

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

DECEMBER 4, 2006

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

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

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Phillip L. Nelson, 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.

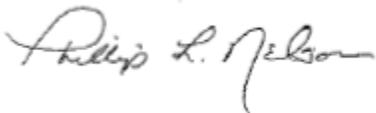
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

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,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

**December 4, 2006 – 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 Steve Husava –Northfield Hills Baptist Church **1**

ROLL CALL: **1**

CERTIFICATES OF RECOGNITION: **1**

- A-1 Presentations: 1
 - a) Service Commendation – Charles Palmer..... 1
 - b) Rehmann Robson – Annual Audit Report..... 1
 - c) GFOA Awards for Financial Reports – by John M. Lamerato, Assistant City Manager/Finance & Administration..... 1

CARRYOVER ITEMS: **1**

B-1 No Carryover Items 1

PUBLIC HEARINGS: **1**

C-1 No Public Hearings 1

POSTPONED ITEMS: **1**

D-1 Mayoral Appointments to the Planning Commission 1

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

CONSENT AGENDA: 2

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

E-1b Address of “E” Items Removed for Discussion by City Council and/or the Public 2

E-2 Approval of City Council Minutes 2

E-3 Proposed City of Troy Proclamation(s): None Submitted 2

E-4 Standard Purchasing Resolutions 3

 a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Lawn and Yard Services..... 3

 b) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Member Robin Beltramini’s Travel Expenses – National League of Cities (NLC) Leadership Meeting..... 3

 c) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Members’ Travel Expenses – National League of Cities (NLC) 2007 Annual Congressional City Conference..... 3

E-5 Pre-Tax Benefit Plan 4

E-6 Private Agreement for Suma Medical Center – Project No. 06.905.3 4

E-7 Application for Transfer of Class C License for Kona Grill 4

PUBLIC COMMENT: Limited to Items Not on the Agenda 5

REGULAR BUSINESS: 5

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA) b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Liquor Committee; and Municipal Building Authority 6

F-2 Re-Write of City Code, Chapter 65 – Taxicabs, Limousines and Drivers 7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS: 7

G-1 Announcement of Public Hearings: 7

a) Commercial Vehicle Appeal – 5933 Diamond – December 18, 2006	7
b) Proposed Rezoning (File Number: Z 723) – Proposed Taco Bell Restaurant, West side of Dequindre, North of Long Lake, Section 12 – O-1 to B-2 – December 18, 2006	7
c) Rezoning Application (File Number Z 180-B) – Proposed Binson’s Home Health Care Center, Northwest corner of Rochester and Marengo, Section 3 – R-1B to O-1 or R-1B to B-1 – December 18, 2006	7
G-2 Green Memorandums: None Submitted	7

COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda **8**

H-1 No Council Referrals	8
--------------------------	---

COUNCIL COMMENTS: **8**

I-1 No Council Comments	8
-------------------------	---

REPORTS: **8**

J-1 Minutes – Boards and Committees:	8
a) Parks and Recreation Advisory Board/Final – September 21, 2006	8
b) Library Advisory Board/Final – October 12, 2006	8
c) Board of Zoning Appeals/Final – October 17, 2006	8
J-2 Department Reports:	8
a) City of Troy Monthly Financial Report – October 31, 2006	8
b) Council Member Lambert’s Report from the NLC Annual Leadership Summit	8
J-3 Letters of Appreciation:	8
a) Letter of Thanks to Officer Harrison from L. Wayne Creasman, Senior Connection, in Appreciation of the Informative and Professional Presentation	8
b) Letter of Thanks to Officer Kaptur from Lee Gillett, ITT Technical Institute, Regarding the Outstanding Substance Abuse Presentation	8
c) Letter of Appreciation to Mayor Schilling from Jon Howington, Macomb Community College, Regarding the Volunteer Efforts of Chief Craft and Officers of the Police Department	8
d) Letter of Thanks to Chief Craft from Mary Huyck, Oakland County Jail Clinic, in Appreciation of the Professional, Informative and Entertaining Presentation by Officer Kaptur	8
J-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted	8

J-5	Calendar	8
J-6	Communication from Information Technology Director Gert Paraskevin Regarding GIS Case Study	8
J-7	Communication from Public Works Director Timothy Richnak Regarding Action Plan for New Routing Schedule for Refuse, Recyclables and Yard Waste	8
J-8	Standard & Poor's Report on AAA-Rated Credits in U.S. State & Local Government Finance – Available for Viewing at the City Clerk's Office and the Troy Public Library	8
J-9	Annual Audit Report – Available for Viewing at the City Clerk's Office and the Troy Public Library	9

STUDY ITEMS: **9**

K-1	Council Responses to City Manager's Questionnaire	9
-----	---	---

PUBLIC COMMENT: Address of "K" Items **9**

CLOSED SESSION: **9**

L-1	Closed Session: No Closed Session Requested	9
-----	---	---

ADJOURNMENT **9**

SCHEDULED CITY COUNCIL MEETINGS: **9**

Monday, December 18, 2006	Regular City Council	9
Monday, January 8, 2007	Regular City Council	9
Monday, January 22, 2007	Regular City Council	9
Monday, February 5, 2007	Regular City Council	9
Wednesday, February 7, 2007 (Liquor Violation Hearing)	Regular City Council	9
Monday, February 19, 2007	Regular City Council	9
Wednesday, February 28, 2007 (Liquor Violation Hearing)	Regular City Council	9
Monday, March 5, 2007	Regular City Council	9
Monday, March 19, 2007	Regular City Council	9

CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Steve Husava –
Northfield Hills Baptist 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) Service Commendation – Charles Palmer
- b) Rehmann Robson – Annual Audit Report
- c) GFOA Awards for Financial Reports – by John M. Lamerato, Assistant City Manager/Finance & Administration

CARRYOVER ITEMS:

B-1 No Carryover Items**PUBLIC HEARINGS:**

C-1 No Public Hearings**POSTPONED ITEMS:**

D-1 Mayoral Appointments to the Planning Commission

Pending Resolution
Moved by Schilling
Seconded by Lambert

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

Planning Commission

Appointed by Mayor (9 Members) – 3 Year Terms

Michael W. Hutson

Term Expires 12/31/09

Kathleen Troshynski

Term Expires 12/31/09

John J. Tagle

Term Expires 12/31/09

Yes:

No:

CONSENT AGENDA:

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

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

Suggested Resolution

Resolution #2006-12-

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 #2006-12-

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of November 27, 2006 be **APPROVED** as submitted.

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

E-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Lawn and Yard Services**Suggested Resolution

Resolution #2006-12-

WHEREAS, On February 6, 2006, a contract for seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was awarded to the lowest bidder meeting specifications, Redburn's Snow Plowing and Lawn Maintenance, Inc. of Rochester Hills, MI, at unit prices contained in the bid tabulation opened January 11, 2006 (Resolution #2006-02-038); and

WHEREAS, Redburn's Snow Plowing and Lawn Maintenance, Inc. has agreed to exercise the one-year option to renew the contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Redburn's Snow Plowing and Lawn Maintenance, Inc. to provide seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program at an estimated cost of \$47,780.00, under the same prices, terms and conditions expiring December 31, 2007.

b) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Member Robin Beltramini's Travel Expenses – National League of Cities (NLC) Leadership MeetingSuggested Resolution

Resolution #2006-12-

RESOLVED, That Council Member Robin Beltramini is **AUTHORIZED** to attend the National League of Cities (NLC) Leadership Meeting in San Diego, CA from January 11 - 13, 2007 in accordance with accounting procedures of the City of Troy.

c) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Members' Travel Expenses – National League of Cities (NLC) 2007 Annual Congressional City ConferenceSuggested Resolution

Resolution #2006-12-

RESOLVED, That council members are **AUTHORIZED** to attend the National League of Cities (NLC) 2007 Annual Congressional City Conference in Washington, DC on March 10 -14, 2007 in accordance with accounting procedures of the City of Troy.

E-5 Pre-Tax Benefit PlanSuggested Resolution

Resolution #2006-12-

Moved by

Seconded by

RESOLVED, That the Troy City Council hereby **ADOPTS** the form of Pre-Tax Benefit Plan effective January 1, 2007, presented to this meeting and that the duly authorized agents of the Employer are hereby **AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER** to the Administrator of the Plan one or more counterparts of the Plan; and

BE IT FURTHER RESOLVED, That the Troy City Council hereby **DIRECTS** City Management to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan; and

BE IT FURTHER RESOLVED, That the duly authorized agents of the Employer **SHALL ACT** as soon as possible to notify the employees of the Employer of the adoption of the Pre-Tax Benefit Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby **APPROVED**.

Yes:

No:

E-6 Private Agreement for Suma Medical Center – Project No. 06.905.3Suggested Resolution

Resolution #2006-12-

Moved by

Seconded by

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Dr. Kheir Al-Zouhayli, is hereby **APPROVED** for the installation of water main, concrete approach, aggregate base, concrete curb and gutter and concrete walkway 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-7 Application for Transfer of Class C License for Kona Grill**(a) New License**Suggested Resolution

Resolution #2006-12-

RESOLVED, That the request from Kona Macadmamia, Inc., to transfer ownership of 2006 Class C licensed business, located in escrow at 819 E. Auburn Rochester Hills, MI 48307,

Oakland County, from Whirly-Ball-Rochester L.L.C.; transfer location to 30 E. Big Beaver, Troy, MI 48084, Oakland County; requests a new SDM license to be held in conjunction; and requests a new official permit (food) and a new outdoor service area, be **CONSIDERED** for **APPROVAL**; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

(b) Agreement

Suggested Resolution
Resolution #2006-12-

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;

THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Kona Macadmamia, Inc., to transfer ownership of 2006 Class C licensed business, located in escrow at 819 E. Auburn Rochester Hills, MI 48307, Oakland County, from Whirly-Ball-Rochester L.L.C.; transfer location to 30 E. Big Beaver, Troy, MI 48084, Oakland County; requests a new SDM license to be held in conjunction; and requests a new official permit (food) and a new outdoor service area; and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the document, 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.

NOTE: Any item selected by the public for comment from the Regular Business Agenda shall be moved forward before other items on the regular business portion of the agenda have been heard. Public comment on Regular Agenda Items will be permitted under Agenda Item 11 "F".

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA) b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Liquor Committee; and Municipal Building Authority

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

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

(a) Mayoral Appointments

Suggested Resolution

Resolution #2006-12-

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 (5) – 4 Year Terms

Unexpired Term 06/30/07

Yes:

No:

(b) City Council Appointments

Suggested Resolution

Resolution #2006-12-

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; 3-Alternate) – 3 Year Terms

(Alternate) Term Expires 11/01/09

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 Year Terms

Unexpired Term 04/30/09

Liquor Committee

Appointed by Council (7) – 3 Year Terms

(Student) Term Expires 07/01/07

Municipal Building Authority

Appointed by Council (5) – 3 Year Terms

Term Expires 01/31/09

Yes:

No:

F-2 Re-Write of City Code, Chapter 65 – Taxicabs, Limousines and Drivers

Suggested Resolution

Resolution #2006-12-

Moved by

Seconded by

RESOLVED, That the Troy City Code, Chapter 65 – Taxicab, Limousines and Drivers, be **AMENDED** by replacement in its entirety, as presented.

Yes:

No:

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a)** Commercial Vehicle Appeal – 5933 Diamond – December 18, 2006
- b)** Proposed Rezoning (File Number: Z 723) – Proposed Taco Bell Restaurant, West side of Dequindre, North of Long Lake, Section 12 – O-1 to B-2 – December 18, 2006
- c)** Rezoning Application (File Number Z 180-B) – Proposed Binson’s Home Health Care Center, Northwest corner of Rochester and Marengo, Section 3 – R-1B to O-1 or R-1B to B-1 – December 18, 2006

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals**COUNCIL COMMENTS:**

I-1 No Council Comments**REPORTS:**

J-1 Minutes – Boards and Committees:

- a) Parks and Recreation Advisory Board/Final – September 21, 2006
 - b) Library Advisory Board/Final – October 12, 2006
 - c) Board of Zoning Appeals/Final – October 17, 2006
-

J-2 Department Reports:

- a) City of Troy Monthly Financial Report – October 31, 2006
 - b) Council Member Lambert's Report from the NLC Annual Leadership Summit
-

J-3 Letters of Appreciation:

- a) Letter of Thanks to Officer Harrison from L. Wayne Creasman, Senior Connection, in Appreciation of the Informative and Professional Presentation
 - b) Letter of Thanks to Officer Kaptur from Lee Gillett, ITT Technical Institute, Regarding the Outstanding Substance Abuse Presentation
 - c) Letter of Appreciation to Mayor Schilling from Jon Howington, Macomb Community College, Regarding the Volunteer Efforts of Chief Craft and Officers of the Police Department
 - d) Letter of Thanks to Chief Craft from Mary Huyck, Oakland County Jail Clinic, in Appreciation of the Professional, Informative and Entertaining Presentation by Officer Kaptur
-

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

J-5 Calendar

J-6 Communication from Information Technology Director Gert Paraskevin Regarding GIS Case Study

J-7 Communication from Public Works Director Timothy Richnak Regarding Action Plan for New Routing Schedule for Refuse, Recyclables and Yard Waste

J-8 Standard & Poor's Report on AAA-Rated Credits in U.S. State & Local Government Finance – Available for Viewing at the City Clerk's Office and the Troy Public Library

J-9 Annual Audit Report – Available for Viewing at the City Clerk’s Office and the Troy Public Library

STUDY ITEMS:

K-1 Council Responses to City Manager’s Questionnaire

PUBLIC COMMENT: Address of “K” Items

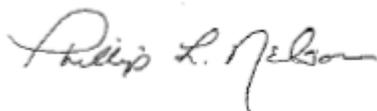
Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item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

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

Monday, December 18, 2006.....	Regular City Council
Monday, January 8, 2007.....	Regular City Council
Monday, January 22, 2007.....	Regular City Council
Monday, February 5, 2007.....	Regular City Council
Wednesday, February 7, 2007 (Liquor Violation Hearing)	Regular City Council
Monday, February 19, 2007.....	Regular City Council
Wednesday, February 28, 2007 (Liquor Violation Hearing).....	Regular City Council
Monday, March 5, 2007.....	Regular City Council
Monday, March 19, 2007.....	Regular City Council

City of Troy

Service Commendation

CHARLES PALMER

WHEREAS, The residents of Troy have benefited tremendously from the calm and unassuming commitment of **Chuck Palmer** in his many community roles, including that of Oakland County Commissioner of District 12, 16 and 19 – Clawson and Troy – from 1991-2006; and

WHEREAS, In over 60 years as a resident of Oakland County **Chuck** has stepped forward to fulfill numerous leadership roles with the County, including Chairman of the Planning and Building Committee of the Board of Commissioners and as a Member of the Finance Committee. He also served as Chairman of the Oakland County Community Mental Health Board, Chairman of the State of Michigan Construction Code Commission, President and Honorary Life Member of Michigan Municipal League, and Chairman of the Ground Water Protection Sub-Committees; and

WHEREAS, During his many years of public service **Chuck** also served as a member of many committees, including the Jail Task Force, the Community Development Block Grant Committee, and the Regional Tax Issues Special Committee. He is also a former member of the Michigan Association of Counties, Environment and Water Quality Committee and the National Association Steering Committee on Environment and Land Use; and

WHEREAS, In addition to these many accomplishments, **Chuck** was involved in the establishment of the Troy Community Coalition in 1991. In his 15 years of support of the Coalition, he was a member of the executive board for 8 years; and

WHEREAS, Along the way, **Chuck** also found time to be President and CEO of Palmer Custom Builders in Troy for 25 years, until his retirement; and

WHEREAS, **Chuck** was chosen as 2004 Ronald Reagan Republican Gold Medal Award winner in recognition of, among many things, his commitment to President Ronald Reagan's vision for entrepreneurial America; and

WHEREAS, **Chuck** can proudly say he has spent 54 years of his life as a married man, approaching 10 years now with his lovely and supportive wife, **Fay**. Together, they can now enjoy more time with their ten children and 19 grandchildren; and

WHEREAS, During the course of his service, **Chuck** has contributed many tireless hours of dedicated service to the City of Troy and its citizens, making a difference in the way citizens view the natural world and their role in it.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Chuck Palmer** for his many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Chuck** during his retirement years.

Presented this 4th day of December 2006.

Louise E. Schilling
Louise E. Schilling, Mayor

Cristina Broomfield
Cristina Broomfield, Mayor Pro Tem

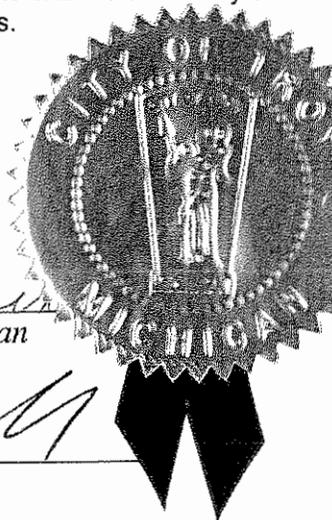
Robin E. Beltramini
Robin E. Beltramini, Councilwoman

Wade Fleming
Wade Fleming, Councilman

Martin F. Howrylak
Martin F. Howrylak, Councilman

David A. Lambert
David A. Lambert, Councilman

Jeanne M. Stine
Jeanne M. Stine, Councilwoman



A-01a

A Regular Meeting of the Troy City Council was held Monday, November 27, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 P.M.

Pastor Dan Lewis – Troy Christian Chapel gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations: No Presentations

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 5933 Diamond (Public Hearing Cancelled – Applicant Amended Request, Public Hearing to be Rescheduled)

C-2 Rezoning (File Number Z-720) – East Side of Rochester Road, between Shallowdale Drive and Bradley Avenue, Section 14 – R-1C to R-1T

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving comment from the petitioner and the public.

Resolution #2006-11-348
Moved by Stine
Seconded by Fleming

RESOLVED, That the R-1C to R-1T rezoning request, located on the east side of Rochester Road, between Shallowdale Drive and Bradley Avenue, Section 14, part of parcels 88-20-14-151-001, 88-20-14-151-023, 88-20-14-151-024, and 88-20-14-151-025, being approximately 3.71 acres in size, is described in the following legal description and illustrated on the **ATTACHED** Exhibit drawing (Parcel “A”):

T2N, R11E, NW 1/4 of Section 14

Part of the northwest ¼ of Section 14 and all of Lots 78 through 82 of Rochester Road Farms Subdivision (Liber 60, Page 22, of Oakland County Records) being further described as: Beginning at point on the west line of said Section 14 and the centerline of Rochester Rd. located due North, 497.81 ft. (recorded as N00°36'30"W, 497.00 ft.) from the west ¼ corner of Section 14; thence continuing along said west line and said centerline due North, 166.36 ft. (recorded as N00°36'30" W, 166.41 ft.); thence S89°06'00"E, 75.00 ft. to the southwest corner of said Lot 82; thence due North, 430.00 ft. along the west line of said Lots 78 through 82 to the northwest corner of said Lot 78; thence S89°06'00"E, 250.00 ft. along the north line of said Lot 78 to the northeast corner of said Lot 78; thence due South, 430.00 ft. along the east line of said Lots 78 through 82 to the southeast corner of Lot 82, also being the northwest corner of Lot 1 of Shallowbrook Subdivision (Liber 144, Pages 20-22, of Oakland County Records); thence S00°00'26"E (recorded as S00°36'20"W), 165.93 ft. along the west line of said Lot 1; thence N89°10'34"W (recorded as N89°57'50"W), 325.02 ft. to the Point of Beginning. Containing 3.71 ac., more or less, and subject to the rights of the public over the westerly 33 ft. for Rochester Rd. and also subject to easements and restrictions of record; and

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

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

MOTION CARRIED

POSTPONED ITEMS:

D-1 Appointments to Boards and Committees: City Council Appointments: Parks & Recreation Board

Resolution #2006-11-349
Moved by Broomfield
Seconded by Beltramini

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

Parks & Recreation Board

Appointed by Council (10) – 3 Year Terms

Bill Hall-Troy Daze Representative

Term Expires 11/30/07

Yes: All-7

CONSENT AGENDA:

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

Resolution #2006-11-350
Moved by Stine
Seconded by Howrylak

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-5 and E-6, which **SHALL BE CONSIDERED** after Consent Agenda (E) items, as printed.

Yes: All-7

E-2 Approval of City Council Minutes

Resolution #2006-11-350-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of November 13, 2006 be **APPROVED** as submitted.

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

E-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidders – Mosquito Control – Municipal Property**

Resolution #2006-11-350-E-4a

RESOLVED, That contracts to provide three-year requirements of mosquito control services for the City of Troy are hereby **AWARDED** to the lowest bidders by proposal, Advanced Pest Management of Fenton, MI for Proposal A and Tri-County Pest Control of St Clair Shores, MI for Proposal B as well as the additional briquettes, if needed, at unit prices as contained in the bid tabulation opened November 2, 2006, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

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

E-5 Fire Station One Renovation

Resolution #2006-11-351
Moved by Stine
Seconded by Beltramini

RESOLVED, That City management is **AUTHORIZED** to renovate the kitchen and meeting room areas at Fire Station 1, for an estimated total project cost of \$51,000.00 as detailed in Appendix A, using in-house personnel, approved contracts, and standard purchasing procedures.

Yes: All-7

E-6 City of Troy v. George Roberts

Resolution #2006-11-352
Moved by Stine
Seconded by Howrylak

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to continue to represent the City of Troy in any and all claims in the matter of City of Troy v. George Roberts, and to **RETAIN** any necessary expert witnesses to adequately represent the City.

Yes: All-7

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

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: Local Development Finance Authority (LDFA); and Planning Commission b) City Council Appointments: Advisory Committee for Persons with Disabilities; Advisory Committee for Senior Citizens; Liquor Committee; and Municipal Building Authority

(a) Mayoral Appointments

Resolution #2006-11-353
Moved by Schilling
Seconded by Lambert

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 (5) – 4 Year Terms

Stephanie W. Bergeron

Unexpired Term 06/30/08

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

MOTION CARRIED

Proposed Resolution – Mayoral Appointments to the Planning Commission

Resolution
Moved by Schilling
Seconded by Stine

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

Planning Commission

Appointed by Mayor (9 Members) – 3 Year Terms

Michael W. Hutson Term Expires 12/31/09

Kathleen Troshynski Term Expires 12/31/09

John J. Tagle Term Expires 12/31/09

Vote on Resolution to Postpone

Resolution #2006-11-354
Moved by Beltramini
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **POSTPONES** the *Proposed Resolution – Mayoral Appointments to the Planning Commission* until the Regular City Council Meeting scheduled for Monday, December 4, 2006.

Yes: All-7

(b) City Council Appointments

Resolution #2006-11-355
Moved by Broomfield
Seconded by Fleming

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; 3-Alternate) – 3 Year Terms

Mary E. Freliga Term Expires 11/01/09

Kelly Clark (Alternate)

Term Expires 11/01/09

Sean Murphy (Alternate)

Term Expires 11/01/09

Yes: All-7

F-2 Bid Waiver – Purchase of a Spaulding RMV 4-Ton Diesel Hot Asphalt Patcher

Resolution #2006-11-356

Moved by Beltramini

Seconded by Stine

WHEREAS, On September 20, 2006, the City of Rochester Hills awarded a contract to Bell Equipment Company of Lake Orion for the purchase of a Spaulding Hot Asphalt Patcher, through an informal bid process as dictated by their purchasing guidelines; and

WHEREAS, Bell Equipment Company has agreed to extend the pre-trade quoted price for one (1) Spaulding hot asphalt patcher;

THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and a contract to purchase one (1) Spaulding RMV 4-ton Hot Asphalt Patcher from Bell Equipment Company is hereby **APPROVED** as quoted per the City of Rochester Hills bid process at an estimated total cost of \$12,200.00.

Yes: All-7

F-3 2006-07 Budget Amendment No. 1

Resolution #2006-11-357

Moved by Beltramini

Seconded by Stine

RESOLVED, That 2006-07 Budget Amendment No. 1 be **APPROVED** as submitted and that a copy of the budget amendment be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

F-4 Reconsideration of Resolution #2006-10-320-E-7 – Municipal Credit and Community Credit Agreement

Resolution #2006-11-358

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That Resolution #2006-10-320-E-7, Moved by Beltramini and Seconded by Broomfield, as it appears below be **RECONSIDERED** by City Council:

*RESOLVED, That the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$99,087.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.*

Yes: All-7

Yes: All-7

Vote on Amendment to Resolution #2006-10-320-E-7

Resolution #2006-11-359
Moved by Stine
Seconded by Lambert

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2006-10-320-E-7 by **STRIKING** \$99,087.00 and **INSERTING** \$102,457.00 in its place.

Yes: All-7

Vote on Reconsidered Resolution as Amended

Resolution #2006-10-320-E-7
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$102,457.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced**Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business, Article 15-I**

Resolution #2006-11-360
Moved by Beltramini
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 Order of Business, Article 15-I. Council Comments and **AUTHORIZE** City Council to discuss and take action on an item that does not appear on the agenda.

Yes: All-7

Vote on Resolution Opposing House Bill 6456 – Uniform Video Services Local Franchise Act

Resolution
Moved by Stine
Seconded by Beltramini

WHEREAS, The City of Troy has been served by cable television providers under local franchise arrangements for years;

WHEREAS, The City of Troy is ready and willing to promptly negotiate local cable franchise agreements with additional providers to permit fair competition in, and improved services to, our community;

WHEREAS, The City of Troy does NOT support House Bill 6456, commonly referred to as the “Uniform Video Services Local Franchise Act”, as written; and

WHEREAS, The City of Troy does not support the bill due to current language which would:

1. Allow cable companies to terminate their franchise contracts at any time.
2. Permit any cable provider to selectively “cherry-pick” areas where they want to provide service.
3. Create negative revenue impacts for local communities estimated at \$47-\$57 million (Approximately \$800,000 in reduced revenue for the City of Troy)
4. Remove the authority of local communities to manage community public rights-of-way and eliminate local emergency alert systems.
5. Eliminate or cut back community, school and public access television due to revenue and in-kind service reductions. There are also several provisions that will increase operating costs on these facilities.

WHEREAS, HB 6456 will erode local control of local issues;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council is **OPPOSED** to HB 6456; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUESTS** that Governor Granholm, State Representative Gosselin and State Senator Shirley Johnson oppose HB 6456 in order to save our citizens from the consequences outlined above; and

BE IT FINALLY RESOLVED, That Troy City Council **REQUESTS** all other representatives of the Michigan State Legislature to vote against HB 6456.

Vote on Resolution to Postpone

Resolution #2006-11-361
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **POSTPONES** the proposed resolution *Opposing House Bill 6456 – Uniform Video Services Local Franchise Act* until the Regular City Council Meeting scheduled for Monday, December 4, 2006.

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

MOTION FAILED

Vote on Resolution to Amend by Substitution

Resolution #2006-11-362
Moved by Stine
Seconded by Lambert

RESOLVED, That Troy City Council hereby **AMENDS** the Resolution to *Opposing House Bill 6456 – Uniform Video Services Local Franchise Act* by **STRIKING** it in its entirety and replacing it with:

WHEREAS, Cities and villages have a long and very successful history of supporting the introduction of new cable/video services, a successful deployment made possible in large part by the current system of local cable franchising;

WHEREAS, AT&T is blaming Michigan communities as the reason they can not enter into the cable/video business, while local communities, and local residents, want more cable competition and would quickly allow AT&T into their community; AT&T has refused to negotiate a franchise with any city, village, or township;

WHEREAS, Local communities' participation in the cable franchising process ensures build-out requirements so that all residents irrespective of age, race, education, or income level, receive the same service;

WHEREAS, Our community believes that all residents should have access to the same cable/video service.

WHEREAS, The City of Troy believes all non-incumbent local exchange carriers should provide universal telephone service to all of their customers;

*NOW, THEREFORE, BE IT RESOLVED, That the City of Troy is **OPEN** for cable/video business, and can guarantee that within days of a formal request we can have a franchise agreement ready for any new cable/video providers consideration; and*

*BE IT FURTHER RESOLVED, That the Troy City Council is **OPPOSED** to HB 6456; and*

*BE IT FINALLY RESOLVED, That a copy of this resolution **BE FORWARDED** to our state legislators in Lansing, our Congressional representatives in Washington, D.C., Governor Granholm and the Michigan Municipal League.*

Yes: Beltramini, Lambert, Stine, Schilling

No: Broomfield, Fleming, Howrylak

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2006-11-363

Moved by Stine

Seconded by Beltramini

WHEREAS, Cities and villages have a long and very successful history of supporting the introduction of new cable/video services, a successful deployment made possible in large part by the current system of local cable franchising;

WHEREAS, AT&T is blaming Michigan communities as the reason they can not enter into the cable/video business, while local communities, and local residents, want more cable competition and would quickly allow AT&T into their community; AT&T has refused to negotiate a franchise with any city, village, or township;

WHEREAS, Local communities' participation in the cable franchising process ensures build-out requirements so that all residents irrespective of age, race, education, or income level, receive the same service;

WHEREAS, Our community believes that all residents should have access to the same cable/video service; and

WHEREAS, The City of Troy believes all non-incumbent local exchange carriers should provide universal telephone service to all of their customers;

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy is **OPEN** for cable/video business, and can guarantee that within days of a formal request we can have a franchise agreement ready for any new cable/video providers consideration; and

BE IT FURTHER RESOLVED, That the Troy City Council is **OPPOSED** to HB 6456;

BE IT FINALLY RESOLVED, That a copy of this resolution **BE FORWARDED** to our state legislators in Lansing, our Congressional representatives in Washington, D.C., Governor Granholm and the Michigan Municipal League.

Yes: Lambert, Stine, Schilling, Beltramini

No: Broomfield, Fleming, Howrylak

MOTION CARRIED

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6– Order of Business, Article 17 K

Resolution #2006-11-364
Moved by Stine
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 Order of Business, Article 17 K-Study Items and **AUTHORIZE** City Council to move forward STUDY ITEMS: K-1 Troy Futures – Vision 2020.

Yes: All-7

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Joint Local Development Finance Authority – Troy Subcommittee/Final – May 8, 2006
- b) Downtown Development Authority/Final – September 20, 2006
- c) Liquor Advisory Committee/Final – October 9, 2006
- d) Employees’ Retirement System Board of Trustees Minutes/Final – October 11, 2006
- e) Planning Commission Special/Study/Final – October 24, 2006
- f) Liquor Advisory Committee/Draft – November 13, 2006

Noted and Filed

J-2 Department Reports:

- a) Purchasing Department – Final Reporting BidNet On-Line Auction and Mid-Thumb Auctioneering, LLC – September, 2006

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Craft from Robert Schultz Congratulating the Troy Police Department on the 5th Safest City in America Ranking
- b) Letter of Appreciation to Chief Craft from Dorothy and Michael Wischow Regarding the Service Received from Officer Livingston and Officer McWilliams
- c) Letter of Appreciation to Chief Craft from Rebecca Haynes Regarding the Professionalism and Enthusiasm of Officer Kaptur and Officer Breidenich during the Training for the Law Enforcement Records Management Association
- d) Letter of Thanks to Mark Colombo and Ron Hynd from Kevin Newhouse, Michigan State University Department of Entomology, Regarding the Cooperation with the Emerald Ash Borer Project
- e) Letter of Thanks to Vicki Richardson from Lisa Grodsky Regarding the Efforts in Promoting the Weatherization Assistance Program
- f) Letter of Appreciation to Officer Reynolds from Joseph Marchetti and Bruce Wade, Oakland Police Academy, Regarding the Training in the Basic Detective/Investigator Program
- g) Letter of Thanks to Jennifer Lawson from Monica Parrish, Laurelwood Homeowners' Association, in Appreciation of the Presentation

Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Communication from Troy Cable Advisory Committee Regarding Passage of House Bill 6456

Noted and Filed

J-7 Communication from Library Director Brian Stoutenburg Regarding Historical Society Fundraising Effort

Noted and Filed

STUDY ITEMS:

K-1 Troy Futures – Vision 2020

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **RECESSED** at 9:45 P.M.

The meeting **RECONVENED** at 9:50 P.M.

The meeting **ADJOURNED** at 11:50 P.M.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk



CITY COUNCIL ACTION REPORT

November 21, 2006

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Standard Purchasing Resolution 3: Exercise Renewal Option-
Home Chore Lawn and Yard Services

Background:

- Seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was approved by Troy City Council on February 6, 2006. (Resolution #2006-02-038)
- Purchasing has conducted a market survey and determined the City would not benefit from soliciting additional bids.
- Current prices are the lowest the contract has been in over six (6) years.

Financial Considerations:

- Funds for lawn and yard services for the Home Chore Program are available initially through the Public Works operating budget, then reimbursed by Oakland County through the Community Development Block Grant Program (CDBG).

Legal Considerations:

- ITB-COT 05-59, Seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was competitively bid and opened January 11, 2006, with 14 responsive bids received, in accordance with Chapter 7 of the City Code.

Policy Considerations:

- All bidders were given the opportunity to respond with their level of interest in supplying services for the City of Troy. (Goal 1)
- CDBG improves the quality of life and property to qualified residents in the City of Troy. (Goal 6)

Options:

- City management recommends exercising the option to renew for one additional season with Redburn's Snow Plowing & Lawn Maintenance Inc. at an estimated cost of \$47,780.00, under the same prices, terms and conditions expiring December 31, 2007.

October 19, 2006

TO: Susan Leirstein
Purchasing System Administrator

FROM: Linda N. Bockstanz
Associate Buyer

RE: **MARKET SURVEY – Lawn Services–Home Chore Program**

DREAM GREEN – CHRISTINE VENSEL (248) 627-4819

Christine said Lawn Services are expected to stay the same in price. She does not think there will be any changes in pricing because gas prices have decreased. If gas price increase again – she might do a \$3.00 fuel surcharge.

AF LANDCAPING – ALIC FIKRET (248) 619-9344

Mr. Fikret commented that prices are staying the same next year because the gasoline prices have decreased. His clients that he has - just pay for what he does, if he increases his prices - he would lose more of his clients.

KEVINS' LAWN CARE & SNOW REMOVAL, INC. – KEVIN HUTKOWSKI (810) 329-3633

Left two messages: No response.

METRO DETROIT LANDSCAPING – KEN MURPHY (586) 634-2904

According to Ken at this time the pricing will stay the same. Only if the gas prices increase again, would be the only factor in a price change with him. Even if his overhead increases (Insurance, permits, & staff raises) – he is going to keep his prices the same. With all the small Lawn Care Services flooding the market (Ma & Pa Companies) – he has to stay in business some how.

GDM LAWNCARE – GENE MEAD (248) 689-9135

Mr. Mead said that at this time there would be no change in price. If a change does occur, it will be because of the gasoline price at the pump have increased. Prices could be adjusted by a couple of bucks. He is not even thinking of Insurance and other costs in this. (Mr. Mead has had his truck and trailer with all his equipment stolen right from a job site he was working at this year.)

GREAT LAKES LANDSCAPING – DERRICK DRUMM (586) 756-5347

Derrick has indicated that he might raise his prices a little to make up for his loses from the past couple of months, because of the high gas prices. He is also thinking of charging a fuel surcharge on his current billing to cover for any gas increases.

O'NEAL FATHER & SONS – GARRY O'NEAL (586) 791-7986

Per my conversation with Garry – his prices will remain the same. If gas prices increase substantially, he might increase his prices for mowing.

ADVANCED SERVICES LANSCAPE LLC – JEFF BOBBI (586) 268-0803

Left two messages: No response.

TRYBUSKI LANDSCAPE – DAN TRYBUSKI (313) 274-6873

Left two messages: No response.

Based upon the above comments, I respectfully recommend that the City exercise the option to renew for one additional year to provide Home Chore Lawn Services based on the fact that market indicators are stable and no one anticipates a decrease in price.

CC: Jeanette Bennett
File



500 West Big Beaver
Troy, Michigan 48064
www.troymi.gov

September 25, 2006

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

ATTN: Jack J. Redburn III
Redburn's Snow Plowing & Lawn Maintenance Inc.
3100 Hartung
Rochester Hills MI 48309
Fax: 248-852-4485

Dear Mr. Redburn:

On February 6, 2006 the City of Troy entered into contract #20500609-OB with Redburn's Snow Plowing & Lawn Maintenance Inc. to provide one-year seasonal requirements of lawn and yard services for the Home Chore Program. This contract contained an option to renew for one additional year at the same prices, terms and conditions as the original contract. Please fax this letter back indicating if Redburn's Snow Plowing & Lawn Maintenance Inc. wishes to renew this contract until December 31, 2007.

Our fax number is (248) 524-3520. It should be understood that this request to renew the contract is subject to a favorable market survey. A request by City staff to determine the successful bidder's interest in renewing the contract in no way obligates the City. The option cannot be exercised without Troy City Manager and City Council approval and a blanket purchase order issued.

If you have any questions please call me at (248) 524-3399.

CHECK ONE:

Redburn's Snow Plowing & Lawn Maintenance Inc. is interested in renewing the contract under the same prices, terms and conditions:

Redburn's Snow Plowing & Lawn Maintenance Inc. IS NOT INTERESTED in renewing the contract:

DATE: Jack J. Redburn 9/25/06

Thank you,

Vicki Richardson
Department of Public Works, City of Troy



CITY COUNCIL ACTION REPORT

November 29, 2006

TO: Phillip L. Nelson, City Manager

FROM: Mary Redden, Administrative Assistant to the City Manager

SUBJECT: Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Members' Travel Expenses - National League of Cities (NLC) Leadership Meeting

BACKGROUND

Council Member Robin Beltramini has been appointed the 2007 chair of the NLC "CityFutures Panel on Democratic Governance".

Council Member Beltramini requests approval to attend the leadership meeting in San Diego, CA January 11 - 13, 2007.

NLC will pay for the hotel and all meals on site.

FINANCIAL CONSIDERATIONS

Funds are available in Council's education and training account.

LEGAL CONSIDERATIONS

There are no legal considerations associated with this item.

POLICY CONSIDERATIONS

There are no policy considerations associated with this item.

RECOMMENDATION

It is recommended that City Council authorize the expenditure of funds for travel expenses for Council Member Robin Beltramini's attendance of the NLC leadership meeting.



CITY COUNCIL ACTION REPORT

November 29, 2006

TO: Phillip L. Nelson, City Manager

FROM: Mary Redden, Administrative Assistant to the City Manager

SUBJECT: Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Members' Travel Expenses - National League of Cities (NLC) 2007 Annual Congressional City Conference

BACKGROUND

The NLC 2007 Annual Congressional City Conference is being held March 10 - 14, 2007 in Washington, DC.

Council Member Dave Lambert has requested approval for interested council members to attend.

FINANCIAL CONSIDERATIONS

Funds are available in Council's education and training account.

LEGAL CONSIDERATIONS

There are no legal considerations associated with this item.

POLICY CONSIDERATIONS

There are no policy considerations associated with this item.

RECOMMENDATION

It is recommended that City Council authorize the expenditure of funds for travel expenses for council members who are interested in attending the NLC 2007 Annual Congressional City Conference.



CITY COUNCIL ACTION REPORT

November 22, 2006

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
James A. Nash, Financial Services Director

SUBJECT: Pre-Tax Benefit Plan

Background:

- City employees have participated through payroll deduction in the cost of group health insurance coverage since 1987.
- Section 125 of the Internal Revenue Code allows for these deductions to be on a pre-tax basis if certain qualifications are met.
- The Rehmann Group has assisted staff in developing a plan that meets IRS eligibility requirements.

Financial Considerations:

- The employer (City) and employees will each save 7.65% of the deduction amount because such amounts will not be subject to FICA and Medicare taxation; employees will also benefit from no income tax liability on these amounts.

Legal Considerations:

- The governing body of the employer must certify by resolution that the Pre-Tax Benefit Plan is approved and adopted.

Policy Considerations:

- Adoption will result in savings for the City and its employees (Goal I).

Options:

- Staff recommends that City Council approve the Pre-Tax Benefit Plan. Enclosed for Council's review is the Plan, summary plan description and suggested resolution.

CITY OF TROY PRE-TAX BENEFIT PLAN

TABLE OF CONTENTS

ARTICLE I
DEFINITIONS

ARTICLE II
PARTICIPATION

2.1 ELIGIBILITY3
2.2 EFFECTIVE DATE OF PARTICIPATION3
2.3 TERMINATION OF PARTICIPATION3
2.4 TERMINATION OF EMPLOYMENT3

ARTICLE III
CONTRIBUTIONS TO THE PLAN

3.1 EMPLOYER CONTRIBUTION.....4
3.2 SALARY REDIRECTION4
3.3 APPLICATION OF CONTRIBUTIONS.....4
3.4 PERIODIC CONTRIBUTIONS.....4

ARTICLE IV
BENEFITS

4.1 BENEFIT OPTIONS4
4.2 HEALTH INSURANCE BENEFIT5
4.3 CASH BENEFIT5
4.4 NONDISCRIMINATION REQUIREMENTS5

ARTICLE V
PARTICIPANT ELECTIONS

5.1 INITIAL ELECTIONS.....6
5.2 SUBSEQUENT ANNUAL ELECTIONS.....6
5.3 CHANGE IN STATUS6

ARTICLE VI
BENEFITS AND RIGHTS

6.1 CLAIM FOR BENEFITS9

ARTICLE VII
ADMINISTRATION

7.1	PLAN ADMINISTRATION	10
7.2	EXAMINATION OF RECORDS	10
7.3	PAYMENT OF EXPENSES	11
7.4	INSURANCE CONTROL CLAUSE.....	11
7.5	INDEMNIFICATION OF ADMINISTRATOR.....	11

ARTICLE VIII
AMENDMENT OR TERMINATION OF PLAN

8.1	AMENDMENT	11
8.2	TERMINATION	11

ARTICLE IX
MISCELLANEOUS

9.1	PLAN INTERPRETATION.....	12
9.2	GENDER AND NUMBER	12
9.3	WRITTEN DOCUMENT.....	12
9.4	EXCLUSIVE BENEFIT	12
9.5	PARTICIPANT'S RIGHTS.....	12
9.6	ACTION BY THE EMPLOYER	12
9.7	EMPLOYER'S PROTECTIVE CLAUSES	12
9.8	NO GUARANTEE OF TAX CONSEQUENCES	13
9.9	INDEMNIFICATION OF EMPLOYER BY PARTICIPANTS.....	13
9.10	FUNDING	13
9.11	GOVERNING LAW	14
9.12	SEVERABILITY.....	14
9.13	CAPTIONS.....	14
9.14	FAMILY AND MEDICAL LEAVE ACT	14
9.15	UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT	14

CITY OF TROY PRE-TAX BENEFIT PLAN

INTRODUCTION

The Employer has adopted this Plan effective January 1, 2007, to recognize the contribution made to the Employer by its Employees. Its purpose is to reward them by providing benefits for those Employees who shall qualify hereunder and their dependents and beneficiaries. The concept of this Plan is to allow Employees to choose among different types of benefits based on their own particular goals, desires and needs. The Plan shall be known as City of Troy Pre-Tax Benefit Plan (the "Plan").

The intention of the Employer is that the Plan qualify as a "Cafeteria Plan" within the meaning of Section 125 of the Internal Revenue Code of 1986, as amended, and that the benefits which an Employee elects to receive under the Plan be excludable from the Employee's income under Section 125(a) and other applicable sections of the Internal Revenue Code of 1986, as amended.

ARTICLE I DEFINITIONS

1.1 "Administrator" means the individual(s) or corporation appointed by the Employer to carry out the administration of the Plan. The Employer shall be empowered to appoint and remove the Administrator from time to time as it deems necessary for the proper administration of the Plan. In the event the Administrator has not been appointed, or resigns from a prior appointment, the Employer shall be deemed to be the Administrator.

1.2 "Affiliated Employer" means the Employer and any corporation which is a member of a controlled group of corporations (as defined in Code Section 414(b)) which includes the Employer; any trade or business (whether or not incorporated) which is under common control (as defined in Code Section 414(c)) with the Employer; any organization (whether or not incorporated) which is a member of an affiliated service group (as defined in Code Section 414(m)) which includes the Employer; and any other entity required to be aggregated with the Employer pursuant to Treasury regulations under Code Section 414(o).

1.3 "Benefit" means any of the optional benefit choices available to a Participant as outlined in Section 4.1.

1.4 "Code" means the Internal Revenue Code of 1986, as amended or replaced from time to time.

1.5 "Compensation" means the amounts received by the Participant from the Employer during a Plan Year.

1.6 "Dependent" means any individual who qualifies as a dependent under an Insurance Contract under Code Section 152 (as modified by Code Section 105(b)).

1.7 "Effective Date" means January 1, 2007.

1.8 "Election Period" means the period immediately preceding the beginning of each Plan Year established by the Administrator, such period to be applied on a uniform and

nondiscriminatory basis for all Employees and Participants. However, an Employee's initial Election Period shall be determined pursuant to Section 5.1.

1.9 "Eligible Employee" means any Employee who has satisfied the provisions of Section 2.1.

An individual shall not be an "Eligible Employee" if such individual is not reported on the payroll records of the Employer as a common law employee. In particular, it is expressly intended that individuals not treated as common law employees by the Employer on its payroll records are not "Eligible Employees" and are excluded from Plan participation even if a court or administrative agency determines that such individuals are common law employees and not independent contractors.

1.10 "Employee" means any person who is employed by the Employer. The term Employee shall include leased employees within the meaning of Code Section 414(n)(2).

1.11 "Employer" means City Of Troy and any successor which shall maintain this Plan; and any predecessor which has maintained this Plan.

1.12 "Employer Contribution" means the contributions made by the Employer pursuant to Section 3.1 to enable a Participant to purchase Benefits.

1.13 "ERISA" means the Employee Retirement Income Security Act of 1974, as amended from time to time.

1.14 "Insurance Contract" means any contract issued by an Insurer underwriting a Benefit.

1.15 "Insurer" means any insurance company that underwrites a Benefit under this Plan.

1.16 "Key Employee" means an Employee described in Code Section 416(i)(1) and the Treasury regulations thereunder.

1.17 "Participant" means any Eligible Employee who becomes a Participant pursuant to Section 2.2 and has not for any reason become ineligible to participate further in the Plan.

1.18 "Plan" means this instrument, including all amendments thereto.

1.19 "Plan Year" means the 12-month period beginning June 1 and ending May 31. The Plan Year shall be the coverage period for the Benefits provided for under this Plan. In the event a Participant commences participation during a Plan Year, then the initial coverage period shall be that portion of the Plan Year commencing on such Participant's date of entry and ending on the last day of such Plan Year.

1.20 "Premium Expenses" or "Premiums" mean the Participant's cost for the Benefits described in Section 4.1.

1.21 "Salary Redirection" means the contributions made by the Employer on behalf of Participants pursuant to Section 3.2. These contributions shall be converted to Cafeteria Plan

Benefit Dollars and allocated to the funds or accounts established under the Plan pursuant to the Participants' elections made under Article V.

1.22 "Salary Redirection Agreement" means an agreement which is deemed to be entered into between the Participant and the Employer under which the Participant agrees to reduce his Compensation or to forego all or part of the increases in such Compensation and to have such amounts contributed by the Employer to the Plan on the Participant's behalf. The Salary Redirection Agreement shall apply only to Compensation that has not been actually or constructively received by the Participant as of the date of the agreement (after taking this Plan and Code Section 125 into account) and, subsequently does not become currently available to the Participant.

1.23 "Spouse" means the legally married husband or wife of a Participant, unless legally separated by court decree.

ARTICLE II PARTICIPATION

2.1 ELIGIBILITY

Any Eligible Employee shall be eligible to participate hereunder as of the date he satisfies the eligibility conditions for the Employer's group medical plan, the provisions of which are specifically incorporated herein by reference.

2.2 EFFECTIVE DATE OF PARTICIPATION

An Eligible Employee shall become a Participant effective as of the entry date under the Employer's group medical plan, the provisions of which are specifically incorporated herein by reference, unless such Employee elects, during the Election Period, not to participate in the Plan.

2.3 TERMINATION OF PARTICIPATION

A Participant shall no longer participate in this Plan upon the occurrence of any of the following events:

- (a) His termination of employment, subject to the provisions of Section 2.4;
- (b) His death; or
- (c) The termination of this Plan, subject to the provisions of Section 8.2.

2.4 TERMINATION OF EMPLOYMENT

If a Participant's employment with the Employer is terminated for any reason other than death, his participation in the Benefit Options provided under Section 4.1 shall cease, subject to the Participant's right to continue coverage under any Insurance Contract for which premiums have already been paid.

ARTICLE III
CONTRIBUTIONS TO THE PLAN

3.1 EMPLOYER CONTRIBUTION

The Employer shall make available to each Participant who has other medical coverage and who opts out of the Employer's group medical plan an Employer Contribution in an amount to be determined by the Employer prior to the beginning of each Plan Year. The Employer's Contribution shall be made on a pro rata basis for each pay period of the Participant.

3.2 SALARY REDIRECTION

Any Salary Redirection shall be determined prior to the beginning of a Plan Year (subject to initial elections pursuant to Section 5.1) and prior to the end of the Election Period and shall be irrevocable for such Plan Year. However, a Participant may revoke a Benefit election or a Salary Redirection Agreement after the Plan Year has commenced and make a new election with respect to the remainder of the Plan Year, if both the revocation and the new election are on account of and consistent with a change in status and such other permitted events as determined under Article V of the Plan and consistent with the rules and regulations of the Department of the Treasury. Salary Redirection amounts shall be contributed on a pro rata basis for each pay period during the Plan Year. All individual Salary Redirection Agreements are deemed to be part of this Plan and incorporated by reference hereunder.

3.3 APPLICATION OF CONTRIBUTIONS

As soon as reasonably practical after each payroll period, the Employer shall apply the Employer Contribution and Salary Redirection to provide the Benefits elected by the affected Participants.

3.4 PERIODIC CONTRIBUTIONS

Notwithstanding the requirement provided above and in other Articles of this Plan that Salary Redirections be contributed to the Plan by the Employer on behalf of an Employee on a level and pro rata basis for each payroll period, the Employer and Administrator may implement a procedure in which Salary Redirections are contributed throughout the Plan Year on a periodic basis that is not pro rata for each payroll period.

ARTICLE IV
BENEFITS

4.1 BENEFIT OPTIONS

Each Participant may elect any one or more of the following optional Benefits:

- (1) Health Insurance Benefit

4.2 HEALTH INSURANCE BENEFIT

(a) Each Participant may elect to be covered under a health Insurance Contract for the Participant, his or her spouse, and his or her Dependents.

(b) The Employer may select suitable health Insurance Contracts for use in providing this health insurance benefit, which policies will provide uniform benefits for all Participants electing this Benefit.

(c) The rights and conditions with respect to the benefits payable from such health Insurance Contract shall be determined therefrom, and such Insurance Contract shall be incorporated herein by reference.

4.3 CASH BENEFIT

If a Participant elects not to participate in the Plan, such Participant shall be deemed to have chosen the Cash Benefit (as outlined in the annual benefit description forms which shall be incorporated herein by reference) as his sole Benefit option.

4.4 NONDISCRIMINATION REQUIREMENTS

(a) It is the intent of this Plan to provide benefits to a classification of employees which the Secretary of the Treasury finds not to be discriminatory in favor of the group in whose favor discrimination may not occur under Code Section 125.

(b) It is the intent of this Plan not to provide qualified benefits as defined under Code Section 125 to Key Employees in amounts that exceed 25% of the aggregate of such Benefits provided for all Eligible Employees under the Plan. For purposes of the preceding sentence, qualified benefits shall not include benefits which (without regard to this paragraph) are includible in gross income.

(c) If the Administrator deems it necessary to avoid discrimination or possible taxation to Key Employees or a group of employees in whose favor discrimination may not occur in violation of Code Section 125, it may, but shall not be required to, reduce contributions or non-taxable Benefits in order to assure compliance with this Section. Any act taken by the Administrator under this Section shall be carried out in a uniform and nondiscriminatory manner. If the Administrator decides to reduce contributions or non-taxable Benefits, it shall be done in the following manner. First, the non-taxable Benefits of the affected Participant (either an employee who is highly compensated or a Key Employee, whichever is applicable) who has the highest amount of non-taxable Benefits for the Plan Year shall have his non-taxable Benefits reduced until the discrimination tests set forth in this Section are satisfied or until the amount of his non-taxable Benefits equals the non-taxable Benefits of the affected Participant who has the second highest amount of non-taxable Benefits. This process shall continue until the nondiscrimination tests set forth in this Section are satisfied. With respect to any affected Participant who has had Benefits reduced pursuant to this Section, the reduction shall be made proportionately among insured Benefits. Contributions which are not utilized to provide Benefits to any Participant by

virtue of any administrative act under this paragraph shall be forfeited and deposited into the benefit plan surplus.

ARTICLE V PARTICIPANT ELECTIONS

5.1 INITIAL ELECTIONS

An Employee who meets the eligibility requirements of Section 2.1 on the first day of, or during, a Plan Year may elect not to participate in this Plan for all or the remainder of such Plan Year, provided he elects to do so before his effective date of participation pursuant to Section 2.2. However, if such Employee does not complete an election not to participate and deliver it to the Administrator before such date, his Election Period shall extend 30 calendar days after such date, or for such further period as the Administrator shall determine and apply on a uniform and nondiscriminatory basis. However, any election during the extended 30-day election period pursuant to this Section 5.1 shall not be effective until the first pay period following the later of such Participant's effective date of participation pursuant to Section 2.2 or the date of the receipt of the election form by the Administrator.

5.2 SUBSEQUENT ANNUAL ELECTIONS

During the Election Period prior to each subsequent Plan Year, each Participant shall be given the opportunity to elect not to participate in the Plan. With regard to subsequent annual elections, the following options shall apply:

- (a) A Participant or Employee who elected not to participate may elect to participate for the next Plan Year.
- (b) A Participant may terminate his participation in the Plan by notifying the Administrator in writing during the Election Period that he does not want to participate in the Plan for the next Plan Year;
- (c) An Employee who elects not to participate for the Plan Year following the Election Period will have to wait until the next Election Period before again electing to participate in the Plan, except as provided for in Section 5.3.

5.3 CHANGE IN STATUS

(a) Any Participant may change a Benefit election after the Plan Year (to which such election relates) has commenced and make new elections with respect to the remainder of such Plan Year if, under the facts and circumstances, the changes are necessitated by and are consistent with a change in status which is acceptable under rules and regulations adopted by the Department of the Treasury, the provisions of which are incorporated by reference. Notwithstanding anything herein to the contrary, if the rules and regulations conflict, then such rules and regulations shall control.

In general, a change in election is not consistent if the change in status is the Participant's divorce, annulment or legal separation from a spouse, the death of a

spouse or dependent, or a dependent ceasing to satisfy the eligibility requirements for coverage, and the Participant's election under the Plan is to cancel accident or health insurance coverage for any individual other than the one involved in such event. In addition, if the Participant, spouse or dependent gains or loses eligibility for coverage, then a Participant's election under the Plan to cease or decrease coverage for that individual under the Plan corresponds with that change in status only if coverage for that individual becomes applicable or is increased under the family member plan.

Regardless of the consistency requirement, if the individual, the individual's spouse, or dependent becomes eligible for continuation coverage under the Employer's group health plan as provided in Code Section 4980B or any similar state law, then the individual may elect to increase payments under this Plan in order to pay for the continuation coverage. However, this does not apply for COBRA eligibility due to divorce, annulment or legal separation.

Any new election shall be effective at such time as the Administrator shall prescribe, but not earlier than the first pay period beginning after the election form is completed and returned to the Administrator. For the purposes of this subsection, a change in status shall only include the following events or other events permitted by Treasury regulations:

- (1) Legal Marital Status: events that change a Participant's legal marital status, including marriage, divorce, death of a spouse, legal separation or annulment;
- (2) Number of Dependents: Events that change a Participant's number of dependents, including birth, adoption, placement for adoption, or death of a dependent;
- (3) Employment Status: Any of the following events that change the employment status of the Participant, spouse, or dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, or a change in worksite. In addition, if the eligibility conditions of this Plan or other employee benefit plan of the Employer of the Participant, spouse, or dependent depend on the employment status of that individual and there is a change in that individual's employment status with the consequence that the individual becomes (or ceases to be) eligible under the plan, then that change constitutes a change in employment under this subsection;
- (4) Dependent satisfies or ceases to satisfy the eligibility requirements: An event that causes the Participant's dependent to satisfy or cease to satisfy the requirements for coverage due to attainment of age, student status, or any similar circumstance; and
- (5) Residency: A change in the place of residence of the Participant, spouse or dependent, that would lead to a change in status (such as a loss of HMO coverage).

(b) Notwithstanding subsection (a), the Participants may change an election for accident or health coverage during a Plan Year and make a new election that corresponds with the special enrollment rights provided in Code Section 9801(f). Such change shall take place on a prospective basis, unless otherwise required by Code Section 9801(f) to be retroactive.

(c) Notwithstanding subsection (a), in the event of a judgment, decree, or order ("order") resulting from a divorce, legal separation, annulment, or change in legal custody (including a qualified medical child support order defined in ERISA Section 609) which requires accident or health coverage for a Participant's child (including a foster child who is a dependent of the Participant):

(1) The Plan may change an election to provide coverage for the child if the order requires coverage under the Participant's plan; or

(2) The Participant shall be permitted to change an election to cancel coverage for the child if the order requires the former spouse to provide coverage for such child, under that individual's plan and such coverage is actually provided.

(d) Notwithstanding subsection (a), a Participant may change elections to cancel accident or health coverage for the Participant or the Participant's spouse or dependent if the Participant or the Participant's spouse or dependent is enrolled in the accident or health coverage of the Employer and becomes entitled to coverage (i.e., enrolled) under Part A or Part B of the Title XVIII of the Social Security Act (Medicare) or Title XIX of the Social Security Act (Medicaid), other than coverage consisting solely of benefits under Section 1928 of the Social Security Act (the program for distribution of pediatric vaccines). If the Participant or the Participant's spouse or dependent who has been entitled to Medicaid or Medicare coverage loses eligibility, that individual may prospectively elect coverage under the Plan if a benefit package option under the Plan provides similar coverage.

(e) If the cost of a Benefit provided under the Plan increases or decreases during a Plan Year, then the Plan shall automatically increase or decrease, as the case may be, the Salary Redirections of all affected Participants for such Benefit. Alternatively, if the cost of a benefit package option increases significantly, the Administrator shall permit the affected Participants to either make corresponding changes in their payments or revoke their elections and, in lieu thereof, receive on a prospective basis coverage under another benefit package option with similar coverage, or drop coverage prospectively if there is no benefit package option with similar coverage.

A cost increase or decrease refers to an increase or decrease in the amount of elective contributions under the Plan, whether resulting from an action taken by the Participants or an action taken by the Employer.

If the coverage under a Benefit is significantly curtailed or ceases during a Plan Year, affected Participants may revoke their elections of such Benefit and, in lieu thereof, elect to receive on a prospective basis coverage under another plan

with similar coverage, or drop coverage prospectively if no similar coverage is offered.

If, during the period of coverage, a new benefit package option or other coverage option is added, an existing benefit package option is significantly improved, or an existing benefit package option or other coverage option is eliminated, then the affected Participants may elect the newly-added option, or elect another option if an option has been eliminated prospectively and make corresponding election changes with respect to other benefit package options providing similar coverage. In addition, those Eligible Employees who are not participating in the Plan may opt to become Participants and elect the new or newly improved benefit package option.

A Participant may make a prospective election change to add group health coverage for the Participant, the Participant's spouse or dependent if such individual loses group health coverage sponsored by a governmental or educational institution, including a state children's health insurance program under the Social Security Act, the Indian Health Service or a health program offered by an Indian tribal government, a state health benefits risk pool, or a foreign government group health plan.

A Participant may make a prospective election change that is on account of and corresponds with a change made under the plan of a spouse's, former spouse's or dependent's employer if (1) the cafeteria plan or other benefits plan of the spouse's, former spouse's or dependent's employer permits its participants to make a change; or (2) the cafeteria plan permits participants to make an election for a period of coverage that is different from the period of coverage under the cafeteria plan of a spouse's, former spouse's or dependent's employer.

ARTICLE VI BENEFITS AND RIGHTS

6.1 CLAIM FOR BENEFITS

(a) Any claim for Benefits underwritten by Insurance Contract(s) shall be made to the Insurer. If the Insurer denies any claim, the Participant or beneficiary shall follow the Insurer's claims review procedure.

ARTICLE VII ADMINISTRATION

7.1 PLAN ADMINISTRATION

The operation of the Plan shall be under the supervision of the Administrator. It shall be a principal duty of the Administrator to see that the Plan is carried out in accordance with its terms, and for the exclusive benefit of Employees entitled to participate in the Plan. The Administrator shall have full power to administer the Plan in all of its details, subject, however, to the pertinent provisions of the Code. The Administrator's powers shall include, but shall not be limited to the following authority, in addition to all other powers provided by this Plan:

- (a) To make and enforce such rules and regulations as the Administrator deems necessary or proper for the efficient administration of the Plan;
- (b) To interpret the Plan, the Administrator's interpretations thereof in good faith to be final and conclusive on all persons claiming benefits by operation of the Plan;
- (c) To decide all questions concerning the Plan and the eligibility of any person to participate in the Plan and to receive benefits provided by operation of the Plan;
- (d) To reject elections or to limit contributions or Benefits for certain highly compensated participants if it deems such to be desirable in order to avoid discrimination under the Plan in violation of applicable provisions of the Code;
- (e) To provide Employees with a reasonable notification of their benefits available by operation of the Plan;
- (f) To appoint such agents, counsel, accountants, consultants, and actuaries as may be required to assist in administering the Plan.

Any procedure, discretionary act, interpretation or construction taken by the Administrator shall be done in a nondiscriminatory manner based upon uniform principles consistently applied and shall be consistent with the intent that the Plan shall continue to comply with the terms of Code Section 125 and the Treasury regulations thereunder.

7.2 EXAMINATION OF RECORDS

The Administrator shall make available to each Participant, Eligible Employee and any other Employee of the Employer such records as pertain to their interest under the Plan for examination at reasonable times during normal business hours.

7.3 PAYMENT OF EXPENSES

Any reasonable administrative expenses shall be paid by the Employer unless the Employer determines that administrative costs shall be borne by the Participants under the Plan or by any Trust Fund which may be established hereunder. The Administrator may impose reasonable conditions for payments, provided that such conditions shall not discriminate in favor of highly compensated employees.

7.4 INSURANCE CONTROL CLAUSE

In the event of a conflict between the terms of this Plan and the terms of an Insurance Contract of an independent third party Insurer whose product is then being used in conjunction with this Plan, the terms of the Insurance Contract shall control as to those Participants receiving coverage under such Insurance Contract. For this purpose, the Insurance Contract shall control in defining the persons eligible for insurance, the dates of their eligibility, the conditions which must be satisfied to become insured, if any, the benefits Participants are entitled to and the circumstances under which insurance terminates.

7.5 INDEMNIFICATION OF ADMINISTRATOR

The Employer agrees to indemnify and to defend to the fullest extent permitted by law any Employee serving as the Administrator or as a member of a committee designated as Administrator (including any Employee or former Employee who previously served as Administrator or as a member of such committee) against all liabilities, damages, costs and expenses (including attorney's fees and amounts paid in settlement of any claims approved by the Employer) occasioned by any act or omission to act in connection with the Plan, if such act or omission is in good faith.

ARTICLE VIII AMENDMENT OR TERMINATION OF PLAN

8.1 AMENDMENT

The Employer, at any time or from time to time, may amend any or all of the provisions of the Plan without the consent of any Employee or Participant. No amendment shall have the effect of modifying any benefit election of any Participant in effect at the time of such amendment, unless such amendment is made to comply with Federal, state or local laws, statutes or regulations.

8.2 TERMINATION

The Employer is establishing this Plan with the intent that it will be maintained for an indefinite period of time. Notwithstanding the foregoing, the Employer reserves the right to terminate this Plan, in whole or in part, at any time. In the event the Plan is terminated, no further contributions shall be made. Benefits under any Insurance Contract shall be paid in accordance with the terms of the Insurance Contract.

ARTICLE IX
MISCELLANEOUS

9.1 PLAN INTERPRETATION

All provisions of this Plan shall be interpreted and applied in a uniform, nondiscriminatory manner. This Plan shall be read in its entirety and not severed except as provided in Section 9.12.

9.2 GENDER AND NUMBER

Wherever any words are used herein in the masculine, feminine or neuter gender, they shall be construed as though they were also used in another gender in all cases where they would so apply, and whenever any words are used herein in the singular or plural form, they shall be construed as though they were also used in the other form in all cases where they would so apply.

9.3 WRITTEN DOCUMENT

This Plan, in conjunction with any separate written document which may be required by law, is intended to satisfy the written Plan requirement of Code Section 125 and any Treasury regulations thereunder relating to cafeteria plans.

9.4 EXCLUSIVE BENEFIT

This Plan shall be maintained for the exclusive benefit of the Employees who participate in the Plan.

9.5 PARTICIPANT'S RIGHTS

This Plan shall not be deemed to constitute an employment contract between the Employer and any Participant or to be a consideration or an inducement for the employment of any Participant or Employee. Nothing contained in this Plan shall be deemed to give any Participant or Employee the right to be retained in the service of the Employer or to interfere with the right of the Employer to discharge any Participant or Employee at any time regardless of the effect which such discharge shall have upon him as a Participant of this Plan.

9.6 ACTION BY THE EMPLOYER

Whenever the Employer under the terms of the Plan is permitted or required to do or perform any act or matter or thing, it shall be done and performed by a person duly authorized by its legally constituted authority.

9.7 EMPLOYER'S PROTECTIVE CLAUSES

(a) Upon the failure of either the Participant or the Employer to obtain the insurance contemplated by this Plan (whether as a result of negligence, gross neglect or otherwise), the Participant's Benefits shall be limited to the insurance premium(s), if any, that remained unpaid for the period in question and the actual

insurance proceeds, if any, received by the Employer or the Participant as a result of the Participant's claim.

(b) The Employer shall not be responsible for the validity of any Insurance Contract issued hereunder or for the failure on the part of the Insurer to make payments provided for under any Insurance Contract. Once insurance is applied for or obtained, the Employer shall not be liable for any loss which may result from the failure to pay Premiums to the extent Premium notices are not received by the Employer.

9.8 NO GUARANTEE OF TAX CONSEQUENCES

Neither the Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant under the Plan will be excludable from the Participant's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any Participant. It shall be the obligation of each Participant to determine whether each payment under the Plan is excludable from the Participant's gross income for federal and state income tax purposes, and to notify the Employer if the Participant has reason to believe that any such payment is not so excludable. Notwithstanding the foregoing, the rights of Participants under this Plan shall be legally enforceable.

9.9 INDEMNIFICATION OF EMPLOYER BY PARTICIPANTS

If any Participant receives one or more payments or reimbursements under the Plan that are not for a permitted Benefit, such Participant shall indemnify and reimburse the Employer for any liability it may incur for failure to withhold federal or state income tax or Social Security tax from such payments or reimbursements. However, such indemnification and reimbursement shall not exceed the amount of additional federal and state income tax (plus any penalties) that the Participant would have owed if the payments or reimbursements had been made to the Participant as regular cash compensation, plus the Participant's share of any Social Security tax that would have been paid on such compensation, less any such additional income and Social Security tax actually paid by the Participant.

9.10 FUNDING

Unless otherwise required by law, contributions to the Plan need not be placed in trust or dedicated to a specific Benefit, but may instead be considered general assets of the Employer until the Premium Expense required under the Plan has been paid. Furthermore, and unless otherwise required by law, nothing herein shall be construed to require the Employer or the Administrator to maintain any fund or segregate any amount for the benefit of any Participant, and no Participant or other person shall have any claim against, right to, or security or other interest in, any fund, account or asset of the Employer from which any payment under the Plan may be made.

9.11 GOVERNING LAW

This Plan is governed by the Code and the Treasury regulations issued thereunder (as they might be amended from time to time). In no event shall the Employer guarantee the favorable tax treatment sought by this Plan. To the extent not preempted by Federal law, the provisions of this Plan shall be construed, enforced and administered according to the laws of the State of Michigan.

9.12 SEVERABILITY

If any provision of the Plan is held invalid or unenforceable, its invalidity or unenforceability shall not affect any other provisions of the Plan, and the Plan shall be construed and enforced as if such provision had not been included herein.

9.13 CAPTIONS

The captions contained herein are inserted only as a matter of convenience and for reference, and in no way define, limit, enlarge or describe the scope or intent of the Plan, nor in any way shall affect the Plan or the construction of any provision thereof.

9.14 FAMILY AND MEDICAL LEAVE ACT

Notwithstanding anything in the Plan to the contrary, in the event any benefit under this Plan becomes subject to the requirements of the Family and Medical Leave Act and regulations thereunder, this Plan shall be operated in accordance with Regulation 1.125-3.

9.15 UNIFORM SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Notwithstanding any provision of this Plan to the contrary, contributions, benefits and service credit with respect to qualified military service shall be provided in accordance with USERRA and the regulations thereunder.

IN WITNESS WHEREOF, this Plan document is hereby executed this
_____ day of _____.

City Of Troy

By _____
EMPLOYER

WITNESSES AS TO EMPLOYER

Date: _____

CITY OF TROY PRE-TAX BENEFIT PLAN

SUMMARY PLAN DESCRIPTION

TABLE OF CONTENTS

I ELIGIBILITY

1. When Can I Become a Participant in the Plan?1
2. What Are the Eligibility Requirements for Our Plan?1
3. When Is My Entry Date?2
4. What Must I Do to Enroll in the Plan?2

II OPERATION

1. How Does This Plan Operate?2

III CONTRIBUTIONS

1. How Much of My Pay May the Employer Contribute to Premiums?2
2. How Much Will the Employer Contribute Each Year?2
3. What Happens to Contributions Made to the Plan?2
4. When Must I Decide What Insurance Coverage I Want?2
5. When Is the Election Period for Our Plan?3
6. May I Change My Elections During the Plan Year?3

IV BENEFITS

1. What Insurance Coverage May I Purchase?4

V BENEFIT PAYMENTS

1. When Will Benefit Payments be Made?4
2. Family and Medical Leave Act (FMLA)4
3. What Happens If I Terminate Employment?5
4. Will My Social Security Benefits Be Affected?5

VI
GENERAL INFORMATION ABOUT OUR PLAN

1. General Plan Information.....	5
2. Employer Information.....	5
3. Plan Administrator Information.....	6
4. Service of Legal Process.....	6
5. Type of Administration.....	6

VII
ADDITIONAL PLAN INFORMATION

1. Claims Process.....	6
------------------------	---

VIII
SUMMARY

CITY OF TROY PRE-TAX BENEFIT PLAN

INTRODUCTION

We are pleased to announce that we have established a "Pre-Tax Benefit Plan" for you and other eligible employees. Under this Plan, you will be able to pay for a portion of the insurance coverage that we make available to you, through payroll deduction, before Federal income or social security taxes are withheld; or you may decline coverage and be eligible for a cash payment in lieu of insurance coverage.

Read this Summary Plan Description (SPD) carefully so that you understand the provisions of our Plan and the benefits you will receive. This SPD describes the Plan's benefits and obligations as contained in the legal Plan document, which governs the operation of the Plan. The Plan document is written in much more technical and precise language. If the non-technical language in this SPD and the technical, legal language of the Plan document conflict, the Plan document always governs. Also, if there is a conflict between an insurance contract and either the Plan document or this Summary Plan Description, the insurance contract will control. If you wish to receive a copy of the legal Plan document, please contact the Administrator.

This SPD describes the current provisions of the Plan, which are designed to comply with applicable legal requirements. The Plan is subject to federal laws, such as the Internal Revenue Code and other federal and state laws, which may affect your rights. The provisions of the Plan are subject to revision due to a change in laws or due to pronouncements by the Internal Revenue Service (IRS) or other federal agencies. We may also amend or terminate this Plan. If the provisions of the Plan that are described in this SPD change, we will notify you.

We have attempted to answer most of the questions you may have regarding your benefits in the Plan. If this SPD does not answer all of your questions, please contact the Administrator. The name and address of the Administrator can be found in the Article of this SPD entitled "General Information About the Plan."

I ELIGIBILITY

1. When Can I Become a Participant in the Plan?

Before you become a Plan member (referred to in this SPD as a "Participant"), there are certain rules, which you must satisfy. First, you must meet the eligibility requirements and be an active employee. After that, the next step is to actually join the Plan on the "entry date" that we have established for all employees. The "entry date" is defined in Question 3 below.

2. What Are the Eligibility Requirements for Our Plan?

You will be eligible to join the Plan once you have satisfied the conditions for coverage under our group medical plan.

3. When Is My Entry Date?

The initial entry date for existing employees is January 1, 2007. New employees can join the Plan on the same day they can enter our group medical plan.

4. What Must I Do to Enroll in the Plan?

You will automatically become a Participant in this Plan once you have satisfied the preceding requirements. If you do not want any or all of the benefits offered under the Plan, you may elect not to receive such benefits in accordance with the procedure as explained in this Summary.

II OPERATION

1. How Does This Plan Operate?

Before the start of each Plan Year, you will be able to elect not to receive health insurance benefits under the Plan. If you elect to receive coverage, the portion of your pay that is contributed to pay the premium expense is not subject to Federal income or Social Security taxes. In other words, the plan allows you to use tax-free dollars to contribute toward insurance coverage which you normally pay for with out-of-pocket, taxable dollars.

III CONTRIBUTIONS

1. How Much May the Employer Contribute to Premiums?

Each year, we will automatically contribute on your behalf funding to pay for the insurance coverage provided unless you elect not to receive any or all of such coverage.

2. How Much Will the Employer Contribute Each Year?

If you have other medical coverage and opt out of our group medical coverage, you will receive a discretionary amount determined prior to the beginning of each Plan Year. This Cash In Lieu of Insurance Coverage payment will be based on a memo given to you by Risk Management prior to each annual enrollment period.

3. What Happens to Contributions Made to the Plan?

Each Plan Year, contributions will automatically be used to pay the premium expenses for the insurance coverage you have selected unless you elect not to participate in the Plan.

4. When Must I Decide What Insurance Coverage I Want?

If you are already covered by any of the insured benefits offered by this Plan, you will automatically become a Participant to the extent of the premium for such insurance unless you elect, during the election period (defined below), not to participate in the Plan.

5. When Is the Election Period for Our Plan?

Your election period will start on the date you first meet the eligibility requirements and end 30 days after your entry date. (You should review Section I on Eligibility to better understand the eligibility requirements and entry date.) Then, for each following Plan Year, the election period is established by the Administrator and applied uniformly to all Participants. It will normally be a period of time prior to the beginning of each Plan Year. The Administrator will inform you each year about the election period. (See the Article entitled "General Information About Our Plan" for the definition of Plan Year.)

6. May I Change My Elections During the Plan Year?

Generally, you cannot change the elections you have made after the beginning of the Plan Year. However, there are certain limited situations when you can change your elections. You are permitted to change elections if you have a "change in status" and you make an election change that is consistent with the change in status. Currently, Federal law considers the following events to be a change in status:

- Marriage, divorce, death of a spouse, legal separation or annulment;
- Change in the number of dependents, including birth, adoption, placement for adoption, or death of a dependent;
- Any of the following events for you, your spouse or dependent: termination or commencement of employment, a strike or lockout, commencement or return from an unpaid leave of absence, a change in worksite, or any other change in employment status that affects eligibility for benefits;
- One of your dependents satisfies or ceases to satisfy the requirements for coverage due to change in age, student status, or any similar circumstance; and
- A change in the place of residence of you, your spouse or dependent that would lead to a change in status, such as moving out of a coverage area for insurance.

There are detailed rules on when a change in election is deemed to be consistent with a change in status. In addition, there are laws that give you rights to change health coverage for you, your spouse, or your dependents. If you change coverage due to rights you have under the law, then you can make a corresponding change in your elections under the Plan. If any of these conditions apply to you, you should contact the Administrator.

If the cost of a benefit provided under the Plan increases or decreases during a Plan Year, then we will automatically increase or decrease, as the case may be, your salary redirection election. If the cost increases significantly, you will be permitted to either make corresponding changes in your payments or revoke your election and obtain coverage under another benefit package option with similar coverage, or revoke your election entirely.

If the coverage under a Benefit is significantly curtailed or ceases during a Plan Year, then you may revoke your elections and elect to receive on a prospective basis coverage under another plan with similar coverage. In addition, if we add a new coverage option or eliminate an existing option, you may elect the newly-added option (or elect another option if an option has been eliminated) and make corresponding election changes to other options providing similar coverage. If you are not a Participant, you may elect to join the Plan. There are also certain situations when you may be able to change your elections on account of a change under the plan of your spouse's, former spouse's or dependent's employer.

IV BENEFITS

1. What Insurance Coverage May I Purchase?

Under our Plan, you can choose to receive Cash In Lieu of Insurance Coverage payments or use a portion of your compensation to pay premiums for:

-- Health care premiums under our insured group medical plan.

Certain limits may apply on the amount of coverage that we obtain on your behalf. The insurance contracts will normally control.

The Administrator may terminate or modify Plan benefits at any time, subject to the provisions of any insurance contracts providing benefits described above. We will not be liable to you if an insurance company fails to provide any of the benefits described above. Also, your insurance will end when you leave employment, are no longer eligible under the terms of any insurance policies, or when insurance terminates.

Any benefits to be provided by insurance will be provided only after (1) you have provided the Administrator the necessary information to apply for insurance, and (2) the insurance is in effect for you.

V BENEFIT PAYMENTS

1. When Will Benefit Payments be made?

The amount of pay you contribute to the Plan will be used to pay a portion of the premiums for the insurance coverage that is available. The provisions of the insurance policies will control what benefits will be paid and when.

2. Family and Medical Leave Act (FMLA)

If you take leave under the Family and Medical Leave Act, you may revoke or change your existing elections for health insurance. If your coverage in these benefits terminates, due to your revocation of the benefit while on leave or due to your non-payment of contributions, you will be permitted to reinstate coverage for the remaining part of the Plan Year upon your return.

If you continue your coverage during your unpaid leave, you may pre-pay for the coverage, you may pay for your coverage on an after-tax basis while you are on leave, or you and your Employer may arrange a schedule for you to "catch up" your payments when you return.

3. What Happens If I Terminate Employment?

If you leave our employ during the Plan Year, your insurance will terminate, and any further potential coverage will fall under federal COBRA regulations.

4. Will My Social Security Benefits Be Affected?

Your Social Security benefits may be slightly reduced because when you receive tax-free benefits under our Plan, it reduces the amount of contributions that you make to the Federal Social Security system as well as our contribution to Social Security on your behalf.

**VI
GENERAL INFORMATION ABOUT OUR PLAN**

This Section contains certain general information, which you may need to know about the Plan.

1. General Plan Information

City of Troy Pre-Tax Benefit Plan is the name of the Plan.

Your Employer has assigned Plan Number 501 to your Plan.

The provisions of the Plan become effective on January 1, 2007, which is called the Effective Date of the Plan.

Your Plan's records are maintained on a twelve-month period of time. This is known as the Plan Year. The Plan Year begins on June 1 and ends on May 31.

2. Employer Information

Your Employer's name, address, and identification number are:

City Of Troy
500 W. Big Beaver
Troy, Michigan 48084
38-6027333

3. Plan Administrator Information

The name, address and business telephone number of your Plan's Administrator are:

James A. Nash
Financial Services Director
500 W. Big Beaver
Troy, Michigan 48084
248-524-3411

The Administrator keeps the records for the Plan and is responsible for the administration of the Plan. The Administrator will also answer any questions you may have about our Plan. You may contact the Administrator for any further information about the Plan.

4. Service of Legal Process

The name and address of the Plan's agent for service of legal process are:

James A. Nash
Financial Services Director
500 W. Big Beaver
Troy, Michigan 48084

5. Type of Administration

The type of Administration is Insurer Administration.

**VII
ADDITIONAL PLAN INFORMATION**

1. Claims Process

Claims for benefits that are insured will be reviewed in accordance with procedures contained in the policies. All other general claims or requests should be directed to the Administrator of our Plan.

**VIII
SUMMARY**

The money you earn is important to you and your family. You need it to pay your bills, enjoy recreational activities and save for the future. Our Pre-Tax Benefit Plan will help you keep more of the money you earn by lowering the amount of taxes you pay. The Plan is the result of our continuing efforts to find ways to help you get the most for your earnings.

If you have any questions, please contact the Administrator.



CITY COUNCIL ACTION REPORT RECEIVED

NOV 29 2006

November 28, 2006

TO: Phillip L. Nelson, City Manager

CITY OF TROY
CITY MANAGER'S OFFICEFROM: Brian P. Murphy, Asst. City Manger/Economic Development Services
Steven J. Vandette, City Engineer *SV**ROM*SUBJECT: Agenda Item - Private Agreement for Suma Medical Center
Project No. 06.905.3Background:

- The Planning Commission granted preliminary site plan approval for the above referenced project on 02/14/2006. The Engineering Department has reviewed the plans for this project and recommends approval. The plans include water main, concrete approach, aggregate base, concrete curb & gutter, and concrete walkway.

Financial Considerations:

- The owner has provided the necessary escrow deposit and paid the cash fees in accordance with the attached Private Agreement.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- Consistent with Roman Numeral II of the City of Troy 2006-2008 Goals & Objectives policy (Retain and Attract Investment While Encouraging Redevelopment).

Options:

- Council can approve or deny the recommendation.

Approved for Submittal:

Phillip L. Nelson
Phillip L. Nelson, City Manager

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

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

PROJECT NO. **06.905.3**

PROJECT LOCATION:

SE 1/4 Section 23

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 Dr. Kheir Al-Zouhayli whose address is 43700 Woodward Ave., Suite 202, Bloomfield Hills, MI 48302 and whose telephone number is 248-709-2512 hereinafter referred to as "Owners".

WITNESSETH, FIRST: That the City agrees to allow the installation of Water Main, Concrete Approach, Aggregate Base, Concrete Curb & Gutter and Concrete Walkway in accordance with plans prepared by Landmark Engineering Company whose address is 24001 Southfield Rd., Suite 210, Southfield, MI 48075 and whose telephone number is 248-557-3000, and approved BY THE City of Troy Engineering Department.

SECOND: That the Owners agree to contribute the approximate contract price of \$32,226.00. 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)	\$	2,610.31
Engineering Review Fee (Private Improvements)	\$	4,074.91
Water Main Testing Fee	\$	650.00
Street Cleaning/Road Maintenance (Refundable)	\$	5,000.00
TOTAL:	\$	\$12,335.22

* 8.10% (.00810) of approximate contract price

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

PROJECT NO. 06.905.3

PROJECT LOCATION:

SE 1/4 Section 23

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 \$ 39,561.22 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. 06.905.3

PROJECT LOCATION:

SE 1/4 Section 23

RESOLUTION NO.

DATE OF COUNCIL APPROVAL:

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 13th day of NOVEMBER, 20 06.

OWNERS

CITY OF TROY

By:

By:

MOHAMMAD KHEIR AL-ZOUHAYLI
Kheir Al-Zouhayli
Please Print or Type

~~_____
Louise E. Schilling, Mayor~~

~~_____
Please Print or Type~~

~~_____
Tonni Bartholomew, City Clerk~~

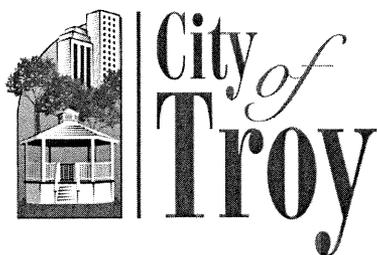
STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 13th day of November, A.D. 202006, before me personally appeared Mohammad Kheir Al-Zouhayli Only 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.

J. Balin
J. BABIN
Notary Public, Oakland County, Michigan
My Commission Expires July 2, 2007

NOTARY PUBLIC, Oakland County, Michigan

My commission expires: _____



CITY COUNCIL ACTION REPORT

November 27, 2006

TO: Phillip L. Nelson, City Manager

FROM: Chief Charles Craft
Captain Gary Mayer
Sergeant Chris Stout

SUBJECT: Application for Transfer of Class C License for Kona Grill

Background:

- Kona Macadamia, Inc., requests to transfer ownership of 2006 Class C licensed business located at 819 E. Auburn, Rochester Hills, MI 48307, from Whirly-Ball-Rochester L.L.C.; transfer location to 30 E. Big Beaver, Troy, MI 48084, Oakland County; requests a new SDM license to be held in conjunction; and requests a new official permit (food) and new outdoor service area.

This is an Arizona based restaurant that has 14 other locations across the country. The establishment is an American grill with a sushi bar that has an upscale casual atmosphere. The restaurant will hold approximately 280 seats, including the patio. The building is currently under construction and they hope to open in February 2007. Management will be transferred in from other locations and additional managers will be hired. The Committee unanimously approved this request. The Police Department did not find any disqualifying factors for this request.

Financial Considerations:

- There are no financial considerations for the city.

Legal Considerations:

- City Council approval is required for the State to approve the transfer.

Policy Considerations:

- This application meets the City's criteria for liquor license transfer. It meets the City goal to retain and attract investment while encouraging redevelopment.

Options:

- The City Council can approve or deny the transfer.



FOR MLCC USE ONLY

Request ID # 377512

Business ID # 182232

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

KONA MACADAMIA, INC. (A DELAWARE CORPORATION) REQUESTS TO TRANSFER OWNERSHIP OF 2006 CLASS C LICENSED BUSINESS WITH OFFICIAL PERMIT (WHIRLY BALL), LOCATED IN ESCROW AT 819 E. AUBURN, ROCHESTER HILLS, MI 48307, OAKLAND COUNTY, FROM WHIRLY-BALL-ROCHESTER L.L.C.; TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 30 E. BIG BEAVER, TROY, MI 48084, OAKLAND COUNTY; REQUESTS A NEW SDM LICENSE TO BE HELD IN CONJUNCTION; AND REQUESTS A NEW OFFICIAL PERMIT (FOOD) AND NEW OUTDOOR SERVICE AREA (STEP 2). *CANCEL OFFICIAL PERMIT (WHIRLY BALL)*

Section 1. APPLICANT INFORMATION

APPLICANT #1:
 KONA RESTAURANT HOLDINGS, INC. (A DELAWARE CORPORATION) – STOCKHOLDER
 715 EAST CAMELBACK, SUITE 220
 SCOTTSDALE, AZ 85251
 (CONTACT: J. SPIEL (480)922-8100)

APPLICANT #2:

DATE FINGERPRINTED: **NO FINGERPRINTS REQUIRED**

DATE FINGERPRINTED:

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?

No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 377512

Business ID # 182232

LAW ENFORCEMENT RECOMMENDATION

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

October 19, 2006

TO:

Re: KONA MACADAMIA, INC. (A DELAWARE CORPORATION)

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: WHIRLY BALL *CANCEL*
 Weekdays _____ A.M. to _____ A.M.
 Sundays _____ A.M. to _____ A.M./P.M.

Recommended Recommended, subject to final inspection Not Recommended

NOTE: If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: FOOD
 Weekdays _____ A.M. to _____ A.M.
 Sundays 11:00 A.M. to 12:00 P.M.

Recommended Recommended, subject to final inspection Not Recommended

DANCE PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ENTERTAINMENT PERMIT

Recommended Recommended, subject to final inspection Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended Recommended, subject to final inspection Not Recommended

OUTDOOR SERVICE

Recommended Recommended, subject to final inspection Not Recommended

PARTICIPATION PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ADDITIONAL BAR PERMIT

Recommended Recommended, subject to final inspection Not Recommended

OFF-PREMISE STORAGE

Recommended Recommended, subject to final inspection Not Recommended

Signed:

Signature and Title

Print Name and Title

TROY POLICE DEPARTMENT

Date: _____

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2006 CLASS C LICENSED BUSINESS, LOCATED IN ESCROW AT 819 E. AUBURN, ROCHESTER HILLS, MI 48307, OAKLAND COUNTY, FROM WHIRLY-BALL-ROCHESTER L.L.C. TO KONA MACADAMIA, INC. (A DELAWARE CORPORATION); AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 30 E. BIG BEAVER, TROY, MI 48084, OAKLAND COUNTY (STEP 2).

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this _____ day of _____, 2006, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter known as "THE CITY", and KONA MACADAMIA, INC., a Delaware corporation, with offices located at 7150 E. Camelback Road, Ste. 220, Scottsdale, AZ 85251.

R E C I T A L S:

1. The City Council of THE CITY, for and inconsideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission, approval of KONA MACADAMIA, INC. for the APPLICANT, to be located at 30 E. Big Beaver, Troy, Michigan 48084, Oakland County (hereinafter "APPLICATION").

2. In consideration of THE CITY'S recommendation for approval of the APPLICATION, APPLICANT hereby agrees that:

- (a) It has read and is aware of the provisions of the City of Troy Ordinances, Chapter Nos. 67, 68, 92 and Chapter No. 98 (effective 02/01/01), and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this Agreement.
- (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 92-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this Agreement.
- (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor license business in the City of Troy.
- (d) It agrees to immediately require all employees who serve/sell alcohol, to attend a recognized alcohol awareness program, and forward the names of each certified employee to the Troy Police Department. The alcohol awareness program must

either be recognized by the Troy Police Department (i.e., TIPS, TAM, SERV SAFE Alcohol), or the program must be reviewed by the Troy Police Department to insure that the program is comparable to the recognized programs.

3. APPLICANT agrees that the recommendation of Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this Agreement shall occur.

4. APPLICANT agrees that the recommendation of approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including, but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exists, and other physical attributes); and also the nature and type of the business intended to be conducted remain virtually the same.

5. APPLICANT agrees that upon a violation, after full investigation and an opportunity for said APPLICANT to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this Agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

Witnesses:

Mark Shyg
Mark Slusz

Applicant:

KONA MACADAMIA, INC.

By: James C. Spiel
Its: Vice President and Secretary

Subscribed and sworn to before me
This 21st day of September, 2006.

Kristen Weber

Notary Public, Kristen Weber
Arizona, Maricopa County
My commission expires: March 8, 2008



CITY COUNCIL ACTION REPORT

DATE: November 29, 2006

TO: Mayor and City Council

FROM: Phillip L. Nelson, City Manager
John M. Lamerato, Assistant City Manager, Finance and Administration
Tonni L. Bartholomew, City Clerk
Charles T. Craft, Chief of Police

SUBJECT: Re-Write of City Code, Chapter 65 – Taxicabs, Limousines and Drivers

Background:

- Chapter 65 - Taxicabs, Limousines and Drivers language is cumbersome and difficult to navigate through. City Staff has revisited the ordinance to remove conflicting terms. One issue of confusion was caused by the use of words such as license and registration. They seemed to be used interchangeably and could easily be confused with documents issued by the Michigan Secretary of State. In addition, it does not appear that there is clear policy to issue City driving permits to the limo drivers.

The City Clerk's Office will begin the issuance 2007 permits within the next two weeks. It is desirable for this proposed ordinance to be in effect prior to the mailing of application documents.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- There are no policy considerations associated with this item.

Options:

- It is recommended that Troy City Council approve the proposed re-write of Chapter 65 – Taxicabs, Limousines and Drivers to provide for uniformity and clarity of Ordinance language.

Approved as to From and Legality:

Lori Grigg-Bluhm

CHAPTER 65 TAXICABS, LIMOUSINES AND DRIVERS

65.0 **DEFINITIONS**

- A. "Cruising" means the driving of a taxicab or limousine on the streets, alleys or public places of the City of Troy in search of or soliciting prospective passengers for hire.
- B. "Limo carrier of passengers" means a person who, either directly or through any device or arrangement, holds himself or herself out to the public as willing to transport, by limousine, from place to place over the public highways of this state.
- C. "Limousine" means a self-propelled motor vehicle used in the carrying of passengers with or without the baggage of the passengers for hire upon a public highway of this state with a seating capacity of 15 passengers or less, including the driver. Limousine does not include a self-propelled motor vehicle having a seating capacity of 15 passengers or less that is used by or on behalf of an employer to transport its employees to and from their place of employment.
- D. "Limousine stand" means a fixed area in the road right-of-way, which is set aside for limousines to stand or wait for passengers.
- E. "Taxicab" means a licensed public motor vehicle for hire which is designated and constructed to seat not more than 10 persons and which is operated as a common carrier on call or demand.
- F. "Taxicab stand" means a fixed area in the road right-of-way, which is set aside for taxicabs to stand or wait for passengers.
- G. "Taximeter" means a meter instrument or device attached to a taxicab, which measures mechanically the distance driven and the waiting time upon which the fare is based.

65.100 **TAXICAB VEHICLE PERMITS**

65.101 Taxicab Vehicle Permit Required

No person shall operate or permit a taxicab owned or controlled by him or her to be operated as a vehicle for hire upon the streets of the City of Troy without having first obtained a Taxicab Vehicle Permit, pursuant to the provision of this Chapter. Any operator of a taxicab that picks up passengers in the City of Troy for a destination (either within or outside the City of Troy municipal boundaries) shall comply with the provisions of this Chapter. Taxicabs not possessing a City of Troy Taxicab Vehicle Permit may deliver their fares or passengers to destinations within the City. Taxicabs possessing a City of Troy Taxicab Vehicle Permit may deliver their fares or passengers to destinations throughout the City or may call for and pick up passengers within the City in response to a direct request.

65.102 **Taxicab Vehicle Permit Application**

The owner of a taxicab shall file a Taxicab Vehicle Permit application with the City Clerk, on forms provided by the City of Troy and said application shall be verified under notarized oath. The application shall require the following items:

- A. Applicant's personal identification information
- B. The amounts of any unpaid judgments against the applicant and the nature of the transaction or acts giving rise to said judgments
- C. The experience of the applicant in the transportation of passengers
- D. A concise history of the applicant's employment
- E. The number of vehicles to be operated or controlled by the applicant, and the location of proposed depots and terminals

Chapter 65 – Taxicabs, Limousines and Drivers

- F. Vehicle license plate and identification numbers
- G. The color scheme or insignia to be used to designate the vehicle or vehicles of the applicant
- H. Proof of current fleet vehicle insurance
- I. Hours of operation
- J. Any other information as the City Clerk may require
- K. A recent completed Taxicab Vehicle Inspection form certified by a State of Michigan licensed mechanic

65.103 Taxicab Vehicle Permit Application – Police Investigation

The City Clerk shall submit the application to the Police Department for an investigation. The investigation shall consist of a review and satisfactory evaluation of all information in the Taxicab Vehicle Permit application and all supporting and required documents. The Taxicab Vehicle Inspection form shall be provided to the applicant by the City Clerk for each vehicle to be licensed.

If the Police Department approves the application and it conforms to the provisions of this Chapter, the City Clerk shall issue a vehicle permit for each vehicle.

If the Police Department rejects the application, the applicant may request a personal appearance before the City Council to offer evidence why the Taxicab Vehicle Permit Application should be reconsidered.

65.104 Taxicab Vehicle Permit Fees

Taxicab Vehicle Permit fees shall be subject to the provisions of Chapter 59 of this Code and the fee therefore shall be as specified in Chapter 60 of this Code.

65.105 Taxicab Vehicle Permit

There shall be issued for each approved Taxicab Vehicle Permit Application under this Chapter one Taxicab Vehicle Permit with the words "Permitted Taxicab No. _____, Troy, Michigan" and the year of issuance. Such vehicle permit shall be firmly affixed to the rear of the vehicle in such a position as to be plainly visible at all times.

65.106 Taxicab Vehicle Liability Insurance Required

No Taxicab Vehicle Permit shall be issued or shall a taxicab continue in operation unless there is in full force and effect a liability insurance policy for each authorized vehicle in the amount not less than \$100,000.00 for bodily injury to any one person, \$300,000.00 for injuries to more than one person, and \$50,000.00 for property damage resulting from any one accident; \$300,000.00 in a combined single limit policy. Said insurance shall insure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by negligence of a holder, his servants or agents. Said insurance documents shall be issued by an insurance company licensed and permitted to do business in the State of Michigan and acceptable to the City of Troy. Said insurance documents shall be filed in the office of the City Clerk.

Said insurance shall remain in full force as long as the Taxicab Vehicle Permit is in effect. If said insurance is cancelled for any reason, the Taxicab Vehicle Permit(s) issued to that carrier shall be considered revoked, without any further action by the City of Troy.

65.107 Condition of Vehicles

All vehicles issued a Taxicab Vehicle Permit under this Chapter shall be kept in good repair, in good mechanical order, and in a good clean and sanitary condition. The Police Department shall have the right to examine or cause to be examined all vehicles issued a Taxicab Vehicle Permit for the purpose of ascertaining compliance with the provisions of this section.

Chapter 65 – Taxicabs, Limousines and Drivers

65.108 Solicitations and Cruising

No taxicab driver shall solicit passengers upon the streets and highways of the City of Troy, with the exception that a driver possessing a City of Troy Taxicab Driver's and Taxicab Vehicle Permit can be parked in a designated Taxicab Stand. No driver of a taxicab shall seek employment by repeatedly and persistently driving his taxicab to and fro on any street, or do any so-called "cruising".

65.109 Taxicab Stands

The City Council shall, by resolution, locate and designate Taxicab Stands and limit the number of taxicabs permitted therein at any one time. The Council may also prohibit taxicabs from being parked on any street in the City of Troy, except at a designated Taxicab Stand.

65.110 Passenger Refusing to Pay Legal Fare

It shall be unlawful for any person to refuse to pay the legal fare of any taxicab after having hired the same. It shall be unlawful for any person to hire any taxicab with the intent to defraud the person from whom it is hired by refusal to pay for the value of such service.

65.111 Taximeter Required

All taxicabs operated under the authority of this Chapter shall be equipped with taximeters fastened in front of the passengers. The taximeter shall be visible to the passengers at all times (day and night) and after sundown the face of the taximeter shall be illuminated. The taximeter shall be operated mechanically by a mechanism of standard design and construction, which is either powered by the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism. The taximeter shall be sealed at all points and connections; to prevent manipulation and insure correct reading and recording. Each taximeter shall have a flag to denote when the vehicle is employed and when it is not employed; and it shall be the duty of the driver to throw the flag of such taximeter into a non-recording position at the termination of each trip. Any officer of the Police Department is hereby authorized to inspect any meter upon a complaint by any person, or without such complaint. If the police officer discovers any inaccuracy therein, the person operating said taxicab shall be required to cease operation and to keep the taxicab off the streets and highways of the City of Troy until the taximeter is repaired and in the required working condition.

65.112 Fare Rates

A printed schedule of rates shall be conspicuously posted in each taxicab. The fare rates established by an owner shall be the same for every one of the owner's taxis that receives a Taxicab Vehicle Permit. The operators or drivers of taxicabs shall charge a fare that is not greater than the fare shown on the posted rate schedule. Charges shall not be made for time lost for inefficiency of the taxicab driver, or time consumed by premature response to a call, or for traffic delays. No charge shall be made for extra passengers. No other or additional charges shall be permitted except that a charge may be made for a call when a person calling for a taxicab fails to make use of the same.

65.200 TAXICAB DRIVER PERMITS

65.201 Driver's Chauffeur's License Endorsements Required

No person shall operate a taxicab for hire upon the streets of the City of Troy and no person who owns or controls a taxicab shall permit it to be so driven, unless the driver of said taxicab has a valid Chauffeur's License issued by the State of Michigan.

65.202 Taxicab Driver Permit Required

No person shall operate a taxicab as a vehicle for hire upon the streets of the City of Troy without having first obtained a Taxicab Driver Permit pursuant to the provision of this Chapter. All operators of taxicabs that pick up passengers in the City of Troy for a destination (either within or outside of the City of Troy municipal boundaries) shall comply with the provisions in this Chapter. Taxicab drivers not issued a Taxicab Driver Permit by the City of Troy may only deliver their fares from other jurisdictions to

Chapter 65 – Taxicabs, Limousines and Drivers

destinations within the City. However the drivers of taxicabs that have obtained a City of Troy Taxicab Driver Permit may deliver their fares or passengers to destinations throughout the City or may call for and pick up passengers within the City in response to a direct request.

65.203 Taxicab Driver Permit Application

In order to receive a Taxicab Driver Permit, an applicant must first file an application on forms provided by the City of Troy with the City Clerk. Said application shall be verified under notarized oath. The application shall require the following items:

- A. Applicant's personal identification information
- B. The presentation of the driver's valid State of Michigan chauffeur's license and a photocopy of the original
- C. The amounts of any unpaid judgments against the applicant and the nature of the transaction or acts giving rise to said judgments
- D. The experience of the applicant in the transportation of passengers
- E. A concise history of the applicant's employment
- F. The name, address and telephone number of the taxicab company for whom the driver will be driving
- G. Applicant's fingerprints shall be taken by the Troy Police Department, for a fee, as established by City Council Resolution, which shall be paid to the City of Troy
- H. Any other information as the City Clerk may require

65.204 Taxicab Driver Permit Application – Police Investigation

The City Clerk shall submit the application to the Police Department for an investigation. The Police Department shall review the application and all of the supporting documents and make a summary report. This summary report, in addition to a copy of the traffic and police records of the applicant, shall be attached to the application for the consideration of the Chief of Police or designee for review.

The Chief of Police or designee shall approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the City Council to offer evidence why the Taxicab Driver application should be reconsidered.

65.205 Taxicab Driver Permit Issuance

If it is found that the applicant is fit, willing and able to provide public transportation and conform to the provisions of this Chapter, and upon approval of the application and payment of a driver permit fee, the City Clerk shall issue a Taxicab Driver Permit. The permit shall contain the name, address, age, signature and photograph of the applicant, the number of vehicles authorized under said driver permit and the date of issuance. Such Taxicab Driver Permit shall be in effect for the remainder of the permit year. Otherwise, the application shall be denied.

65.206 Taxicab Driver Permit Fees

The fee for Taxicab Driver applications shall be subject to the provisions of Chapter 59 of this Code and the fee therefore shall be as specified in Chapter 60 of this Code.

65.207 Taxicab Driver Permit Display

Every driver receiving a Taxicab Driver Permit shall post said permit in such a place as to be in full view of all passengers while such driver is operating a taxicab.

65.208 Taxicab Driver Permit Suspensions and Revocation

The Police Department may immediately revoke the Taxicab Driver Permit upon the permittee's violation of any provisions of this ordinance or for other good cause.

If the Police Department revokes a Taxicab Driver Permit, the permittee may appeal that decision by

Chapter 65 – Taxicabs, Limousines and Drivers

submitting a written letter to the Chief of Police within 72 hours of the time of notification of the revocation. This letter shall state the reasons why the applicant feels that the Taxicab Driver Permit should be reinstated and shall attach any evidence in support of the reasons. Within 48 hours of receiving such a letter, the Chief of Police shall either confirm or reverse the challenged action concerning the Taxicab Driver Permit.

The suspension and revocation of Taxicab Driver and/or Taxicab Vehicle Permits shall be subject to the provisions of Chapter 59 of this Code. No Taxicab Driver and/or Taxicab Vehicle Permits shall be suspended for a period of longer than ten (10) days, or more often than once in ninety-days (90), but this shall not be deemed a limitation on the power of revocation, as specified in Chapter 59.

In addition to the grounds specified for suspension and revocation of permits as set forth in Chapter 59 of this Code, a permit issued under the provisions of this Chapter may be suspended or revoked if the holder has discontinued operation of a taxicab possessing a City of Troy Taxicab Permit for more than thirty (30) consecutive days.

65.300 LIMOUSINE VEHICLE PERMITS

65.301 Limousine Vehicle Permit Required

No person shall operate or permit a limousine owned or controlled by him or her to be operated as a vehicle for hire upon the streets of the City of Troy without having first obtained a Limousine Vehicle Permit pursuant to the provision of this Chapter. Any operator of a limousine that picks up passengers in the City of Troy for a destination (either within or outside the City of Troy municipal boundaries) shall comply with the provisions of this Chapter. Limousines not possessing a City of Troy Limousine Vehicle Permit may only deliver their fares or passengers from other jurisdictions to destinations within the City. However, limousines possessing a City of Troy Limousine Vehicle Permit may deliver their fares or passengers from another jurisdiction to destinations throughout the City, or may call for and pick up passengers within the City in response to a direct request.

65.302 Limousine Vehicle Permit Application

In order to obtain a limousine vehicle permit, a Limousine Vehicle Permit application shall be filed with the City Clerk on forms provided by the City of Troy and said application shall be verified under notarized oath. The application shall require the following items:

- A. Applicant's personal identification information
- B. The amounts of any unpaid judgments against the applicant and the nature of the transaction or acts giving rise to said judgments
- C. The experience of the applicant in the transportation of passengers
- D. A concise history of the applicant's employment
- E. The number of vehicles to be operated or controlled by the applicant, and the location of proposed depots and terminals
- F. Vehicle license plate and identification numbers
- G. The color scheme or insignia to be used to designate the vehicle or vehicles of the applicant
- H. The Certificate of Authority issued by the State of Michigan Transportation Department, as required by Section 257.1907 of the Michigan Compiled Laws (the Limousine Transportation Act)
- I. Proof of current insurance in amounts equal to those required by Section 257.1913 of the Michigan Compiled Laws (The Limousine Transportation Act)
- J. Copies of annual vehicle inspection papers for all vehicles registered, as required by section 257.1919 of the Michigan Compiled Laws (the Limousine Transportation Act). The City may require further inspection if it so deems necessary
- K. Hours of operation

Chapter 65 – Taxicabs, Limousines and Drivers

- L. Any other information as the City Clerk may require

65.303 Limousine Vehicle Permit Application – Police Investigation

The City Clerk shall submit the application to the Police Department for an investigation. The investigation shall consist of a review and follow up on information on the Limousine Vehicle Permit application and all required documents. If necessary, the Police Department may require further safety inspections, in addition to any safety inspections done in compliance with the Limousine Transportation Act.

If the Police Department approves the application and it conforms to the provisions of this Chapter, the City Clerk shall issue a limousine Vehicle Permit for each vehicle.

If the Police Department rejects the application, the applicant may request a personal appearance before the City Council to offer evidence why the Limousine Vehicle Permit Application should be reconsidered.

65.304 Limousine Vehicle Permit Fees

Limousine Vehicle permit fees shall be subject to the provisions of Chapter 59 of this Code and the fee therefore shall be as specified in Chapter 60 of this Code.

65.305 Limousine Vehicle Permit

There shall be issued for each approved Limousine Vehicle Permit Application under this Chapter one Limousine Vehicle Permit with the words " Permitted Limousine No._____, Troy, Michigan" and the year of issuance. Such vehicle permit shall be firmly affixed to the rear of the vehicle in such a position as to be plainly visible at all times.

65.306 Limousine Vehicle Liability Insurance Required

Limousine vehicle permit holders shall carry insurance equal to that required by Section 257.1913 of the Michigan Compiled Laws (the Limousine Transportation Act).

Said insurance shall remain in full force as long as the Limousine Vehicle Permit is in effect. If said insurance is cancelled for any reason, the Limousine Vehicle Permit(s) issued to that carrier shall be considered revoked without any further action by the City of Troy.

65.307 Condition of Vehicles

All vehicles issued a Limousine Vehicle Permit under this Chapter shall be kept in good repair, in good mechanical order, and in a good clean and sanitary condition. The Police Department shall have the right to examine or cause to be examined all vehicles issued a Limousine Vehicle Permit for the purpose of ascertaining compliance with the provisions of this section.

65.308 Solicitations and Cruising

No limousine driver shall solicit passengers upon the streets and highways of the City of Troy, except the driver of a permitted limousine can be parked in a designated Limousine Stand while sitting in the driver's seat of his vehicle. No driver of a limousine shall seek employment by repeatedly and persistently driving his limousine to and fro on the street, or do any so-called "cruising".

65.309 Limousine Stands

The City Council shall have power, by resolution, to locate and designate Limousine Stands and to limit the number of limousines permitted therein at any one time. The Council may also prohibit limousines from being parked on the any street in the City of Troy, except at a designated Limousine Stand.

65.310 Passenger Refusing to Pay Legal Fare

It shall be unlawful for any person to refuse to pay the legal fare of any limousine, after having hired the

Chapter 65 – Taxicabs, Limousines and Drivers

same, and it shall be unlawful for any person to hire any vehicle herein defined with intent to defraud the person from whom it is hired for the value of such service.

65.400 LIMOUSINE DRIVER PERMITS

65.401 Driver's Chauffeur's License Endorsements Required

No person shall operate a limousine for hire upon the streets of the City of Troy, and no person who owns or controls a limousine shall permit it to be so driven, unless the driver of said limousine has a valid Chauffeur's License issued by the State of Michigan.

65.402 Limousine Driver Permit Required

No person shall operate a limousine as a vehicle for hire upon the streets of the City of Troy without having first obtained a Limousine Driver Permit pursuant to the provision of this Chapter. All operators of limousines that pick up passengers in the City of Troy for a destination (either within or outside of the City of Troy municipal boundaries) shall comply with the provisions in this Chapter. Limousine drivers not issued a Limousine Driver Permit by the City of Troy may only deliver their fares from other jurisdictions to destinations within the City. However the drivers of limousines that have obtained a City of Troy Limousine Driver Permit may deliver their fares or passengers to destinations throughout the City or may call for and pick up passengers within the City in response to a direct request.

65.403 Limousine Driver Permit Application

In order to receive a Limousine Driver Permit, an applicant must first file an application on forms provided by the City of Troy with the City Clerk. Said application shall be verified under notarized oath. The application shall require the following items:

- A. Applicant's personal identification information
- B. The presentation of the driver's valid State of Michigan chauffeur's license, and a photocopy of the original
- C. The amounts of any unpaid judgments against the applicant and the nature of the transaction or acts giving rise to said judgments
- D. The experience of the applicant in the transportation of passengers
- E. A concise history of the applicant's employment The name, address and telephone number of the limousine company for whom the driver will be driving
- F. Applicant's fingerprints shall be taken by the Troy Police Department, for which there shall be a fee paid to the City of Troy, such fee shall be established by City Council Resolution.
- G. Any other information as the City Clerk may require

65.404 Limousine Driver Permit Application – Police Investigation

The City Clerk shall submit the application to the Police Department for an investigation. The Police Department shall review the application and all of the supporting documents, and make a summary report. This summary report, in addition to a copy of the traffic and police records of the applicant, shall be attached to the application for the consideration of the Chief of Police or designee for review.

The Chief of Police or designee shall approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the City Council to offer evidence why the Limousine Driver application should be reconsidered.

65.405 Limousine Driver Permit Issuance

If it is found that the applicant is fit, willing and able to provide public transportation and conform to the provisions of this Chapter, and upon approval of the application and payment of a driver permit fee, the City Clerk shall issue a Limousine Driver Permit. The permit shall contain the name, address, age, signature and photograph of the applicant, the number of vehicles authorized under said driver permit and the date of

Chapter 65 – Taxicabs, Limousines and Drivers

issuance. Such Limousine Driver Permit shall be in effect for the remainder of the permit year. Otherwise, the application shall be denied.

65.406 Limousine Driver Fees

Limousine Driver permit fees shall be subject to the provisions of Chapter 59 of this Code and the fee therefore shall be as specified in Chapter 60 of this Code.

65.407 Limousine Driver Permit Display

Every driver permitted under this Chapter shall post his Limousine Driver Permit in such a place as to be in full view of all passengers while such driver is operating a limousine.

65.408 Limousine Driver Permit Suspensions and Revocation

The Police Department may immediately revoke the Limousine Driver Permit upon the permittee's violation of any provisions of this ordinance or for other good cause.

If the Police Department revokes a Limousine Driver Permit, the permittee may appeal that decision by submitting a written letter to the Chief of Police within 72 hours of the time of notification of the revocation. This letter shall state the reasons why the applicant feels that the Limousine Driver Permit should be reinstated, and shall attach any evidence in support of the reasons. Within 48 hours of receiving such a letter, the Chief of Police shall either confirm or reverse the challenged action concerning the Limousine Driver Permit.

The suspension and revocation of Limousine Driver and/or Limousine Vehicle Permits shall be subject to the provisions of Chapter 59 of this Code. No Limousine Driver and/or Limousine Vehicle Permits shall be suspended for a period of longer than ten (10) days, or more often than once in ninety-days (90), but this shall not be deemed a limitation on the power of revocation, as specified in Chapter 59.

In addition to the grounds specified for suspension and revocation of permits as set forth in Chapter 59 of this Code, a permit issued under the provisions of this Chapter may be suspended or revoked if the holder has discontinued operation of a limousine possessing a City of Troy Limousine Permit for more than thirty (30) consecutive days.

65.500 AUTHORITY

65.501 Police Authority

Any police officer of the City of Troy shall have the power to stop any taxicab or limousine operating within the City of Troy to determine whether the vehicle is being operated in compliance with this Chapter.

65.502 Fraudulent Application or Use of Permits

No person shall submit a fraudulent application for a permit, or use any Taxicab Vehicle or Limousine Vehicle Permit and/or Taxicab or Limousine Driver Permit for purposes other than those specified in this Chapter, including, but not limited to, attaching a City of Troy Taxicab or Limousine Vehicle Permit to a non-permitted vehicle, or the use of another person's Taxicab or Limousine Driver Permit by a non-permitted driver.

65.503 Violations and Penalties

Any person, firm or corporation violating any provision of this Chapter shall be guilty of a misdemeanor punishable by a fine not to exceed \$500 and/or 90 days in jail.



CITY COUNCIL REPORT

November 28, 2006

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Announcement of Public Hearing
Commercial Vehicle Appeal – 5933 Diamond

Background:

- Commercial Vehicles, other than a single pick-up truck or van are prohibited from being parked outside on residential property per Section 40.66.00 of the Troy Zoning Ordinance.
- Mr. Karim Abdal, the owner of the property at 5933 Diamond, parks a 2006 Chevrolet cutaway van and a 2001 Ford cargo van, used for the commercial purpose of a heating and cooling business in the driveway of the home.
- Mr. Abdal was notified of the violation on September 13, 2006, and was given the option of removing the vehicle or seeking an appeal of the parking restrictions.
- On November 17, 2006, Mr. Abdal submitted an application seeking appeal.
- A public hearing, as required by Section 44.02.01 of the Zoning Ordinance, is scheduled for December 18, 2006

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

- City Council has the authority to grant appeals of the restrictions for outdoor parking of commercial vehicles on residential property after a public hearing per Section 44.02.00 of the Zoning Ordinance.

Policy Considerations:

- Holding public hearings on matters considered for appeals allows the public to offer their comments and concerns to promote effective decision making. (Goal 3)

Options:

- There are no options for this item.

RECEIVED

NOV 17 2006

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

BUILDING DEPT.

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

NAME: Karim Abdal

ADDRESS: 5933 Diamond Dr

CITY: Troy MI. ZIP: 48085 PHONE: 248-224-1513

ADDRESS OF SITE: 5933 Diamond Dr

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S)

① 1FTNE24L31HB6771
② 1GBH0310261122486
LICENSE PLATE NUMBER(S) ① 5585 LIB ② 5463 MY

DESCRIPTION OF VEHICLE(S) ① Van Ford E 250

② Chevy express KUV

REASON FOR APPEAL (see A - D below)

parking

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

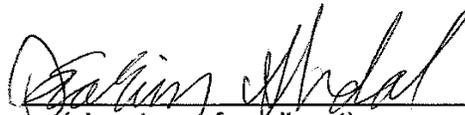
44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- 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..



(signature of applicant)

STATE OF MICHIGAN
COUNTY OF OAKLAND

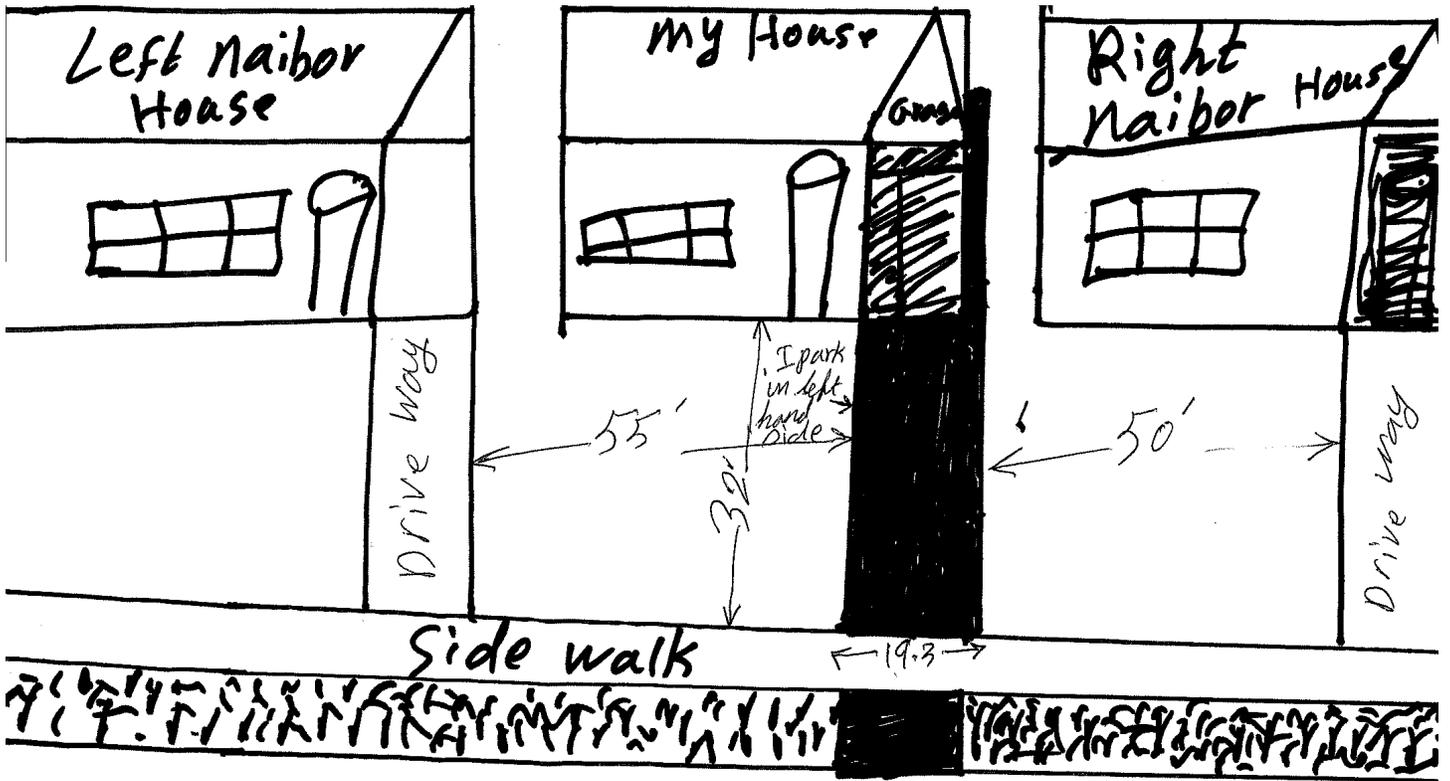
On this 17th day of November, 2006 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.



Notary Public, _____ County, Michigan

My Commission Expires: _____

PAMELA R. PASTERNAK
Notary Public, State of Michigan, County of Macomb
My Commission Expires September 2, 2017
Acting in the County of Oakland



Diamond Dr

RECEIVED
 OCT 16 2006
 BUILDING DEPT.





CITY COUNCIL REPORT

November 28, 2006

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director

SUBJECT: Announcement of Public Hearing – Proposed Rezoning (File Number: Z 723) – Proposed Taco Bell Restaurant, West side of Dequindre, North of Long Lake, Section 12 – O-1 to B-2

Background:

- The applicant proposes rezoning a 1.06-acre parcel from O-1 Low Rise Office to B-2 Community Business.
- The applicant proposes a Taco Bell restaurant with a drive-thru. Note that an office development is proposed for the west portion of the parent parcel, which will remain O-1.
- The parcel is classified on the Future Land Use Plan as Community Service Area. The Community Service Area classification has a primary correlation with the B-2 zoning district and a secondary correlation with the B-1, B-3 and O-1 zoning districts. The application therefore is consistent with the intent of the Future Land Use Plan. The parcel has been planned as such since 1982.
- The subject property was rezoned from R-1C One Family Residential to O-1 Low Rise Office in 2005. A 40-foot wide strip of property to the north was also rezoned to E-P Environmental Protection as part of the rezoning. This strip of E-P defines the northern limits of the Community Service Area. Furthermore, it assists in establishing an appropriate transition between the O-1 and B-2 zoning districts and the single-family residential neighborhood to the north.
- The Planning Commission held a public hearing on this item on November 14, 2006, and recommended approval of the proposed rezoning.
- A public hearing is scheduled for the December 18, 2006 City Council meeting.

Financial Considerations:

- There are no financial considerations associated with this application.

Legal Considerations:

- City Council has the authority to amend the Zoning District Map.

Policy Considerations:

- Approval of the rezoning application would be consistent with City Council Goal II, Retain and attract investment while encouraging development, and Goal VI, Protect life and property.

Options:

- City Council may approve the rezoning, deny the rezoning or postpone the rezoning.
- City Management recommends approval of the proposed rezoning, as recommended by Planning Commission.
- No action until public hearing on December 18, 2006.

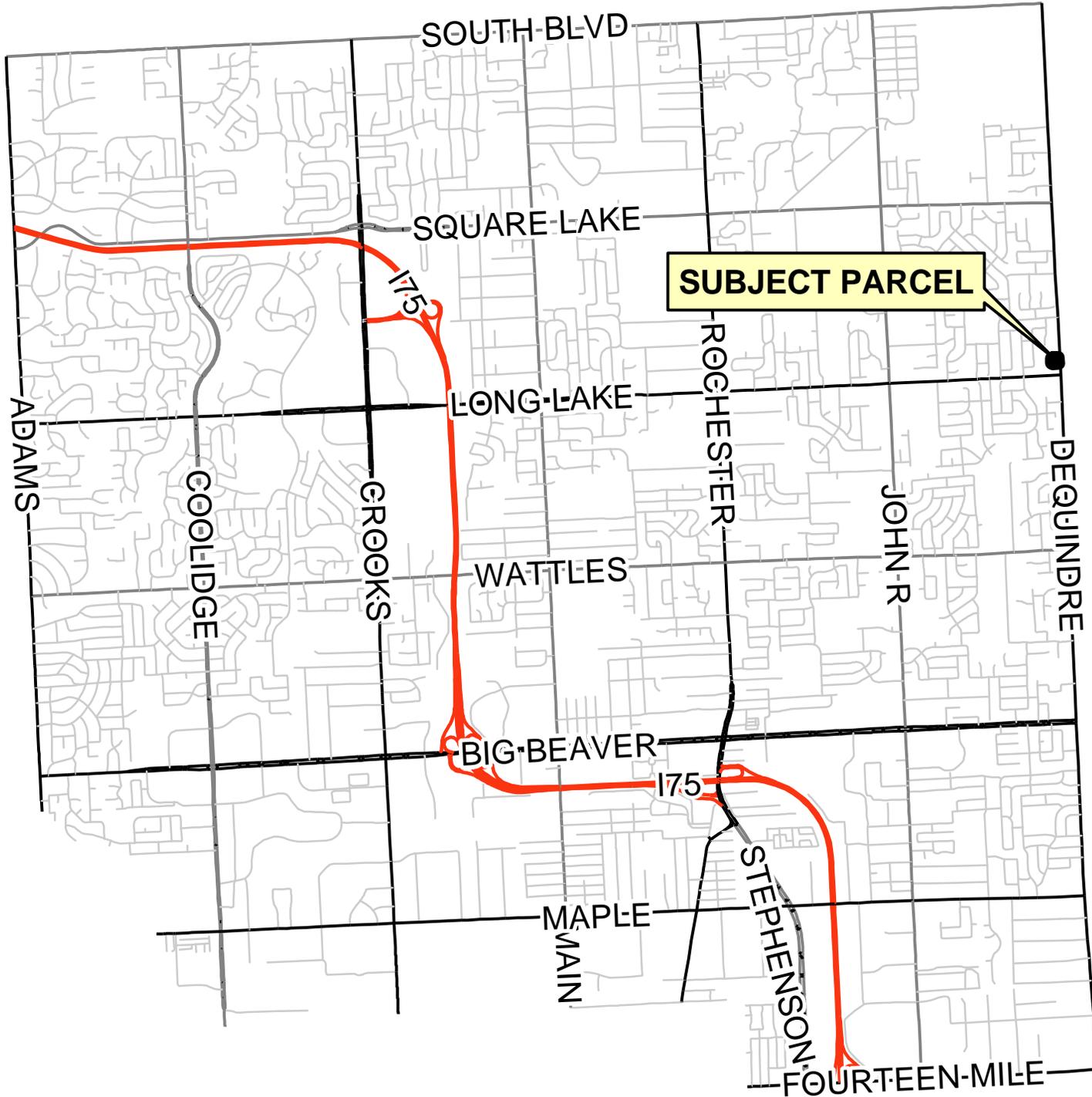
Attachments:

1. Maps.
2. Letter from applicant.

Prepared by RBS/MFM

G:\REZONING REQUESTS\Z-723 Proposed Taco Bell Sec 12\Announce CC Public Hearing Z 723 12 05 06.doc

CITY OF TROY



REZONING REQUEST
PROPOSED TACO BELL RESTAURANT
FROM O-1 TO B-2
W SIDE DEQUINDRE, N OF LONG LAKE
SEC. 12 (Z-723)

DAYTON

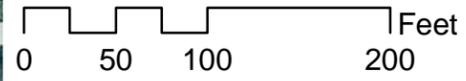
RENSHAW

FEDORA

DEQUINDRE

SUBJECT
PROPERTY

E LONG LAKE



REZONING REQUEST
PROPOSED TACO BELL RESTAURANT
FROM O-1 TO B-2
W SIDE DEQUINDRE, N OF LONG LAKE
SEC. 12 (Z-723)

(R-1C)

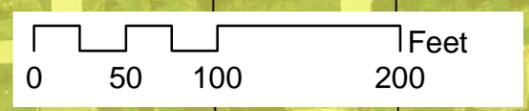
(E-P)

(O-1)

SUBJECT
PROPERTY

(B-2)

E LONG LAKE



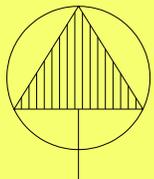
(B-1)

(H-S)

E

REZONING REQUEST
FROM O-1 TO B-2

LONG LAKE



NORTH

ATTACHMENT IN SUPPORT OF A REZONING REQUEST

To: City of Troy Planning Commission / City Council

From: Desine Inc. – Eric D. Rauch on behalf of Sundance Inc.

RE: Why the change requested is necessary for the preservation and enjoyment of substantial property rights, and that such change will not be detrimental to the property of other person located in the vicinity thereof.

Date: September 8, 2006

INTRODUCTION:

The petitioner, Sundance Inc. (franchisee for the Taco Bell corporation), owns and operates the Taco Bell restaurant located at 2955 E. Long Lake Road. This restaurant was constructed many years ago and is required to be updated to the current building prototypes and site specifications of the Taco Bell corporate office. At the July 24, 2003 City of Troy Board of Zoning Appeals meeting, the board denied the request for several variances that would have allowed Taco Bell to reconstruct at their current location at 2955 E. Long Lake Road. The variances requested included deviations from the minimum frontage allowed, site area, required greenbelt, and required parking spaces.

To construct a restaurant that can meet both Corporate and the City of Troy standards, the petitioner has agreed to a purchase offer on a portion of the property at 41113 Dequindre Road. This site provides the area, frontage, access, and public utilities required for a Taco Bell full service restaurant.

REZONING REQUEST:

To create useable space to the desires of the petitioner (Taco Bell) and the property owner (PDI Enterprises, LLC), the boundaries between adjoining properties of parcel #20-12-476-050 and parcel #20-12-476-011, would need to be reconfigured. The petitioner (Taco Bell) has agreed to terms with the property owner (PDI Enterprises, LLC) to purchase over an acre of land on parcels #20-12-476-050 and #20-12-476-011. To access the remaining portion of the subject property in the rear, the remaining portion of parcel #20-12-476-011 would be combined with the remainder of parcel #20-12-476-050 with cross access easements granted between the property owners. A conceptual Site Plan is attached to the rezoning application to depict the proposed improvements on both the proposed Taco Bell property and the remaining property behind it. The two (2) parcels would be reconfigured following approval of the Rezoning, Special Land Use, and Site Plan review requests.

REC'D

SEP 12 2006

PLANNING DEPT.

The subject property at 41113 Dequindre Road is currently zoned O-1, Office Building District. The rezoning request is for 1.06 acres (described on the attached certified survey) to B-2, Community Business District. The proposed rezoning request would permit the construction of a Taco Bell full service restaurant subject to the review and approval by the City of Troy Planning Commission. The remainder of the properties would continue to be zoned O-1, Office Building District. Additionally, combining the remainder of parcel #20-12-476-011 to the remainder of parcel #20-12-476-050 would create a 20-foot wide strip of O-1 zoned property to Dequindre Road and maintain a 40-foot wide E-P zoned property for environmental protection and buffering for the parcels to the North.

The proposed B-2 zoning is consistent with the City of Troy's Master Plan and general land use patterns in the immediate vicinity. The granting of this rezoning request will not unreasonably increase the congestion in public streets, the danger of fire, endanger public safety, or unreasonably diminish or impair the established property values within the surrounding area.

The recent growth of the intersection supports the proposed rezoning request and subsequent development of the subject parcel. The adjacent properties to the South are zoned B-2 and are utilized with businesses consistent with the zoning district. The southerly 20-feet of the proposed property to the North (a portion of parcel #20-12-476-011) will maintain its O-1 zoning designation and 40-feet of its E-P zoning designation on the Northern portion of the created 60-foot wide parcel. The created Northern parcel is to be combined with the remaining portion of the subject parcel to the west. The property will remain O-1 zoning. The property across Dequindre Road to the East is in the City of Sterling Heights and is utilized as a large commercial center.

CONCLUSION:

The proposed rezoning request is consistent with the land use patterns established in the immediate vicinity and the future land use patterns as outlined in the City of Troy Master Plan. The request would allow an established business to be upgraded in compliance with the City Ordinance and Corporate standards. The preservation of this establishment and the responsible development proposed for the area will provide an improvement to the business district and allow this intersection to continue to provide goods and services to the community, without being detrimental to the property of other persons.



CITY COUNCIL REPORT

November 15, 2006

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director

SUBJECT: Announcement of Public Hearing – Rezoning Application (File Number Z 180-B) – Proposed Binson’s Home Health Care Center, Northwest corner of Rochester and Marengo, Section 3 – R-1B to O-1 or R-1B to B-1

Background:

- A public hearing is scheduled for the December 18, 2006 City Council meeting.
- The Planning Commission recommended denial of the request to rezone the parcel to B-1 at the June 14, 2005 Regular meeting. On August 1, 2005, City Council postponed the item to the first Regular City Council meeting in March 2006. On March 6, 2006, City Council postponed the item to the first Regular City Council meeting in August 2006. On August 14, 2006, City Council postponed the item to the first Regular City Council meeting in October 2006.
- At the October 16, 2006 Regular meeting, City Council approved a Zoning Ordinance text amendment (File Number ZOTA 226) which permits medical equipment sales and service by right in the O-1 Low Rise Office District. Additionally, City Council remanded the item to the Planning Commission for consideration of O-1 zoning.
- At the November 14, 2006 Regular meeting, the Planning Commission recommended denial of the O-1 rezoning application.
- The Future Land Use Plan classifies the Rochester Road frontage in this area as Medium Density Residential. The Medium Density Residential classification correlates with the R-1T Zoning District in the Plan.
- On November 14, 2006, the Planning Commission adopted an amendment to the Future Land Use Plan that created a Rochester Road Overlay District that calls for a range of uses along this portion of Rochester Road.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

- City Council has the authority to act on this application.

Policy Considerations:

- The application is not consistent with the Future Land Use Plan.
- The Rochester Road Overlay District calls for a range of uses along this portion of Rochester Road. These uses, when developed with sufficient depth, would serve as a transition between Rochester Road and the abutting single-family residential neighborhood. The Zoning Ordinance will need to be amended to implement this concept.
- Denial of the rezoning request would be consistent with City Council Goal VI (Protect life and property).

Options:

- City Council can approve a rezoning to B-1.
- City Council can approve a rezoning to O-1.
- City Council can deny the rezoning application.
- City Management recommends denial of the rezoning application.

Approved as to Form and Legality:

Lori Grigg Bluhm, City Attorney

Attachments:

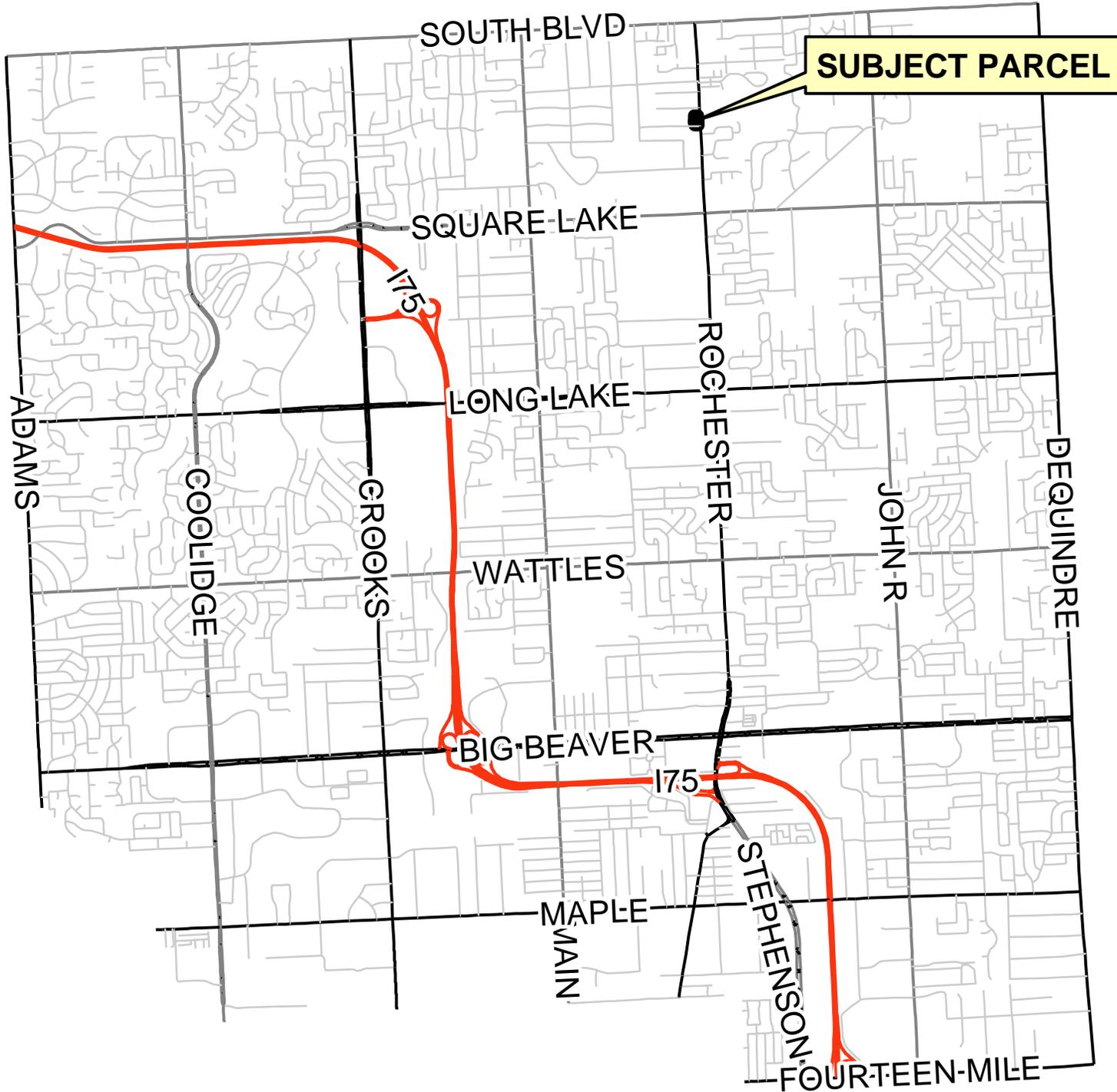
1. Maps.
2. Letter from David E. Plunkett, dated November 1, 2006.

cc: Applicant
File / Z 180-B

Prepared by RBS/MFM

G:\REZONING REQUESTS\Z-180 B BINSONS\Announce CC PH Z-180 B 12 04 06.doc

CITY OF TROY



REZONING REQUEST
PROPOSED BINSON'S HOME HEALTH CARE CENTER
FROM R-1B TO O-1
NW CORNER OF ROCHESTER RD. & MARENGO
SEC. 3 (Z-180 B)

SUBJECT PROPERTY

DEETTA

MARENGO

ROCHESTER

WOODSIDE

QUILL CREEK

VILLA PARK

PEACOCK



REZONING REQUEST
PROPOSED BINSON'S HOME HEALTH CARE CENTER
FROM R-1B TO O-1
NW CORNER OF ROCHESTER RD. & MARENGO
SEC. 3 (Z-180 B)

CJ-32

DEETTA

P.U.D.
1

(PUD)

SUBJECT PROPERTY

ROCHESTER

MARENGO

(B-1)

WOODSIDE

(CR-1)

(R-1B)

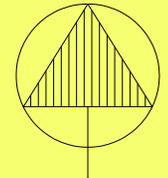
QUILL CREEK

VILLA PARK



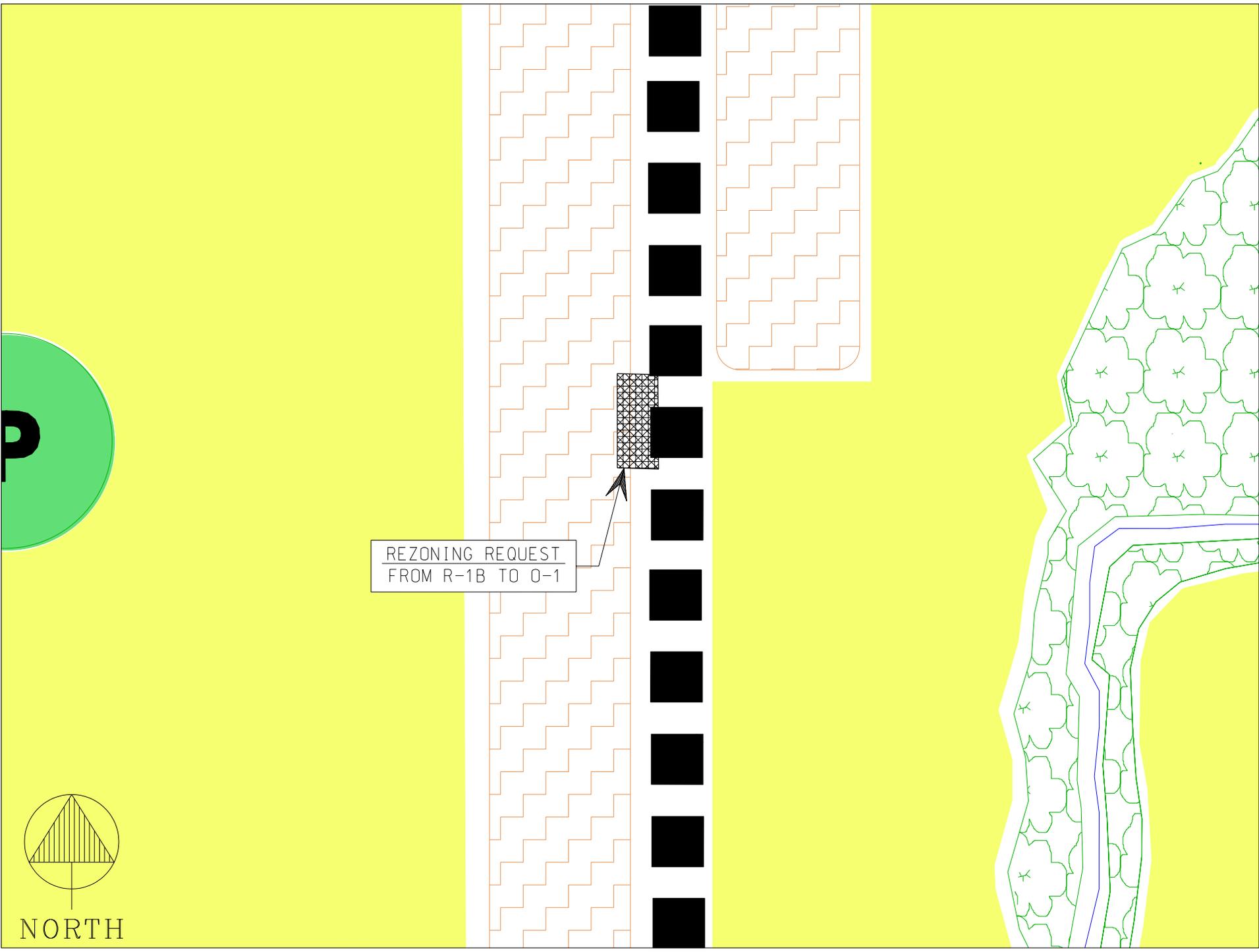
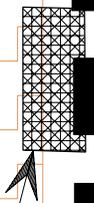
PEACOCK

3
(E-1)



NORTH

REZONING REQUEST
FROM R-1B TO O-1



November 1, 2006

Allan T. Motzny
City Attorney's Office
City of Troy
500 West Big Beaver
Troy, MI 48084

Re: Gerback v. City of Troy
Case No. 05-068744-CZ

Dear Allan:

This letter relates to the Notice of Public Hearing in connection with the Planning Commission's consideration of rezoning the subject Property to O-1 at its November 14, 2006 meeting. The Notice states that the public hearing relates to "the request of James Gerback of 300 Park Ventures LLC to rezone the following described property from R-1B (One Family Residential) to the O-1 (Low Rise Office) district." As you know, Mr. Gerback has made no such request. His Rezoning Request seeks B-1 zoning, not O-1. It is the City Council that has, improperly we contend, referred Mr. Gerback's Request to the Planning Commission to consider O-1 zoning.

This Notice is incorrect and misleading, and must be corrected through a revised Notice published in the same manner as the original. Please call to discuss.

Sincerely,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.



David E. Plunkett

cc: James L. Gerback

PARKS AND RECREATION ADVISORY BOARD

A regular meeting of the Troy Parks and Recreation Advisory Board was held Thursday, September 21, 2006 at the Troy Community Center, room 503. Chairman, Tom Krent called the meeting to order at 7:01 p.m.

Present: Merrill Dixon, member Jan Zikakis, member
 Kathleen Feges, member Meaghan Kovacs, member
 Tod Gazetti, member Kirk Serkh, student representative
 Tom Krent, member Jeff Biegler, staff
 Carol K. Anderson, staff

Absent: Stuart Redpath, Gary Hauff, Jeff Stewart, Rusty Kaltsounis, Stuart Alderman

Visitors:

Resolution # PR - 2006 - 09 - 013

Moved by Feges

Seconded by Zikakis

RESOLVED, that absent members are excused.

Yeas: All

Nays: None

MOTION CARRIED

Resolution # PR – 2006 – 09 – 014

Moved by Dixon

Seconded by Kovacs

RESOLVED, that the minutes from May 18, 2006 are approved as submitted.

Yeas: All

Nays: None

MOTION CARRIED

The new student representative, Kirk Serkh, was introduced to everyone. He is a senior at the International Academy of Bloomfield Hills and plays sports at Athens High School. Some of the sports he is active in are: soccer, skiing, and baseball to name a few. Welcome Kirk to the Parks and Recreation Advisory Board.

- A. Mater Plan Update – It is anticipated that the Master Plan will be ready by the October meeting. This plan is based on the information gathered from the surveys and focus groups that were held last year. The action plan will guide us for the next five years and as soon as it is available it will be mailed to Park Board members.
- B. Summer Activities Recap – The Aquatic Center had fewer users this season over last however, less depreciation, the facility nearly broke even.

Golf Courses – Sylvan Glen had the streambank stabilization project ongoing until June. With that project, fewer rounds were played compared to the same period last

year. The number of rounds played was 42,356 compared to an average year of 50,000 to 55, 000.

Sanctuary Lake revenues are meeting operating expenses but not debt. The number of rounds played was 26,000. Our goal is 40,000 rounds played to meet expenses.

Summer Programs – The revenue for summer programs was \$824,000. This amount does not include the swim program, golf lessons or any of the Nature Center programs.

Rachel Zelmanski, age 10, won the gold medal for her age group for the Hershey Track and Field Event in Hershey, Pennsylvania for the long jump. She was one of five representing the state of Michigan.

OLD BUSINESS

A. Capital Projects –

Tennis Courts at Boulan Park were partially reconstructed this past spring. The other half will be completed this fall or spring upon Council approval due to an increase in the project cost.

Community Center Fitness equipment was purchased and installed in August.

Ball diamond lights at Flynn park are proposed for spring 2007.

Streambank Stabilization project at Sylvan Glen golf course is complete except for a punch list that will be gone over with the engineering department and the company performing the work.

Bocce and Shuffleboard courts at the Community Center are awaiting approval from City Council.

Irrigation around the Community Center and the soccer fields at Jaycee Park was installed this summer.

The Aquatic Center is undergoing a renovation project. The wooden decks are being taken out and concrete circular pads will be installed in those areas with large umbrellas for shade. The Parks staff will do the demolition and the Streets staff will do the concrete work. Afterwards the Parks staff will do the landscaping.

Barn at the farm was stabilized and some renovation work was done this summer.

Member Comments

Meaghan Kovacs has received feedback regarding swim lessons at the Aquatic Center this summer. She suggested that the instructors be trained in child management.

Jan Zikakis would like the locust tree in front of her house removed. The roots are above ground and pose a liability for someone to get injured. Staff will look at the tree and grind the roots down but generally a live tree is not removed. Every effort will be made to make the area safe.

Merrill Dixon commented that the Parks department did an outstanding job with the flowers in the medians on Big Beaver this summer.

Staff Reports

A. Directors Report – Chuck Barnes, the manager of the Nature Center, retired after 25 years of service. His impact will be felt for many years to come. The posting for that job closes on October 6, 2006.

Three Parks and Recreation board members term expires at the end of this month; Stu Redpath, Rusty Kaltsounis and Jeff Stewart. Jeff was assigned as the Troy Daze representative on this board and the Troy Daze Committee will make the recommendation to fill this spot. This board should have a total of ten voting members.

B. Recreation Report – The website for Parks and Recreation is being updated. It will be more user friendly and have more links to information.

C. Parks Report – The Troy Daze Festival had a record turnout. Though the hours were shorter, Saturday had the highest sales the amusement company had ever had on any day. More families came to the event, there were no negative incidents and there was a wider variety and quality of food.

The meeting adjourned at 7:47 p.m.

Tom Krent, Chairman

Mary Williams, Recording Secretary

LIBRARY ADVISORY BOARD—FINAL**OCTOBER 12, 2006**

A Regular Meeting of the Troy Library Board was held on Thursday October 12, 2006 at the Office of the Library Director. Lynne Gregory, Chairman, called the meeting to order at 7:30 P.M.

ROLL CALL

PRESENT: Heather Eisenbacher
 Kul B. Gauri
 Lynne Gregory
 Nancy Wheeler
 Audre Zembrzuski

Arthi Krishna, Student Representative

Brian Stoutenburg, Library Director

The Pledge of Allegiance to the Flag was given.

Resolution #LB-2006-10-01

Moved by Eisenbacher
 Seconded by Wheeler

RESOLVED, That Minutes of June 26, 2006 be approved.

Yes: 5—Eisenbacher, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

Reviewed Agenda entries

Resolution #LB-2006-010-02

Moved by Gauri
 Seconded by Zembrzuski

RESOLVED, That the Agenda be approved.

Yes: 5—Eisenbacher, Gauri, Gregory, Wheeler, Zembrzuski
No: 0

MOTION CARRIED**INTRODUCTIONS**

Arthi Krishna was introduced as our new Student Representative. Meaghan Battle was introduced as the new Assistant Director for Public Services.

POSTPONED ITEMS

There were no Postponed items.

REGULAR BUSINESS

There was no Regular Business.

REPORTS & COMMUNICATIONS

Director's Report.

The signs for the exhibit galleries and display cases have been ordered. The power washing and painting of the roof panels should occur this Fall. The replacement HVAC units have arrived and should be lifted to the roof and connected shortly. The outside bench for the front of the Library has been installed. The Friends of the Library have made a \$5,000 donation to the library to purchase a collection of special needs toys for children. The new collection will be expanded to serve residents with their special needs regardless of age.

Board Member's Comments.

Gregory presented a couple of items from the Evanston Public Library – a survey form and a brochure on the gift book fund.

Gregory asked if the November Meeting could be changed as it currently conflicted with the Suburban Library Cooperative Trustees dinner. The rest of the Board Members indicated they were planning on attending the dinner. The meeting will be moved to November 16, 2006.

Gregory reported that he and Zembrzuski had attended a Friends meeting. There was a presentation of the "Library of the Future" project that they are undertaking for expansion of the existing building or a new building with adequate space.

Gregory asked if the Board thought that there would be a conflict of interest if an Advisory Board Member joined the Friends. The discussion had opinions on both sides of the issue.

Eisenbacher stated the importance of having a member of the Friends Board attend the Advisory Board meetings regularly.

Eisenbacher asked about whether printouts could be made available of what items a patron had checked on their record. Stoutenburg will try to have prices for printer equipment at the next meeting.

Eisenbacher asked if an inside bookdrop could be located away from the main circulation desk. It can, but determining a suitable location in the small lobby continues to be problematic. Any ideas from the Board would be welcomed.

Eisenbacher asked if a defined "smoker area" could be located outside and away from the doors. It can, but determining a suitable and workable location remains problematic. Any ideas from the Board would be welcomed.

Student Representative's Comments.

Krishna said that she was happy to be appointed to the Board.

Suburban Library Cooperative.

Gregory reported that SLC will be contracting with the delivery company that MelCat uses. The salary schedule was approved. The Board will be reviewing the personnel evaluation process. A disability insurance policy for staff has been secured. The cooperative will be relocated in their new building at the end of the calendar year.

Friends of the Troy Public Library.

There was no report.

Gifts.

Three gifts totaling \$110.00 were received.

Informational Items.

October TPL Calendar.

Contacts and Correspondence.

47 written comments from the public were reviewed.

Public Participation.

There was no public participation.

The Library Board meeting adjourned at 8:45 P.M.

Lynne Gregory
Chairman

Brian Stoutenburg
Recording Secretary

The Chairman, Michael Hutson, called the meeting of the Board of Zoning Appeals to order at 7:30 P.M. on Tuesday, October 17, 2006 in Council Chambers of the Troy City Hall.

PRESENT: Kenneth Courtney
Christopher Fejes
Michael Hutson
Matthew Kovacs
Mark Maxwell
Lawrence Littman

ABSENT: Marcia Gies

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Christopher Forsyth, Assistant City Attorney
Pamela Pasternak, Recording Secretary

Mr. Hutson informed the audience that if they wished they could postpone their request until a full Board was present.

Motion by Fejes
Supported by Courtney

MOVED, to excuse Ms. Gies from tonight’s meeting as she is out of town.

Yeas: 6 – Fejes, Hutson, Kovacs, Littman, Maxwell, Courtney

MOTION TO EXCUSE MS. GIES CARRIED

ITEM #1 – APPROVAL OF MINUTES – MEETING OF SEPTEMBER 19, 2006

Motion by: Courtney
Supported by: Fejes

MOVED, to approve the minutes of the meeting of September 19, 2006 as written.

Yeas: 5 – Hutson, Kovacs, Maxwell, Courtney, Fejes
Abstain: 1 - Littman

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUEST. JAE DUK CHO, OF ADA ARCHITECTS, 1304 E. MAPLE, for relief of the Ordinance to alter an existing industrial building, that will result with a parking lot on the north side of the building to within 10' of the north property line and 21'-8" to the east property line where Section 30.20.09 requires a 50' front setback and Paragraph L of Section 31.30.00 requires that the front yard remain free of parking and maneuvering lanes.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to alter an existing industrial building. The site plan submitted indicates the removal of the existing office portion of an industrial building and the expansion of the parking lot on the north side of the building to within 10' of the north property line along Maple Road and within 21'-8" of the east property line along Allen Drive. Section 30.20.09 of the Zoning Ordinance requires a 50' front setback in the M-1 (Light Industrial) Zoning District and Paragraph L of Section 31.30.00 requires that this front yard remain free of parking or maneuvering lanes. The parking lot along the east property line farther south on the lot is currently located 21'-8" from the front property line along Allen Drive based upon a variance granted in 1992.

This item last appeared before this Board at the meeting of September 19, 2006 and was postponed to allow the petitioner the opportunity to look at other options that are available; and to allow the petitioner to demonstrate to the Board the reason this much parking will be required.

Mr. Stimac explained that new drawings had been received and indicated that they have added more landscaping along the northwest corner of the site as well as additional landscaping proposed at the northeast corner of the site. In addition they have included some actual landscape islands within the parking lot at the front of the lot. Also, at the southeast corner of the building they have added another row of parking and put in some extra landscaping. One other change would be that some of the islands at the entrances of the drives are now proposed to be totally landscaped. Although, there have been changes to the site plan, the variance request is still identical.

Mr. Courtney asked if they would still be in excess of parking if they removed all of the parking spaces along Maple Road. Mr. Stimac said that he has not done the required calculation on the required parking. The other issue is that when looking at the use of this building, if they apply the industrial standard they are over the minimum parking requirements; however, if it was a retail business open to the public they would require more parking. Since, this business is a wholesale distributor dealing with only certain customers, they would probably fall somewhere in the middle.

Mr. Dan Saleet of ADA Architects, Jae Duk Cho of ADA Architects and Craig Nardi, the real estate developer that helped to purchase the property were present. Mr. Saleet said that he thought that the safety factor was probably lost in last month's presentation. Everything south of the building line has truck interference and in their opinion creates a

ITEM #2 – con't.

safety hazard. They have determined that out of 150 spaces on the lot, 97 spaces are south of the building line and in his opinion this would not be a safe area for parking.

Mr. Nardi, of MAI Global, was present and said that they have done a lot of creative deals taking properties that have specific challenges to them and have made them properties that do function. They took the minutes from last month's meeting and have tried to address the concerns that the Board members had. There is an abundance of parking, but the way the building was placed on the lot they put the parking at the back of the lot. Our concern is safety and if there is parking at the back of the lot there will be truck interference. There are tractor trailers that come and go, and it will be dangerous for customers leaving the building with a cart full of items. The trucks that are waiting will have a staging area at the back of the property and also off of the street. This is a fixture plan, and they have taken into consideration where the loading docks are. There are freezers and coolers and the tractor and trailers have to off-load directly into the freezer and cooler area. There are two docks that go into where the perishable goods are and they have to move the customer parking as far away from these docks as possible. On average, Restaurant Depot may have between 50 and 70 customers shopping at any given time. During the peak season such as holidays, this number would greatly increase.

Mr. Nardi said that the employees will park in the back, but they need customer parking as close to the building entrance as possible. They also looked at moving the entrance to the east side of the building, however, Mr. Nardi stated that they had drawn a 150' circle around that proposed entrance and that within that circle there are only 52 parking spaces. They also drew a 150' circle around what they want to be the entrance on the north side of the building, and this circle contains 67 parking spaces, which would give them more of what they are looking for. These examples were done to show the Board the difference between putting the entrance at the east side of the building, rather than the north side of the building.

Mr. Maxwell asked how much money each customer spends. A representative of Restaurant Depot was present and stated that the average purchase is around \$250.00 and the weight varies depending on what kind of product is purchased. Mr. Maxwell asked how large the carts were and was told that they are about 4' wide x 6' long. Mr. Saleet stated that they would be similar to the flat bed carts used at a Costco or Sam's Club.

Mr. Maxwell asked if it would be conducive to the customer to have a drive up loading lane where someone could be waiting to fill their vehicles or is it more conducive for them to push the carts out to their vehicles. Mr. Nardi said that the weight issue depends on the type of product that is being purchased. If there was a loading lane you would have to provide for a backup lane. Mr. Maxwell said that he did not feel the double lane of parking was needed and thought that perhaps a lane for loading would

ITEM #2 – con't.

be more efficient. This may be another way to help the customers pick up their products.

Mr. Nardi said that his wife owns her own catering business and only has a limited amount of time to go out and get the supplies they need. If a loading lane was there it could affect their time constraint in order to shop.

Mr. Maxwell said that there is also customer parking on the side of the building and if there was a loading lane, it would only be used by a certain number of customers. The representative from Restaurant Depot said that he did not believe this would be the most convenient way for the customer to get their items. They have found that it has worked very well for the customer to come, purchase his items and take them out to his car.

Mr. Maxwell stated that in his experience purchasing large items at Costco, it is just as convenient for him to go and get his car and bring it to the door in order to load his purchase. Mr. Cho said that this would be an inconvenience as other vehicles may be in the way. Mr. Maxwell asked if a loading lane in front of the building is a ridiculous idea and Mr. Cho said that he did not think it was ridiculous. Mr. Maxwell explained that this request is for a very large variance and it is beneficial for them to look at all options available.

Mr. Nardi said that it was not a ridiculous idea, but it could create a problem for the customer that has a time limit. They wouldn't know if there was a line or not and that might prevent them from coming to this site. The unknown could potentially cause a problem. Mr. Maxwell said that the petitioner had said that they would have between 50 and 70 customers at one time, and there are 36 parking spaces available at the front of the store.

Mr. Nardi said that was true, but during the peak seasons more parking is required. During the busy season restaurant owners could come to this location 5 – 6 times a week.

Mr. Courtney asked what the "high count" of customers was. Mr. Nardi said that typically for a store this size, you would have about 100 – 125 cars during the busy season. Mr. Courtney said he would like to know how many customers come in during this peak season. The representative from Restaurant Depot said that typically they handle about 50 customers an hour and during the busy season maybe 100 – 125 per hour.

Mr. Courtney asked how many stores they have. Mr. Nardi said that there were 55 stores around the country.

ITEM #2 – con't.

Mr. Littman questioned the 67 parking spaces in the 150' circle that the petitioner had drawn. Mr. Nardi said that they had done this just to show how much parking would be available if they located parking on the east side of the building. Mr. Littman asked what was in the northeast corner of the building. Mr. Cho said that it was HVAC equipment, restrooms and some offices. Mr. Littman asked if it was existing or if it was going to be put in. Mr. Cho said that they were going to put it in. Mr. Littman asked if they could move the entrance to the northeast corner. Mr. Nardi said that they aren't saying the entrance couldn't be on the east side. If they could put the loading docks in the front of the building parking would not be an issue. Mr. Littman asked if they wanted enough parking spaces for the busiest time of the year, or ideally, how many parking spaces do they want. Mr. Nardi said that parking on one side creates congestion for the customers that come and go. Ms. Nardi won't shop in a place like this during the busy season.

Mr. Littman asked how many spaces they really want close to the door. Mr. Nardi said that ideally they would like 100 parking spaces close to the door. Mr. Nardi said that they require a lot of parking, not just for one busy day, but for a busy time of the year. Mr. Nardi also said that they could take out the proposed parking closest to Maple and although they would still need a variance it would not be as large. Mr. Littman said that he could see where there would be a conflict with trucks on the south side of the building.

Mr. Courtney said that on the extreme north end there are 86 spaces and asked where they would put the entrance if they did not have the extra layer or parking. Mr. Nardi said that they have not looked at that option. Mr. Courtney said that he did not see a reason for the 13 spaces on the north side of the property and it would make him happy to see those eliminated.

Mr. Fejes said that if they took out the 13 spaces on the north side, the size of the variance would be reduced by a large amount. Mr. Fejes said he would not have a problem with this variance request if those spaces were eliminated.

Mr. Littman stated that he wasn't quite as straightforward as Mr. Fejes, but he is in agreement with Mr. Fejes. Mr. Littman asked if the trucks were going and coming all day. Mr. Littman was informed that the trucks come in and out during working hours.

Mr. Hutson asked how many trucks were coming in and out all day and was told that there are between 15 and 18 trucks each day. Mr. Hutson said that he is concerned about the intrusion into the setback on the north side of the parking lot. This is a large variance and it seems that the petitioner could look at other options.

Mr. Kovacs stated that he was also concerned about the north side of the property. Mr. Kovacs also said that he thought they could move the curb cuts and add additional parking where the entrance is. Mr. Kovacs said that he thought if the petitioner were creative they could regain the 13 parking spaces and still have enough of an area for

ITEM #2 – con't.

truck staging. They may not have enough parking during the peak season, but during the holidays most places do not have enough parking.

Mr. Nardi said that they got the message on the 13 spaces. They tried to address the concerns of the Board and the major concern was how this building looks to traffic along Maple Road. They have increased the amount of landscaping to create a buffer and keep the parked cars hidden from the traffic along Maple. If you are driving along Maple you would not see the cars parked in this row of parking. They have addressed the concerns of the Board regarding the parking along Maple.

Mr. Courtney said that if they eliminate one lane of parking this would add 10' to 18' of landscaping.

Mr. Maxwell stated that the sidewalk is about 10' from the parking lane around Maple. Mr. Nardi said that there are other properties along Maple that encroach into the 10' setback of Maple and Allen going down to I-75, they are in O-M Zoning and are allowed to go right up to the 10' area. They are trying to buffer and landscape this area so that the cars would not be visible along Maple.

Mr. Maxwell said that he did approve of the extra landscaping, but he felt that they had other options to look at that would reduce the size of the variance.

Mr. Courtney asked if the petitioner would like to explore the possibilities brought up by the Board and come back at a later time.

Mr. Nardi said he would like a few minutes to confer with the other members of his group.

Mr. Hutson opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Mr. Nardi asked the Board if this request could be postponed another thirty days in order for them to look at the suggestions made by the Board in order to see if this variance request could be reduced.

Motion by Courtney
Supported by Maxwell

MOVED, to postpone the request of Jae Duk Cho, of ADA Architects, 1304 E. Maple, for relief of the Ordinance to alter an existing industrial building, that will result with a parking lot on the north side of the building to within 10' of the north property line and 21'-8" to the east property line where Section 30.20.09 requires a 50' front setback and

ITEM #2 – con't.

Paragraph L of Section 31.30.00 requires that the front yard remain free of parking and maneuvering lanes until the meeting of November 21, 2006.

- Petitioner will determine if they can eliminate parking spaces in order to make reduce the size of this variance request.

Yeas: 6 – Hutson, Kovacs, Littman, Maxwell, Courtney, Fejes

MOTION TO POSTPONE THIS REQUEST UNTIL NOVEMBER 21, 2006 CARRIED

ITEM #3 – VARIANCE REQUEST. YEN CHEN, 4679 JOHN R., for relief of the Ordinance to construct an addition at the rear of his home that would result in a 26' rear yard setback, where Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct an addition at the rear of his existing home. The site plan submitted indicates the proposed three-season enclosure will result in a 26' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

This item last appeared before this Board at the meeting of September 19, 2006 and was postponed to allow the petitioner the opportunity to explore other options regarding this sunroom and if possible to make the variance request smaller.

Mr. Hutson explained that the Board was in receipt of a letter asking that this item be postponed.

Motion by Courtney
Supported by Littman

MOVED, to postpone the request of Yen Chen, 4679 John R., for relief of the Ordinance to construct an addition at the rear of his home that would result in a 26' rear yard setback, where Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District until the meeting of November 21, 2006.

- At the request of the petitioner.

Yeas: 6 – Kovacs, Littman, Maxwell, Courtney, Fejes, Hutson

MOTION TO POSTPONE THIS REQUEST UNTIL NOVEMBER 21, 2006 CARRIED

ITEM #4 – VARIANCE REQUEST. JOHN KUHN, 2172 E. WATTLES, for relief of the Ordinance to maintain a shed constructed in the front yard, where Section 40.56.02 prohibits the location of a shed in any yard except a rear yard.

ITEM #4 – con't.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to maintain a shed constructed in the front yard of this property. Section 40.56.02 prohibits the location of a shed in any yard except a rear yard.

Mr. John Kuhn was present and stated that he and his wife had purchased this home approximately 3 years ago and the landscaping makes it almost impossible to get the shed from the front to the back. The shed is not visible from any of the roads. Construction of the addition to the house took over a year. This shed has been there for a long time and no one had ever noticed it before.

Mr. Fejes asked what the shed is used for. Mr. Kuhn said that it is pretty full with gardening equipment, which includes a garden tractor.

Mr. Hutson asked if it had a foundation. Mr. Kuhn said that originally the shed was just placed on the ground, but he had added a circular drive and added a rat wall at that time. Mr. Kuhn also said that the neighbors would rather have the shed in this location rather than at the back of the lot. There are no fences and the shed in the back would be very visible.

Mr. Kovacs said that he drives by this house everyday and has never seen the shed and asked Mr. Kuhn to explain why it can't be moved to the back. Mr. Kuhn said that there are a number of trees and shrubs and there is no way to get the shed around these trees.

Mr. Kovacs asked what will happen when the road is widened. Mr. Kuhn said that he did not think they would remove the mature trees along Wattles Road in order to widen the road.

Mr. Kovacs asked if the shed would have to be removed if Wattles Road is widened. Mr. Stimac said that if the property is purchased and the right of way line is moved to the 60' line, the City would purchase the property from the petitioner. Mr. Kovacs asked if they would go around this property. Mr. Stimac said that he was unable to say what the future design of the road would be. Mr. Kovacs said that if the trees are removed, the shed should be removed. Mr. Stimac said that if Wattles goes to five lanes it is 31' from the section line to the south curb if the road is kept centered. If it is widened as is planned, Mr. Stimac's opinion was that the trees would be removed.

Mr. Kuhn said that if the road is widened, his driveway would be taken out also. Mr. Hutson said that the Board cannot consider these options since it has not happened yet.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

ITEM #4 – con't.

Mr. Kovacs asked if they could put in a provision that the shed remain screened. Mr. Kuhn said they are evergreens and have been there a long time. Mr. Stimac said that if the Board felt that the screening of the shed by the existing trees was an existing condition justifying the variance could make a condition of the action that the shed remain screened.

Motion by Kovacs
Supported by Courtney

MOVED, to grant John Kuhn, 2172 E. Wattles, relief of the Ordinance to maintain a shed constructed in the front yard, where Section 40.56.02 prohibits the location of a shed in any yard except a rear yard.

- Variance is not contrary to public interest.
- Variance does not permit the establishment of a prohibited use in a Zoning District.
- Variance will not have an adverse effect to surrounding property.
- Literal enforcement of the Ordinance makes conforming unnecessarily burdensome.
- Existing trees keep the shed from being seen from adjacent property.
- Shed will continue to be screened by landscaping.

Yeas: 6 – Littman, Maxwell, Courtney, Fejes, Hutson, Kovacs

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUEST. DENNIS SIAVRAKAS, 338 OLYMPIA

(PROPOSED ADDRESS), for relief of the Ordinance to split an existing parcel of land that will result in a 59.27' lot width, where Section 30.10.09 requires a 60' wide minimum lot width for single-family homes at this location, which is zoned R-2.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to split a 158.77 wide parcel of land at 330 Olympia into two parcels, one 99.5' wide containing the existing home and the other 59.27' wide proposed to be the site for a new single family residence. Section 30.10.09 requires a minimum lot width of 60' for single-family homes constructed in R-2 Zoned property.

Mr. Courtney asked if the petitioner could put the house on a 60' lot and have the variance given to the setback of the existing house. Mr. Stimac said that there are two ways that the petitioner could request a variance. The first way is to consider a setback variance from the existing house, and the second is to ask for a lot that will result in a 59.27' lot width. Mr. Courtney said that he personally would rather see a 60' lot.

ITEM #5 – con't.

Mr. Siavrakas was present and stated that they have an opportunity to build a beautiful home in a vibrant community. The plat was recorded in 1917 with the intent of having a new home on each of three (3) lots. If the variance is granted, this lot would fit in well with the neighborhood, as there are lots that are only 50' wide. All other setbacks will be met and they do not plan to add a big home. The home that is proposed is a two-story home with a two-car attached garage. They are trying to leave a buffer between this house and the property to the west that is zoned Industrial. All utilities are available and Mr. Siavrakas said that he had spoken to the neighbors and has received approval from them as they believe this will be an improvement to the area. Mr. Siavrakas said that he lives in a home that is on a 40' wide lot and when adding, fences, air conditioners, etc., the area between the homes becomes very close.

Mr. Courtney said that they could take 1' away from the house next door and he did not believe this would be a hardship. Mr. Siavrakas said that they would not be opposed to this solution.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There are no written objections on file.

Motion by Kovacs
Supported by Maxwell

MOVED, to grant Dennis Siavrakas, 338 Olympia (proposed address), relief of the Ordinance to split an existing parcel of land that will result in a 59.27' lot width, where Section 30.10.09 requires a 60' wide minimum lot width for single-family homes in the R-2 Zoning District.

- Variance is not contrary to public interest.
- Variance does not establish a prohibited use in a Zoning District.
- Variance will add a buffer for this home, which is next to Industrial property.
- Variance will not have an adverse effect to surrounding property.
- Denial will preclude full enjoyment of the permitted use of the property.

Yeas: 5 – Maxwell, Fejes, Hutson, Kovacs, Littman
Nays: 1 – Courtney

MOTION TO GRANT VARIANCE CARRIED

Mr. Stimac informed the Board that he had given them a copy of the updates for Chapter 39. Two text amendments have recently been approved by City Council. One of them has an effective date of October 1st and involves changes in procedure brought on by changes in the State Zoning Enabling Act. The second change that was

approved by City Council on September 18th does not go into effect until January 1, 2007. This is Section 43.74.00, and is a new provision of the Ordinance that gives the Board of Zoning Appeals the power to grant variances to allow the parking of commercial vehicles on residential property. There are specific standards that apply to the parking of commercial vehicles. Also, there is the deletion of Article 44, which is the power of City Council to hear commercial vehicle appeals and also the deletion of the power of City Council to hear parking variances.

Mr. Courtney asked if there is a new definition of commercial vehicles. Mr. Stimac said that at this time there is not, but what is being looked at is what commercial vehicles are allowed on the site and what commercial vehicles would require a variance. It is hoped that these revisions will be in place as of January 1st.

Mr. Fejes asked how this procedure will work, if it is an existing vehicle or if it is a vehicle coming into the area. Mr. Stimac said that in the past we have had people come in that are looking at buying a house and asked in advance for permission to park a commercial vehicle on the property. There are also many times that there are violations already on the site determined by the Code Enforcement officers at that time a variance is requested. There is a two-year maximum time frame on these variance requests and the Board will act on any existing approvals as they expire.

Mr. Littman said that it is not always obvious whether a vehicle is a commercial vehicle or not. Mr. Stimac said that the Planning Commission is developing the Ordinance language under which the requirements for appeals will be based.

The Board of Zoning Appeals meeting adjourned at 9:00 P.M.

Michael Hutson, Chairman

Pamela Pasternak, Recording Secretary

CITY OF TROY
MONTHLY FINANCIAL REPORT
31-Oct-06

CITY OF TROY
Monthly Financial Report
General Fund
For the Period Ending October 31, 2006

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	35,229,231	35,473,690	57,108-	36,303,971	102.34
BUSINESS LICENSES & PERMITS	42,846	40,000	2,084	7,816	19.54
NON-BUS. LICENSES & PERMITS	1,619,746	2,019,000	144,110	591,816	29.31
FEDERAL GRANTS	36,999	34,500	0	0	.00
STATE AGENCIES	7,001,768	6,765,000	25,196	76,945	1.14
CONTRIBUTIONS-LOCAL	188,667	140,000	3,077	39,856	28.47
CHARGES FOR SERVICES - FEES	1,413,488	1,271,500	146,142	221,479	17.42
CHARGES FOR SERVICES - REND.	1,620,747	1,642,100	49,608	390,043	23.75
CHARGES FOR SERVICES - SALES	172,760	151,500	6,975	35,209	23.24
CHARGES FOR SERVICES - REC	3,562,207	3,410,200	205,806	1,140,231	33.44
FINES & FORFEITS	994,372	1,012,000	365,310	602,718	59.56
INTEREST AND RENTS	1,583,459	1,443,300	241,349	620,711	43.01
OTHER REVENUE	493,433	491,900	10,328	156,245	31.76
OTHER FINANCING SOURCES	7,001,703	11,092,120	0	1,168,718	10.54
TOTAL GENERAL FUND REVENUE	60,961,426	64,986,810	1,142,877	41,355,758	63.64
EXPENDITURES					
LEGISLATIVE	1,837,323	2,041,140	126,713	526,651	25.80
FINANCE	4,552,248	4,869,370	360,251	1,410,273	28.96
OTHER GEN GOVERNMENT	2,612,507	2,807,150	144,319	621,040	22.12
POLICE	21,945,432	23,174,400	1,563,845	6,469,436	27.92
FIRE	4,036,110	4,212,260	204,963	1,600,109	37.99
BUILDING INSPECTION	1,991,733	2,169,250	146,062	609,010	28.07
STREETS	4,754,570	5,359,530	385,630	1,324,341	24.71
ENGINEERING	2,835,770	3,096,890	199,392	758,793	24.50
RECREATION	8,453,068	8,744,820	711,935	2,842,301	32.50
LIBRARY	4,780,601	5,002,000	371,329	1,433,516	28.66
TRANSFERS OUT	110,000	3,510,000	0	3,500,000	99.72
TOTAL GEN FUND EXPENDITURES	57,909,362	64,986,810	4,214,439	21,095,470	32.46

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending October 31, 2006

REFUSE FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	4,120,154	4,248,000	0	4,274,791	100.63
CHARGES FOR SERVICES - REND.	43,378	0	0	0	.00
CHARGES FOR SERVICES - SALES	1,387	1,500	84	534	35.60
INTEREST AND RENTS	130,482	100,000	14,051	50,254	50.25
OTHER FINANCING SOURCES	0	182,330	0	0	.00
TOTAL REVENUE	4,295,401	4,531,830	14,135	4,325,579	95.45
EXPENDITURES					
CONTRACTORS SERVICE	4,218,477	4,363,000	355,174	1,201,555	27.54
OTHER REFUSE EXPENSE	47,329	55,450	1,200	13,186	23.78
RECYCLING	101,287	113,380	5,917	28,245	24.91
TOTAL EXPENDITURES	4,367,093	4,531,830	362,291	1,242,986	27.43

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending October 31, 2006

CAPITAL FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	8,041,747	8,291,000	0	8,240,890	99.40
FEDERAL GRANTS	452,430	305,000	0	0	.00
STATE AGENCIES	716,655	1,409,000	282,690	282,690	20.06
CHARGES FOR SERVICES - REND.	256,611	150,000	11,471	12,483	8.32
INTEREST AND RENTS	1,028,366	607,200	65,144	230,597	37.98
OTHER REVENUE	1,093,607	335,260	60	389,831	116.28
OTHER FINANCING SOURCES	2,917,330	8,700,000	0	425,000	4.89
TOTAL REVENUE	14,506,746	19,797,460	359,365	9,581,491	48.40
EXPENDITURES					
ELECTIONS	40,500	65,000	0	0	.00
FINANCE	90,789	35,000	20	20	.06
OTHER GEN GOVERNMENT	4,593,061	2,170,000	22,004	48,577	2.24
POLICE	290,806	554,700	230	25,225	4.55
FIRE	890,504	497,830	709	10,104	2.03
BUILDING INSPECTION	1,992	10,000	0	190	1.90
STREETS	9,522,243	10,286,000	690,786	2,083,603	20.26
ENGINEERING	0	0	249	369,372	.00
RECREATION	6,305,029	3,778,500	75,024	529,511	14.01
LIBRARY	128,715	229,650	56,191	56,191	24.47
MUSEUM	290,313	265,000	10,910	12,866	4.86
STORM DRAINS & RET PONDS	1,519,540	1,205,780	68,852	258,259	21.42
INFORMATION TECHNOLOGY	0	700,000	0	0	.00
TOTAL EXPENDITURES	23,673,492	19,797,460	924,975	3,393,918	17.14

83500
FINANCE
FIN583

CITY OF TROY
Monthly Financial Report
Sanctuary Lake Golf Course
For the Period Ending October 31, 2006

1
11/27/06
10:00:09

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	31,413	45,000	1,980	16,627	36.95
CHARGES FOR SERVICES - REC	1,130,375	1,803,070	63,561	543,436	30.14
INTEREST AND RENTS	11,231	16,000	1,881	3,763	23.52
OTHER REVENUE	835	0	30	72	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,173,854	1,864,070	67,452	563,898	30.25
EXPENDITURES					
SANCTUARY LAKE GREENS	803,524	950,650	48,900	253,649	26.68
SANCTUARY LAKE PRO SHOP	922,103	1,109,230	309,686	409,975	36.96
SANCTUARY LAKE CAPITAL	4,606	25,000	0	0	.00
TOTAL EXPENDITURES	1,730,233	2,084,880	358,586	663,624	31.83

CITY OF TROY
 Monthly Financial Report
 Sylvan Glen Golf Course
 For the Period Ending October 31, 2006

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	26,486	38,500	2,528	15,509	40.28
CHARGES FOR SERVICES - REC	886,959	1,097,130	37,916	472,553	43.07
INTEREST AND RENTS	223,099	188,000	11,227	115,034	61.19
OTHER REVENUE	323-	0	9	123	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,136,221	1,323,630	51,680	603,219	45.57
EXPENDITURES					
SYLVAN GLEN GREENS	761,017	819,060	58,337	241,880	29.53
SYLVAN GLEN PRO SHOP	349,406	342,090	22,027	125,862	36.79
SYLVAN GLEN CAPITAL	0	136,000	0	28,568	21.01
TOTAL EXPENDITURES	1,110,423	1,297,150	80,364	396,310	30.55

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending October 31, 2006

AQUATIC CENTER FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	445,498	444,000	128	165,175	37.20
INTEREST AND RENTS	37,191	30,900	0	17,972	58.16
OTHER REVENUE	2	0	0	0	.00
TOTAL REVENUE	482,691	474,900	128	183,147	38.57
EXPENDITURES					
AQUATIC CENTER	638,064	616,730	51,184	300,969	48.80
CAPITAL	0	75,000	2,366	2,366	3.15
TOTAL EXPENDITURES	638,064	691,730	53,550	303,335	43.85

CITY OF TROY
 Monthly Financial Report
 Sewer Fund
 For the Period Ending October 31, 2006

SEWER FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
FEDERAL GRANTS	91,556	0	0	0	.00
CHARGES FOR SERVICES - FEES	154,746	700,000	52,858	174,422	24.92
CHARGES FOR SERVICES - REND	9,964,801	11,698,200	1,284,757	2,143,599	18.32
INTEREST AND RENTS	886,043	610,000	65,744	239,478	39.26
OTHER REVENUE	300,068	0	0	0	.00
TOTAL REVENUE	11,397,214	13,008,200	1,403,359	2,557,499	19.66
EXPENDITURES					
ADMINISTRATION	9,095,363	9,747,310	1,375,252	3,356,571	34.44
MAINTENANCE	1,344,160	1,350,480	24,137	318,546	23.59
CAPITAL	0	5,313,000	731,022	1,393,253	26.22
TOTAL EXPENDITURES	10,439,523	16,410,790	2,130,411	5,068,370	30.88

CITY OF TROY
Monthly Financial Report
Water Fund
For the Period Ending October 31, 2006

WATER FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	953,176	1,000,000	67,789	304,581	30.46
CHARGES FOR SERVICES - SALES	14,530,393	15,117,400	1,658,132	2,640,683	17.47
INTEREST AND RENTS	696,888	549,000	61,213	212,384	38.69
OTHER REVENUE	349,945	0	0	0	.00
TOTAL REVENUE	16,530,402	16,666,400	1,787,134	3,157,648	18.95
EXPENDITURES					
ADMINISTRATION	11,763,791	12,022,350	2,490,628	4,237,474	35.25
TRANS AND DISTRIBUTION	268,198	202,640	7,520	24,336	12.01
CUSTOMER INSTALLATION	72,949	101,870	6,532	25,793	25.32
CONTRACTORS SERVICE	157,225	191,590	17,998	63,315	33.05
MAIN TESTING	47,307	127,580	6,251	18,339	14.37
MAINTENANCE OF MAINS	311,450	380,800	6,087	137,847	36.20
MAINTENANCE OF SERVICES	197,156	224,710	8,995	59,883	26.65
MAINTENANCE OF METERS	337,341	352,160	12,117	169,973	48.27
MAINTENANCE OF HYDRANTS	221,812	261,400	71,388	137,684	52.67
METERS AND TAP-INS	267,684	351,940	23,692	79,083	22.47
WATER METER READING	113,466	83,510	16,532	67,427	80.74
ACCOUNTING AND COLLECTING	73,368	100,000	9,652	42,518	42.52
CAPITAL	0	6,660,000	244,597	565,343	8.49
TOTAL EXPENDITURES	13,831,747	21,060,550	2,921,989	5,629,015	26.73

CITY OF TROY
 Monthly Financial Report
 Motor Pool
 For the Period Ending October 31, 2006

MOTOR POOL FUND

Description	Last Year Actual	2006-07 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	941	5,000	0	0	.00
INTEREST AND RENTS	3,875,782	3,909,500	39,753	940,477	24.06
OTHER REVENUE	538,048	430,000	48,035	155,382	36.14
OTHER FINANCING SOURCES	0	1,176,210	0	0	.00
TOTAL REVENUE	4,414,771	5,520,710	87,788	1,095,859	19.85
EXPENDITURES					
ADMINISTRATION	525,097	557,590	37,964	153,610	27.55
OPERATION AND MAINTENANCE	3,168,002	3,310,820	270,428	1,005,127	30.36
DPW FACILITY MAINTENANCE	341,986	405,700	12,530	94,616	23.32
CAPITAL	0	1,246,600	873	18,869	1.51
TOTAL EXPENDITURES	4,035,085	5,520,710	321,795	1,272,222	23.04

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2006	11	2	9	ML	2006	8	4	5.080	TBILL	2,156,000		
	2006	11	2	7	HUNT BANK	2006	8	31	5.360	CD	2,089,335		2,129,292.55
	2006	11	2	7	CHART ONE	2006	8	31	5.310	CD	1,000,000		2,089,334.75
	2006	11	2	7	FLAGSTAR	2006	9	7	5.430	CD	2,185,668		1,000,000.00
	2006	11	8	7	FITB	2006	8	31	5.260	CD	2,227,581		2,185,668.22
	2006	11	9	9	ML	2006	8	10	5.040	TBILL	2,257,000		2,227,581.17
	2006	11	9	7	HUNT BANK	2006	8	31	5.400	CD	1,000,000		2,228,987.49
	2006	11	9	7	FITB	2006	9	7	5.260	CD	2,091,493		1,000,000.00
	2006	11	15	8	FITB	2005	11	30	5.000	2802	826,844		2,091,492.84
	2006	11	16	9	ML	2006	8	17	5.070	TBILL	2,301,000		809,683.98
	2006	11	16	7	CITIZENS	2006	8	31	5.280	CD	2,087,390		2,272,266.91
	2006	11	16	7	REPUBLIC	2006	9	7	5.300	CD	2,170,751		2,087,390.25
	2006	11	22	7	FLAGSTAR	2006	9	8	5.460	CD	1,000,000		2,170,750.74
	2006	11	22	7	CITIZENS	2006	9	14	5.300	CD	2,094,687		1,000,000.00
	2006	11	30	9	ML	2006	8	24	5.050	TBILL	2,354,000		2,094,686.51
	2006	11	30	7	TCF	2006	9	8	5.350	CD	1,000,000		2,322,472.10
	2006	11	30	7	HUNT BANK	2006	9	8	5.390	CD	1,000,000		1,000,000.00
	2006	11	30	7	FLAGSTAR	2006	9	14	5.460	CD	2,156,139		1,000,000.00
	2006	12	7	9	ML	2006	9	8	4.930	TBILL	3,979,000		2,156,138.54
	2006	12	7	7	FITB	2006	9	13	5.260	CD	2,000,000		3,931,202.26
	2006	12	7	7	FITB	2006	10	12	5.220	CD	1,009,440		2,000,000.00
	2006	12	7	7	CITIZENS	2006	10	26	5.250	CD	1,055,442		1,009,440.00
	2006	12	14	9	ML	2006	9	8	4.920	TBILL	2,721,000		1,055,442.09
	2006	12	14	7	CITIZENS	2006	9	13	5.350	CD	2,000,000		2,685,881.71
	2006	12	15	8	FITB	2005	5	25	5.000	FHLM 2808	189,439		2,000,000.00
	2006	12	21	8	FITB	2006	6	1	4.000	FHLM 5LGI	500,000		182,186.03
	2006	12	21	7	CITIZENS	2006	9	13	5.350	CD	2,000,000		496,909.72
	2006	12	21	9	ML	2006	9	14	4.900	TBILL	3,212,000		2,000,000.00
	2006	12	21	7	FLAGSTAR	2006	10	19	5.300	CD	2,105,056		3,170,248.46
	2006	12	21	7	TCF BANK	2006	10	19	5.300	CD	1,010,749		2,105,056.12
	2006	12	28	7	FLAGSTAR	2006	9	13	5.490	CD	2,000,000		1,010,748.61
	2006	12	28	9	ML	2006	9	21	4.940	TBILL	2,712,000		2,000,000.00
	2006	12	28	7	HUNT BANK	2006	10	5	5.340	CD	1,115,927		2,676,747.77
	2006	12	28	7	FLAGSTAR	2006	10	5	5.350	CD	1,073,802		1,115,927.31
	2006	12	28	7	PRIV BANK	2006	10	5	5.300	CD	511,110		1,073,801.66
	2006	12	28	7	PRIV BANK	2006	10	12	5.200	CD	1,034,062		511,110.26
	2006	12	28	7	FLAGSTAR	2006	10	19	5.300	CD	2,170,508		1,034,062.15
	2006	12	30	8	FITB	2004	3	25	4.500	FHR 2669DT	511,651		2,170,507.52
	2006	12	31	8	FITB	2004	1	1	4.000	MM	170,986		473,275.35
	2006	12	31	8	ML	2006	8	31	4.000	MM	4,145		170,985.92
	2007	1	4	7	FLAGSTAR	2006	9	13	5.490	CD	2,000,000		4,145.44
	2007	1	4	7	FITB	2006	10	19	5.250	CD	2,118,748		2,000,000.00
	2007	1	11	7	HUNT BANK	2006	9	13	5.410	CD	2,000,000		2,118,748.15
	2007	1	11	7	HUNT BANK	2006	10	12	5.360	CD	2,205,024		2,000,000.00
	2007	1	18	7	TCF BANK	2006	9	13	5.350	CD	2,000,000		2,205,024.01
	2007	1	23	8	NATL CITY	2006	10	23	5.135	FHLM	1,086,000		2,000,000.00
	2007	1	25	7	CHART ONE	2006	9	13	5.360	CD	2,000,000		1,072,234.35
													2,000,000.00

7 = CD 8 = Paper 9 = T-Bills

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2007	1	30	8	NAT CITY	2006	10	31	5.125	FHLM	1,042,000		
	2007	2	1	7	FITB	2006	9	13	5.310	CD	2,000,000		1,028,830.28
	2007	2	8	7	CHART ONE	2006	9	21	5.350	CD	2,000,000		2,000,000.00
	2007	2	15	7	FITB	2006	9	21	5.310	CD	2,000,000		2,000,000.00
	2007	2	22	7	FLAGSTAR	2006	9	21	5.530	CD	2,000,000		2,000,000.00
	2007	3	1	7	HUNT BANK	2006	9	21	5.410	CD	2,000,000		2,000,000.00
	2007	3	8	7	TCF BANK	2006	9	21	5.400	CD	2,000,000		2,000,000.00
	2007	3	15	7	TCF BANK	2006	9	21	5.400	CD	2,000,000		2,000,000.00
	2007	3	16	8	FITB	2005	2	9	3.560	FHLB 3133	2,109,508		2,109,508.46
	2007	3	22	7	CITIZENS	2006	9	21	5.350	CD	971,500		971,500.00
	2007	3	22	7	TCF BANK	2006	9	28	5.350	CD	2,109,055		2,109,054.96
	2007	3	29	7	LA SALLE	2006	9	28	5.175	CD	2,101,931		2,101,930.98
	2007	3	29	7	HUNT BANK	2006	9	28	5.360	CD	2,970,564		2,970,563.53
	2007	6	30	8	FITB	2003	2	27	5.000	MAX SAVER	2,102,370		2,102,369.83
	2007	6	30	8	FITB	2003	5	19	5.000	FHLMC95237	6,867,633		6,867,632.67
	2007	6	30	8	FITB	2003	7	30	3.600	FHR03 2640	529,000		528,434.34
	2007	6	30	8	FITB	2004	1	30	4.250	FHR 2537LA	436,000		428,242.17
	2007	6	30	8	FITB	2004	1	30	4.000	FHR 2535LK	123,000		114,817.63
	2007	6	30	8	HUNT BANK	2004	8	27	4.300	MM	1,252,000		1,184,318.74
	2007	6	30	8	FITB	2004	10	7	2.250	FHR 2625QX	556,440		556,440.38
	2007	6	30	8	FITB	2004	10	8	3.250	FHR 2564CN	358,200		345,868.63
	2007	6	30	8	FITB	2004	10	12	4.000	FHR 2617BG	1,144,000		1,097,063.56
	2007	6	30	8	FITB	2004	11	16	3.500	FHLM 2586	2,526,000		2,491,512.81
	2007	6	30	8	FITB	2005	8	30	4.500	2545	139,000		122,316.66
	2007	6	30	8	FITB	2005	9	29	4.500	FHLM 2618	366,000		349,047.35
	2007	6	30	8	MBIA	2005	11	18	5.090	MBIA	775,000		775,000.00
	2007	6	30	8	FITB	2006	1	30	4.500	FHLM 2557	1,541,989		1,541,988.98
	2007	6	30	7	CITIZENS	2006	5	4	5.000	MMIA	997,000		996,281.25
	2007	6	30	8	FITB	2006	9	8	5.000	MAXSAVER+	1,072,469		1,072,469.07
	2007	7	15	8	FITB	2006	9	25	4.500	2866	1,007,451		1,007,451.03
	2007	7	15	8	FITB	2006	10	31	4.500	2608	577,233		564,819.66
	2007	7	31	8	FITB	2004	7	26	3.500	FNRO3 24	498,000		497,178.80
	2007	7	31	8	FITB	2005	1	11	4.000	FNMA 42	70,000		69,761.14
	2007	7	31	8	FITB	2005	8	26	4.500	31	1,204,000		1,203,886.14
	2007	7	31	8	FITB	2006	3	13	5.500	FNMA 71	1,204,000		1,203,368.34
	2007	7	31	8	FITB	2006	4	17	4.000	2003-10	102,000		101,567.73
	2007	7	31	8	FITB	2006	6	30	5.000	86	451,000		450,648.55
	2007	7	31	8	FITB	2006	8	25	5.500	FNMA 73	445,200		445,160.19
	2007	11	15	8	FITB	2005	7	27	4.500	FHLM 2687	747,000		746,890.63
											2,830,000		2,823,343.75
											TOTAL		131,118,699.18
591	2006	11	2	7	REPUBLIC	2006	8	31	5.300	CD	148,626		148,625.56
	2006	11	2	7	HUNT BANK	2006	8	31	5.360	CD	162,477		162,477.22
	2006	11	15	8	FITB	2005	8	26	4.500	FHLM 2687	1,000,000		995,000.00
	2006	12	31	8	FITB	2006	2	25	3.500	FHLM 2786	89,000		74,251.42
	2007	2	7	8	NAT CITY	2006	10	10	5.080	FNMA	1,525,000		1,499,583.33

7 = CD 8 = Paper 9 = T-Bills

11/15/06 13:56:26

11/15/06

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

Ref.: INVQY012
Page: 3

PAGE 3

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
591	2007	3	29	7	LA SALLE	2006	9	28	5.175	CD	2,890,953		2,890,953.00
	2007	6	26	8	FITB	2006	6	26	3.000	FNMA 3136	100,000		99,241.67
	2007	6	30	7	COMERICA	1997	7	1	4.920	GOV'T POOL	1,978,266		1,978,266.94
	2007	6	30	8	FITB	2004	2	2	3.750	FNR03 24MN	247,000		220,440.70
	2007	6	30	8	FITB	2005	8	31	1.000	MM	256,833		256,833.19
	2007	6	30	8	FITB	2005	9	29	4.500	FHLM 2618	325,000		325,000.00
	2007	6	30	8	FITB	2006	3	3	5.000	FHLM 2561	97,000		92,054.95
	2007	6	30	8	FITB	2006	4	11	3.950	FNMA 3135	1,000,000		980,833.33
	2007	6	30	8	FITB	2006	5	25	4.000	GNMA 20	64,000		44,484.19
	2008	3	25	8	FITB	2006	8	9	5.500	FNMA 73	125,000		124,801.22
										TOTAL			9,892,846.72
688	2007	6	30	7	CHASE	1997	7	1	4.940	GOV'T POOL	1,398,632		1,398,632.01
										TOTAL			1,398,632.01
										TOTAL			142,410,177.91

*** END OF REPORT ***

7 = CD 8 = Paper 9 = T-Bills

Dave Lambert
1188 Player Dr.
Troy, MI 48085

November 30, 2006

TO: Mayor, Council, City Manager, and City Attorney

Thank you for providing me with the opportunity to attend the National League of Cities' 14th Annual Leadership Summit, September 21-23, 2006. This year's Summit was held at the Cheyenne Mountain Resort, Colorado Springs, CO.

The 3-day session was facilitated by author Peter Block, leadership scholar Allan Wallis, national civic leader Christopher Gates, and Center for Creative Leadership trainers Pam Shipp and Michael Gardner.

Thursday Morning, September 21

Meeting of the Leadership Training Council:

1. National League of Cities (NLC) staff person Janice Pauline provided an update on some of the changes taking place at our trade association. NLC is undergoing a cultural change from one that is process driven to one that is issue driven. Emergency preparedness, affordable housing, and public finance will be the new staff issue work groups. These changes will affect the future types of Leadership Training Institute (LTI) seminars that are offered.
2. LTI will adopt a Diamond level award which is an ongoing award that needs to be maintained by meeting a new mentoring requirement and by taking 4 LTI credits every year.
3. Chicago Alderman Gene Schulter reported on the 2007 Annual Leadership Summit that will be held in Chicago at the Union League Club, September 27-29.

Thursday Afternoon, September 21

Topic: Building our Learning Community
Facilitator: Pam Shipp

Topic: Creating a New Culture: Changing Our Ideas of Leadership
Facilitator: Peter Block

Shipp is a Senior Program Associate at the Center for Creative Leadership at the Colorado Springs campus. She is also a faculty member of the Leadership at the Peak and the Foundations of Coaching.

Block is an author, consultant and citizen of Cincinnati, Ohio. His work is about empowerment, stewardship, chosen accountability, and the reconciliation of community.

Here are the most interesting/relevant statements made by the facilitators at the afternoon session:

1. How can we deal with the “fragmented” nature of our communities? Better leaders and more funding are not always the answer.
2. We need to change the nature of the conversation and the way we engage citizens. We should not merely treat citizens as customers.
3. Give citizens the opportunity to meet in small groups and speak about a problem without looking for answers or solutions.
4. Create a culture of accountability.
5. You don't always need consensus.

Friday Morning, September 22

Topic: Leading in Challenging Times: The Role of Adaptive Leadership

Facilitator: Allan Wallis

Wallis is an Associate Professor of Public Policy at the Graduate School of Public Affairs, University of Colorado at Denver, where he directs the Ph.D. program as well as the concentration in local government. He currently teaches courses in leadership and ethics, urban policy, growth management policy, and innovation in public management.

Wallis made an excellent presentation on the leadership lessons exhibited by Sir Ernest Shackleton during his expedition to the South Pole. This explorer's 1914-1916 *Endurance* expedition is one of the greatest survival stories of all time.

How did Ernest Shackleton use “adaptive” leadership to bring his men home alive and what can we learn from his experience?

According to Wallis, here are the leadership lessons to be learned from Shackleton:

1. Know when you're stuck in the ice. Don't confuse an adaptive challenge with a technical challenge.
2. Develop a group or team identity to meet the challenge...make every individual responsible for the solution.
3. Frame a Winning Attitude... Bring a realistic sense of optimism to your task and

share that optimism with others you work with. Optimism is a learned behavior.

4. Develop a Vision... Reframe the situation to provide a "clear and elevating vision" of a positive outcome to your efforts.
5. Deal with Conflict Constructively... Address challenges to your authority in a manner that maintains all of the resources that you need.
6. Form a Bold Strategy: a strategy whose risks are in proportion to the challenge that you face.
7. Practice Going to the Balcony... Keep clear the distinction between self and role.
8. Form an Inner Council in Whom You Can Confide... Use your council as a sounding board and include your critics.
9. Build a Personal Sanctuary... Develop and maintain stress reduction practices.

Friday Afternoon, September 22

Topic: Shackleton's Crossing: An Experience of Leadership and Commitment
Facilitator: Michael Gardner

Michael Gardner has been an adjunct faculty member at the Center for Creative Leadership for the past seven years. He works with senior-level executives in industry and government from around the world in the Center's flagship program, Leadership at The Peak (LAP).

This was an "experiential" learning activity. We broke up into groups and conducted team-building exercises. While interesting, I found it to be more relevant for a business or other group that works together on a regular basis.

Saturday Morning, September 23

Topic: The Restoration of Community: Sharing the Public Agenda
Facilitator: Christopher T. Gates

Gates is the immediate past president of the National Civic League, the nation's oldest organization advocating for the issues of community democracy that was founded in 1894 by civic reformers including Teddy Roosevelt and Louis Brandeis.

Gates addressed the importance of citizen participation. According to Gates, "Citizen participation in political, community, and neighborhood affairs is critical to the creation and maintenance of a strong, vibrant community. Citizen participation is at once the most and least controversial issue of democratic theory today."

Here are some of the interesting observations by Gates:

1. We can't blame low voter turnout on apathy. Instead, people don't vote because they don't think that their vote makes a difference.
2. We also have a victim culture. People don't think that they can control their future.
3. Those individuals who can be counted on to vote are part of the WW II generation.
4. Voting participation is a coming crisis in the US.
5. The other crisis is the declining involvement in clubs and organizations.

Gates also discussed Robert Putnam's book "Bowling Alone." Here are Gates' observations:

1. As a nation, we see a decline in trust, reciprocity, and "Social Capital."
2. Social capital exists, can be measured, and can be created.
3. In northern Italy, communities with high social capital, have higher levels of health, higher quality of life, and democracy functions at a higher level.
4. There are two kinds of social capital. "Bridging Capital" is creating relationships with people who are not similar and/or who do not share similar beliefs. This is declining. "Bonding Capital" is creating relationships with people who are like you or who share similar beliefs. This is the norm in our nation today.
5. The biggest causes for the decline of social capital are television and long work commutes.

Conclusion

The highlights of the Summit were the presentations by Wallis and Gates. I thought they were most relevant to my role as a City elected official.

I would like to thank the taxpayers of the City of Troy for providing the revenue that allows their elected officials to attend these types of educational sessions.

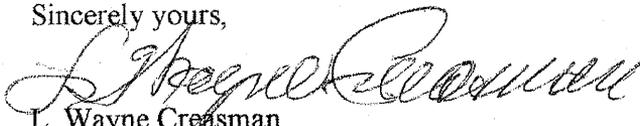
Troy Police Department
Community Services Section
500 W. Big Beaver
Troy, Michigan 48084

Attn: Officer Theresa Harrison

October 5, 2006

On behalf of the Senior Connection at Stone Haven Free Methodists Church, I would like to thank you for your presentation to us on Monday evening September 25. We all feel much more informed with the information you gave relative to current scams going on in our community and ID thefts. The group appreciated the Q and A period afterwards. I know that the comment you made regarding the use of one credit card specifically for internet purchases made a lot of sense to my wife and I. Your presentation was professional, informative, and useful. Thank you again for your service and time away from your family.

Sincerely yours,



L. Wayne Creasman
For the Senior Connection

Cc: C. Caddy

CC: City MGR.
Capt. Mayra
Off. Harrison/File
BB

RECEIVED
Chief of Police
11/27/06 CR



October 19, 2006

Ms. N. Kaptur
Community Policing
Troy Police Department
500 West Big Beaver
Troy, MI 48084

Dear Nikki:

Thanks so much for making time in your busy schedule to talk to our staff about Substance Abuse. Both you and Ann gave our folks a lot of useful information and we thought your presentation was outstanding. Your comments about "having to think like someone who is abusing a substance" were right on and further reinforced by the confiscated paraphernalia you brought with you.

Some of the comments I heard after the presentation were:

*"That's the best program we've ever had."
"I really learned a lot."
"I never knew that stuff about GHB."
"I thought hookahs went out with Janis Joplin."*

I can't thank you two enough!

Best Regards,

Lee Gillett
Associate Dean

CC: Cim Mgr
Capt. Mayor
Off. Kaptur/filg
BSB



RECEIVED
Chief of Police
4/27/06 CR

MACOMB COMMUNITY COLLEGE
44575 GARFIELD A227
CLINTON TWP MI 48038



CRIMINALISTICS

FROM THE DESK OF JON HOWINGTON

VOICE 586 286 2159

FAX 586 286 2038

howingtonj@macomb.edu

papajon478@yahoo.com (on retirement)

Mayor
Troy, Michigan

RECEIVED

NOV 27 2006

CITY OF TROY
CITY MANAGER'S OFFICE

I am sending you this letter to express my compliments for the efforts of Chief Charley Craft and the other officers of your police department.

The volunteer efforts of all of the contacted members of your police organization have always provided very positive input into our program for the benefit of our students and the community.

Please find the means to express my thanks to Charley and the other officers.

A handwritten signature in cursive script that reads "Jon Howington". The signature is written in black ink and is positioned above the printed name.

Jon Howington
Professor
Law Enforcement

COUNTY OF OAKLAND
OFFICE OF THE SHERIFF

J-03d

MICHAEL J. BOUCHARD



November 9, 2006

CHIEF CHARLES CRAFT
TROY POLICE DEPT
500 W BIG BEAVER
TROY MI 48084

Chief Craft:

This letter is to let you know how wonderful Nicolette Kaptur was at our inservice at the Oakland County Jail. Her presentation to our clinic staff was very professional and informative as well as entertaining.

We are the medical clinic that services inmates and although we have knowledge of street drugs that are available Nicki gave us a different viewpoint and taught us street lingo that we may have never known and can definitely use.

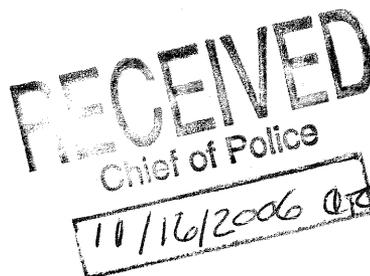
Thank you for allowing her to give her presentation. We would love to have her back in the future.

Sincerely,

Mary Huyck PA-C

Mary Huyck, PA-C
Clinical Health Services
Oakland County Sheriff's Office
Jail Clinic

cc: CITY MANAGER
CAPT. MAYER
OFF. KAPTUR
OFF. KAPTUR'S FILE
CORRESPONDENCE FILE



December 2006

December 2006							January 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	3	4	5	6	7	8	9	7	8	9	10	11	12
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				December 1	2
					3
4	5	6	7	8	9
7:30pm City Council Meeting (Council Chambers)	7:30pm Planning Commission Special/Study (Council Boardroom)	8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL)			10
11	12	13	14	15	16
7:00pm Liquor Advisory Committee Meeting (Conference Room Lower Level)	7:30pm Planning Commission Regular Meeting (Council Chambers)				17
18	19	20	21	22	23
7:30pm City Council Meeting (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	24
25	26	27	28	29	30
City Hall Closed				City Hall Closed	31

12/18 PH Rez.Z-723 Taco Bell
 12/18 PH Rez. Z-180B Binson's
 12/18 PH Comm. Veh. App. 5933 Diamond

January 2007

January 2007							February 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
January 1, 07	2	3	4	5	6
		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room LL)			7
8	9	10	11	12	13
7:00pm Liquor Advisory Committee Meeting (Conference Room Lower Level) 7:30pm City Council Meeting (Council Chambers)					14
15	16	17	18	19	20
	7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			21
22	23	24	25	26	27
7:30pm City Council Meeting (Council Chambers)					28
29	30	31			

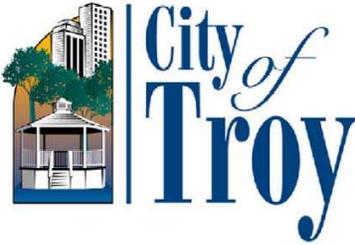
12/18 PH Rez.Z-723 Taco Bell
 12/18 PH Rez. Z-180B Binson's
 12/18 PH Comm. Veh. App. 5933 Diamond

February 2007

February 2007							March 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3					1	2	3
4	5	6	7	8	9	10	4	5	6	7	8	9	10
11	12	13	14	15	16	17	11	12	13	14	15	16	17
18	19	20	21	22	23	24	18	19	20	21	22	23	24
25	26	27	28				25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			February 1	2	3
					4
5	6	7	8	9	10
7:30pm City Council Meeting (Council Chambers)		8:30am BUILDING CODE BOARD OF APPEALS (Conference Room L) 7:30pm City Council Liquor Hearing (Council Chambers)			11
12	13	14	15	16	17
7:00pm Liquor Advisory Committee Meeting (Conference Room Lower Level)					18
19	20	21	22	23	24
	7:30pm BZA (Chambers) 7:30pm Historic District Commission (Conference Room C)	7:30am DDA Meeting (Conference Room Lower Level)			25
26	27	28			
7:30pm City Council Meeting (Council Chambers)		7:30pm City Council Liquor Hearing (Council Chambers)			

12/18 PH Rez.Z-723 Taco Bell
 12/18 PH Rez. Z-180B Binson's
 12/18 PH Comm. Veh. App. 5933 Diamond



City Council Report

November 27, 2006

To: Phillip L. Nelson, City Manager

From: John M. Lamerato, Assistant City Manager/Finance and Administration
Gert Paraskevin, Information Technology Director

Subject: Report and Communication - GIS Case Study

Background:

- The Information Technology Department has been working diligently over the past 10 years developing its Geographic Information System (GIS) utilizing the most current software from ESRI.
- Attached please find several articles featuring the City of Troy and its use of a new product that allows the integration of GIS data from the ESRI platform, and the reporting tool Crystal Reports by Business Objects. Article sources:

ESRI website: http://www.esri.com/partners/alliances/business_objects/apos.pdf
(GIS software vendor)

TDWI website:

<http://www.tdwi.org/Publications/WhatWorks/display.aspx?id=8184>

(TDWI is the premier educational institute for business intelligence and data warehousing.)

CRM Today website: <http://www.crm2day.com/news/printnews.php?id=120431>

(A website dedicated to Customer Relationship Management)

- The Case Study as described in these articles are the result of hard work on the part of Alex Bellak, GIS Administrator for the City. Alex was looking for a product that would allow the easy integration of maps and other GIS data into reports to accommodate various requests. One of these requests came from the Engineering Department. They were trying to find a better way to maintain benchmark information and location data and respond to contractor requests for this data. Alex initially worked with Business Objects, but when they were unable to satisfy our needs they recommended us to a company, APOS, developing just such a product. APOS knew we had the expertise in the area of ESRI GIS that would be needed, and asked us to beta test and participate in the development of their product. As a result Alex was able to develop an efficient solution for Engineering that combines use of the **Hansen** Asset Management System, our web based **GIS** and Crystal Reports. The elegance of this solution was quickly recognized by APOS and other

organizations that now feature this case study in their publications. We have continued to work with APOS and influence the development of their product that in turn has made it easier to develop applications to meet the needs of the City of Troy.

Financial Considerations:

- As a beta test client the city was awarded a free license to the APOS product and one year free maintenance.
- Continued strong financial support for IT staff development and use of the latest technologies is a key to providing efficient solutions that help the city to better serve businesses and residences.

Legal Considerations:

- There are no legal considerations

Policy Considerations:

- Development of integrated applications contributes to City Council Goal 1: Minimize cost and increase efficiency of City government.
- The benchmark project demonstrates how the ability to easily and accurately generate reports for contractors meets City Council Goal 3: Effectively and professionally communicate internally and externally.

Options:

- There are no options connected with this report.



Case Study

City of Troy, Troy, Michigan, USA

"We were delighted to see how easy it was to implement the APOS Solutions Kit for ESRI GIS, to seamlessly serve BusinessObjects XI reports back to the ArcIMS user based on selected map features. It took very little technical knowledge of ArcIMS to add the Crystal Report functionality to the standard ESRI html map template."

...Alex Bellak, GIS Administrator, City of Troy



Tools Used: APOS Solutions Kit for ESRI GIS and Crystal Reports Server XI R2.

Background:

Troy, Michigan is the 12th largest city in Michigan by population and the 2nd largest city in the state based on total property value. The City of Troy's Geographic Information Systems (GIS) were developed in part to allow its citizens and employees to make informed decisions with timely, spatially accurate information. In their efforts to design high quality public improvements using sound engineering principles and cutting edge technology, the City of Troy was looking to fill the gap between their GIS and reporting systems.

Challenge:

The City of Troy manages over 1,600 survey benchmarks made available for the public to use as survey reference points. The engineering department receives requests from contractors and citizens of Troy to locate the benchmarks closest to a particular location. The nature of this task lends itself to a GIS application but the official survey benchmark information given to the public is manually generated from a Crystal Report. This requires the desk clerk to locate the ID's of the benchmarks in question from the GIS, write them down, then generate a Crystal Report and print the report. Often the citizen requesting the survey data will also request an aerial photo to be printed to help locate the survey benchmarks. This requires an additional step for the desk clerk to generate a printed map from the mapping application.

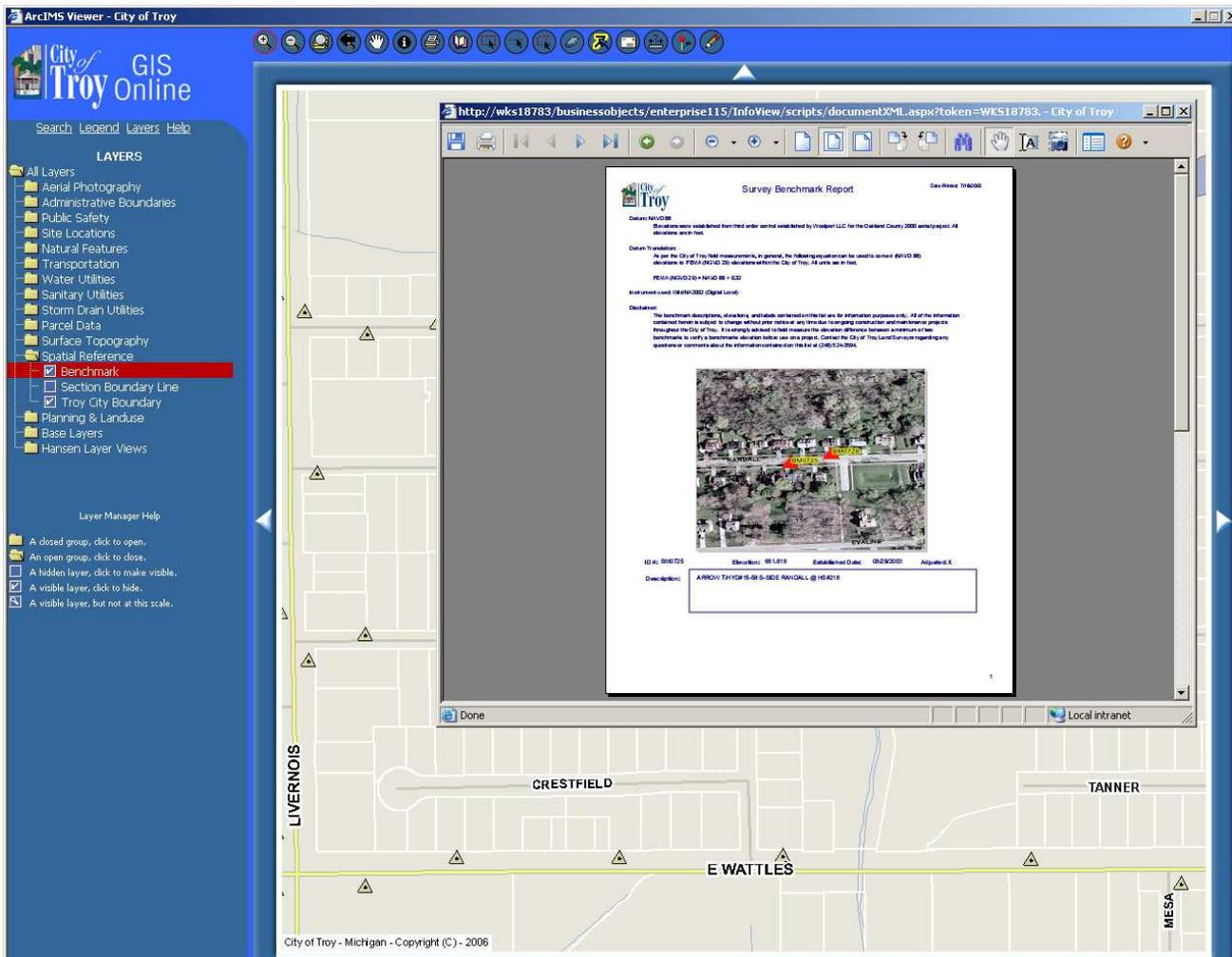
The City of Troy wanted to use Crystal Reports Server to utilize its URL reporting capabilities to send a request for a report and receive a Crystal Report back with a map image embedded from their ESRI ArcIMS server, based on a variable in the report. For example: a map zoomed in 300ft around a fire hydrant that was featured in the report.

Solution:

The APOS Solutions Kit for ESRI GIS provides a powerful bi-directional bridge between two industry-leading business intelligence solutions. It enabled the City of Troy to leverage location intelligence with their reporting analytical capabilities using ESRI ArcIMS and Crystal Reports Server XI Release 2. "It was very easy to implement and didn't require extensive custom development. The end users were very accepting of the APOS Solutions Kit as it made their job much easier," said Alex. All 400 of the City's employees can utilize the report and mapping tools without the assistance of the IT department. It also turned a multi-step process into a one step process. The City of Troy foresees utilizing the APOS Solutions Kit for ESRI GIS in many other applications throughout all the departments at the City of Troy.

Why APOS?

"APOS was wonderful to work with and demonstrated a deep understanding of the inter-workings of both the Business Objects and ESRI ArcIMS platforms. When questions arose APOS was quickly able to find the solution," states Alex.



(The City of Troy web based GIS viewer utilizes the APOS Solutions Kit)

APOS Systems Inc. is a Business Objects Technology Partner and has been a Crystal partner since 1996. APOS has acknowledged a key Business Objects XI and Crystal Enterprise strength - its open architecture - and has designed and developed a variety of add-on tools that offer customers additional capabilities within the Business Objects enterprise infrastructure.

For more information contact:

Warren Kobbeltvedt, APOS Systems Inc, APOS BI Tools
604-864-0766 or warrenk@apos.com



Head Office: 285 Fountain Street South • Cambridge • ON • Canada • N3H 1J2
Phone • 519.653.2767 • Fax • 519.653.8511
Branch Office: #10 - 35537 Eagle Mountain Drive • Abbotsford • BC • Canada • V3G 2Z4
Phone • 604.864.0766 • Toll Free • 866.629.APOS • Fax • 604.864.4291
E.mail • apos@apos.com • Web • www.apos.com



Expand All | Collapse All

- The Journal**
- What Works**
 - Case Studies
 - Lessons
 - Q&A
 - Solution Providers
 - Archive
 - White Papers
- Ten Mistakes**
- Newsletters**
- Free White Papers**
- The Best of BI**
- Bookstore**
- Partners**
- TDWI Home**

Featured White Papers

[See Entire Library](#)

- [» Delivering Next Generation User Interfaces for Business Intelligence Using AJAX](#)
- [» How Data Profiling & Analysis Saves Companies \\$Millions](#)
- [» Dashboards and Scorecards: Linking Management Reporting to Execution](#)
- [» What Managers Need to Know about CDI](#)
- [» The SAS Enterprise Intelligence Platform: An Overview](#)

Mon. November 27, 2006

Search **Go**

[Home](#) > [Publications](#) > [What Works](#)

What Works: Volume 22, November 2006

Serving the Public More Efficiently

Commentary by Alex Bellak, GIS Administrator, City of Troy

Background

Troy is the twelfth largest city in Michigan, with 80,959 residents (2000 U.S. Census), and is the state's second largest city based on taxable property value. Troy is located in southeast Michigan, less than twenty miles north of Detroit. Ten years ago, the City of Troy began using geographic information system (GIS) technology from ESRI to allow its citizens and employees to make informed decisions with timely, geographically accurate information. The city also implemented Crystal Reports from Business Objects as a cost-effective reporting platform for information dissemination.

Challenge

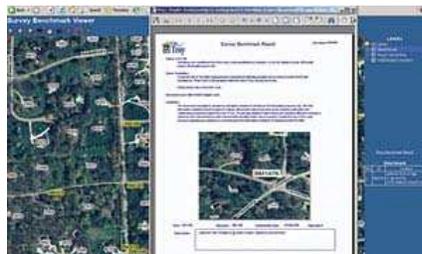
The City of Troy manages over 1,600 survey benchmarks, which are made available to the public to use as survey reference points. The engineering department receives numerous requests from contractors and the citizens of Troy to locate benchmarks on which to base new surveys. These benchmarks are the basis for accurately determining property boundaries and the location of new structures. The spatial nature of this task lends itself to a GIS application, but the official benchmark attribute information was maintained in an enterprise asset management system that did not include map features. To meet users' needs, the desk clerk would locate the identification numbers of the appropriate benchmarks from the GIS map application, write them down, and then generate a Crystal Report from the asset management system. The requestor of the survey data would often also need an aerial photo showing the actual location of the benchmark. This required the desk clerk to use the GIS to generate a printed map.

The City of Troy wanted to utilize the Internet reporting capabilities of Crystal Reports Server XI to request and receive reports that included both the appropriate aerial photo and the survey benchmark data. They also wanted to leverage the capability of their ESRI Internet Map Server (ArcIMS) application to serve maps at a scale appropriate to the benchmark data requested; for example, a map might be zoomed in to show only the benchmark and the surrounding 300 feet.

Solution

APOS Systems, a partner of both Business Objects and ESRI, recently introduced the Solution Kit for ESRI, which provides a bidirectional bridge between the two companies' latest offerings. The Solutions Kit enabled the City of Troy to leverage its investments in ESRI ArcIMS and ArcSDE GIS software as well as Crystal Reports Server XI Release 2. "It was very easy to implement and didn't require extensive custom development. The end users were very accepting of the APOS Solutions Kit, as it made their job much easier," said Alex Bellak, GIS Administrator, City of Troy.

City of Troy, MI, Survey Benchmark Report



This publicly available survey benchmark report features text from BI, and aerial photo, streets, and benchmark location from GIS.

Benefits

The desk clerk now needs only one application to provide end users with all the information they require. The end user receives a consolidated report showing the survey data and benchmark location. As an added benefit, there is no chance of mismatching map and attribute data by interacting with two completely separate application environments.

Now all 400 City of Troy employees can utilize the reporting and mapping tools without the assistance of the IT department. This heightened visibility of the benefits derived from combining the power of GIS and business reporting has led to requests for more integrated applications. The IT department is currently working on map-enabling existing reports from the enterprise asset management system to provide more information to field crews, who rely on printed work orders and service requests. The field crews will then be able to see where they need to be on a map, instead of having to read through a document to find a location.

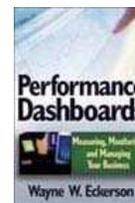
Upcoming Events

- » TDWI World Conference, Las Vegas: Feb. 18-23
- » Webinar - Enterprise Integration Series: Practical Meta Data Management Strategies, Nov. 29
- » Upcoming TDWI Conference Dates and Locations
- » TDWI Onsite for Your Organization

Featured Publications



Get TDWI's 2006 Poster: Symbiotic Cycles of Data Profiling, Integration, and Quality



Order your copy today!

Business Objects Expands Geographic Analysis Capabilities for BusinessObjects XI Release 2

New Integration between ESRI ArcGIS(R) and Business Objects BI Platform Enables Users to "Mash Up" Business Information with Geographic Information System Maps

Tuesday, 07 November 2006

Business Objects, provider of business intelligence (BI) solutions, has announced an integration kit for ESRI ArcIMS(R) and ArcGIS Server and BusinessObjects(TM) XI Release 2. The product provides a powerful two-way bridge between these industry-leading solutions, enabling users to "mash up" business information with geographic information system maps to gain a more complete understanding of the link between relevant data and location. Developed by APOS Systems, a Business Objects Technology Partner and ESRI Authorized Business Partner, the new integration kit is generally available now.

With BusinessObjects XI Release 2 and the new BusinessObjects Integration Kit for ESRI GIS, Business Objects provides customers the ability to quickly and easily access geographic data. Customers can use the solution to create Crystal reports and perform web-based ad hoc queries with Web Intelligence that include detailed map information from ESRI ArcIMS or ESRI ArcGIS Server. The integrated solution also enables ESRI GIS maps to be embedded into Microsoft Office documents, including Microsoft Word, Excel, or PowerPoint files. Using the solution a company could combine GIS analysis with BI information on customers, facilities, and personnel to strategically balance sales territories based on where salespeople are located and how many existing and target customers are in the area. This information could be shared using a map image embedded in a Crystal report.

ESRI and Business Objects have a long-standing relationship and a shared commitment to providing the best in GIS and BI solutions to customers around the globe. Since 1997, ESRI has used Crystal Reports(R) from Business Objects as the only third-party reporting solution bundled within ESRI's ArcGIS desktop products.

"The BusinessObjects Integration Kit for ESRI GIS provides advanced self-service analytic capabilities that allow both GIS and business analysts to realize more value from their existing data," said Jack Dangermond, president of ESRI. "APOS Systems' role in developing this integration kit will enable a large business intelligence user community to more effectively analyze and visualize business data. The success of a business is ultimately tied to its ability to exploit all relevant data to make decisions, and we believe geographic data is critical to this process."

The City of Troy, Michigan has used the beta version of the Integration Kit with Crystal Reports Server XI Release 2. Their goal was to use the URL reporting capabilities of Crystal Reports to generate a report with an embedded map image from their ESRI ArcIMS server, based on a variable in the report.

"We were delighted to see how easy it was to implement the BusinessObjects Integration Kit for ESRI GIS, to seamlessly serve BusinessObjects XI Release 2 reports back to the ArcIMS user based on selected map features," said Alex Bellak, GIS administrator at City of Troy. "It took very little technical knowledge of ArcIMS to add the Crystal Reports functionality to the standard ESRI html map template."

"With this new integration between our two products, Business Objects and ESRI customers are now able to seamlessly access and interact with the valuable data

contained within ESRI ArcGIS using BusinessObjects XI Release 2," said Wyatt Mullin, vice president of global ISV sales at Business Objects. "In doing so, customers will be able to better analyze their geospatial data in order to uncover new insights and improve decision making."

© 2001-2006 [CRM Today](#). All Rights Reserved.



CITY COUNCIL REPORT

November 14, 2006

TO: Phillip L. Nelson, City Manager

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

SUBJECT: Action Plan for New Routing Schedule for Refuse, Recyclables and Yard Waste

Background:

The City has a new contract with Southeastern Oakland County Resource Recovery Authority and Tringali Sanitation. This contract provides for collection of refuse, recyclables and yard waste and will be effective July 1st, 2007. Routes have been condensed and will run Monday through Thursday. In accordance and in preparation of this contract the new route schedule will be effective February 5th, 2007

- This change will result in:
 1. Optimizing travel paths of the refuse, recyclables and yard waste vehicles.
 2. Trucks on our streets fewer days of the week.
 3. Any problems or issues will be taken care of by Friday and do not have to wait through the weekend.
 4. Balancing the workloads for Tringali employees.
- The RFP process resulted in an 18.6% overall savings to the City of Troy when the proposed 2007/08 total cost of service is compared to 2006/07
- SCHEDULE OF PUBLIC NOTICE AND ACTION PLAN:
 1. Distribute notices to all of our public buildings (Library, City Hall, Community Center etc.)
 2. Coordinate with Community Affairs to:
 - Publish several notices in the local newspapers
 - Place notification on Cable TV
 - Post on the Web Site
 - Publish in Troy Today quarterly newsletter
 - Have information on Troy's Public Radio Station
 - Print large notice in 2007 Calendar
 3. Contact Subdivision Associations with new route schedule and maps
 4. Distribute new route schedule and maps to area Churches.

5. Mail information cards to each home

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- There are no policy considerations associated with this item.

Options:

- There are no option considerations associated with this item.

MAJOR ROADS IN TROY

SOUTH BLVD

SQUARE LAKE

LONG LAKE

WATTLES

BIG BEAVER

ADAMS

COOLIDGE

MAPLE

CROOKS

LIVERNOIS

ROCHESTER

STEPHENSON

JOHN R

DEQUINDRE

I-75

CITY HALL
500 WEST BIG BEAVER

N

CITY OF TROY

14 MILE

Handwritten annotations:
- A large 'm' is written across the 'LONG LAKE' area.
- A large 'w' is written across the 'WATTLES' area.
- A large 'Thur' is written across the 'MAPLE' and 'CROOKS' areas.

**STANDARD
& POOR'S**

Steven J. Murphy
Managing Director
Practice Leader, State & Local Government Ratings
U.S. Public Finance Ratings

55 Water Street
38th Floor
New York, NY 10041-0003
212 438-2066 Tel
212 438-2131 Fax
steve_murphy@standardandpoors.com

Thursday, November 16, 2006

John M. Lamerato
City Manager
City of Troy
City Hall, 500 West Big Beaver
Troy, MI 48084

Dear John:

Enclosed please find a copy of the recently published U.S. Public Finance report entitled *AAA-Rated Credits in U.S. State & Local Government Finance*. Congratulations on your inclusion in the report, and for your continued confidence in Standard & Poor's.

The report, published in late October, contains reviews of 'AAA' ratings in the state and local government sector: 'AAA' municipalities, 'AAA' counties, 'AAA' states, and, for the first time, a review of 'AAA' school districts. Copies will be widely distributed over the next year at industry events.

If you would like to obtain a few additional copies of this report, please do not hesitate to contact Michael Taylor, Marketing Manager, at (212) 438-1458, or via e-mail at michael_taylor@sandp.com.

Regards,



Steven J. Murphy
Managing Director
Practice Leader, State & Local Government Ratings



CITY COUNCIL REPORT

November 29, 2006

TO: The Honorable Mayor and City Council

FROM: Phillip L. Nelson, City Manager

SUBJECT: Council Responses to City Manager's Questionnaire

Attached is a compilation of Council member replies to the annual questionnaire Council receives in advance of budget preparation.

City Council Interview Questions

1) What do you want the City of Troy to excel at 5, 10 and 20 years from now?

- 5 years—balanced tax base; high quality of life; high property values; updated Master Land Use Plan.
- 10 years—IT and invention capitol of Oakland County; Big Beaver beginning to show life as a world class boulevard; partnerships that keep service costs low to our taxpayers.
- 20 years—THE SE Michigan destination for businesses, visitors, and families; effective mass transit; service offerings match citizen demographics.

- Wants the Big Beaver and Maple Road corridor study plans implemented at the same time.
- Stadium - Maple Road area.
- Southeast corner - TIF - Corridor Improvement Act.

- Big Beaver redevelopment with additional PUDs.
- Maple and Stephenson redeveloped.
- Balance budget/lower or maintain millage rate.
- Master land use plan updated.
- Best place in Michigan to live, work and play.

- Frugal use of taxpayer dollars.
- Innovative local government.
- Government partnerships with nonprofits and the private sector.
- A safe community.
- A family community.
- A balanced and diverse economic base.

- 5 years - To continue to be the safest city; redevelopment that will offer a balanced tax rate (no office vacancies); unemployment below 1%; a strict adherence to all ordinances which will equate to high quality of life; high level of services; high property values; wireless internet.
- 10 - 20 years - Major infrastructure improvements; a great lead into materialization of the Futures Report and Big Beaver (ring road to support a walkable downtown?). How about a coalition with other Oakland County communities to develop our own waste water treatment facility?
- Once the transit center is in place, we'll need ground transportation: buses, taxis, electric vehicles for transportation to and from hotels and businesses. Think of an ad that says, "Welcome to Troy! Troy offers transportation to whisk you from where and when you arrive to your choice of hotel or your business destination."
- Make us unique to southeast Michigan. Bring in electric vehicles. Check with Ovonics; they already have them.

City Council Interview Questions

2) Each year the State announces the consumer price index (CPI). Should the CPI become one of the guiding benchmarks for an annual overall budget increase?

- The state CPI *could* become one of several factors used as benchmarks for the growth, or decrease, of the overall budget. I would want to see it used with other factors (e.g., Troy population change, employment figures, expansion or compression of the City's AV).
- Keep taxes as low as possible.
- More core products.
- Strive for zero tax increase but never exceed the CPI.
- No. I would prefer another index that more accurately reflects costs that directly impact Troy City government.
- Not necessarily. We tighten our belts. Lose employees by attrition, have a better work ethic. Equate it more with the Michigan economy.

3) City Management believes that we should ideally maintain a fund balance of 17% but not drop below 10%. What is your opinion on this?

- I believe that we should not go below 12%, and should strive for the 17%.
- Agree, but prefer to not drop below 12%.
- I would prefer a fund balance of at least 10% and no more than 15%.
- I agree with City Management. Dropping our fund balance can have serious repercussions (lose ability to borrow, lose AAA rating, and bond investment and sales).

City Council Interview Questions

4) Is it more important to: a) Maintain the same level of service, even if it means a tax increase within our authorized limit; b) Reduce the level of service in order to maintain the overall rate of 9.43 mills; or c) Does your response differ for essential and non-essential services? If yes, define.

- For most service areas, I believe it is essential to maintain the level of service, even if it means a tax or fee increase. My answer is different for some non-essential services. For example, I believe that hours could be cut for the historical museum, nature center, and some community center functions, or fees raised, instead of raising taxes to maintain those levels of service. In all cases, I would expect staff to continue their aggressive pursuit of alternate funding and delivery mechanisms to reduce cost before requesting fee or tax increases.

- b) Reduce non-essential services and control cost. Always maintain excellent police and fire services, as well as the roads.

- We need to maintain the overall rate of 9.43 mills. However, we also need to focus on ways to partner with nonprofits and the private sector to help maintain a high level of service without resorting to tax increases.

- To guarantee that essential services protecting life, property, health and safety are maintained, my preference is to:

1. First, shift funding from non-essential services.
2. As a last resort, increase taxes.

- a) The level of service is why people come to Troy, not the lower tax rate. For me, all services are important, but certainly police, fire, streets, water and sewer have to take priority.

- We cannot allow slumming of residential or commercial neighborhoods. We must retain the character and attractions of neighborhoods in order to meet the expectations of the majority of residents. If it takes an increase in taxes to do that, so be it. Our residents do not find a half mill increase onerous - I've asked them. They were in total disbelief when Council lowered the rate by .02. What did that mean to the average homeowner? A couple of dollars.

- We must not commercialize our neighborhoods, i.e., day care centers, small business. They must be kept on the perimeters. Nor do commercial vehicles belong in residential neighborhoods. Business districts vs. residential.

City Council Interview Questions

5) In a general sense, please prioritize capital expenditures in terms of: a) Infrastructure; b) IT improvements; or c) Park development

1. Infrastructure—because of the “first impression” it gives and the ongoing frustration its disintegration can cause.
2. IT improvements—because of the efficiencies as well as education and “sense of community” such technology can foster.
3. Park development—because its quality of life improvement does not give the same “bang for the buck” as the other two.

1. Infrastructure.
2. IT improvements - only where we can demonstrate a good ROI.
3. Park development - take advantage of business donations and civic organizations to help maintain.

1. Infrastructure.
2. Park development.
3. IT improvements.

1. Infrastructure is most visible to residents. If infrastructure is well maintained, it will support capital outlay.
2. Park development - This is an environmental, ecological and recreational expectation of our residents.
3. IT improvements - Wireless and improvements to our web site. Ease of use is necessary for any users (business, residents, students, global industry, etc.) It should be our welcome mat to the world, a site we would want to visit.

City Council Interview Questions

6) What else would you like to discuss that pertains to the City of Troy as an organization, City Council, or the Council/Manager partnership?

- Council/Manager partnership—I would like to see even more emphasis on “policy” and less on mechanics from council. This could include some seminars/books/articles regarding different governance or decision-making methodology as well as case study materials.
- City Council—We need a better capability to discuss thorny issues without offending our colleagues or the public.
- City—As the community changes, there is a constant need to re-evaluate the “organizational chart.”

- Coordinating of department research.

- Streamline the processes for building and development and make more development friendly.

- How to improve and “routinize” the planning and budgeting process for City Council.
- How to enhance citizen input on City issues and long-range planning.

- I’m glad to see the word “partnership”. We need to be partners in the complete sense of the word.
- More timely response to our requests by staff.
- Better direction from our paid professionals to help us take the City to a higher level ... we must not stagnate; we must not become apathetic.
- More timely response to residents (They are not to get the feeling they are being ignored)
- We cannot afford to lose our small town flavor. Troy depends on volunteerism providing excellent service with little costs (firefighters, Library, FTPL, Historical Society, Parks and Rec., Outdoor Education Center, Troy Daze, Boards and Committees, etc.

City Council Interview Questions

7) Making the Big Beaver corridor more pedestrian-friendly is one of the key components of the corridor study. In light of this concept, should Troy invest in alternative modes of transit? Would you be willing to allocate funding?

- Absolutely. There is not a world-class city of any size without effective public transportation. Also, for a host of reasons, we need to provide the ability (as well as reasons) to walk along Big Beaver and to travel, easily, to other parts of the City.
- Yes, and we should seek sources for both private and public funding, possible private this transportation.
- With the understanding that taxes will not be increased, I believe that it would be beneficial to improve public transit in Troy. We should work with Medi-Go Plus and SMART to determine ways we can improve those partnerships.
- First of all, would it be utilized? It is dubious at best. I believe the question is premature. We need to determine alternate routes before we consider alternate modes. In the late 90s we attempted a shuttle service provided by SMART during the Christmas shopping season at noon hour for businesses mostly along 16 Mile. Never saw a report of success/failure so I don't know why it was discontinued. It was largely initiated by the Chamber of Commerce. We might want to contact them.

City Council Interview Questions

8) Please review ICMA survey results. How important is it that the City maintain its above-the-norm ratings?

- It is not important to maintain the above-the-norm ratings for ratings sake. It IS important to maintain that level of service and satisfaction to attract and retain families, jobs, and visitors.

- Survey is important.

- This is important, especially in the essential services areas.

- I would prefer that we prioritize those above-the-norm ratings that make this a safe community where people want to live and work. We should also look at our below-the-norm ratings to determine which are appropriate to address.

- Extremely important.

City Council Interview Questions

- 9) Listed below are the major areas of service the City of Troy provides to its residents. A scale is provided for you to indicate at what level of service you want each function to perform.

Staff will allocate budget funds based on the results of your answers. In other words, the level of importance to the Council as a group will be one of the guiding factors as to how available money is allocated.

	High	Medium	Low
Police	X		
Fire	X		
Streets, Water and Sewer	X		
Parks and Recreation	X		
Library	X		
Administration	X		

Parks and Recreation and Library are more non-essential services. However, they are part of our identity. It would be easy to say that those could operate at a “medium” level, but to attract and retain families and jobs, those services are essential to our “quality of life” rating. It is that quality of life that will be an even bigger draw than any tax rate we could establish.

	High	Medium	Low
Police	X		
Fire	X		
Streets, Water and Sewer	X		
Parks and Recreation		X	
Library		X	
Administration		X	

City Council Interview Questions

	High	Medium	Low
Police	XXX		
Fire	XXX		
Streets, Water and Sewer	XXX		
Parks and Recreation		XXX	
Library			XXX
Administration	XXX		

	High	Medium	Low
Police	X		
Fire	X		
Streets, Water and Sewer		X	
Parks and Recreation		X	
Library		X	
Administration		X	

	High	Medium	Low
Police	X		
Fire	X		
Streets, Water and Sewer	X		
Parks and Recreation		X	
Library		X	
Administration	X		

City Council Interview Questions

10) Additional Comments

- Suggest that private business and civic organizations be asked to help support the Parks and Recreation and Library budgets to help maintain and improve these areas. The Chamber of Commerce could be requested to participate.
- While I place Administration in the “medium” rank, I would add one qualifier - if Administration is used to enhance delivery of public services in ways that save tax dollars, I would move it up into a “high” rank (for example, the recent agreement with Clawson for police dispatching services).
- Actually, I want each function to perform at the highest level. If budgetary considerations prevent that, then the first 3 items must come first. I believe I have expressed by answers to #8 and #9 in the context of answers #1 - #7. Please review pages 6 and 9 of the Citizens Survey.