewalk, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE ATTACHED EXHIBIT "A"

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed ONE signature(s) this 7th day of SEPT. A.D. 2005.

Signed by:

Alexander Mansour (L.S.)
*Alexander Mansour

_____(L.S.)
*

STATE OF MICHIGAN)
COUNTY OF WAYNE)

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2005, by Alexander Mansour, a single man.

Heather A. Turfy
* HEATHER A. TURFY
Notary Public, WAYNE County, Michigan

My Commission Expires 6/12/2006
Acting in WAYNE County, MI

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

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

EXHIBIT "A"

The North 5.00 feet of the following described parcel:

Lot 27 except the West 170.00 feet and the North 50.00 feet of Lot 28 except the West 170.00 feet, also except the East 15.00 feet of Lots 27 and 28 taken for Rochester Road (75.00 feet wide West ½) of "Stephenson Land Co.s Acres Subdivision", part of the Northeast ¼, Section 15, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, recorded in Liber 48 of Plats, Page 53, Oakland County Records. And including the triangular area northwest of a line beginning on the west line of said parcel 8.00 feet south of the northwest corner and ending on the north line of said parcel 8.00 feet east of the northwest corner. Containing 430 Square Feet or 0.010 Acres, more or less.

PERMANENT EASEMENT

Sidwell #88-20-15-272-043
Resolution #

Helpis M. Youssef, a married woman, Grantor(s), whose address is 972 Eckford, Troy, MI 48085 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sidewalk, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

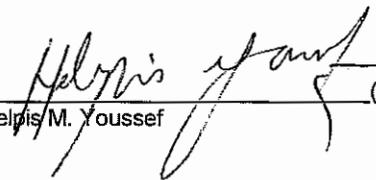
The North 5.00 feet of the following described parcel:
The West 85.00 feet of Lot 27 and the North 50.00 feet of the West 85.00 feet of Lot 28 of "Stephenson Land Co.'s Acres Subdivision", part of the Northeast 1/4, Section 15, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, recorded in Liber 48 of Plats, Page 53, Oakland County Records. Containing 425 Square Feet or 0.010 Acres, more or less.

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed ONE signature(s) this 7th day of SEPT. A.D. 2005.

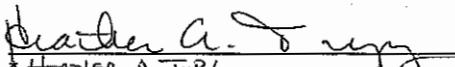
Signed by:



*Helpis M. Youssef (L.S.)

STATE OF MICHIGAN)
COUNTY OF WayNE)

The foregoing instrument was acknowledged before me this 7th day of SEPTEMBER, 2005, by Helpis M. Youssef, a married woman.



*HEATHER A. TURPY
Notary Public, WAYNE County, Michigan
My Commission Expires 6/12/2006
Acting in WayNE County, MI

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

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

TO: John Szerlag, City Manager
FROM: John M. Lamerato, Assistant City Manager/Finance and Administration
RE: 2005-06 Budget Amendment No. 1
DATE: November 16, 2005

Upon completion of the annual audit it has been customary to present City Council a Budget Amendment reconciling capital projects that were estimated at budget time and outstanding purchase orders as of the end of the fiscal year. The attached amendments are for capital items that were included in the 2004-05 budget that were in various stages of completion at June 30, 2005 and will be completed in 2005-06. **Please note that the attached amendments are not for projects coming in over budget.**

Some of the major capital expenditures requiring amendments are:

- Major road projects – Big Beaver Rochester to Dequindre
- Technology enhancements – Document Management
- Drainage improvements
- Sidewalks – New and Replacement
- Museum – General Repairs
- Fire – Apparatus Replacement
- Motor Equipment Fund – Vehicle Purchases
- Sylvan Glen Golf Course – Stream Bank Stabilization

It is requested that the attached Budget Amendment be approved.

2005-06 BUDGET AMENDMENT NO. 1

| | <u>CURRENT BUDGET</u> | <u>AMENDMENT</u> | <u>AMENDED BUDGET</u> |
|--|---------------------------|---------------------|---------------------------|
| <u>CAPITAL PROJECTS FUND</u> | | | |
| REVENUE: | | | |
| FUND BALANCE | | | |
| UNRESERVED/UNDESIGNATED | \$ 16,106,688 | \$ 3,488,719 | \$ 12,617,969 |
| PROJECT COMMITMENTS | 4,181,897 | 4,181,897 | - |
| RESERVE FOR ENCUMBRANCES | 836,374 | <u>836,374</u> | - |
| TOTAL AMENDMENT TO REVENUES | | <u>\$ 8,506,990</u> | |
| EXPENDITURES: | | | |
| INFORMATION TECHNOLOGY | | | |
| COMPUTER EQUIPMENT | \$ 135,000 | \$ 100,000 | \$ 235,000 |
| COMPUTER SOFTWARE | 170,000 | 107,480 | 277,480 |
| COMPUTER CONSULTING | 295,000 | <u>60,360</u> | 355,360 |
| | | \$ 267,840 | |
| CITY HALL | | | |
| BUILDINGS AND IMPROVEMENTS | \$ 300,000 | \$ 96,500 | \$ 396,500 |
| OPERATING TRANSFERS OUT | | | |
| TRSF TO OTHER FUNDS - DDA DEBT SERVICE | \$ - | \$ 1,932,210 | \$ 1,932,210 |
| TRSF TO OTHER FUNDS - PROP. C CAPITAL | - | <u>251,100</u> | 251,100 |
| | | \$ 2,183,310 | |
| COMMUNITY AFFAIRS | | | |
| EQUIPMENT - GENERAL | \$ 60,000 | \$ 24,340 | \$ 84,340 |
| POLICE | | | |
| POLICE ADMINISTRATION | | | |
| BUILDINGS & IMPROVEMENTS | \$ - | \$ 11,200 | \$ 11,200 |
| UNIFORM PATROL | | | |
| EQUIPMENT - GENERAL | 41,310 | 62,660 | 103,970 |
| COMMUNICATIONS | | | |
| COMPUTER SOFTWARE | 80,000 | 127,140 | 207,140 |
| RADIO COMMUNICATIONS | 177,000 | <u>69,670</u> | 246,670 |
| | | \$ 270,670 | |

| | <u>CURRENT BUDGET</u> | <u>AMENDMENT</u> | <u>AMENDED BUDGET</u> |
|---------------------------------|---------------------------|---------------------|---------------------------|
| FIRE | | | |
| APPARATUS REPLACEMENT | \$ 400,000 | \$ 352,230 | \$ 752,230 |
| PUBLIC WORKS | | | |
| GENERAL REPAIRS | \$ 330,000 | \$ 231,830 | \$ 561,830 |
| EQUIPMENT - GENERAL | 35,000 | 34,330 | 69,330 |
| MAJOR ROADS | 7,760,000 | 3,213,780 | 10,973,780 |
| LOCAL ROADS | 2,813,000 | 277,000 | 3,090,000 |
| DRAINS | 2,010,000 | 526,830 | 2,536,830 |
| SIDEWALKS | 1,000,000 | <u>346,800</u> | 1,346,800 |
| | | \$ 4,630,570 | |
| PARKS AND RECREATION | | | |
| PARKS & RECREATION ADMIN. | | | |
| EQUIPMENT - GENERAL | \$ 105,000 | \$ 19,280 | \$ 124,280 |
| PARK DEVELOPMENT | | | |
| RAINTREE PARK | - | 9,660 | 9,660 |
| FLYNN PARK | 140,000 | 256,250 | 396,250 |
| OEC | 60,000 | 10,000 | 70,000 |
| SUBDIVISION IMPROVEMENTS | | | |
| LAND IMPROVEMENTS | 2,000,000 | 169,700 | 2,169,700 |
| MUNICIPAL GROUNDS | | | |
| CEMETERY IMPROV. | - | 30,000 | 30,000 |
| COMPUTER IRRIGATION | - | <u>57,650</u> | 57,650 |
| | | \$ 552,540 | |
| MUSEUM | | | |
| EQUIPMENT - GENERAL | \$ 10,000 | \$ 9,090 | \$ 19,090 |
| BUILDINGS & IMPROVEMENTS | 498,000 | <u>97,280</u> | 595,280 |
| | | 106,370 | |
| LIBRARY | | | |
| GENERAL REPAIRS | \$ - | <u>\$ 22,620</u> | \$ 22,620 |
| TOTAL AMENDMENT TO EXPENDITURES | | <u>\$ 8,506,990</u> | |

| | <u>CURRENT BUDGET</u> | <u>AMENDMENT</u> | <u>AMENDED BUDGET</u> |
|---------------------------------------|---------------------------|-------------------|---------------------------|
| <u>MOTOR EQUIPMENT FUND</u> | | | |
| REVENUE: | | | |
| UNRESERVED FUND BALANCE | \$ 4,325,690 | \$ 697,990 | \$ 3,627,700 |
| TOTAL AMENDMENT TO REVENUES | | <u>\$ 697,990</u> | |
| EXPENSES: | | | |
| VEHICLES | \$ 1,394,000 | \$ 697,990 | \$ 2,091,990 |
| TOTAL AMENDMENT TO EXPENSES | | <u>\$ 697,990</u> | |
| <u>SYLVAN GLEN GOLF COURSE</u> | | | |
| REVENUE: | | | |
| UNRESERVED FUND BALANCE | \$ 2,369,007 | \$ 206,770 | \$ 2,162,237 |
| TOTAL AMENDMENT TO REVENUES | | <u>\$ 206,770</u> | |
| EXPENSES: | | | |
| LAND IMPROVEMENTS | \$ 128,000 | \$ 206,770 | \$ 334,770 |
| TOTAL AMENDMENT TO EXPENSES | | <u>\$ 206,770</u> | |

Amendment requested to provide funds for outstanding purchase orders at June 30, 2005, and to reconcile capital projects in various stages of completion at June 30, 2005.

TROY HISTORIC DISTRICT COMMISSION MINUTES – DRAFT JUNE 15, 2005

A special meeting of the Troy Historic District Commission was held Wednesday, June 15, 2005 at City Hall. Ann Partlan called the meeting to order at 7:30 P.M.

ROLL CALL **PRESENT** Ann Partlan
 Paul Lin
 Barbara Chambers
 Muriel Rounds
 Marjorie Biglin
 Robert Hudson
 Loraine Campbell, Museum Manager

GUEST Fred Rounds, Troy Historical Society

Resolution #HDC-2005-06-001
Moved by Lin
Seconded by Chambers

RESOLVED, That the minutes of the May 17, 2005 meeting be approved.

Yes: 6— Partlan, Lin, Chambers, Rounds, Biglin and Hudson
 No: 0

MOTION CARRIED

NEW BUSINESS

A. 2004/05 Budget

Fred Rounds presented a request from the Troy Historical Society that the Historic District Commission contribute \$8,000 to the Society to be used for a revised site plan of the Troy Museum, which is an historic district and for a historic marker program in Troy.

Resolution #HDC-2005-06-002
Moved by Lin
Seconded by Chambers

1. **RESOLVED, That the Historic District Commission allocate \$8,000 to the Troy Historical Society to be used for the following projects:**
 - a. **\$5,000 towards completion of a new site plan for the Troy Museum & Historic Village, which is an historic district.**
 - b. **\$3,000 for signage of designated historic structures to be approved by the Historic District Commission.**

Yes: 6— Partlan, Lin, Chambers, Rounds, Biglin and Hudson
 No: 0

MOTION CARRIED

B. Other Reports

Loraine reported that William Davis, owner of a designated historic home has passed away.

Allan Motzny is working on revisions to the ordinance and will have them available in September.

The Troy Historic District Committee Meeting was adjourned at 8:50 p.m. The next regular meeting will be held Tuesday, September 20, 2005 at 7:30 p.m. at City Hall Conference Room C.

Anne Partlan
Chairperson

Loraine Campbell
Recording Secretary

TROY HISTORIC DISTRICT COMMISSION MINUTES – FINAL SEPTEMBER 20, 2005

A Regular Meeting of the Troy Historic District Commission was not held Tuesday, September 20, 2005 at City Hall because they lacked a quorum.

The next regular meeting will be held Tuesday, October 18, 2004 at 7:30 p.m. at City Hall.

Anne Partlan
Chairman

Loraine Campbell
Recording Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, October 12, 2005, at Troy City Hall, 500 W. Big Beaver Rd., Troy, MI. The meeting was called to order at 12:12 p.m.

TRUSTEES PRESENT: Mark Calice
 Michael Geise
 Thomas Houghton, Chair
 John M. Lamerato
 William R. Need
 Steven A. Pallotta
 Louise E. Schilling
 John Szerlag

MINUTES

Resolution # ER – 2005 – 10 - 037

Moved by Szerlag
Seconded by Geise

RESOLVED, That the minutes of the September 14, 2005 meeting be approved.

Yeas: All 7

OTHER BUSINESS – FORD & EARL PROPERTY

Resolution # ER – 2005 – 10 - 038

Moved by Pallotta
Seconded by Calice

RESOLVED, That the Board authorize Douglas Smith to negotiate the sale of the Ford & Earl property.

Yeas: All 7

INVESTMENTS

Resolution # ER – 2005 – 10 - 039

Moved by Schilling

Seconded by Szerlag

RESOLVED, That the Board sell and place a stop/loss for the following securities:

Sell: 25,000 shares Oracle; 20,000 Flagstar Bank; Cardinal Health; CMS Energy; 10,000 shares Corning; 3,000 General Motors; Kimco Realty.

Stop/Loss: of \$7.50 on Compuware.

Yeas: All 7

The next meeting is November 9, 2005 at 12:00 p.m. at City Hall, Conference Room C, 500 W Big Beaver, Troy, MI.

The meeting adjourned at 1:25 p.m.

Thomas Houghton, Chairman

John M. Lamerato, Secretary

PARKS AND RECREATION ADVISORY BOARD

A regular meeting of the Troy Parks and Recreation Advisory Board was held Thursday, October 13, 2005 at the Troy Community Center, room 503. Chairwoman, Kathleen Fejes called the meeting to order at 7:30 p.m.

| | | |
|----------|------------------------|--------------------------|
| Present: | Merrill Dixon, member | Kathleen Fejes, member |
| | Gary Hauff, member | Brad Henson, member |
| | Tom, Krent, member | Jeff Stewart, member |
| | Jan Zikakis, member | Jeff Biegler, staff |
| | Stuart Alderman, staff | Carol K. Anderson, staff |

Absent: Tod Gazetti, Rusty Kaltsounis, Meaghan Kovacs, and Stuart Redpath.

Visitors:

Resolution # PR - 2005 - 10 - 016

Moved by Krent

Seconded by Zikakis

RESOLVED, that the minutes from May 12, 2005 are approved as submitted.

Yeas: All

Nays: None

MOTION CARRIED

NEW BUSINESS

A. Ad Hoc Committee - Merrill Dixon and Rusty Kaltsounis have volunteered to be on a committee that will review small parcels that could be used as "pocket parks." They will review options for use and funding for maintenance then report back to City Council on their recommendations.

B. Elections -

Resolution # PR - 2005 - 10 - 017

Moved by Dixon

Seconded by Hauff

RESOLVED, that Tom Krent is elected chairman beginning with the November meeting.

Ayes: All

Nays: None

MOTION CARRIED

Resolution # PR - 2005 - 10 - 018

Moved by Fejes

Seconded by Krent

RESOLVED, that Jan Zikakis is elected vice-chairperson beginning with the November meeting.

Ayes: All

Nays: None

MOTION CARRIED

C. Aquatic Center Admission Report - Admissions at the Aquatic Center this season were higher compared to last season. This is likely due to the warmer weather this summer. The early bird pass rates will be offered again this December to encourage pass sales.

D. Park Board Meetings/Time - There is a schedule conflict with upcoming Park Board meetings and Futures meetings. Discussion followed regarding changing the time and days of the Park Board meetings. It was agreed that November's meeting would be on Wednesday, November 9, 2005 at 7:30 p.m. Future Park Board meetings that need to be changed will be discussed at that time.

OLD BUSINESS

A. Master Plan - Surveys were sent to Troy residents and businesses for input on what they would like to see in the parks. The surveys were mailed to residents in every section of the city. When the survey results are compiled, we will have useful information on what is wanted/needed in our parks.

B. Shuffleboard/Bocce - Staff is currently developing specs for two bocce courts and two shuffleboard courts. If approved by City Council, development will begin this spring on the west side of the Community Center.

Member Comments - Tom Krent commented on how well the landscaping along the major roads and medians of Troy, designed by Ron Hynd, looked this past summer. He took pictures of the landscaping and passed them around for the Park Board to see.

Jan Zikakis asked if the Evening Primrose Club could help plant bulbs and hostas in the new Heritage Park. This gardening club will volunteer their time to beautify this park for the residents of Troy.

Staff Reports

A. Directors Report - Ash tree removal from each section of the city is done with the exception of the northwest quadrant of the city. We are replacing 800 trees this fall and 2500 in the spring, which will be 15 to 20 percent of the total trees removed. Replacement will be slower than the removal.

The Futures Committee is reviewing lifestyle trends and the activities we offer. Some things to consider in Parks and Recreation:

- Recreational activities will need to change as the community ages and we meet demands for seniors in the types of activities and programs we offer.
- The community will want to attract and keep young, single working people in the city and this department will play an important role by offering diverse cultural and outcome based activities.

B. Recreation Report - The Doggy Water Extravaganza held after the Labor Day holiday was a huge success. More than 160 dogs and their owners participated in this activity.

During the week of annual maintenance, the fitness area underwent a deep cleaning. Thirteen new treadmills were purchased to replace worn ones.

The winter bulletin will be mailed next month and winter registration will begin at the end of November.

Danielle Cooper, an 11-year-old Troy resident, won the PPK competition and will be going to the state competition at Ford Field on December 4th.

C. Parks Report - The skate park has a new half-pipe. This was purchased with the \$20,000 K-mart donation, \$14,000 raised by residents, and the balance from the department budget.

Ash tree removal is ahead of schedule. Over the past two years the contractor J. H. Hart has removed 7200 trees and staff has removed 6800 trees. There are only four sections in the northwest quadrant of the city remaining for ash tree removal.

A new 16 foot wide turf mower has been purchased to facilitate faster mowing of the larger parcels of the city.

Correspondence

The Senior Advisory Committee wrote a letter to City Council regarding bringing food to the Community Center for non-profit groups. Ms. Anderson explained that the City is contractually bound to not allow food except in the rooms where it was pre-agreed.

Resolution # PR - 2005 - 019

Moved by Dixon

Seconded by Zikakis

RESOLVED, that absent members are excused.

Ayes: All

Nays: None

MOTION CARRIED

The meeting adjourned at 8:50 p.m.

Tom Krent, Chairman

Mary Williams, Recording Secretary

The Special Meeting of the Troy City Planning Commission was called to order by Chair Strat at 6:00 p.m. on October 25, 2005 at the southeast corner of Rochester Road and South Boulevard, Troy, Michigan.

1. ROLL CALL

Present:

Robert Schultz
Thomas Strat
Mark J. Vleck

Absent:

Gary Chamberlain
Lynn Drake-Batts
Fazal Khan
Lawrence Littman
David T. Waller
Wayne Wright

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney

The site visit of the proposed Caswell Town Center, PUD 5, was not conducted because of lack of a quorum.

Respectfully submitted,

Thomas Strat, Chair

Brent Savidant, Principal Planner

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:35 p.m. on October 25, 2005 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Lynn Drake-Batts
Lawrence Littman
Robert Schultz
Thomas Strat
Mark J. Vleck
David T. Waller
Wayne Wright

Absent:

Gary Chamberlain
Fazal Khan

Also Present:

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Allan Motzny, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

Resolution # PC-2005-10-166

Moved by: Vleck
Seconded by: Wright

RESOLVED, That Members Chamberlain and Khan are excused from attendance at this meeting for personal reasons.

Yes: All present (7)
No: None
Absent: Chamberlain, Vleck

MOTION CARRIED

2. APPROVAL OF AGENDA

Mr. Miller requested that the Agenda be revised to include item 8(a), Report on the Site Visit of the proposed PUD 5, Caswell Town Center.

Resolution # PC-2005-10-167

Moved by: Schultz
Seconded by: Littman

RESOLVED, To approve the Agenda as revised.

Yes: All present (7)
No: None
Absent: Chamberlain, Vleck

MOTION CARRIED

3. MINUTES

Resolution # PC-2005-10-168

Moved by: Littman
Seconded by: Wright

RESOLVED, To approve the October 4, 2005 Special/Study Meeting minutes and the October 11, 2005 Regular Meeting minutes as published.

Yes: All present (7)
No: None
Absent: Chamberlain, Khan

MOTION CARRIED

4. PUBLIC COMMENTS (Items not on the Agenda)

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright reported on the October 18, 2005 Board of Zoning Appeals (BZA) meeting. One item of interest relates to the Arnold Becker property located on the southeast corner of Big Beaver and Rochester Road (2840-2880 Rochester Road). The BZA approved the request to waive the required screen wall on the north side of the parking area where the parking lot abuts Henrietta. The petitioner withdrew his request to modify the required setback of 25 feet from the north property line to 10 feet.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the October 17, 2005 Joint Meeting of the Downtown Development Authority (DDA) and City Council and the October 19, 2005 DDA Meeting. Discussions at both meetings related to amending the DDA boundaries.

7. PLANNING AND ZONING REPORT

Mr. Miller reported on the following:

- ZOTA 216 Additional Retail along Major Thoroughfares in M-1 (Light Industrial) Zoning District – *Approved by City Council, 10/24/05; Planning Commission recommendation was modified by City Council.*

Mr. Miller provided a brief overview of the modifications and said he would forward the Resolution passed by City Council to the members. There was discussion on the presentation to the City Council with respect to the recommendation of the Planning Commission and the City Management version.

- Z 709 Rezoning Request, South side of Woodslee Street, East of Rochester Road, Section 27, M-1 to R-2 – *Approved by City Council, 10/17/05.*
- Z 708 Rezoning Request, North side of Maple, West of Blaney, Section 29, M-1 to B-3 – *Approved by City Council, 10/17/05.*
- ZOTA 201, Commercial Indoor Recreation in M-1 (Light Industrial) Zoning District – *Scheduled for City Council Public Hearing, 11/14/05.*
- PUD 4, The Monarch Private Residences – *Tentatively scheduled for City Council Final Approval in November 2005.*

8. (a) PUD 5, Caswell Town Center, Site Visit

Mr. Miller reported that a site visit was not conducted this evening because a quorum was not present.

Members and staff who walked the site identified the following site development concerns:

- Parking for banquet center.
- Stub streets that touch the property from the east and south
- Retention and swale areas.

TABLED ITEM

8. PUBLIC HEARING – PROPOSED REZONING (Z 710) – Existing Shopping Center (to include proposed Marshall's Music store), Northeast corner of Rochester Road and Wattles Road (4048-4060 Rochester Road), Section 14 – From B-1 (Local Business) to B-2 (Community Business)

Mr. Miller presented a summary of the rezoning request that was tabled at the October 11, 2005 Regular Meeting. The applicant's request for interpretation of the Zoning Ordinance is on the November 15, 2005 Board of Zoning Appeals (BZA) agenda. Mr. Miller reported that it is the recommendation of the City Management to approve the rezoning request.

The petitioner was not present.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Resolution # PC-2005-10-169

Moved by: Wright

Seconded by: Littman

RESOLVED, To table the item to the November 29, 2005 Regular Meeting to allow the Board of Zoning Appeals to address the issue.

Discussion on the motion on the floor.

Mr. Wright said he sees no need to rezone the property, and said Marshal's Music store is no more out of place in the B-1 zoning district than Kinko's, Blockbuster, or some of the other businesses in the shopping center.

There was a lengthy discussion and comments from around the table with respect to going forward with the rezoning request to City Council, obtaining an interpretation from the BZA independently or simultaneously with the rezoning request, the intent of the petitioner to remain in the City, and the review of all B-1 zoning districts.

Vote on the motion on the floor.

Yes: Littman

No: Drake-Batts, Schultz, Strat, Vleck, Waller, Wright

Absent: Chamberlain, Khan

MOTION FAILED

Mr. Wright said he would support either action that would get Marshall's Music in the shopping center. He personally feels an interpretation from the BZA would be appropriate and the most expeditious action to take.

Members Schultz, Vleck and Drake-Batts agreed that going forward concurrently on both the BZA interpretation and the rezoning request is in the best interest of the City and most expeditious.

Resolution # PC-2005-10-170

Moved by: Schultz
 Seconded by: Waller

WHEREAS, The Planning Commission feels that it is of the utmost importance to the economic viability of the City of Troy to encourage desirable businesses to remain and/or locate in the City. Furthermore, the City Management should do everything within its powers to simplify and expedite the processes businesses must follow to establish and/or relocate their operations in our City;

WHEREAS, The Planning Commission disagrees with the Building Department's decision that Marshall's Music does not meet the criteria for locating within the B-1 (Community Business) zoning district, while the same department has ruled that Blockbuster Video and FedEx/Kinko's meet those criteria. While the Planning Commission has recommended and requested that the Board of Zoning Appeals provide an interpretation of the B-1 zoning district as it applies to Marshall's Music, that interpretation will not take place until Tuesday, November 15, 2005;

WHEREAS, it is in the best interest of the citizens of Troy to expedite the ability of Marshall's Music to relocate their business to a new facility within the City. Furthermore, because the most expeditious means of accomplishing same is to recommend the rezoning of the parcel in question from B-1 to B-2 and rezoning that parcel does not create a non-conformity with relation to the new zoning district;

THEREFORE BE IT RESOLVED, That the Planning Commission hereby recommends to the City Council that the B-1 to B-2 rezoning request, located on the northeast corner of Rochester and Wattles, within Section 14, being approximately 2.7 acres in size, be granted.

Yes: All present (7)
 No: None
 Absent: Chamberlain, Khan

MOTION CARRIED**ZONING ORDINANCE TEXT AMENDMENT**

9. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 214-B) – Articles 04.20.00 and 10.30.00, Group Day Care Homes in the R-1A through R-1E Districts on a Temporary Basis

Mr. Miller reviewed the Resolution adopted by City Council on October 3, 2005 that requested the Planning Commission to set a Public Hearing on a proposed zoning ordinance text amendment that would allow group day care homes in the R-1A through R-1E districts on a temporary basis. He said the amendment would

essentially legalize the approximate 20 group day care homes currently licensed and existing at the time the amendment is adopted by City Council.

Discussed at length were the following two conditions of the proposed amendment:

- The date of final action by City Council that would affect the existing group day care homes.
- The timeframe the temporary basis would be in affect after City Council takes final action.

Mr. Motzny said consideration and approval of the proposed amendment should be based on whether the members believe a public purpose would be served.

PUBLIC HEARING OPENED

John Bjelobrk of 5581 Mandale, Troy, was present. Mr. Bjelobrk asked how many members of the Planning Commission live next door to or within 300 feet of a family or group day care home. He also asked if any member of the Planning Commission has a friend or relative who operates a day care center. Mr. Bjelobrk said he would be willing to swap houses with Chair Strat so he would have the opportunity to experience living next to a group day care home. He voiced concern with the City procedure to notify only those residents living within 300 feet of existing group day care homes, and said the issue should be placed on a city-wide ballot. Mr. Bjelobrk voiced concern that a fire in a group day care home would jeopardize his family's safety and affect the cost of his insurance coverage. He asked that group day care homes not be grandfathered. Mr. Bjelobrk addressed traffic, noise, and parking concerns, and encouraged parents to raise their own children.

Curtis Childs of 1931 Atlas Court, Troy, was present. Mr. Childs said approximately 800 homes have been receiving the Public Hearing notices and very few negative responses have come forward.

PUBLIC HEARING CLOSED

Resolution # PC-2005-10-

Moved by: Drake-Batts

Seconded by: Littman

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles IV and X, pertaining to Group Day Care Homes in the R-1A through R-1E Zoning Districts on a Temporary Basis, be amended as follows:

1. To remove “[Date of Final Action by City Council]” and replace and substitute it with “[The Approval of ZOTA 214-B by City Council]”.

Discussion on the motion on the floor.

Mr. Waller asked that the Resolution be amended to change all entries of 10 days to 100 days, with reference to the timeframe of the temporary basis after the Troy City Council has had the opportunity to conduct a Public Hearing and take final action.

A brief discussion followed on the wording of the zoning ordinance text amendment.

Mr. Motzny suggested a recess to prepare the appropriate wording of the Resolution.

Chair Strat requested a recess at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Ms. Drake-Batts withdrew the motion on the floor. Mr. Littman was in agreement with the withdrawal.

Resolution # PC-2005-10-171

Moved by: Drake-Batts

Seconded by: Littman

RESOLVED, That group day care homes as defined in Section 04.20.69, licensed by the State of Michigan and in operation as of *the date of approval of ZOTA 214-B by City Council*, shall be permitted to continue on a temporary basis not to exceed thirty (30) days after the Troy City Council has had the opportunity to conduct a Public Hearing and take final action on any proposed revisions to Charter 39, Article X, related to the regulation of group day care homes as set forth in ZOTA 214.

Yes: Drake-Batts, Littman, Schultz, Strat, Vleck, Waller

No: Wright

Absent: Chamberlain, Khan

MOTION CARRIED

Mr. Wright said the Planning Department has received several letters from neighbors who are opposed to group day care homes because of traffic, parking, and noise. Mr. Wright said he personally thinks a group day care home is a commercial enterprise that should not exist in a residential zone.

10. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 214) – Articles 04.20.00 and 10.30.00, Group Day Care Homes in the R-1A through R-1E District

Mr. Miller outlined the list of potential group day care home standards that were compiled at the October 4, 2005 Special/Study Meeting. He reviewed the draft amendment prepared by the Planning Department and summarized minor revisions that were incorporated into the draft.

Chair Strat solicited comments from around the table with respect to each standard listed in relation to group day care homes.

[Mr. Miller exited the meeting at 9:40 p.m.]

Thorough notes were taken by staff and the revised draft will be reviewed and discussed at the November 1, 2005 Special/Study Meeting.

Mr. Motzny will report back on the use of Special Conditions and Special Use Approvals on a renewal basis.

11. PLANNING COMMISSION BY-LAWS

Mr. Waller distributed copies of the original and revised By-laws.

Resolution # PC-2005-10-172

Moved by: Schultz

Seconded by: Littman

RESOLVED, That this item be tabled until the next meeting so that the members have an opportunity to review the revisions that were presented tonight by Mr. Waller.

Yes: All present (7)

No: None

Absent: Chamberlain, Khan

MOTION CARRIED

12. REVIEW OF NOVEMBER 29, 2005 REGULAR MEETING

Upcoming agenda items were briefly reviewed.

13. PUBLIC COMMENT – For Items on the Agenda

David Schafer of 5593 Mandale, Troy, was present. Mr. Schafer addressed the group day care home matter. He said he would appreciate getting a copy of the proposed

zoning ordinance text so group day care home providers would have an opportunity to provide informative input. Mr. Schafer also asked for copies of the negative letters and emails received by the Planning Department so providers can see the nature of the complaints and address them.

Curtis Childs of 1931 Atlas Court, Troy, was present. Mr. Childs addressed comments made at tonight's meeting relating to group day care homes. He said fires can happen anywhere, and traffic on public roads cannot be regulated. Mr. Childs said it would seem more practical that residents would be concerned if their neighbors did not clear snow. Mr. Childs requested consideration be given to grandfathering some of the existing day care homes and addressed a concern with the required 1,500-foot distance between day care homes. Mr. Childs noted that the City of Livonia ordinance makes no mention of building inspections or Michigan Building Codes, and has successfully worked since 1999. He encouraged members not to over-regulate the ordinance.

GOOD OF THE ORDER

Mr. Littman said he once had lunch as chair of the Planning Commission with the City Manager, who took offense at a comment he made. His comment was it seems that sometimes the City Manager considers the Planning Commission a necessary evil. Mr. Littman said he would revise that now. He thinks the City Manager thinks the Planning Commission is an unnecessary evil.

Ms. Drake-Batts said she would figure out something to do with her Tuesday evenings.

Chair Strat said he is sure he will hear something about the comments he made this evening, but he had to air his frustrations.

Mr. Littman said it's not based strictly on last week, it's been building. He said you have to have been chair, as many members have been, to really get frustrated with it.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:29 p.m.

Respectfully submitted,

Thomas Strat, Chair

Kathy L. Czarnecki, Recording Secretary

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Strat at 7:32 p.m. on November 1, 2005 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Gary Chamberlain
 Lynn Drake-Batts
 Fazal Khan
 Lawrence Littman
 Robert Schultz
 Thomas Strat
 Mark J. Vleck
 David T. Waller

Absent:

Wayne Wright

Also Present:

Mark F. Miller, Planning Director
 Brent Savidant, Principal Planner
 Allan Motzny, Assistant City Attorney
 Christopher Kulesza, Student Representative

Resolution # PC-2005-11-173

Moved by: Schultz
 Seconded by: Khan

RESOLVED, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All present (8)
 No: None
 Absent: Wright

MOTION CARRIED

2. PUBLIC COMMENTS (Items not on the Agenda)

There was no one present who wished to speak.

3. ROCHESTER ROAD FUTURE LAND USE PLAN AMENDMENT

Mr. Miller revisited the list of Problems and Opportunities that was created by the Planning Commission at the August 23, 2005 Special/Study Meeting. A list of Findings and Trends and Goals were also briefly discussed. There was general concurrence that the Planning Department should begin to develop an amendment to the Future Land Use Plan that included a mixed-use overlay district. It was determined that an appropriate depth for the mixed-use district would be similar to

the depth of the commercial property on the northwest corner of Square Lake and Rochester Roads.

Mr. Chamberlain suggested that since the section of Rochester Road between Long Lake and Square Lake mirrors the section between Square Lake Road and South Boulevard, it should be included in the Future Land Use Plan amendment. General discussion followed.

The Planning Commission asked the Planning Department to prepare a memo to City Council informing them of the desire of the Planning Commission to expand the study area. Furthermore, the memo should explain that the proposed March deadline to complete the amendment would be difficult to meet whether or not the study area was expanded.

Resolution # PC-2005-11-174

Moved by: Chamberlain
Seconded by: Waller

RESOLVED, That the study area of the Future Land Use Plan amendment for Rochester Road between Square Lake Road and South Boulevard be expanded to include the section of Rochester Road between Long Lake Road and Square Lake Road, therefore making it a two-mile strip rather than a one-mile strip for a mixed-use district, including appropriate depth, space and location standards.

Yes: All present (8)
No: None
Absent: Wright

MOTION CARRIED

4. PLANNED UNIT DEVELOPMENT (PUD 5) – Proposed Caswell Town Center including 14 single family homes, 74 condominium units, ±19,000 s.f. retail space and the existing Petruzzello's Banquet Center, Southeast corner of Rochester Road and South Blvd., Section 2 – B-3 (General Business), P-1 (Vehicular Parking) and R-1D (One Family Residential) Districts

Brad Byarski of Michigan Home Builders made a brief presentation on the proposed project. General discussion followed the presentation.

Mr. Chamberlain suggested a gateway entrance sign would greatly enhance the major intersection. Mr. Byarski agreed a gateway sign would be an appropriate improvement.

Mr. Schultz said, based on his experience of living in condominium developments for the last 32 years, he does not believe there is enough guest parking on the site. Mr. Schultz expressed concern over the trees proposed to be saved within the 20-foot wide greenbelt along the north and south property lines in the single-family portion of the property.

Chair Strat asked whether storm water runoff from the condominium units would flow east into the bioswale and then south into the retention basin.

John Hennessey, Project Engineer, 2674 West Jefferson Avenue, Trenton, responded in the affirmative.

Chair Strat asked why a bioswale was not used along the southern property line of the single-family residential area.

Mr. Hennessey responded that this area is 3 feet lower than the retention pond and water would therefore not flow to the pond.

Mr. Littman asked if the Planning Commission would have the opportunity to review the proposed changes should the bank change the number of drive-thru lanes after receiving Final PUD Approval.

Mr. Miller responded that if any significant changes were proposed for the project following Final PUD Approval, an amendment would require a recommendation by the Planning Commission.

Mr. Waller asked if any of the uses would require site plan approval following PUD approval.

Mr. Miller responded that Final PUD approval includes Final Site Plan Approval for each of the proposed uses.

5. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 214) – Articles 04.20.00 and 10.30.00, Group Day Care Homes in the R-1A through R-1E Districts

Mr. Miller presented the report that was prepared for the Planning Commission for the meeting. General discussion followed. The Planning Commission discussed each proposed provision separately and voted on each item. The Planning Department indicated they would make the proposed changes and bring the draft ZOTA 214 back to the Planning Commission for the November 29, 2005 Regular Meeting.

Mr. Littman disagreed with the inclusion of the list of Planning Commission actions on ZOTA 214. He suggested that the information was misleading. General discussion followed.

Resolution # PC-2005-11-175

Moved by: Littman
Seconded by: Khan

RESOLVED, The Planning Commission produce its own record of the meetings of ZOTA 214 as to what was and was not done with the ZOTA at different meetings and that the attached record not become part of the minutes or public record.

Yes: Khan, Littman, Strat, Vleck
No: Drake-Batts, Schultz, Waller
Abstain: Chamberlain
Absent: Wright

MOTION FAILED

6. PROPOSED ZONING ORDINANCE TEXT AMENDMENT – Landscape Screening of Off Street Parking

Mr. Savidant led a discussion relating to landscape screening of off-street parking areas. The intent of the discussion was to provide direction to the Planning Department for preparation of a draft ZOTA. The following Items were discussed:

- Applicability.
- Type of Screening.
- Species.
- Height.
- Plant alternatives.
- Parking lot trees.
- Maintenance.

The Planning Department will prepare a draft ZOTA based on this input.

7. PLANNING COMMISSION BY-LAWS

Mr. Waller indicated that he received the comments on the proposed revisions that were prepared by the Assistant City Attorney. He will incorporate the proposed revisions and email the revised text to the Planning Commission.

8. PUBLIC COMMENT – For Items on the Agenda

There was no one present who wished to speak.

GOOD OF THE ORDER

Mr. Waller indicated that the Beavers were on display in the center court of Somerset North. There would be an auction at Somerset North on Saturday, November 5, from 6:00 p.m. to 9:00 p.m.

Mr. Khan indicated that he received three phone calls from people who had seen the Beaver he sponsored. He was offered work in Troy as a result of the phone calls but was unable to take the work because of his position on the Troy Planning Commission.

Mr. Chamberlain reminded those in attendance at the meeting and watching on television that he did not want any contact or communication related to his position as a Planning Commissioner at his home, be it through email, telephone, letters or personal contact.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:55 p.m.

Respectfully submitted,

Thomas Strat, Chair

Brent Savidant, Principal Planner

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CITY COUNCIL EXPENSE REPORT
Month of September, 2005

J-02a

| <u>Council Person</u> | <u>Expense Date</u> | <u>Purpose</u> | <u>Amount</u> | <u>Totals</u> |
|------------------------|---------------------|---|---------------|------------------|
| Beltramini, Robin | 9/6/2005 | Quarterly Fax & DSL Line Oct - Dec, 2005 | \$ 123.72 | |
| | | | | \$ 123.72 |
| Broomfield, Cristina | 9/6/2005 | | | |
| Eisenbacher, David | | | \$ - | |
| Howrylak, Martin F. | | | \$ - | |
| Lambert, David | 9/6/2005 | Quarterly Fax & DSL Line Oct - Dec, 2005 | \$ 212.85 | |
| Schilling, Louise E. | 9/6/2005 | Quarterly DSL Line Oct - Dec, 2005 | \$ 89.85 | \$ 212.85 |
| Stine, Jeanne M. | 9/6/2005 | Quarterly Fax & DSL Line Oct - Dec, 2005 | \$ 119.85 | \$ 89.85 |
| | | | | \$ 119.85 |
| Total for Month | | | | \$ 546.27 |

NOTE: This report is presented in compliance with Rules of Procedure for the City Council,
Item 18. Miscellaneous Expenses

Date Prepared: 10/31/2005
Final Preparation By: J. Nash

CITY OF TROY
MONTHLY FINANCIAL REPORT
31-Oct-05

CITY OF TROY
 Monthly Financial Report
 General Fund
 For the Period Ending October 31, 2005

CITY OF TROY GENERAL FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------------|---------------------|-------------------|------------------|-------------------|--------------|
| GENERAL FUND REVENUES | | | | | |
| TAXES | 32,300,413 | 34,351,690 | 88,234 | 33,752,735 | 98.26 |
| BUSINESS LICENSES & PERMITS | 40,294 | 38,000 | 2,071 | 7,550 | 19.87 |
| NON-BUS. LICENSES & PERMITS | 1,567,149 | 1,974,500 | 153,409 | 600,284 | 30.40 |
| FEDERAL GRANTS | 126,091 | 32,320 | 10,431 | 10,431 | 32.27 |
| STATE AGENCIES | 7,072,396 | 6,658,000 | 21,105 | 97,831 | 1.47 |
| CONTRIBUTIONS-LOCAL | 165,154 | 135,000 | 15,290 | 49,824 | 36.91 |
| CHARGES FOR SERVICES - FEES | 1,338,922 | 1,203,000 | 150,010 | 221,745 | 18.43 |
| CHARGES FOR SERVICES - REND. | 1,549,128 | 1,616,000 | 32,728 | 311,636 | 19.28 |
| CHARGES FOR SERVICES - SALES | 137,888 | 140,000 | 6,142 | 33,808 | 24.15 |
| CHARGES FOR SERVICES - REC | 3,377,440 | 3,010,200 | 185,832 | 1,057,010 | 35.11 |
| FINES & FORFEITS | 973,526 | 995,000 | 81,850 | 222,463 | 22.36 |
| INTEREST AND RENTS | 1,350,075 | 1,110,300 | 157,729 | 422,820 | 38.08 |
| OTHER REVENUE | 1,755,220 | 479,780 | 5,984 | 124,715 | 25.99 |
| OTHER FINANCING SOURCES | 7,508,876 | 8,333,200 | 0 | 1,750,940 | 21.01 |
| TOTAL GENERAL FUND REVENUE | 59,262,572 | 60,076,990 | 910,815 | 38,663,792 | 64.36 |
| EXPENDITURES | | | | | |
| LEGISLATIVE | 1,980,389 | 2,077,060 | 131,295 | 512,672 | 24.68 |
| FINANCE | 4,419,523 | 4,706,650 | 297,620 | 1,367,339 | 29.05 |
| OTHER GEN GOVERNMENT | 2,578,758 | 2,638,720 | 183,105 | 710,061 | 26.91 |
| POLICE | 21,192,309 | 22,618,610 | 1,673,588 | 6,305,481 | 27.88 |
| FIRE | 4,071,775 | 4,092,750 | 185,333 | 936,596 | 22.88 |
| BUILDING INSPECTION | 1,938,958 | 2,105,420 | 145,134 | 591,209 | 28.08 |
| STREETS | 5,074,869 | 5,303,780 | 383,073 | 1,297,841 | 24.47 |
| ENGINEERING | 2,780,647 | 2,996,560 | 209,482 | 840,003 | 28.03 |
| RECREATION | 8,331,857 | 8,454,160 | 746,061 | 2,863,611 | 33.87 |
| LIBRARY | 4,758,581 | 4,973,280 | 389,534 | 1,333,641 | 26.82 |
| TRANSFERS OUT | 10,000 | 110,000 | 0 | 0 | .00 |
| TOTAL GEN FUND EXPENDITURES | 57,137,666 | 60,076,990 | 4,344,225 | 16,758,454 | 27.89 |

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending October 31, 2005

REFUSE FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------|---------------------|-------------------|------------------|------------------|--------------|
| REVENUES | | | | | |
| TAXES | 4,010,718 | 4,108,500 | 0 | 4,137,867 | 100.71 |
| CHARGES FOR SERVICES - REND. | 0 | 0 | 0 | 43,378 | .00 |
| CHARGES FOR SERVICES - SALES | 1,410 | 1,500 | 140 | 457 | 30.47 |
| INTEREST AND RENTS | 74,280 | 70,000 | 12,645 | 33,812 | 48.30 |
| OTHER FINANCING SOURCES | 0 | 345,650 | 0 | 0 | .00 |
| TOTAL REVENUE | 4,086,408 | 4,525,650 | 12,785 | 4,215,514 | 93.15 |
| EXPENDITURES | | | | | |
| CONTRACTORS SERVICE | 4,268,532 | 4,355,000 | 336,347 | 1,148,761 | 26.38 |
| OTHER REFUSE EXPENSE | 36,672 | 52,180 | 1,253 | 13,239 | 25.37 |
| RECYCLING | 127,637 | 118,470 | 6,773 | 29,635 | 25.01 |
| TOTAL EXPENDITURES | 4,432,841 | 4,525,650 | 344,373 | 1,191,635 | 26.33 |

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending October 31, 2005

CAPITAL FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------|---------------------|-------------------|------------------|------------------|--------------|
| REVENUES | | | | | |
| TAXES | 9,036,196 | 8,019,000 | 0 | 8,076,318 | 100.71 |
| FEDERAL GRANTS | 20,550 | 305,000 | 0 | 0 | .00 |
| STATE AGENCIES | 3,498,065 | 1,621,000 | 0 | 271,092 | 16.72 |
| CHARGES FOR SERVICES - REND. | 178,301 | 167,000 | 12,093 | 22,009 | 13.18 |
| INTEREST AND RENTS | 700,855 | 400,000 | 83,777 | 226,743 | 56.69 |
| OTHER REVENUE | 88,073 | 800,000 | 287,771 | 386,893 | 48.36 |
| OTHER FINANCING SOURCES | 2,150,000 | 12,767,330 | 0 | 479,333 | 3.75 |
| TOTAL REVENUE | 15,672,040 | 24,079,330 | 383,641 | 9,462,388 | 39.30 |
| EXPENDITURES | | | | | |
| FINANCE | 32,516 | 120,000 | 0 | 26,797 | 22.33 |
| OTHER GEN GOVERNMENT | 3,524,419 | 2,951,000 | 140 | 588,740 | 19.95 |
| POLICE | 318,080 | 316,010 | 0 | 63,169 | 19.99 |
| FIRE | 86,267 | 487,000 | 546,158 | 667,645 | 137.09 |
| BUILDING INSPECTION | 2,088 | 20,000 | 230 | 751 | 3.76 |
| STREETS | 9,539,256 | 12,333,000 | 974,704 | 3,096,514 | 25.11 |
| ENGINEERING | 8,331 | 0 | 0 | 0 | .00 |
| RECREATION | 2,630,558 | 4,438,400 | 194,094 | 741,579 | 16.71 |
| LIBRARY | 232,529 | 25,000 | 26,675 | 74,993 | 299.97 |
| MUSEUM | 246,984 | 518,000 | 1,545 | 21,755 | 4.20 |
| STORM DRAINS & RET PONDS | 1,086,501 | 2,270,920 | 358 | 135,949 | 5.99 |
| INFORMATION TECHNOLOGY | 75,763 | 600,000 | 0 | 0 | .00 |
| TOTAL EXPENDITURES | 17,783,292 | 24,079,330 | 1,743,904 | 5,417,892 | 22.50 |

CITY OF TROY
 Monthly Financial Report
 Sanctuary Lake Golf Course
 For the Period Ending October 31, 2005

SANCTUARY LK GOLF COURSE FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------|---------------------|-------------------|------------------|-----------------|--------------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - SALES | 30,674 | 42,000 | 1,813 | 15,518 | 36.95 |
| CHARGES FOR SERVICES - REC | 931,301 | 1,901,380 | 88,435 | 614,511 | 32.32 |
| INTEREST AND RENTS | 457 | 22,000 | 313 | 626 | 2.85 |
| OTHER REVENUE | 31- | 0 | 4 | 242- | .00 |
| OTHER FINANCING SOURCES | 0 | 0 | 0 | 0 | .00 |
| TOTAL REVENUE | 962,401 | 1,965,380 | 90,565 | 630,413 | 32.08 |
| EXPENDITURES | | | | | |
| SANCTUARY LAKE GREENS | 974,918 | 832,730 | 59,398 | 279,160 | 33.52 |
| SANCTUARY LAKE PRO SHOP | 773,060 | 1,104,210 | 31,919 | 140,563 | 12.73 |
| SANCTUARY LAKE CAPITAL | 2,420 | 0 | 0 | 4,606 | .00 |
| TOTAL EXPENDITURES | 1,750,398 | 1,936,940 | 91,317 | 424,329 | 21.91 |

83500
FINANCE
FIN584FY5

CITY OF TROY
Monthly Financial Report
Golf Course
For the Period Ending October 31, 2005

1
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SYLVAN GLEN GOLF COURSE FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------|---------------------|-------------------|------------------|-----------------|-------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - SALES | 36,425 | 41,000 | 2,969 | 17,429 | 42.51 |
| CHARGES FOR SERVICES - REC | 1,067,896 | 1,133,370 | 69,223 | 576,508 | 50.87 |
| INTEREST AND RENTS | 145,742 | 173,000 | 12,172 | 113,010 | 65.32 |
| OTHER REVENUE | 377- | 0 | 9 | 28- | .00 |
| OTHER FINANCING SOURCES | 0 | 0 | 0 | 0 | .00 |
| TOTAL REVENUE | 1,249,686 | 1,347,370 | 84,373 | 706,919 | 52.47 |
| EXPENDITURES | | | | | |
| SYLVAN GLEN GREENS | 747,474 | 822,320 | 62,140 | 317,518 | 38.61 |
| SYLVAN GLEN PRO SHOP | 317,853 | 326,050 | 25,317 | 127,434 | 39.08 |
| SYLVAN GLEN CAPITAL | 43,238 | 199,000 | 0 | 33,273 | 16.72 |
| TOTAL EXPENDITURES | 1,108,565 | 1,347,370 | 87,457 | 478,225 | 35.49 |

83500
FINANCE
FIN587FY5

CITY OF TROY
Monthly Financial Report
Aquatic Center
For the Period Ending October 31, 2005

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16:09:45

AQUATIC CENTER FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|----------------------------|---------------------|-------------------|------------------|-----------------|-------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - REC | 415,224 | 428,000 | 76 | 172,191 | 40.23 |
| INTEREST AND RENTS | 22,793 | 27,300 | 0 | 20,846 | 76.36 |
| OTHER REVENUE | 36- | 0 | 0 | 1 | .00 |
| TOTAL REVENUE | 437,981 | 455,300 | 76 | 193,038 | 42.40 |
| EXPENDITURES | | | | | |
| AQUATIC CENTER | 560,211 | 596,100 | 35,859 | 297,582 | 49.92 |
| CAPITAL | 0 | 15,000 | 0 | 9,845 | 65.63 |
| TOTAL EXPENDITURES | 560,211 | 611,100 | 35,859 | 307,427 | 50.31 |

CITY OF TROY
 Monthly Financial Report
 Sewer Fund
 For the Period Ending October 31, 2005

SEWER FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|-----------------------------|---------------------|-------------------|------------------|------------------|--------------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - FEES | 202,747 | 200,000 | 22,368 | 55,648 | 27.82 |
| CHARGES FOR SERVICES - REND | 9,420,758 | 9,695,000 | 1,122,126 | 1,998,577 | 20.61 |
| INTEREST AND RENTS | 481,995 | 310,000 | 56,878 | 160,098 | 51.64 |
| OTHER REVENUE | 359,038 | 0 | 0 | 0 | .00 |
| TOTAL REVENUE | 10,464,538 | 10,205,000 | 1,201,372 | 2,214,323 | 21.70 |
| EXPENDITURES | | | | | |
| ADMINISTRATION | 8,378,129 | 8,108,990 | 1,331,248 | 3,399,034 | 41.92 |
| MAINTENANCE | 1,433,241 | 1,445,700 | 48,561 | 390,677 | 27.02 |
| CAPITAL | 0 | 4,835,000 | 2,724 | 5,153- | .11 |
| TOTAL EXPENDITURES | 9,811,370 | 14,389,690 | 1,382,533 | 3,784,558 | 26.30 |

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending October 31, 2005

WATER FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|------------------------------|---------------------|-------------------|------------------|------------------|--------------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - FEES | 1,086,665 | 995,000 | 109,211 | 339,442 | 34.11 |
| CHARGES FOR SERVICES - SALES | 12,337,081 | 14,171,000 | 1,645,845 | 3,132,652 | 22.11 |
| INTEREST AND RENTS | 508,320 | 350,000 | 29,298 | 248,212 | 70.92 |
| OTHER REVENUE | 266,765 | 0 | 0 | 8,736 | .00 |
| TOTAL REVENUE | 14,198,831 | 15,516,000 | 1,784,354 | 3,729,042 | 24.03 |
| EXPENDITURES | | | | | |
| ADMINISTRATION | 11,420,270 | 11,233,860 | 1,241,878 | 4,527,768 | 40.30 |
| TRANS AND DISTRIBUTION | 158,767 | 200,090 | 5,286 | 25,666 | 12.83 |
| CUSTOMER INSTALLATION | 66,356 | 114,830 | 5,809 | 22,126 | 19.27 |
| CONTRACTORS SERVICE | 166,181 | 228,240 | 11,322 | 48,805 | 21.38 |
| MAIN TESTING | 44,667 | 195,040 | 4,348 | 15,093 | 7.74 |
| MAINTENANCE OF MAINS | 293,214 | 353,770 | 17,687 | 121,774 | 34.42 |
| MAINTENANCE OF SERVICES | 188,039 | 210,060 | 15,709 | 76,747 | 36.54 |
| MAINTENANCE OF METERS | 285,835 | 233,650 | 24,952 | 73,283 | 31.36 |
| MAINTENANCE OF HYDRANTS | 228,767 | 336,580 | 36,068 | 73,285 | 21.77 |
| METERS AND TAP-INS | 245,045 | 347,270 | 11,568 | 105,932 | 30.50 |
| WATER METER READING | 105,362 | 93,000 | 15,426 | 63,403 | 68.18 |
| ACCOUNTING AND COLLECTING | 74,125 | 77,900 | 8,257 | 37,080 | 47.60 |
| CAPITAL | 28,835 | 4,090,000 | 291,102 | 669,096 | 16.36 |
| TOTAL EXPENDITURES | 13,305,463 | 17,714,290 | 1,689,412 | 5,860,058 | 33.08 |

CITY OF TROY
 Monthly Financial Report
 Motor Pool
 For the Period Ending October 31, 2005

MOTOR POOL FUND

| Description | Last Year Actual | 2005-06 Budget | Current Month | Year To Date | % |
|-----------------------------|---------------------|-------------------|------------------|------------------|--------------|
| REVENUES | | | | | |
| CHARGES FOR SERVICES - REND | 0 | 5,000 | 0 | 0 | .00 |
| INTEREST AND RENTS | 3,693,243 | 3,669,300 | 299,156 | 1,271,381 | 34.65 |
| OTHER REVENUE | 302,329 | 394,000 | 47,492 | 91,855 | 23.31 |
| OTHER FINANCING SOURCES | 0 | 1,412,580 | 0 | 0 | .00 |
| TOTAL REVENUE | 3,995,572 | 5,480,880 | 346,648 | 1,363,236 | 24.87 |
| EXPENDITURES | | | | | |
| ADMINISTRATION | 495,493 | 536,530 | 37,634 | 148,884 | 27.75 |
| OPERATION AND MAINTENANCE | 2,912,203 | 3,133,410 | 226,907 | 955,337 | 30.49 |
| DPW FACILITY MAINTENANCE | 327,461 | 389,640 | 15,651 | 86,262 | 22.14 |
| CAPITAL | 28,965 | 1,421,300 | 332,355 | 381,980 | 26.88 |
| TOTAL EXPENDITURES | 3,764,122 | 5,480,880 | 612,547 | 1,572,463 | 28.69 |

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T-Bills, Commercial Paper, C.D. etc.

Ref.: INVQY012
Page: 1

PAGE 1

| Fund | Mat Yr. | Mat Mo. | Mat Day | Type | Loc | Pur Yr. | Pur Mo. | Pur Day | Rate | Name | Face | Accrue 6/30 | Book |
|------|---------|---------|---------|------|-----------|---------|---------|---------|-------|------------|-----------|-------------|--------------|
| 112 | 2005 | 11 | 3 | 9 | ML | 2005 | 8 | 25 | 3.420 | TBILL | 2,570,000 | | |
| | 2005 | 11 | 4 | 7 | FLAGSTAR | 2005 | 7 | 22 | 3.880 | CD | 2,075,278 | | 2,553,234.32 |
| | 2005 | 11 | 10 | 7 | FLAGSTAR | 2005 | 7 | 22 | 3.880 | CD | 2,059,439 | | 2,075,277.84 |
| | 2005 | 11 | 10 | 7 | REPUBLIC | 2005 | 10 | 7 | 3.850 | CD | 1,074,005 | | 2,059,438.87 |
| | 2005 | 11 | 17 | 9 | ML | 2005 | 9 | 1 | 3.370 | TBILL | 2,305,000 | | 1,074,004.81 |
| | 2005 | 11 | 17 | 7 | STAND FED | 2005 | 9 | 30 | 3.625 | CD | 4,830,466 | | 2,288,730.55 |
| | 2005 | 11 | 18 | 7 | FLAGSTAR | 2005 | 8 | 19 | 3.900 | CD | 2,049,452 | | 4,830,465.54 |
| | 2005 | 11 | 23 | 7 | FLAGSTAR | 2005 | 9 | 6 | 3.840 | CD | 2,000,000 | | 2,049,452.25 |
| | 2005 | 11 | 23 | 7 | CITIZENS | 2005 | 9 | 9 | 3.800 | CD | 2,010,578 | | 2,000,000.00 |
| | 2005 | 12 | 1 | 7 | CITIZENS | 2005 | 8 | 30 | 3.750 | CD | 1,000,000 | | 2,010,577.78 |
| | 2005 | 12 | 1 | 9 | ML | 2005 | 9 | 8 | 3.430 | TBILL | 2,070,000 | | 1,000,000.00 |
| | 2005 | 12 | 1 | 9 | ML | 2005 | 9 | 15 | 3.430 | TBILL | 2,201,000 | | 2,053,785.69 |
| | 2005 | 12 | 2 | 7 | CITIZENS | 2005 | 8 | 19 | 3.800 | CD | 1,017,687 | | 2,185,182.14 |
| | 2005 | 12 | 2 | 7 | HUNT BANK | 2005 | 8 | 23 | 3.920 | CD | 1,000,000 | | 1,017,686.91 |
| | 2005 | 12 | 2 | 7 | TCF BANK | 2005 | 8 | 30 | 3.800 | CD | 1,000,000 | | 1,000,000.00 |
| | 2005 | 12 | 2 | 7 | TCF BANK | 2005 | 9 | 6 | 3.800 | CD | 2,000,000 | | 1,000,000.00 |
| | 2005 | 12 | 8 | 7 | FLAGSTAR | 2005 | 9 | 30 | 4.030 | CD | 2,124,678 | | 2,000,000.00 |
| | 2005 | 12 | 9 | 7 | HUNT BANK | 2005 | 8 | 19 | 3.920 | CD | 1,000,000 | | 2,124,678.29 |
| | 2005 | 12 | 9 | 7 | FLAGSTAR | 2005 | 8 | 26 | 3.940 | CD | 2,054,639 | | 1,000,000.00 |
| | 2005 | 12 | 9 | 7 | HUNT BANK | 2005 | 8 | 30 | 3.940 | CD | 1,000,000 | | 2,054,639.06 |
| | 2005 | 12 | 9 | 7 | HUNT BANK | 2005 | 9 | 6 | 3.840 | CD | 2,000,000 | | 1,000,000.00 |
| | 2005 | 12 | 15 | 9 | ML | 2005 | 9 | 22 | 3.000 | TBILL | 2,249,000 | | 2,000,000.00 |
| | 2005 | 12 | 16 | 7 | HUNT BANK | 2005 | 8 | 26 | 3.950 | CD | 2,090,849 | | 2,231,682.70 |
| | 2005 | 12 | 16 | 7 | FLAGSTAR | 2005 | 9 | 2 | 3.970 | CD | 2,083,211 | | 2,090,848.79 |
| | 2005 | 12 | 16 | 7 | HUNT BANK | 2005 | 9 | 6 | 3.850 | CD | 2,000,000 | | 2,083,210.61 |
| | 2005 | 12 | 22 | 8 | NATL CITY | 2004 | 3 | 22 | 2.030 | FHLB | 1,025,000 | 461.25 | 2,000,000.00 |
| | 2005 | 12 | 22 | 7 | REPUBLIC | 2005 | 8 | 30 | 3.750 | CD | 1,000,000 | | 1,023,450.00 |
| | 2005 | 12 | 22 | 7 | FLAGSTAR | 2005 | 9 | 2 | 3.970 | CD | 2,052,473 | | 1,000,000.00 |
| | 2005 | 12 | 22 | 7 | REPUBLIC | 2005 | 9 | 6 | 3.750 | CD | 2,000,000 | | 2,052,473.00 |
| | 2005 | 12 | 22 | 7 | HUNT BANK | 2005 | 9 | 13 | 3.930 | CD | 2,000,000 | | 2,000,000.00 |
| | 2005 | 12 | 29 | 7 | FLAGSTAR | 2005 | 9 | 6 | 3.890 | CD | 2,000,000 | | 2,000,000.00 |
| | 2005 | 12 | 29 | 7 | TCF BANK | 2005 | 9 | 14 | 3.850 | CD | 2,000,000 | | 2,000,000.00 |
| | 2005 | 12 | 30 | 8 | FITB | 2004 | 3 | 25 | 4.500 | FHR 2669DT | 700,000 | | 2,000,000.00 |
| | 2005 | 12 | 30 | 7 | CITIZENS | 2005 | 9 | 13 | 3.800 | CD | 2,000,000 | | 696,000.00 |
| | 2006 | 1 | 5 | 9 | ML | 2005 | 10 | 6 | 3.550 | TBILL | 2,608,000 | | 2,000,000.00 |
| | 2006 | 1 | 6 | 7 | FLAGSTAR | 2005 | 9 | 6 | 3.890 | CD | 2,000,000 | | 2,585,091.25 |
| | 2006 | 1 | 6 | 7 | FLAGSTAR | 2005 | 9 | 23 | 4.020 | CD | 2,014,544 | | 2,000,000.00 |
| | 2006 | 1 | 6 | 7 | FLAGSTAR | 2005 | 10 | 4 | 4.110 | CD | 2,102,808 | | 2,014,544.44 |
| | 2006 | 1 | 12 | 9 | ML | 2005 | 10 | 13 | 3.750 | TBILL | 3,817,000 | | 2,102,808.05 |
| | 2006 | 1 | 12 | 7 | FITB | 2005 | 10 | 14 | 4.080 | CD | 1,017,593 | | 3,781,614.04 |
| | 2006 | 1 | 13 | 7 | FITB | 2005 | 9 | 13 | 3.880 | CD | 2,000,000 | | 1,017,593.33 |
| | 2006 | 1 | 19 | 9 | ML | 2005 | 10 | 20 | 3.820 | TBILL | 2,180,000 | | 2,000,000.00 |
| | 2006 | 1 | 19 | 7 | FLAGSTAR | 2005 | 10 | 21 | 4.270 | CD | 3,152,981 | | 2,159,390.52 |
| | 2006 | 1 | 19 | 7 | REPUBLIC | 2005 | 10 | 21 | 4.000 | CD | 2,085,973 | | 3,152,980.96 |
| | 2006 | 1 | 19 | 7 | FITB | 2005 | 10 | 21 | 4.070 | CD | 1,121,885 | | 2,085,972.81 |
| | 2006 | 1 | 20 | 7 | FLAGSTAR | 2005 | 9 | 14 | 3.890 | CD | 2,000,000 | | 1,121,885.47 |
| | 2006 | 1 | 20 | 7 | TCF BANK | 2005 | 9 | 16 | 3.900 | CD | 2,012,250 | | 2,000,000.00 |
| | | | | | | | | | | | | | 2,012,250.00 |

7 = CD 8 = Paper 9 = T-Bills

| Fund | Mat Yr. | Mat Mo. | Mat Day | Type | Loc | Pur Yr. | Pur Mo. | Pur Day | Rate | Name | Face | Accrue 6/30 | Book |
|------|---------|---------|---------|------|-----------|---------|---------|---------|-------|------------|-----------|-------------|----------------|
| 112 | 2006 | 1 | 26 | 9 | ML | 2005 | 10 | 27 | 3.880 | TBILL | 3,082,000 | | 3,052,434.62 |
| | 2006 | 1 | 27 | 7 | FITB | 2005 | 9 | 13 | 3.880 | CD | 3,000,000 | | 3,000,000.00 |
| | 2006 | 1 | 27 | 7 | HUNT BANK | 2005 | 10 | 28 | 4.300 | CD | 1,066,044 | | 1,066,043.80 |
| | 2006 | 2 | 2 | 7 | FITB | 2005 | 10 | 7 | 4.040 | CD | 2,052,901 | | 2,052,901.24 |
| | 2006 | 2 | 3 | 7 | HUNT BANK | 2005 | 9 | 20 | 4.030 | CD | 2,000,000 | | 2,000,000.00 |
| | 2006 | 2 | 10 | 7 | CITIZENS | 2005 | 9 | 20 | 3.900 | CD | 2,000,000 | | 2,000,000.00 |
| | 2006 | 2 | 10 | 7 | FLAGSTAR | 2005 | 9 | 20 | 3.970 | CD | 2,000,000 | | 2,000,000.00 |
| | 2006 | 2 | 10 | 7 | FITB | 2005 | 9 | 20 | 3.900 | CD | 2,000,000 | | 2,000,000.00 |
| | 2006 | 2 | 16 | 7 | TCF | 2005 | 10 | 4 | 4.100 | CD | 1,018,530 | | 1,018,529.51 |
| | 2006 | 3 | 31 | 8 | NAT CITY | 2005 | 9 | 29 | 4.020 | FHLM | 1,000,000 | | 980,175.00 |
| | 2006 | 6 | 30 | 8 | FITB | 2003 | 2 | 27 | 3.300 | MAX SAVER | 6,663,331 | | 6,663,330.65 |
| | 2006 | 6 | 30 | 8 | FITB | 2003 | 5 | 19 | 5.000 | FHLMC95237 | 1,000,000 | | 630,218.13 |
| | 2006 | 6 | 30 | 8 | FITB | 2003 | 7 | 30 | 3.600 | FHR03 2640 | 900,000 | | 545,501.09 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 1 | 1 | 2.500 | MM | 575,539 | | 575,539.42 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 1 | 30 | 4.250 | FHR 2537LA | 2,000,000 | | 285,227.99 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 1 | 30 | 4.000 | FHR 2535LK | 3,500,000 | | 2,141,381.44 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 7 | 26 | 1.200 | FNR03 24GA | 550,000 | | 195,710.04 |
| | 2006 | 6 | 30 | 8 | HUNT BANK | 2004 | 8 | 27 | 3.680 | MM | 533,984 | | 533,983.66 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 10 | 7 | 2.250 | FHR 2625QX | 800,125 | | 585,260.12 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 10 | 8 | 3.000 | FHR 2564CN | 1,841,000 | | 1,260,202.09 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 10 | 12 | 4.000 | FHR 2617BG | 3,730,000 | | 3,081,604.31 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 11 | 16 | 3.500 | FHLM 2586 | 500,000 | | 395,530.04 |
| | 2006 | 6 | 30 | 8 | FITB | 2005 | 1 | 11 | 4.000 | FNMA 42 | 1,700,000 | | 1,687,700.00 |
| | 2006 | 6 | 30 | 8 | FITB | 2005 | 8 | 26 | 2.500 | 31 | 1,500,000 | | 1,500,000.00 |
| | 2006 | 6 | 30 | 8 | FITB | 2005 | 8 | 30 | 4.000 | 2545 | 615,000 | | 576,948.47 |
| | 2006 | 11 | 15 | 8 | FITB | 2005 | 7 | 27 | 4.500 | FHLM 2687 | 2,350,000 | | 2,346,000.00 |
| | 2006 | 12 | 15 | 8 | FITB | 2005 | 5 | 25 | 5.000 | FHLM 2808 | 1,200,000 | | 616,299.96 |
| | 2007 | 3 | 16 | 8 | FITB | 2005 | 2 | 9 | 3.550 | FHLE 3133 | 1,000,000 | | 975,250.00 |
| | 2007 | 6 | 30 | 8 | FITB | 2005 | 9 | 29 | 4.500 | FHLM 2618 | 775,000 | | 775,000.00 |
| | | | | | | | | | | TOTAL | | 461.25 | 135,129,721.60 |
| 591 | 2005 | 11 | 4 | 7 | REPUBLIC | 2005 | 9 | 2 | 3.750 | CD | 142,184 | | 142,183.75 |
| | 2005 | 11 | 4 | 7 | HUNT BANK | 2005 | 9 | 2 | 3.770 | CD | 154,944 | | 154,944.05 |
| | 2005 | 11 | 17 | 7 | STAND FED | 2005 | 9 | 30 | 3.625 | CD | 2,763,683 | | 2,763,682.76 |
| | 2005 | 12 | 6 | 8 | NATL CITY | 2005 | 9 | 6 | 3.150 | FHLM | 1,500,000 | | 1,486,918.75 |
| | 2006 | 1 | 15 | 8 | FITB | 2004 | 4 | 14 | | FHLE 3133 | 1,000,000 | | 988,000.00 |
| | 2006 | 6 | 30 | 7 | COMERICA | 1997 | 7 | 1 | 3.330 | GOV'T POOL | 1,892,689 | | 1,892,688.98 |
| | 2006 | 6 | 30 | 8 | FITB | 2004 | 2 | 2 | 3.750 | FNR03 24MN | 1,015,000 | | 684,631.38 |
| | 2006 | 6 | 30 | 8 | FITB | 2005 | 8 | 31 | 1.000 | MM | 102,780 | | 102,779.78 |
| | 2006 | 6 | 30 | 8 | FITB | 2005 | 9 | 29 | 4.500 | FHLM 2618 | 325,000 | | 325,000.00 |
| | 2006 | 11 | 15 | 8 | FITB | 2005 | 8 | 26 | 4.500 | FHLM 2687 | 1,000,000 | | 995,000.00 |
| | | | | | | | | | | TOTAL | | | 9,535,829.45 |
| 688 | 2006 | 6 | 30 | 7 | BANK ONE | 1997 | 7 | 1 | 3.500 | GOV'T POOL | 1,338,445 | | 1,338,445.46 |

7 = CD 8 = Paper 9 = T-Bills

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T-Bills, Commercial Paper, C.D. etc.

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PAGE 3

| Fund | Mat Yr. | Mat Mo. | Mat Day | Type | Loc | Pur Yr. | Pur Mo. | Pur Day | Rate | Name | Face | Accrue 6/30 | Book |
|------|---------|---------|---------|------|-----|---------|---------|---------|------|------|-------|-------------|----------------|
| | | | | | | | | | | | TOTAL | | 1,338,445.46 |
| | | | | | | | | | | | TOTAL | 461.25 | 146,003,996.51 |

*** END OF REPORT ***

7 = CD 8 = Paper 9 = T-Bills



IT'S
just
LUNCH!

J-03a

November 7, 2005

Chief Charles Craft
Troy Police Department
500 W. Big Beaver Rd.
Troy, MI 48084

Dear Chief Craft,

I am writing to you to express my sincere gratitude to Officer Mitch Lenczewski of the Troy Police Department. Several weeks ago I telephoned your department for assistance on a theft and potential extortion by one of my employees at It's Just Lunch. Office Lenczewski responded in less than half an hour. He was very kind, thoughtful, and very sincere in his efforts to assist us.

My ex-employee stole confidential client files and copies of keys to all of my offices and refused to return them. Loss of these files and the potential compromise of confidential client information could have been devastating to my business. Officer Lenczewski not only called the ex-employee but came back to my office building to meet her in the lobby and then personally returned the materials to me.

It is very comforting to know that officers like Mitch are here to assist us. This may seem like a trivial matter to most, but to my business, it had the potential of costing me millions of dollars. I wanted you to know how appreciative we are of Officer Lenczewski, and I didn't want his performance of his duties and his "humanness" to go unnoticed.

Kindest Regards;

Paula A. Komar
CEO & President
It's Just Lunch - Southeastern Michigan

RECEIVED
Chief of Police
11/11/05 CR

CC: CITY MANAGER
CAPT. MURPHY
OFF. LENCZEWSKI/FILE
BB

Dear Tonni and Barb,

I just wanted to say
congratulations on another well
run election. I really
appreciate all the support
you and your staff provide as
a precinct chair. I also
appreciate how organized and
smooth things run when we
check in at the end of a very
long day! Thank you! Mary Beth Haluska

Athens High School
4333 John R
Troy, Michigan 48085
248.823.2900
248.823.2913 Fax

Dr. Catherine Cost, *Principal*
Amy Buchanan, *Assistant Principal*
Marcia Decker, *Assistant Principal*
Bob Dowd, *Assistant Principal*
Bettie Goss, *Assistant Principal*

November 4, 2005

CITY OF TROY POLICE DEPARTMENT
500 W. Big Beaver
Troy, MI 48098

RECEIVED
Chief of Police
11/14/2005 GC

Attn: Chief Charles Craft

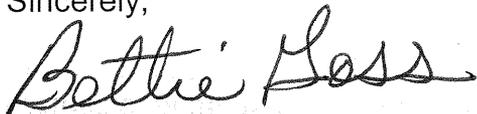
Dear Chief Craft:

This letter is to commend Officer Greg Pokley for the outstanding job he did at Athens High School on Wednesday, October 26, 2005. Officer Greg Pokley was at Athens High School conducting official police business. While walking through the cafeteria he found two young men engaged in verbal/physical confrontation. I was impressed with the manner in which Officer Pokley conducted himself as he executed the duties of a police officer. He was calm, collected and professional as he controlled the two young men. By his demeanor and behavior he was able to diffuse a potential volatile situation at Athens High School.

Officer Pokley is truly a police officer that the department can be proud of. We thank you for having such high standards and for only having the very best officers in Troy.

In closing, I want to thank you for your time and attention to this matter. Again, I commend the professional police work of Officer Pokley. If you have any questions or concerns, please feel free to contact my office at 248.823.2931.

Sincerely,



Bettie Goss
Assistant Principal
Athens High School

BG:rs

CC: City Manager
Capt. Murphy
Off. Pokley/File
RB

Soni

Thank you so much for allowing us to visit on election day. Your operation is very impressive and your staff is courteous, professional and a pleasure to be with.

We intend to use some of your procedures. When you have time, I still have a couple of questions.

I much appreciate you sharing yours.

6

Thank you again for all your help!
Marylyn



CLACKAMAS COUNTY SHERIFF'S OFFICE



Office of
CRAIG ROBERTS, SHERIFF
CHARLES BOWEN, UNDERSHERIFF

Det. Steve Brandimore
Troy Police Department
500 W. Big Beaver
Troy, MI 48084

RECEIVED
Chief of Police
11/14/05 CJC

November 7, 2005

Dear Det. Steve Brandimore,

The Clackamas County Sheriff's Office Domestic Violence Enhanced Response Team would like to thank you and your agency for your support and participation in the 3rd Annual National Family Violence Apprehension Detail. We would especially like to acknowledge your efforts in locally coordinating your agency within this national effort. This year was a success as we continued to substantially increase warrant attempts and services. Nationally agencies reported the following statistics for the detail:

- 5857 Attempts of Warrant Services
- 1159 Warrants Served
- 1465 Law Enforcement Personnel Participated
 - 60 Probation and Parole Personnel Participated
 - 20 District Attorney Victim/Witness Advocates Participated
 - 4 Shelter Worker Participated
 - 8 City /District Attorneys Participated
- 63 Other Members from Agencies and Local Communities Participated (U.S. Marshals, Correction Officers, Reserve Officers, etc.)

Most importantly, agencies across the United States sent the message that offenders will be held accountable for their actions. We understand that this voluntary effort is hard work and can be a burden on resources, but because of your dedication, the number of attempts increased 66% and the number of arrests increased 79% from last year. We look forward to your participation next year, as we anticipate continuing our increasing efforts.

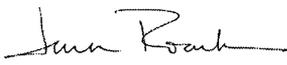
Thank you,



Sheriff Craig Roberts
Clackamas County Sheriff's Office



Sgt. Alan Alderman
Clackamas County Sheriff's Office



Jenn Roark, National Coordinator
Domestic Violence Enhanced Response Team

cc: City Manager
Captains
DEPT. FILE
BB

cc: Chief Charles Craft



With
Very
Special
Thanks

With all my
gratitudes!

Thank you,
Fawia Bleana

Thank you note to Kathleen Bobick, Legal Assistant,
for her help on a District Court matter.

November 2005

| November 2005 | | | | | | |
|---------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | | | |

| December 2005 | | | | | | |
|---------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
|--|--|---|--|--------|---------|
| | 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) | | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 |
| | City General Election | | 7:30pm Park Board meeting (Comm Ctr conf rm) | | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 |
| 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) | | | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 |
| 7:30pm City Council-Regular (Council Chambers) | | | City Hall Closed THANKSGIVING | | 27 |
| 28 | 29 | 30 | | | |
| 7:30pm City Council-Regular (Council Chambers) | 7:30pm Planning Commission-Regular (Council Chambers) | | | | |

December 2005

| December 2005 | | | | | | | January 2006 | | | | | | |
|---------------|----|----|----|----|----|----|--------------|----|----|----|----|----|----|
| S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| 4 | 5 | 6 | 7 | 1 | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 11 | 12 | 13 | 14 | 8 | 9 | 10 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 18 | 19 | 20 | 21 | 15 | 16 | 17 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 25 | 26 | 27 | 28 | 22 | 23 | 24 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| | | | | 29 | 30 | 31 | 29 | 30 | 31 | | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
|--|---|---|--|------------------|---------|
| | | | December 1 | 2 | 3 |
| | | | 10:00am Senior Advisory Board meeting (Comm Ctr conf rm) | | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 |
| 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 |
| 12 | 13 | 14 | 15 | 16 | 17 |
| | 12:00pm Updated: Assessing Board of Review (Conference Room D) 7:30pm Planning Commission-Regular (Council Chambers) | | | | 18 |
| 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 |
| 26 | 27 | 28 | 29 | 30 | 31 |
| City Hall Closed | | | | City Hall Closed | |

January 2006

January 2006

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

February 2006

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | | | | |

| 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 |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY

QUARTERLY REPORT

VOL. XXXXIII

OCTOBER 2005

NO. 1

BOARD OF TRUSTEES

| Representative | Municipality |
|-----------------------|--------------------------|
| J. Bais-DiSessa | City of Berkley |
| R. Spallasso | Village of Beverly Hills |
| T. M. Markus | City of Birmingham |
| H. Drinkwine | City of Clawson |
| B. A. Photiades | City of Ferndale |
| A. LeCureaux | City of Hazel Park |
| A. R. Allie | City of Huntington Woods |
| J. Mueller | City of Lathrup Village |
| M. L. McReynolds | City of Oak Park |
| S. W. Ball | City of Pleasant Ridge |
| G. Rassel | City of Royal Oak |
| B. P. Murphy | City of Troy |

OFFICERS

| | |
|---------------------|--|
| Chairman: | A. LeCureaux |
| Vice Chairman: | M. L. McReynolds |
| Secretary: | B. P. Murphy |
| Advisory Committee: | A. LeCureaux A. R. Allie J. Bais-DiSessa B. P. Murphy |

| | |
|------------------|---------------------|
| J. A. McKeen | General Manager |
| M. A. Czuprenski | Operations Director |
| J. Schandavel | Authority Engineer |

Board of Trustees
 Southeastern Oakland County Resource Recovery Authority

Subject: Quarterly Report - October 2005

Board Members:

Attached is a copy of the Southeastern Oakland County Resource Recovery Authority's Quarterly Report covering the first three months operation of the fiscal year 2005/2006. The report contains a financial statement of the Authority's operation and an outline of projects in progress or completed during the quarter. The report also contains statistical information and other information of general interest to the members of this Authority.

BOARD OF TRUSTEES

The governing body of the Authority is a Board of Trustees, consisting of one representative from each constituent municipality. The Board held its Organization Meeting on July 13, 2005, and members were elected to serve as Officers for the fiscal year, beginning July 2005.

Following is a list of the current officers:

Chairman: A. LeCureaux
 Vice Chairman: M. L. McReynolds
 Secretary: B. P. Murphy

Representatives on the Board are entitled to one vote for each 3,000 tons, or fraction thereof, of refuse delivered to the Authority during the preceding fiscal year. The number of votes of each constituent member for the fiscal year, beginning July 2005, is as follows:

| Municipality | Votes |
|---------------------|--------------|
| Berkley | 4 |
| Beverly Hills | 3 |
| Birmingham | 6 |
| Clawson | 4 |
| Ferndale | 7 |
| Hazel Park | 4 |
| Huntington Woods | 2 |
| Lathrup Village | 1 |
| Oak Park | 6 |
| Pleasant Ridge | 1 |
| Royal Oak | 14 |
| Troy | 17 |
| | |
| Total: | 69 |

The Board meets in regular session once each month for the purpose of conducting all business coming before the Board.

The Authority is charged with the responsibility of disposing, recycling or composting all solid waste material delivered to designated locations by the member municipalities. The Authority has entered into contracts with the individual members for a period extending to July 1, 2007. Contingent contracts have also been entered into with each individual member for the period from July 1, 2007 to July 1, 2027. These contracts obligate the Authority to handle this material, charging rates sufficient to pay the operating costs and capital improvements.

FINANCIAL STATEMENT

The total net income for the first 3 months of 2005/2006 was \$295,797.22, before depreciation.

| | <u>Actual</u> | <u>Compared to Budget</u> |
|------------|----------------|---------------------------|
| Revenue | \$1,924,096.41 | - \$139,911.59 |
| Expenses | \$1,628,299.19 | - \$ 70,650.81 |
| Net Income | \$ 295,797.22 | - \$ 69,260.78 |

The decrease in revenue was due primarily to receiving lower than budgeted refuse from the member communities (-\$160,000) and sales of compost (-\$32,000), partially offset by increased refuse from non-members (+\$19,000), yard waste from the member communities (+\$19,000) and a larger number of household hazardous waste appointments (+\$14,000). While we recorded a significant softening in the prices we received for our recycled paper and metal, our total sales of recyclable material were only \$3,000 below budget. The sale of recycled material generated \$352,000, or 18% of our total revenue.

Expenses are below budget primarily due to lower than planned waste hauling and disposal expenses (-\$63,000), non-labor Administrative and General expenses (-\$63,000) and labor expenses (-\$16,000) partially offset by higher than planned maintenance expenses (+\$47,000) and utility expenses (+\$27,000). Additional financial detail is attached.

MAJOR PROJECTS

RATES TO MEMBERS

The rates charged to member communities for disposal of Municipal Solid Waste were increased by \$1.00 per ton to \$35.50 per ton effective July 1, 2005. The primary reason for this change was an increase in the contractual cost paid to Waste Management for disposal services of \$0.69 per ton and an anticipated fuel surcharge of \$0.50 per ton due to high fuel prices. The credit to the member communities for sale of recyclable material was increased by \$5.00 per ton to \$30.00 per ton. Our budget projects a total credit of \$525,000 being paid to the member communities during the fiscal year for their recyclables.

CONVERSION OF MRF TO DUAL STREAM OPERATION

The conversion of the MRF to dual stream operation took place during this quarter. Construction of this project began in early July and was completed in late September. In dual stream recycling, the materials are picked up curbside as two streams: paper and containers. Simplifying the curbside sort has the potential to reduce the costs paid by the member communities for the collection of recyclables. However, receiving dual stream required some significant changes to our operation at the MRF. During the construction, we continued to receive and process all of the incoming recyclable material by using the paper line to sort plastics on the afternoon and midnights shifts and most Saturdays. This enabled us to complete the construction without having an impact on our residents or the collection contractors and allowed us to maintain our revenue stream from the sale of recyclables.

Thus far, we are extremely happy with the performance of the new dual stream system. The new system has proved to be very flexible, which will be a great benefit as our recycling programs are sure to change in the coming years. During the next quarter, we will be training our employees on the new system, conducting the required performance testing, and fine tuning the operation of the system.

PLANNING FOR THE FUTURE

Following the approval of the membership agreements between SOCRRA and each of the member communities in early 2005, we began to develop the Request for Proposals (RFP) for solid waste collection, processing and disposal services that was discussed in the membership agreements. The RFP was developed by a committee consisting of Claire Galed (Huntington Woods), Mike Mazzuckelli (Hazel Park), Byron Photiades (Ferndale), Tom Trice and Greg Rassel (Royal Oak), Tim Richnak (Troy), Bob Davis (General Counsel), Bob Brickner (consultant), Jim Frey (consultant), and Mike Czuprenski and I from the SOCRRA staff. The goal of this RFP process is to obtain contracts for solid waste services for SOCRRA and the member communities that meet the parameters established in the membership contract. The RFP was issued on June 1, 2005 with the responses due on September 19, 2005. Responses were received from seven vendors, with a wide variety of proposed options for collection, processing and disposal. The analysis and clarification of the proposals will take several months to complete. Our target is to bring a recommendation to the SOCRRA Board in December of 2005 with final contract(s) being approved by the Board in January of 2006. This schedule meets the parameters contained in the member agreements.

EXPANSION OF RECYCLING PROGRAMS

We have begun an effort to expand our recycling programs in order to get more material processed by our MRF and to return more revenue to the member communities. Our initial focus is on establishing school recycling programs and making sure that the results of the RFP process position us to easily grow our recycling programs in the future. We have sent a letter to each of the schools in all of the SOCRRA communities offering to help establish a recycling program in each school. Most of the schools will be added to the curbside recycling program, with alternative arrangements being made for high schools, which are capable of generating large quantities of material.

AUDIT COMMITTEE

The Audit Committee (Tom Markus, Jeff Mueller and Mark Liss) had their first meeting in late June of 2005. The meeting was also attended by Tom Darling, our Rehmann Robson auditor, and me. At this meeting, the Committee discussed the role of the Audit Committee, a Working Capital Policy for SOCRRA, the disposition of money released by Judge Mester in the Madison Heights v. SOCRRA case, accounting changes regarding Madison Heights and Royal Oak Twp. as a result of Judge Mester's rulings in the Madison Heights v. SOCRRA case, the 2004/05 Audit Process and a plan for the GASB rules on Other Postemployment Benefits (OPEB). The recommendations of the Committee were subsequently approved by the entire Board. As a result, a total of \$277,000 was refunded to the member communities in August of 2005. The Committee's primary purpose is to ensure the independence of the annual audit, but the Committee will also work with the Auditor to improve the communication of the results of the audit from the Auditor to the Board and will work with me on any accounting issues.

LABOR CONTRACT NEGOTIATIONS

We had several negotiations with the Teamsters regarding their labor agreement, which expired on June 30, 2005. After having a tentative agreement rejected by the Union, we have reached a second agreement that has been approved by the Union. This agreement will be presented to the SOCRRA Board for approval in November of 2005. This agreement calls for significant changes to the health care insurance provided to our employees that will achieve significant savings for the Authority.

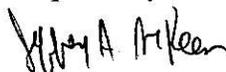
LANDFILL CLOSURE

After several unsuccessful attempts at obtaining the requisite 4% grades over the entire surface of the landfill, we assigned the final closure grading to NTH at the end of this quarter. NTH has contracted with an earth moving company and all of the necessary grading should be completed in late October. The landfill will then need to be seeded and resurveyed before the final closure documentation can be submitted to the MDEQ.

MADISON HEIGHTS v. SOCRRA

Madison Heights has appealed Judge Mester's decision on the interpretation of the settlement agreement in this case to the Court of Appeals. The most significant of these issues is regarding Madison Heights' continuing liability for environmental expenses incurred at any of SOCRRA's locations. In our response to their appeal, which focused on why the Court should not accept Madison Heights' appeal, we decided to remove one of the issues in the appeal by paying the "straddle costs" of \$660. This is Madison Heights' share of certain environmental costs that were incurred prior to July 1, 2004, but were not invoiced until after July 1, 2004. Judge Mester had ruled that Madison Heights should pay their share of these costs, but we decided to have a much cleaner response by focusing on the more important issues. It will probably take the Court of Appeals several months before they decide whether to accept this case.

Respectfully submitted,



Jeffrey A. McKeen, P.E.
General Manager

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
 STATEMENT OF INCOME JULY 1,2005 THROUGH SEPTEMBER 30,2005

| <u>REVENUES</u> | <u>ESTIMATED</u> | <u>ACTUAL</u> | <u>VARIANCES</u> |
|--------------------------------|----------------------------------|--------------------------------|-----------------------|
| <u>MUNICIPAL SOLID WASTE</u> | | | |
| MEMBERS | \$1,401,057.00 | \$1,241,519.22 | (\$159,537.78) |
| OTHERS | 168,425.00 | 187,073.98 | 18,648.98 |
| | <u>\$1,569,482.00</u> | <u>\$1,428,593.20</u> | <u>(\$140,888.80)</u> |
| <u>COMPOST</u> | | | |
| MEMBERS | \$148,624.00 | \$167,015.77 | \$18,391.77 |
| OTHERS | 6,480.00 | 8,918.12 | 2,438.12 |
| | <u>\$155,104.00</u> | <u>\$175,933.89</u> | <u>\$20,829.89</u> |
| <u>RECYCLABLES</u> | | | |
| MEMBERS CREDIT | (\$120,888.00) | (\$119,867.91) | \$1,020.09 |
| <u>OTHER INCOME</u> | | | |
| REVENUES - CARDBOARD | \$18,000.00 | \$18,116.95 | \$116.95 |
| REVENUES - PLASTICS | 51,600.00 | 69,827.38 | 18,227.38 |
| REVENUES - SCRAP METAL | 42,000.00 | 14,793.45 | (27,206.55) |
| REVENUES - NEWSPAPERS | 223,200.00 | 239,729.33 | 16,529.33 |
| REVENUES - GLASS | 3,600.00 | 4,119.84 | 519.84 |
| REVENUES HOUSEHOLD WASTE | 30,000.00 | 44,373.00 | 14,373.00 |
| REVENUES - BATTERIES | 0.00 | 355.00 | 355.00 |
| REVENUES - TIN CANS | 17,000.00 | 5,284.78 | (11,715.22) |
| REVENUES - ALUMINUM | 0.00 | 0.00 | 0.00 |
| REVENUES-COMPOST | 41,300.00 | 9,228.00 | (32,072.00) |
| INTEREST ON INVESTMENTS | 6,960.00 | 5,009.36 | (1,950.64) |
| GRANT FUNDS | 0.00 | 0.00 | 0.00 |
| RENTAL INCOME | 25,750.00 | 22,990.00 | (2,760.00) |
| MISC. INCOME | 900.00 | 5,610.14 | 4,710.14 |
| | <u>\$460,310.00</u> | <u>\$439,437.23</u> | <u>(\$20,872.77)</u> |
| | | | |
| TOTAL REVENUES | <u>2,064,008.00</u> | <u>1,924,096.41</u> | <u>-139,911.59</u> |
| | | | |
| <u>EXPENSES</u> | <u>BUDGET APPROPRIATIONS</u> | <u>ACTUAL EXPENDITURES</u> | <u>VARIANCES</u> |
| MADISON HTS TRANS.OPERATION | 418,064.00 | 421,321.63 | 3,257.63 |
| BATTERY/HOUSEHOLD WASTE | 34,159.00 | 51,580.69 | 17,421.69 |
| TROY TS OPERATION | 550,493.00 | 510,214.08 | (40,278.92) |
| MATERIAL RECOVERY FACILITY | 165,250.00 | 184,545.14 | 19,295.14 |
| LANDFILL/COMPOST OPERATION | 92,040.00 | 107,350.24 | 15,310.24 |
| ADMINISTRATIVE & GENERAL | 438,944.00 | 353,287.41 | (85,656.59) |
| FIXED CHARGES | 0.00 | 0.00 | 0.00 |
| | <u>\$1,698,950.00</u> | <u>\$1,628,299.19</u> | <u>(\$70,650.81)</u> |
| | | | |
| REVENUES OVER EXPENSES | \$365,058.00 | \$295,797.22 | (\$69,260.78) |
| | | | |
| NET INCOME BEFORE DEPRECIATION | <u>\$365,058.00</u> | <u>\$295,797.22</u> | <u>(\$69,260.78)</u> |
| | | | |
| REBATE TO CITIES | \$0.00 | \$277,000.00 | \$277,000.00 |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
 STATEMENT OF INCOME JULY 1,2005 THROUGH SEPTEMBER 30,2005

| REVENUES | TOTAL TONS | AMOUNT | 2005/06 AVERAGE PER TON |
|-----------------------------------|---------------|----------------|-------------------------------|
| <u>MUNICIPAL SOLID WASTE</u> | | | |
| MEMBERS | 34,971.78 | \$1,241,519.22 | |
| OTHERS | 2,797.59 | 187,073.98 | |
| <u>COMPOST</u> | | | |
| MEMBERS | 5,605.09 | 167,015.77 | |
| OTHERS | 135.62 | 8,918.12 | |
| <u>RECYCLABLES</u> | | | |
| MEMBERS | 3,978.92 | (119,867.91) | |
| DROP OFF CENTERS | 51.25 | 0.00 | |
| | 47,540.25 | \$1,484,659.18 | \$31.23 |
| <u>OTHER INCOME</u> | | | |
| REVENUES - CARDBOARD | | \$18,116.95 | |
| REVENUES - PLASTICS | | 69,827.38 | |
| REVENUES - SCRAP METAL | | 14,793.45 | |
| REVENUES - NEWSPAPERS | | 239,729.33 | |
| REVENUES - GLASS | | 4,119.84 | |
| REVENUES-HOUSEHOLD WASTE | | 44,373.00 | |
| REVENUES BATTERIES | | 355.00 | |
| REVENUES - TIN CANS | | 5,284.78 | |
| REVENUES - COMPOST | | 9,228.00 | |
| INTEREST ON INVESTMENTS | | 5,009.36 | |
| GRANT FUNDS | | 0.00 | |
| RENTAL INCOME | | 22,990.00 | |
| MISC. INCOME | | 5,610.14 | |
| | | \$439,437.23 | 9.24 |
| TOTAL REVENUES | | \$1,924,096.41 | \$40.47 |
| <u>EXPENSES</u> | | | |
| MADISON HEIGHTS TRANSFER STATION | | \$421,321.63 | |
| BATTERY RECYCLING/HOUSEHOLD WASTE | | 51,580.69 | |
| TROY TS OPERATION | | 510,214.08 | |
| MATERIAL RECOVERY FACILITY | | 184,545.14 | |
| LANDFILL/COMPOST OPERATION | | 107,350.24 | |
| ADMINISTRATIVE & GENERAL | | 353,287.41 | |
| FIXED CHARGES | | 0.00 | |
| | | \$1,628,299.19 | \$34.25 |
| NET INCOME BEFORE DEPRECIATION | | \$295,797.22 | \$6.22 |
| DEPRECIATION | | 24,980.00 | \$0.53 |
| NET INCOME | | \$270,817.22 | \$5.70 |
| REBATES TO CITIES | | \$277,000.00 | 5.83 |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1,2005 THROUGH SEPTEMBER 30,2005

| <u>REVENUES</u> | <u>TOTAL BUDGET 2005/06</u> | <u>ACTUAL 3 MONTHS</u> | <u>BALANCE</u> |
|------------------------------|-------------------------------------|----------------------------|-----------------------|
| <u>MUNICIPAL SOLID WASTE</u> | | | |
| MEMBERS | \$5,189,100.00 | \$1,241,519.22 | \$3,947,580.78 |
| OTHERS | 673,700.00 | 187,073.98 | 486,626.02 |
| | \$5,862,800.00 | \$1,428,593.20 | \$4,434,206.80 |
| <u>COMPOST</u> | | | |
| MEMBERS-COMPOST | \$1,061,600.00 | \$167,015.77 | \$894,584.23 |
| OTHERS-COMPOST | 54,000.00 | 8,918.12 | 45,081.88 |
| | \$1,115,600.00 | \$175,933.89 | \$939,666.11 |
| <u>RECYCLABLES</u> | | | |
| MEMBERS CREDIT | (\$525,600.00) | (\$119,867.91) | (\$405,732.09) |
| <u>OTHER INCOME</u> | | | |
| REVENUES - CARDBOARD | \$90,000.00 | \$18,116.95 | \$71,883.05 |
| REVENUES - PLASTICS | 258,000.00 | 69,827.38 | 188,172.62 |
| REVENUES - SCRAP METAL | 210,000.00 | 14,793.45 | 195,206.55 |
| REVENUES - NEWSPAPERS | 1,116,000.00 | 239,729.33 | 876,270.67 |
| REVENUES - GLASS | 18,000.00 | 4,119.84 | 13,880.16 |
| REVENUES-HOUSEHOLD WASTE | 119,000.00 | 44,373.00 | 74,627.00 |
| REVENUES - BATTERIES | 0.00 | 355.00 | (355.00) |
| REVENUES - TIN CANS | 85,000.00 | 5,284.78 | 79,715.22 |
| REVENUES - COMPOST | 118,000.00 | 9,228.00 | 108,772.00 |
| INTEREST ON INVESTMENTS | 24,000.00 | 5,009.36 | 18,990.64 |
| RENTAL INCOME | 103,000.00 | 22,990.00 | 80,010.00 |
| MISC. INCOME | 15,000.00 | 5,610.14 | 9,389.86 |
| | \$2,156,000.00 | \$439,437.23 | \$1,716,562.77 |
| TOTAL REVENUES | \$8,608,800.00 | \$1,924,096.41 | \$6,684,703.59 |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1,2005 THROUGH SEPTEMBER 30,2005

| <u>EXPENSES</u> | <u>TOTAL BUDGET 2005/06</u> | <u>ACTUAL 3 MONTHS</u> | <u>BALANCE</u> |
|----------------------------|---------------------------------|----------------------------|-----------------------|
| MADISON HEIGHTS OPERATION | \$2,332,074.00 | \$421,321.63 | \$1,910,752.37 |
| BATTERY/HOUSEHOLD WASTE | 165,864.00 | 51,580.69 | 114,283.31 |
| TROY TS OPERATION | 3,030,180.00 | 510,214.08 | 2,519,965.92 |
| MATERIAL RECOVERY FACILITY | 766,000.00 | 184,545.14 | 581,454.86 |
| LANDFILL/COMPOST OPERATION | 413,420.00 | 107,350.24 | 306,069.76 |
| ADMINISTRATIVE & GENERAL | 1,443,300.00 | 353,287.41 | 1,090,012.59 |
| FIXED CHARGES | 0.00 | 277,000.00 | (277,000.00) |
| | <u>\$8,150,838.00</u> | <u>\$1,905,299.19</u> | <u>\$6,245,538.81</u> |
| | | | |
| TOTAL EXPENDITURES | <u>\$8,150,838.00</u> | <u>\$1,905,299.19</u> | <u>\$6,245,538.81</u> |
| | | | |
| NET INCOME | <u>\$457,962.00</u> | <u>\$18,797.22</u> | <u>\$439,164.78</u> |
| | | | |
| REBATES TO CITIES | \$0.00 | \$277,000.00 | (\$277,000.00) |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
 COMPARATIVE STATEMENT
 JULY 1,2005 THROUGH SEPTEMBER 30,2005

| | 2005/06 | 2004/05 | VARIANCES |
|------------------------------|-----------------------|-----------------------|-----------------------|
| <u>REVENUES</u> | | | |
| <u>MUNICIPAL SOLID WASTE</u> | | | |
| MEMBERS | \$1,241,519.22 | \$1,298,536.63 | (\$57,017.41) |
| OTHERS | 187,073.98 | 186,878.62 | 195.36 |
| | <u>\$1,428,593.20</u> | <u>\$1,485,415.25</u> | <u>(\$56,822.05)</u> |
| <u>COMPOST</u> | | | |
| MEMBERS | \$167,015.77 | \$155,577.05 | \$11,438.72 |
| OTHERS | 8,918.12 | 5,817.05 | 3,101.07 |
| | <u>\$175,933.89</u> | <u>\$161,394.10</u> | <u>\$14,539.79</u> |
| <u>RECYCLABLES</u> | | | |
| MEMBERS CREDIT | (\$119,867.91) | (\$108,007.79) | (\$11,860.12) |
| <u>OTHER INCOME</u> | | | |
| REVENUES - CARDBOARD | \$18,116.95 | \$25,944.14 | (\$7,827.19) |
| REVENUES - PLASTICS | 69,827.38 | 40,082.68 | 29,744.70 |
| REVENUES - SCRAP METAL | 14,793.45 | 76,663.99 | (61,870.54) |
| REVENUES - NEWSPAPERS | 239,729.33 | 270,850.15 | (31,120.82) |
| REVENUES - GLASS | 4,119.84 | 4,101.30 | 18.54 |
| REVENUES-HOUSEHOLD WASTE | 44,373.00 | 38,804.00 | 5,569.00 |
| REVENUES-BATTERIES | 355.00 | 52.50 | 302.50 |
| REVENUES - TIN CANS | 5,284.78 | 21,693.25 | (16,408.47) |
| REVENUES - ALUMINUM | 0.00 | 0.00 | 0.00 |
| REVENUES - COMPOST | 9,228.00 | 17,530.00 | (8,302.00) |
| INTEREST ON INVESTMENTS | 5,009.36 | 4,340.12 | 669.24 |
| GRANT FUNDS | 0.00 | 0.00 | 0.00 |
| RENTAL INCOME | 22,990.00 | 24,300.00 | (1,310.00) |
| MISC. INCOME | 5,610.14 | 680.57 | 4,929.57 |
| | <u>\$439,437.23</u> | <u>\$525,042.70</u> | <u>(\$85,605.47)</u> |
| TOTAL REVENUES | \$1,924,096.41 | \$2,063,844.26 | (\$139,747.85) |
| OPERATING EXPENSES | \$1,628,299.19 | \$1,584,939.76 | \$43,359.43 |
| EXCESS | \$295,797.22 | \$478,904.50 | (\$183,107.28) |
| REBATES TO CITIES | \$277,000.00 | \$0.00 | \$277,000.00 |
| EXCESS AFTER REBATES | <u>\$18,797.22</u> | <u>\$478,904.50</u> | <u>(\$460,107.28)</u> |

SOUTHEASTERN OAKLAND COUNTY RESOURCE RECOVERY AUTHORITY
TOTAL DISPOSAL CHARGES
JULY 1,2005 THROUGH SEPTEMBER 30,2005

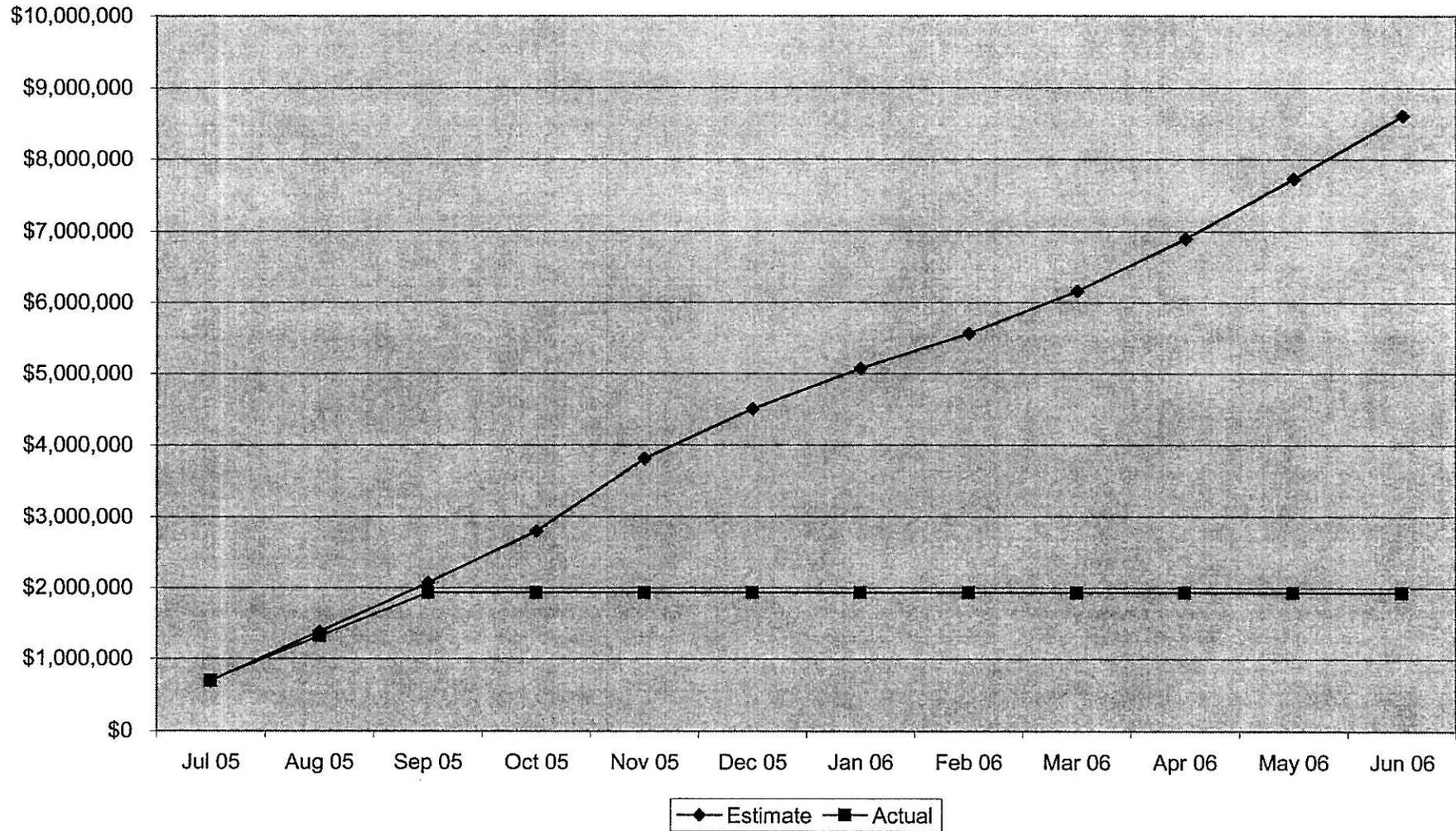
| <u>MUNICIPALITY</u> | <u>TOTAL TONS</u> | <u>DISPOSAL CHARGES</u> | <u>AVERAGE COST PER TON</u> |
|---------------------|-------------------|-------------------------|-----------------------------|
| BERKLEY | 2,261 | \$65,586.39 | \$29.01 |
| BEVERLY HILLS | 1,787 | 48,771.72 | \$27.30 |
| BIRMINGHAM | 4,008 | 110,698.42 | \$27.62 |
| CLAWSON | 2,061 | 58,640.18 | \$28.45 |
| FERNDALE | 4,331 | 133,156.25 | \$30.75 |
| HAZEL PARK | 2,725 | 85,614.85 | \$31.42 |
| HUNTINGTON WOODS | 946 | 21,507.52 | \$22.73 |
| LATHRUP VILLAGE | 746 | 22,219.59 | \$29.78 |
| OAK PARK | 3,653 | 110,858.81 | \$30.34 |
| PLEASANT RIDGE | 486 | 13,393.62 | \$27.57 |
| ROYAL OAK - CITY | 9,342 | 264,306.60 | \$28.29 |
| TROY | 12,210 | 353,913.13 | \$28.99 |
| SUB-TOTAL | 44,556 | \$1,288,667.08 | \$28.92 |
| OTHER CUSTOMERS | 2,933 | 195,992.10 | 66.82 |
| DROP OFF CENTERS | 51 | 0.00 | 0.00 |
| TOTAL | 47,540 | \$1,484,659.18 | 31.23 |

EXPENDITURES

| | |
|-------------|--------------|
| Dual Stream | \$236,372.81 |
|-------------|--------------|

| | |
|-------|--------------------|
| TOTAL | <hr/> \$236,372.81 |
|-------|--------------------|

SOCRRA REVENUES 2005/06



SOCRRA EXPENSES 2005/06

