



TROY CITY COUNCIL

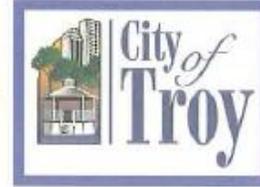
REGULAR MEETING

AGENDA

AUGUST 11, 2014
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Brian Kischnick, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Respectfully submitted,

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

Brian Kischnick, City Manager



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

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

GOALS:

Provide a safe, clean, and livable city

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

Provide effective and efficient local government

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

Build a sense of community

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

Attract and retain business investment

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

2014/2015

TOP 11 STRATEGIES

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

'Why' | We believe a strong community embraces diversity, promotes innovation, and encourages collaboration. We strive to lead by example within the region. We do this because we want everyone to choose Troy as their community for life. We believe in doing government the best.

1

Improve road/infrastructure conditions, including County roads

Maintain a branding and marketing plan to effectively communicate

3

Build and maintain strong, productive service levels

Maintain strong Public Safety service

5

Increase outreach to residents, businesses, and neighboring communities

Facilitate redevelopment of underutilized office and industrial sites

7

Advance technology to gain efficiencies

Update and identify funding for the Pathways and Trails Plan

9

Implement a way-finding strategy for City resources

Enhance gateways and entrance to create a sense of place

11

Embrace the Transit Center

2

4

6

8

10



**CITY COUNCIL
AGENDA**
August 11, 2014 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

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INVOCATION:

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Suggested Resolution
Resolution #2014-08-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Special City Council Meeting and/or Regular City Council Meeting of August 11, 2014, due to _____.

Yes:
No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Troy Roads Rock Update *(Introduced by: William Huotari, Deputy City Engineer)*

C-2 Friends of the Troy Public Library Update *(Introduced by: Cathleen Russ, Library Director)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Public Hearing #1 for the Establishment of an Industrial Development District (IDD) for Mahindra North American Technical Center, Inc. – 1055 W. Square Lake, Troy, MI 48098

Suggested Resolution
Resolution #2014-08-

Moved by
Seconded by

WHEREAS, Pursuant to PA 198 of 1974, as amended, the Troy City Council has the authority to establish Industrial Development Districts (IDD's) within the City of Troy; and

WHEREAS, Mahindra North American Technical Center, Inc. has petitioned the Troy City Council to establish an Industrial Development District (IDD) on its property located in the City of Troy, hereinafter described; and

WHEREAS, Construction, acquisition, alteration, or installation of a proposed facility had not commenced at the time of filing the request to establish the district; and

WHEREAS, Written notice was given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the newspaper of record, and public posting of the hearing on the establishment of the district; and

WHEREAS, On August 11, 2014, a public hearing was held at which all owners of real property within the proposed Industrial Development District (IDD) and all residents and taxpayers of the City of Troy were afforded an opportunity to be heard thereon; and

WHEREAS, The Troy City Council deems it to be in the public interest of the City of Troy to establish the Industrial Development District (IDD) as proposed;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 1055 W Square Lake, Troy, MI. 48098, Parcel #88-20-08-226-002, in accordance with City Council Policy Resolution #2010-08-173.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a certified copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

Yes:
No:

E-2 Public Hearing #2 for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc. – 1055 W. Square Lake, Troy, MI 48098

Suggested Resolution

Resolution #2014-08-

Moved by
Seconded by

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on August 11, 2014, established an Industrial Development District (IDD) for property known as 1055 W Square Lake, Troy, MI. 48098, Parcel # 88-20-08-226-002; and

WHEREAS, An Application has been submitted by Mahindra North American Technical Center, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1055 W Square Lake, Troy, MI. 48098 for nine (9) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on August 11, 2014, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc. at 1055 W Square Lake, Troy, MI. 48098 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

WHEREAS, The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Troy, after granting this certificate will not exceed 5% of an amount equal to the sum of the SEV of the City of Troy, plus the SEV of real and personal property thus exempted;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at 1055 W Square Lake, Troy, MI. 48098 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at 1055 W Square Lake, Troy, MI. 48098, Parcel # 88-20-08-226-002, for personal property for a term of Five (5) years after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Mahindra North American Technical Center, Inc., and the payment of the fees in accordance with Public Act 198 of 1974, as amended.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Mahindra North American Technical Center, Inc., a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No:

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

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

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda,

Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.

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

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments: None

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Planning Commission; b) City Council Nominations – Liquor Advisory Committee, Traffic Committee

a) Mayoral Nominations:

Suggested Resolution

Resolution #2014-08-

Moved by

Seconded by

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

Brownfield Redevelopment Authority

Appointed by Mayor
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Brake	Dan	4/18/2016	4/30/2014	Requests Reappointment
Dziurman	Theodore	3/8/2014	4/30/2015	BCBA exp 1/1/2015
Kornacki	Rosemary	12/12/2015	4/30/2017	
Swartz	Robert D.	7/25/2013	4/30/2017	
Vacancy			04/30/2016	Bruce Wilberding's unexpired term.
Vassallo	Joseph J.	12/6/2013	4/30/2015	

Nominations to the Brownfield Redevelopment Authority:**Term Expires: 4/30/2016**

Term currently held by: Vacancy – Bruce Wilberding's unexpired term (resigned 4/11/2014)

Term Expires: 4/30/2017

Term currently held by: Dan Brake

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Noble	Carolyn	10/10/2015	

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2
Boudon	Frank	5/15/2015	7/31/2014	Student
Edmunds	Donald L.	11/15/2012	12/31/2016	EDC exp 4/30/3014;
Gottlieb	Steve	11/8/2015	12/31/2016	
Hutson	Michael W.	9/4/2014	12/31/2015	Sust Design Rev Comm-Ad Hoc
Krent	Thomas G.	9/20/2015	12/31/2016	PC Rep to ZBA exp 12/31/2013

Sanzica	Philip	9/24/2014	12/31/2015	Alt. PC Rep on ZBA
Schepke	Gordon	11/16/2013	12/31/2014	
Strat	Thomas	11/16/2013	12/31/2014	Sust Design Rev Comm-Ad Hoc
Tagle	John J.	9/12/2014	12/31/2015	
Crusse	Karen		12/31/2014	Unexpired term appointment

Nomination to the Planning Commission:

Term Expires: 7/31/2015

Term currently held by: Frank Boudon (Student)

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Apahidean	Ollie	11/22/2015	
Huber	Robert M.	3/1/2015	Student
Kaltsounis	Andrew	12/13/2014	Liquor Advisory Comm. exp. 1/31/2016
Kaltsounis	Orestis Rusty	12/12/2015	P&R Bd exp 9/30/2015; ZBA (Alt.) exp 1/31/2015
Lambert	Dave	3/10/2016	ZBA exp. 4/30/2014

Yes:

No:

b) City Council Nominations:

Suggested Resolution

Resolution #2014-08-

Moved by

Seconded by

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

Liquor Advisory Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes
Easterbrook	David	12/2/2015	1/31/2015	

Ehlert	Max	11/15/2013	1/31/2015		
Godlewski	W. Stan	12/14/2012	1/31/2017		
Gorcyca	David	12/6/2015	1/31/2017		
Hall	Patrick	12/12/2014	1/31/2016		
Huber	Robert	3/1/2015	7/31/2014	STUDENT	
Kaltsounis	Andrew	12/13/2014	1/31/2016		
Oberski	Jeff			Police Dept.	
Payne	Timothy	2/8/2014	1/31/2015		

Nomination to the Liquor Advisory Committee:

Term Expires: 07/31/2015

Term currently held by: Robert Huber (Student)

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes
Bluhm	David	10/21/2015	STUDENT currently serving on Parks & Recreation Board
Boudon	Frank	5/15/2015	STUDENT currently serving on Planning Commission
Comiskey	Ann	3/18/2016	
Gottlieb	Steve	11/8/2015	

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes
Branstetter	Tim	05/01/2015	01/31/2015	
Halsey	Lawrence	11/29/2013	01/31/2015	
Huotari	William			Ex-Officio Member
Kilmer	Richard	12/12/2015	01/31/2017	
Mayer	Gary			Ex-Officio Member
Nelson	William			Ex-Officio Member
Petrulis	Al	01/08/2016	01/31/2017	Animal Cntrl App Bd exp 9/30/2015
Vacancy			01/31/2016	Sarah Binkowski resigned 7/17/2014

Vacancy			01/31/2016	Stevan Popovic resigned 8/5/2014
Ziegenfelder	Peter	12/09/2015	01/31/2017	

Nominations to the Traffic Committee

Unexpired Term Expiring: 01/31/2016

Term currently held by: Vacant – Sarah Binkowski resigned 7/17/2014

Unexpired Term Expiring: 01/31/2016

Term currently held by: Vacant – Stevan Popovic resigned 8/5/2014

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes
Apahidean	Ollie	11/22/2015	
Bluhm	David	10/21/2015	STUDENT
Easterbrook	David	12/02/2015	
Huber	Robert	03/01/2015	STUDENT
McGee	Timothy	08/13/2014	
Wilsher	Cynthia	02/27/2016	

Yes:

No:

I-3 No Closed Session Requested

I-4 Contract Ratification – Troy Command Officers Association (TCOA) 2014-2019 (Introduced by: Jeanette Menig, Human Resources Director)

Suggested Resolution

Resolution #2014-08-

Moved by

Seconded by

RESOLVED, That a collective bargaining agreement between the City of Troy and Troy Command Officers Association (TCOA) for the period July 1, 2014 through June 30, 2019 is hereby **RATIFIED** by the City Council of the City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes:

No:

J. CONSENT AGENDA:

J-1a Approval of "J" Items NOT Removed for DiscussionSuggested Resolution

Resolution #2014-08-

Moved by

Seconded by

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

Yes:

No:

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

J-2 Approval of City Council MinutesSuggested Resolution

Resolution #2014-08-

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

- a) City Council Minutes-Special-Draft – July 21, 2014
- b) City Council Minutes- Draft – July 21, 2014

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 14-4 – 2014 Historical Village Pathway Improvements**

Suggested Resolution

Resolution #2014-08-

RESOLVED, That Contract No. 14-4, 2014 Historical Village Pathway, be **AWARDED** to WCI Contractors, Inc., 20210 Conner Street, Detroit, MI 48234 for their low total bid amount of \$135,820.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 15% of the total project cost.

b) **Standard Purchasing Resolution 2: Low Bidder Meeting Specification – Community Center Interior Painting**

Suggested Resolution

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all equipment, material and labor to paint the interior of the Troy Community Center to the low bidder meeting specifications, Hermes Painting Company of Troy, MI for an estimated total cost of \$90,200.00, as contained in the bid tabulation opened July 10, 2014; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

c) **Standard Purchasing Resolution 1: Low Bidder – Appraisal Services for City Owned Remnant Parcels**

Suggested Resolution

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **AWARDS** a contract for Appraisal Services to the low bidder; Norman Thomas of R.S. Thomas & Associates, Inc. of Livonia, MI; for an estimated total cost of \$15,175.00 for the appraisal(s) of City owned remnant properties at the unit prices contained in the bid tabulation opened July 31, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-5 Traffic Committee Recommendations and Minutes – July 16, 2014

Suggested Resolution

Resolution #2014-08-

Item # 5 Request for No Parking Zone – Burdic, Edith to Ravenna

RESOLVED, That a No Parking zone **BE ESTABLISHED** on the south side of Burdic, between Edith and Ravenna.

Item # 6 Request for Traffic Control – Duchess at Grenadier

RESOLVED, That the intersection of Grenadier at Duchess Court **BE MODIFIED** from NO traffic control to a STOP sign on the Grenadier approach to Duchess Court.

J-6 Cost Participation Agreement for Concrete Slab Replacement – Dequindre, South of Maple to North of Maple – Northbound LanesSuggested Resolution

Resolution #2014-08-

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County for concrete pavement replacement on Dequindre Road, south of Maple Road to north of Maple Road in Sterling Heights, is hereby **APPROVED** at no cost to the City of Troy;

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

J-7 Private Agreement – Contract for Installation of Municipal Improvements – Oakland Troy Senior Center – Project No. 14.906.3Suggested Resolution

Resolution #2014-08-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Windemere Park of Troy Holdings, LLC, is hereby **APPROVED** for the installation of Water Main, Storm Sewer, Concrete Sidewalk, and Road Improvements, 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.

J-8 Private Agreement – Contract for Installation of Municipal Improvements – Poppleton Ridge Site Condominiums – Project No. 14.904.3

Resolution #2014-08-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and BB Investment, LLC, is hereby **APPROVED** for the installation of Water Main, Sanitary Sewer, Storm Sewer, Detention Pond, and Concrete Sidewalk & Pavement, 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.

J-9 MDOT Contract 2014-0871 – Priority Roads Investment Program Fund Asphalt Resurfacing – Long Lake Mill and Overlay – Adams to Northfield ParkwaySuggested Resolution

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **APPROVES** MDOT Contract No. 2014-0871 between the City of Troy and the Michigan Department of Transportation for improvements to Long Lake Road, from Adams Road to Northfield Parkway using \$1,500,000 in Priority Roads

Investment Program (PRIP) funds at no cost to the City of Troy, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-10 Bid Waiver – Asphalt Pavement Repair on Beach Road – Contract 11-1 – Beach Road Pavement Rehabilitation Wattles to South Boulevard

Suggested Resolution
Resolution #2014-08-

RESOLVED, That the Troy City Council hereby **ACCEPTS** the quote from Cadillac Asphalt, LLC, 4751 White Lake Road, Clarkston, MI 48346 in the amount of \$11,380.30 for non-warranty asphalt repairs on Beach Road;

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper insurance certificates and all specified requirements, and if additional work is required to address additional milling and asphalt patching that may arise during construction such additional work is **AUTHORIZED** in an amount not to exceed 25% of the total project cost.

J-11 Private Agreement – Contract for Installation of Municipal Improvements – Alan Group Office Building – Project No. 13.922.3

Suggested Resolution
Resolution #2014-08-

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and The Alan Group, is hereby **APPROVED** for the installation of a sanitary manhole, concrete drive approach & sidewalks and underground detention system, 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.

J-12 Allstate Insurance Company v City of Troy and Troy Fire Department

Suggested Resolution
Resolution #2014-08-

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy and the Troy Fire Department in any and all claims and damages in the matter of *Allstate Insurance Company v. City of Troy and Troy Fire Department* (52-3rd Judicial District Court Case No. 14-C02677 GC). Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) August 25, 2014 – Re-Programming Community Development Block Grant (CDBG) Program Year 2013 Funds
-

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

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

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Animal Control Appeal Board-Final – May 28, 2014
b) Zoning Board of Appeals-Final – June 17, 2014
c) Traffic Committee-Final – June 18, 2014
d) Planning Commission Special/Study-Draft – June 24, 2014
e) Civil Service Commission (Act 78)-Final – July 3, 2014
f) Planning Commission Special/Study-Final – June 24, 2014
g) Zoning Board of Appeals-Draft – July 15, 2014
h) Animal Control Appeal Board-Draft – July 23, 2014
-

O-2 Department Reports:

- a) 2014 Mid-Year Calls for Police Service
b) Building Department Activity Report – July, 2014
c) 2014 Residential Cross Connection Program Update
-

O-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Mayer from Henry Maloney Regarding Assistance from Officer Doug Drewek
- b) Letter of Appreciation to Steve Vandette from Mike Jones Regarding Construction Project Communication
- c) Letter of Appreciation to the Troy Police Department from David and Carel Dunshee Regarding Desk Attendant Zavislak

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

O-5 DEQ Drinking Water Revolving Fund Notice of Public Hearing – August 20, 2014 at 1:30 PM at Constitution Hall in the Edward Hutchinson Conference Room

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

Q. STUDY ITEMS:

Q-1 No Study Items

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

Respectfully submitted,



Brian Kischnick, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

August 25, 2014 Re-Program Community Development Block Grant (CDBG) 2013 Funds

PROPOSED SPECIAL CITY COUNCIL MEETINGS:

November 10, 2014 (To Be Scheduled)..... Financial Update

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

August 25, 2014 Regular Meeting
September 8, 2014..... Regular Meeting
September 22, 2014..... Regular Meeting
October 6, 2014..... Regular Meeting
October 20, 2014..... Regular Meeting
November 10, 2014..... Regular Meeting
November 24, 2014..... Regular Meeting
December 1, 2014..... Regular Meeting
December 15, 2014..... Regular Meeting



CITY COUNCIL AGENDA ITEM

Date: August 11, 2014

To: Brian Kischnick, City Manager

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

Subject: Public Hearing for the establishment of an Industrial Development District (IDD) for Mahindra North American Technical Center, Inc., 1055 W. Square Lake, Troy MI 48098

Background:

Mahindra North American Technical Center, Inc., has renovated and occupied the property at 1055 W. Square Lake (the former Hi-Lex property). This is the technical center for the newly formed North American operations of Mahindra, a heavy machinery manufacturer from India. They are interested in entering the American automotive market.

The building has been vacant for several years, and is uniquely suited for their technical center. They have a five year lease, with options for additional years, or to purchase the property.

They have invested almost \$900,000 in equipment and renovations, and will be bringing over 80 jobs to the facility.

Late in 2013 they initiated the negotiations for the lease or purchase of the property. In January of 2014 they submitted a Letter of Intent to apply for tax abatement at the site.

They have applied to have an Industrial Development District established at the site so that they may apply for personal property tax abatement for a five (5) year period. If granted, they will save approximately \$17,029.27 on their overall tax bill. Of that amount, \$5,692.99 would be City tax savings.

Since there can be no tax abatement without the establishment of a District, all pertinent information is presented to the City Council at this Public Hearing.



CITY COUNCIL AGENDA ITEM

Financial Considerations:

Based on the length of their lease of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for a five (5) year abatement under Council Policy Resolution #2010-08-173.

The \$887,751 investment would generate approximately \$34,058.55 in total taxes over five (5) years, of which \$11,385.97 would be City taxes.

The abatement would therefore save the company \$17,029.27 over its life. The City would realize \$5,692.99 in taxes that it does not currently receive.

Legal Considerations:

The site meets all legal and Policy Resolution criteria necessary for establishing an IDD.

Policy Considerations:

The application is in compliance with City Council Tax Abatement Policy Resolution #2010-08-173, and PA 198.

In Addition:

The Legislature is working on a plan to eliminate Industrial Personal Property completely, by 2022. The phase out would begin in the 2016 fiscal year. Each year's personal property, starting with 2015 purchase and prior, would be dropped off of the roll.

At some point in time there will be no IFT abatements available, as there will be no Industrial Personal Property to abate taxes on.

Options:

City Council may establish the IDD (and approve the tax abatement). Or, City Council may choose to not establish a district at this site. In which case, the Council must then deny any tax abatement for a district not established (the next Public Hearing on your Agenda). The company would then appeal these decisions to the State Tax Commission (STC).

Reset Form

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date Received by Local Unit <i>6/27/14</i>
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) Mahindra North American Technical Center, Inc.	▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3711, Motor Vehicles and Passenger Car Bodies
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1055 W. Square Lake Road	▶ 1d. City/Township/Village (indicate which) ▶ 1e. County Troy MI OAKLAND
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input type="checkbox"/> Increase/Amendment	▶ 3a. School District where facility is located ▶ 3b. School Code Troy 63150
▶ 4. Amount of years requested for exemption (1-12 Years) 5 YEARS	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Leased property owned by HiLex Controls, Inc. has been vacant for 7 years. MNATC has occupied the facility and has restored it to a like new status by investing \$300K into new offices, carpeting, floors, remodeled kitchen and lavatories. Additional investments include furniture and fixtures, computers, video conferencing equipment, computer software, shop equipment, hoists, security equipment and local area network (LAN).

6a. Cost of land and building improvements (excluding cost of land)	▶ Real Property Costs
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$887,751
6b. Cost of machinery, equipment, furniture and fixtures	▶ Personal Property Costs
* Attach itemized listing with month, day and year of beginning of installation, plus total	▶ \$887,751
6c. Total Project Costs	▶ Total of Real & Personal Costs
* Round Costs to Nearest Dollar	

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)		
Real Property Improvements	▶ <u>1/14/2014</u>	▶ <u>6/30/2014</u>	▶ Owned	<input checked="" type="checkbox"/> Leased
Personal Property Improvements	▶ <u>2/13/2014</u>	▶ <u>1/31/2016</u>	▶ <input checked="" type="checkbox"/> Owned	▶ Leased

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 0 ▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 82

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	N/A N/A N/A
b. TV of Personal Property (excluding inventory)	
c. Total TV	

▶ 12a. Check the type of District the facility is located in:

Industrial Development District Plant Rehabilitation District

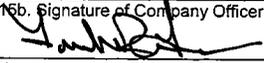
▶ 12b. Date district was established by local government unit (contact local unit) ▶ 12c. Is this application for a speculative building (Sec. 3(8))?

Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Jeffrey Blohm	13b. Telephone Number 248-268-6600 ext 85007	13c. Fax Number 248-268-6640	13d. E-mail Address blohm.jeffrey@mahindra.c
14a. Name of Contact Person Frederick Laws	14b. Telephone Number 248-268-6630	14c. Fax Number 248-268-6640	14d. E-mail Address laws.fred@mahindra.com
▶ 15a. Name of Company Officer (No Authorized Agents) Frederick Laws			
▶ 15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number 248-268-6640	15d. Date June 25, 2014
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1055 W. Square Lake Road		15f. Telephone Number 248-268-6630	15g. E-mail Address laws.fred@mahindra.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input checked="" type="checkbox"/> 2. Resolution establishing district <input checked="" type="checkbox"/> 3. Resolution approving/denying application. <input checked="" type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input checked="" type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input checked="" type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation <input checked="" type="checkbox"/> 8. Form 3222 (if applicable) N/A 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input checked="" type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16c. LUCI Code 3711
17. Name of Local Government Body CITY OF TROY	16d. School Code 63150
▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk AILEEN BITTNER	19b. Name of Clerk AILEEN BITTNER	19c. E-mail Address BITTNERA@TROYMI.GOV
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 500 W BIG BEAVER TROY MI 48064		
19e. Telephone Number 248-524-3331	19f. Fax Number 248-524-1770	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**Mahindra North American Technical Center
Capital Asset Summary
May 31, 2014**

Account	Account Name	Asset Tag #	Asset Description	Acquisition Date	In Service Date	Acquisition Cost
1520-00-000	Machinery & Equipment	M 00001	Clark Hi-Lo	2/13/2014	2/13/2014	3,800.00
1520-00-000	Machinery & Equipment	M 00004	Two Post Auto Lifts	2/12/2014	3/13/2014	7,203.19
1520-00-000	Machinery & Equipment	M 00041	TIG Welder	3/17/2014	3/17/2014	2,602.30
1520-00-000	Machinery & Equipment	M 00042	MIG Welder	3/17/2014	3/17/2014	2,515.38
1520-00-000	Machinery & Equipment	M 00043	Powermax Plasma Cutter	4/29/2014	4/29/2014	3,579.28
1520-00-000	Machinery & Equipment	M 00064	Ingersoll Rand Rotary Screw Air Compressor	4/10/2014	4/10/2014	5,690.55
1520-00-000	Machinery & Equipment	M 00065	Clausing Variable Speed Drill Press	4/29/2014	4/29/2014	4,048.85
1520-00-000	Machinery & Equipment	M 00066	Kent Geared Head Toolroom Lathe	4/29/2014	4/29/2014	9,756.45
1520-00-000	Machinery & Equipment	M 00067	Heavy Duty Disc Grinder	4/29/2014	4/29/2014	1,838.68
1520-00-000	Machinery & Equipment	M 00068	Heavy Duty Universal Hand Brake	4/29/2014	4/29/2014	3,851.35
1520-00-000	Machinery & Equipment	M 00069	Dake Horizontal Bandsaw	4/29/2014	4/29/2014	1,645.88
1520-00-000	Machinery & Equipment	M 00070	Dry Blast	4/29/2014	4/29/2014	1,863.92
1520-00-000	Machinery & Equipment	M 00071	Tennsmith Squaring Shear	4/29/2014	4/29/2014	2,689.83
1520-00-000	Machinery & Equipment	M 00072	Acer Mill	4/29/2014	4/29/2014	10,551.93
1520-00-000	Machinery & Equipment	M 00073	Dake Vertical Bandsaw	5/19/2014	5/19/2014	8,014.54
1520-00-000	Machinery & Equipment	M 00074	Hand Hydraulic Press	5/19/2014	5/19/2014	3,737.74
1520-00-000	Machinery & Equipment	M 00075	Scotchman Ironworker	5/19/2014	5/19/2014	9,056.03
1520-00-000	Machinery & Equipment	M 00076	Standard Flammable Storage Cabinet	4/23/2014	4/23/2014	1,079.00
1520-00-000	Machinery & Equipment	M 00077	Standard Floor Scale	4/28/2014	4/28/2014	1,495.00
Sub-total Machinery & Equipment						85,019.90
1530-00-000	Vehicles	M 00019	2002 International 4000 Series	2/12/2014	3/1/2014	19,095.00
Sub-total Vehicles						19,095.00
1540-00-000	Computer Infrastructure	M 00016	Category 6 Cable Wiring for Mahindra NATC	2/10/2014	3/13/2014	29,470.89
1540-00-000	Computer Infrastructure	M 00020	Domain Servers with System Backup Capability	2/28/2014	6/1/2014	102,592.57
1540-00-000	Computer Infrastructure	M 00044	Dell Powerage R620 Server	1/17/2014	3/1/2014	14,802.72
1540-00-000	Computer Infrastructure	M 00063	Additional Category 6 Wiring for Mahindra NATC	4/1/2014	4/1/2014	1,130.00
Sub-total Computer Infrastructure						147,996.18
1541-00-000	Computer Equipment	M 00021	Dell Latitude 15 5000 Series Laptop Computer	4/4/2014	4/4/2014	1,126.71
1541-00-000	Computer Equipment	M 00022	Dell Latitude 15 5000 Series Laptop Computer	4/4/2014	4/4/2014	1,126.71
1541-00-000	Computer Equipment	M 00023	Dell Latitude 15 5000 Series Laptop Computer	4/4/2014	4/4/2014	1,126.71
1541-00-000	Computer Equipment	M 00024	Dell Latitude 15 5000 Series Laptop Computer	4/4/2014	4/4/2014	1,126.71
1541-00-000	Computer Equipment	M 00025	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00026	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00027	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00028	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00029	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00030	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00031	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00032	Dell Precision M6800 Notebook Computer	5/1/2014	5/1/2014	3,525.79
1541-00-000	Computer Equipment	M 00036	Sony Bravia 70 Inch LED Television	3/13/2014	3/17/2014	2,097.72

1541-00-000	Computer Equipment	M 00037	Sony Bravia 70 Inch LED Television	3/14/2017	3/17/2014	2,097.72
1541-00-000	Computer Equipment	M 00038	Sony Bravia 70 Inch LED Television	3/14/2017	3/17/2014	2,097.72
1541-00-000	Computer Equipment	M 00039	Sony Bravia 70 Inch LED Television	4/9/2014	4/9/2014	2,013.99
1541-00-000	Computer Equipment	M 00040	Vizio E-Series 65 Inch LED Television	4/24/2014	4/24/2014	1,418.03
1541-00-000	Computer Equipment	M 00045	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00046	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00047	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00048	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00049	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00050	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00051	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00052	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00053	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00054	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00055	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00056	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00057	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00058	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00059	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.69
1541-00-000	Computer Equipment	M 00060	Dell Precision M6800 Notebook Computer	1/3/2014	3/1/2014	3,923.63
1541-00-000	Computer Equipment	M 00061	Dell Precision M6800 Notebook Computer	1/7/2014	3/1/2014	4,649.78
1541-00-000	Computer Equipment	M 00062	Video Conferencing Equipment - Executive Conference Room	3/17/2014	3/17/2014	6,371.50
Sub-total Computer Equipment						116,238.60
1550-00-000	Furniture & Fixtures	M 00006	Waiting Area Furniture - Main Lobby	2/24/2014	3/13/2014	2,345.68
1550-00-000	Furniture & Fixtures	M 00007	Executive Conference Room Furniture	2/24/2014	3/13/2014	8,980.51
1550-00-000	Furniture & Fixtures	M 00008	Executive Area Office Furniture	2/24/2014	3/13/2014	15,458.38
1550-00-000	Furniture & Fixtures	M 00009	Engineering Area Conference Room Furniture	2/24/2014	3/13/2014	4,342.56
1550-00-000	Furniture & Fixtures	M 00010	Bistro Area Furniture	2/24/2014	3/13/2014	11,034.07
1550-00-000	Furniture & Fixtures	M 00011	Administrative Area Cubicles	2/24/2014	3/13/2014	14,216.59
1550-00-000	Furniture & Fixtures	M 00012	Engineering Area Workstations	2/24/2014	3/13/2014	44,594.86
1550-00-000	Furniture & Fixtures	M 00013	Waiting Area Furniture - 2nd Floor Elevator	4/17/2014	4/17/2014	1,068.01
1550-00-000	Furniture & Fixtures	M 00014	Engineering Area Lateral Files	4/17/2014	4/17/2014	6,047.91
1550-00-000	Furniture & Fixtures	M 00015	Copier Area, Administrative Area, and Fire Proof File Storage	4/17/2014	4/17/2014	3,696.08
1550-00-000	Furniture & Fixtures	M 00017	Mahindra NATC Monument Sign	3/1/2014	3/13/2014	5,125.00
1550-00-000	Furniture & Fixtures	M 00018	Mahindra Building Sign	3/1/2014	3/13/2014	5,720.00
1550-00-000	Furniture & Fixtures	M 00033	Kitchen Aid Stainless Steel Refridgerator	3/13/2014	3/14/2014	1,876.20
1550-00-000	Furniture & Fixtures	M 00034	Kitchen Aid Stainless Steel Refridgerator	3/13/2014	3/14/2014	1,876.20
1550-00-000	Furniture & Fixtures	M 00035	General Electric Convection Range and Maytag Range Hood	3/13/2014	3/14/2014	1,339.84
Sub-total Furniture & Fixtures						127,721.89
1560-00-000	Leasehold Improvements	M 00005	Mahindra North American Technical Center	1/14/2014	3/13/2014	304,123.01
Sub-total Leasehold Improvements						304,123.01
1570-00-000	Software	M 00002	PLEX System	11/26/2013	2/1/2014	28,756.25
1570-00-000	Software	M 00003	CAVA V5 Software	3/31/2014	4/1/2014	58,800.00
Sub-total Software						87,556.25
Grand Total Capital Assets						887,750.83

Applicant Name Mahindra NA Technical Center
--

Fiscal Statement (to be completed by local unit)

	<u>YES</u>	<u>NO</u>
Is this project:		
Real Property?	<input type="checkbox"/>	<input type="checkbox"/>
Personal Property?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - New Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both Real and Personal Property - Rehabilitation Facility?	<input type="checkbox"/>	<input type="checkbox"/>
Both New and Replacement Facility?	<input type="checkbox"/>	<input type="checkbox"/>

Estimated Project Investment (not assessed value):

Real Property	Personal Property	Total
---------------	-------------------	-------

	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input type="checkbox"/>	_____

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official
-----------	--



January 8, 2014

Leger A. Licari
Assessor, City of Troy, Michigan
500 West Big Beaver
Troy, Michigan 48084

RE: Mahindra North American Technical Center, Inc.
Application for PA 198 Tax Abatement

Dear Mr. Licari,

Mahindra North American Technical Center, Inc. specifically requests that the Troy City Council establish an Industrial Development District at 1055 West Square Lake Road, Troy Michigan 48098, so that we may apply for PA 198 Tax Abatement.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Laws", is written over a light blue horizontal line.

Frederick Laws
Chief Financial Officer

Mahindra

Fred Laws
Chief Financial Officer &
Operations Head

Mahindra & Mahindra, Ltd.
North American Technical Center
1960 Technology Drive, Suite 126
Troy, MI 48083

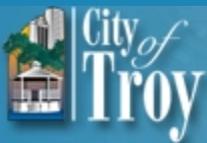
Tel: 248 554 2610
Mob: 248 207 0424
Fax: 248 629 1397
laws.fred@mahindra.com
mahindra.com

Received

JAN 10 2014

CITY OF TROY
ASSESSING DEPT.

Mahindra North American Technical Center, Inc.
1960 Technology Drive, Suite 126, Troy, MI 48083



GIS Online

Mahindra NA Tech Cntr
Tax Abatement
1055 W Square Lake
Troy, MI 48098
88-20-08-226-001
Aerial View



Notes:

Map Scale: 1=143
Created: July 10, 2014



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Mahindra Tax Abatement
1055 W Square Lake, Troy MI. 48098
88-20-08-226-002

Legal Description

T2N, R11E, SEC 5 & 8
PART OF SE 1/4 SEC 5 &
PART OF NE 1/4 SEC 8
BEG AT PT DIST
S 87-05-55 W 125 FT
FROM NE COR OF SEC 8,
TH S 02-30-26 E 241.27 FT,
TH ALG CURVE TO LEFT,
RAD 2973.79 FT,
CHORD BEARS N 77-41-27 W 491.32 FT,
DIST OF 491.89 FT,
TH N 02-30-26 W 109.23 FT,
TH N 74-08-01 E 67.20 FT,
TH ALG CURVE TO RIGHT,
RAD 1234.77 FT,
CHORD BEARS N 76-54-55 E 119.86 FT,
DIST OF 119.91 FT,
TH N 79-41-50 E 130.93 FT,
TH ALG CURVE TO RIGHT,
RAD 1034 FT,
CHORD BEARS N 82-27-57 E 99.88 FT,
DIST OF 99.92 FT,TH
N 85-14-03 E 62.30 FT,
TH S 02-48-28 E 60.10 FT
TO BEG. 2.26 A

6-25-01 FR 88-20-08-226-001 & 88-20-05-480-001

City of Troy - Assessing Department
Mahindra- IDD & IFT Application 2014
Estimate of Total Taxes and Tax Savings for IFEC Application

Market Value	887,751	790,098	600,475	402,318	241,391	130,351
50% of Value	443,876	395,049	300,237	201,159	120,695	65,176
Year		2015	2016	2017	2018	2019
Depreciation		0.8900	0.7600	0.6700	0.6000	0.5400
Taxable Value		395,049	300,237	201,159	120,695	65,176

Taxing Authority	100% of Millage	Taxes	Taxes	Taxes	Taxes	Taxes
Trans	0.59000	\$233.08	\$177.14	\$118.68	\$71.21	\$38.45
County	4.64610	\$1,835.44	\$1,394.93	\$934.61	\$560.76	\$302.81
Zoo	0.10000	\$39.50	\$30.02	\$20.12	\$12.07	\$6.52
Int Schools	3.36900	\$1,330.92	\$1,011.50	\$677.70	\$406.62	\$219.58
Comm Coll	1.58440	\$625.92	\$475.70	\$318.72	\$191.23	\$103.26
State Ed	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Op	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.95000	\$1,955.49	\$1,486.18	\$995.74	\$597.44	\$322.62
Hold Harmless	5.55630	\$2,195.01	\$1,668.21	\$1,117.70	\$670.62	\$362.13
Admin	0.15240	\$60.20	\$45.75	\$30.66	\$18.39	\$9.93
City	10.52000	\$4,155.92	\$3,158.50	\$2,116.19	\$1,269.72	\$685.65
Total	31.46820	\$12,431.49	\$9,447.93	\$6,330.11	\$3,798.07	\$2,050.96

Total Taxes 5 Yrs	\$34,058.55
Total City Taxes 5 Yrs	\$11,385.97

50% Total Taxes 5 Yrs	\$17,029.27	Net Total Taxes Abated
50% Total City Taxes 5 yrs	\$5,692.99	Net Total City Taxes Abated
2% Total City 5 Yrs	\$113.86	Application Fee (2% total city)



SIGNATURE ASSOCIATES

THE TEAM No Signature. No Results.

BUSINESS PROPERTY LEASE FORM 113A

1. THIS LEASE made this 15th day of June, 2014, by and between
Hi-Lex Controls, Inc.
152 Simpson Drive
Litchfield, MI 48083

the Lessor, hereinafter designated as the Landlord, and
Mahindra North American Technical Center, Inc.
1960 Technology Drive, Suite 126
Troy, MI 48083

the Lessee, hereinafter designated as the Tenant.

DESCRIPTION

2. WITNESSETH: The Landlord, in consideration of the rents to be paid and the covenants and agreements to be performed by the Tenant, does hereby lease unto the Tenant the following described premises situated in the City of Troy, County of Oakland, State of Michigan, to wit: 1055 West Square Lake Road, approximately 31,002 square feet.

TERM AND RENT

3. For the term of sixty (60) months from and after the 1st day of January, 2014, fully to be completed and ended, the Tenant yielding and paying during the continuance of this lease unto the Landlord for the rent of said premises for said term, the sum of Seven Hundred Eight Thousand Three Hundred Ninety-Five and 70/100 (\$708,395.70) Dollars in lawful money of the United States payable in monthly installments in advance, upon the ___ day of each and every month as follows:

Year	Months	Monthly Rental
1/1/2014-12/31/14	1-5	Rental Free Credit [REDACTED]
	6	\$ [REDACTED] Triple Net
	7-12	\$ [REDACTED] Triple Net
1/1/2015-12/31/2015	13-24	\$ [REDACTED] Triple Net
1/1/2016-12/31/2016	25-36	\$ [REDACTED] Triple Net
1/1/2017-12/31/2017	37-48	\$ [REDACTED] Triple Net
1/1/2018-12/31/2018	49-60	\$ [REDACTED] Triple Net
Total Rental:		[REDACTED] Triple Net

Any rent payment received after the 10th day of the month shall be subject to a five percent (5%) late fee, which shall be due and payable with the monthly rent.

RENT

4. The Tenant hereby hires the said premises for the said term as above-mentioned and covenants well and truly to pay, or cause to be paid unto the Landlord at the dates and times mentioned, the rent above reserved, without any setoff or deductions whatsoever.

INSURANCE

5. In addition to the rentals hereinbefore specified, the Tenant agrees to pay as additional rental any increase on premiums for insurance, against loss by fire that may be charged during the term of this lease on the amount of all risk insurance now carried by the Landlord on the premises and on the improvements situated on said premises, resulting from the business carried on in the leased premises by the Tenant or the character of its occupancy, whether or not the Landlord has consented to the same.

6. If the Tenant shall default in any payment or expenditure other than rent required to be paid or expended by the Tenant under the terms hereof, the Landlord may, after providing written notice of the alleged deficient payment, at his option make such payment or expenditure, in which event the amount thereof shall be payable as rental to the Landlord by the Tenant on the next ensuing rent day together with interest at eleven (11%) percent per annum for the date of such payment or expenditure by the Landlord and on default in such payment the Landlord shall have the same remedies as on default in payment of rent.

One Towne Square - Suite 1200
Southfield, Michigan 48076
248.948.9000

1400 Abbott Road - Suite 305
East Lansing, Michigan 48823
517.374.1100

333 Bridge Street NW - Suite 1010
Grand Rapids, Michigan 49504
616.235.0900

1675 E. Mt. Garfield - Suite 175
Muskegon, Michigan 49444
231.799.9900

477 Chicago Drive
Holland, Michigan 49423
616.396.7788

950 Trade Centre Way - Suite 140
Kalamazoo, Michigan 49002
269.385.2000

Four SeaGate - Suite 608
Toledo, Ohio 43604
419.249.7070

Brokerage Services • Tenant Representation
Investment Sales • Business Sales
Property/Asset Management • Advisory Services
Valuation • Commercial Mortgage



www.signatureassociates.com



IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

WITNESSED BY:

[Signature]
[Signature]

LANDLORD: Hi-Lex Controls, Inc.

By: [Signature] (L.S.)

Its: Secretary (L.S.)

WITNESSED BY:

[Signature]
[Signature]

TENANT: Mahindra North American Technical Center, Inc.

By: [Signature] (L.S.)

Its: [Signature] (L.S.)

SECURITY PROVISION

Paragraph 38 (Refer to Paragraph 37 of Lease)

The Landlord herewith acknowledges the receipt of [REDACTED] Dollars, which he is to retain as security for the faithful performance of all of the covenants, conditions, and agreements, of this lease, but in no event shall the Landlord be obliged to apply the same upon rents or other charges in arrears or upon damages for the Tenants' failure to perform the said covenants, conditions, and agreements; the Landlord may so apply the security at his option; and the Landlord's right to the possession of the premises for non-payment of rent or for any other reason shall not in any event be affected by reason of the fact that the Landlord holds this security. The said sum if not applied toward the payment of rent in arrears or toward the payment of damages suffered by the Landlord by reason of the Tenant's breach of the covenants, conditions, and agreements of this lease is to be returned to the Tenant has vacated the premises and delivered possession to the Landlord.

In the event that the Landlord repossesses himself of the said premises because of the Tenant's default or because of the Tenant's failure to carry out the covenants, conditions, and agreements of this lease, the Landlord may apply the said security upon all damages suffered to the date of said repossession and may retain the said security to apply upon such damages as may be suffered or shall accrue thereafter by reason of the Tenant's default or breach. The Landlord shall not be obligated to keep the said security as a separate fund, but may mix the said security with his own funds.

[Signature] 1/19/14 (L.S.)

SUMMARY - BUSINESS PROPERTY LEASE

LANDLORD: _____

TENANT: _____

PREMISES: _____

FROM: _____

TO: _____

APR
 Subject Security Deposit is due and payable on or before 1/19/14 OR SUBJECT LEASE IS NULL & VOID.



I-4 Amending the Personal Property Tax Abatement Policy

Resolution #2010-08-173

Moved by Beltramini

Seconded by Kerwin

WHEREAS, The City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the tax base of the community, (c) reducing economic obsolescence, (d) providing homogenous industrial areas, (e) encouraging expansion, (f) providing for improved public facilities, and (g) encouraging attractive, viable building sites and (h) enhancing our economic development tools to attract and retain businesses; and

WHEREAS, The Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax abatements for eligible properties established by the Act;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the following minimum criteria, as authorized by the Industrial Facilities Tax Act (P.A. 1974 No. 198):

1. An Industrial Facilities Exemption Certificate (IFEC) tax abatement shall not be granted until there is compliance with MCL 207.559; and
2. Any real and/or personal property tax abatement at a minimum must be revenue neutral to the City of Troy.
3. Leasehold property shall not qualify for an IFEC tax abatement unless applicant is responsible for payment of the property taxes, and can demonstrate timely payment of property taxes upon the City's request; and
4. An IFEC tax abatement shall not be issued for a period or term exceeding 12 years; and
5. An IFEC tax abatement shall not be issued unless an Applicant will create more than 10 jobs and/or has a personal property investment of at least \$750,000.00, and/or owns the underlying real property or has a lease for the underlying property for a minimum term of 5 years, as long as two of the three criteria are satisfied.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the use of the following matrix to calculate the length of an IFEC tax abatement, where the increase in the number of jobs created will increase the term of the IFEC abatement, and similarly the increase in the personal property investment and the ownership/lease conditions on the real property will increase the term of the IFEC abatement:

Tax Abatement Matrix for Real and Personal Property					
Job Creation		Building Terms		RP and/or PP Investment	
10 - 24	1 year	Own	4 years	\$ 750,000	1 year
25 - 49	2 years	Lease		\$ 2,000,000	2 years
50 - 99	3 years	5 year	1 Year	\$ 5,000,000	3 years
100 - 149	4 years	6 - 9 year	2 years	\$ 10,000,000	4 years
150 - 199	5 years	10 + year	4 years	\$ 20,000,000	5 years
200 +	6 years				

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the implementation of an application fee equal to 2% of the estimated personal property taxes abated under the terms of the IFEC tax abatement, or the actual costs of processing the application, whichever is less, and the City of Troy will not charge or collect any other fees for the application, in keeping with MCL 207.555 (3).

Yes: Schilling, Beltramini, Fleming, Kerwin, McGinnis, Slater

No: Howrylak

MOTION CARRIED

July 10, 2014

To: State Tax Commission
P. O. Box 30471
Lansing, MI 48909-7971

From: Leger A. (Nino) Licari, City Assessor

Re: Affidavit of Application Fees For IFEC
Mahindra NA Technical Center
PA 198 Tax Abatement

This affidavit attests to the fact that the City of Troy has charged an application fee in the amount of \$113.86, equal to 2% of the estimated abated City taxes for the life of the exemption for Mahindra NA Technical Center, 1055 W Square Lake, Troy MI.

Further, no other fee or concession has been charged or accepted in regards to this application, or consideration thereof.

Signed: Leger A. (Nino) Licari, City Assessor

Dated:

Signed: Frederick Laws, Mahindra NA Technical Center

Dated:

and/or:

Signed: Jeffrey Blohm, Mahindra NA Technical Center

Dated:

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT**

This agreement between **Mahindra NA Technical Center, Inc.**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Mahindra NA Technical Center, Inc.**, understands that through its investment of \$887,751.00, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is **5** years after either completion of construction of the facilities, or December 31, 2021, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2015, **Mahindra NA Technical Center, Inc.**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Mahindra NA Technical Center, Inc.**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

Mahindra NA Technical Center, Inc., further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **Mahindra NA Technical Center, Inc.**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **Mahindra NA Technical Center, Inc.**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of any Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
(Signature page)

Signed: _____ (date) _____

Name:

Title:

Signed: _____ (date) _____
Dane Slater , Mayor
City of Troy
500 W Big Beaver
Troy, MI 48084-5285

Signed: _____ (date) _____
M. Aileen Bittner
City Clerk



CERTIFICATE OF OCCUPANCY
CITY OF TROY
OAKLAND COUNTY
STATE OF MICHIGAN

OF2014-0155

This is to certify that the structure listed below having complied with the requirements of the ordinances of the City of Troy, is hereby granted permission to occupy the said premises as set forth in the corresponding application under which the permits were granted.

Building Code in Effect: 2009 Michigan Building/Res		
Zoning: R-C	<u>Sprinkler System Information</u>	
Use Group: B	Sprinkler System Required? Y	Installed? Y
Construction Type: 2B	Demand at Base of Riser: 0 GPM	0 PSI
Subject to the following stipulation:		

Location
1055 W SQUARE LAKE
88-20-08-226-002
Lot: 0
Subdivision: Acreage

Applicant
MAGNUM INDUSTRIAL BUILDING C
P.O. BOX 668
Bloomfield Hills MI 48303

Permit #: PB2014-0088

Signed in Troy, Michigan
05/30/2014



Building Official

NON-TRANSFERABLE

TROY SCHOOL DISTRICT
Attn: MARK RAJTER
4400 LIVERNOIS
TROY MI 48098-4799

OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266

OAKLAND INTERMEDIATE SCHLS
2111 PONTIAC LAKE
WATERFORD MI 48328

OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479

OAKLAND CO EQUALIZATION
Attn: DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341

OAKLAND COUNTY ZOO AUTH'Y
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479

MAHINDRA NA
Attn: FREDERICK LAWS
1055 W SQUARE LAKE
TROY MI 48098

MAHINDRA NA
Attn: JEFFREY BLOHM
1055 W SQUARE LAKE
TROY MI 48098

AFFIDAVIT OF PUBLICATION, POSTING & MAILING

State of Michigan
County of Oakland
City of Troy

RE: PUBLIC HEARING:

Council/Board/Committee: City Council
Day: Monday
Date: August 11, 2014
Time: 7:30 PM

To consider the following: the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc.
Address: 1055 W. Square Lake Rd.
Parcel ID#: 88-20-08-226-002
Section: 5 and 8

I hereby certify that the attached notice was E-mailed to the Somerset Gazette Newspapers on: July 24, 2014

For publication on: July 28, 2014

Cheryl A Stewart

Cheryl A. Stewart
Admin Aide

I hereby certify that the attached notice was posted to the City of Troy website on: July 25, 2014

I further certify that the mailing is scheduled to be mailed by first class mail by the City Clerk's Office on: July 25, 2014

Cheryl A. Stewart
Admin Aide

POSTED: July 25, 2014
PUBLISHED: July 28, 2014

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, August 11, 2014 at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at the following location:

88-20-08-226-002 1055 W Square Lake, Troy, MI. 48098
T2N, R11E, Section 5 & 8

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.



M. Aileen Bittner, City Clerk

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@ci.troy.mi.us or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

From: [Cheryl A Stewart](#)
To: editor@troy-somersetgazette.com; [Patti Sweitzer](#)
Cc: [Clerks](#)
Subject: PUBLISH: July 28, 2014 20140811 IDD-IFEC Mahindra North American Technical Center, Inc. - 1055 W Square Lake Rd
Date: Thursday, July 24, 2014 3:10:32 PM
Attachments: [20140811 IDD-IFEC Mahindra North American Technical Center Inc - 1055 W Square Lake Rd.doc](#)
Importance: High

Cindy and/or Patti,

Would you please publish the attached Notice of Public Hearing in the July 28, 2014 edition of the Somerset Gazette?

Also, would you please reply to this email to confirm receipt of the information?

Thanks,

Cheryl A. Stewart | Admin Aide

City of Troy | City Clerk's Office | 500 W. Big Beaver Troy MI 48084-5254 | Office:
248.524.3316 | Fax 248.524.1770 | troymi.gov  

"We believe a strong community embraces diversity, promotes innovation, and encourages collaboration. We strive to lead by example within the region. We do this because we want everyone to choose Troy as their community for life. We believe in doing government the **best.**"

I-## Establishment of an Industrial Development District (IDD) at 1055 W Square Lake

Suggested Resolution

Resolution #2014-

Moved by

Seconded by

WHEREAS, pursuant to PA 198 of 1974, as amended, the Troy City Council has the authority to establish Industrial Development Districts (IDD's) within the City of Troy; and

WHEREAS, Mahindra North American Technical Center, Inc. has petitioned the Troy City Council to establish an Industrial Development District (IDD) on its property located in the City of Troy, hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility had not commenced at the time of filing the request to establish the district; and

WHEREAS, written notice was given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the newspaper of record, and public posting of the hearing on the establishment of the district; and

WHEREAS, on August 11, 2014, a public hearing was held at which all owners of real property within the proposed Industrial Development District (IDD) and all residents and taxpayers of the City of Troy were afforded an opportunity to be heard thereon; and

WHEREAS, the Troy City Council deems it to be in the public interest of the City of Troy to establish the Industrial Development District (IDD) as proposed.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 1055 W Square Lake, Troy, MI. 48098, Parcel #88-20-08-226-002, in accordance with City Council Policy Resolution #2010-08-173; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a certified copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

Yes:

No:



CITY COUNCIL AGENDA ITEM

Date: August 8, 2014

To: Brian Kischnick, City Manager

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

Subject: Public Hearing for the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., 1055 W. Square Lake, Troy, MI. 48098

Background:

Mahindra North American Technical Center, Inc., has renovated and occupied the property at 1055 W. Square Lake (the former Hi-Lex property). This is the technical center for the newly formed North American operations of Mahindra, a heavy machinery manufacturer from India. They are interested in entering the American automotive market.

The building has been vacant for several years, and is uniquely suited for their technical center. They have a five year lease, with options for additional years, or to purchase the property.

They have invested \$887,751 in equipment and renovations, and will be bringing 82 jobs to the facility.

This Public Hearing is for the purpose of granting or denying the tax abatement.

Financial Considerations:

Based on the length of their lease of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for a five (5) year abatement under Council Policy Resolution #2010-08-173.

The \$887,751 investment would generate approximately \$34,058.55 in total taxes over five (5) years, of which \$11,385.97 would be City taxes.

The abatement would therefore save the company \$17,029.27 over its life. The City would realize \$5,692.99 in taxes that it does not currently receive.



CITY COUNCIL AGENDA ITEM

Legal Considerations:

The site meets all legal and Policy Resolution criteria necessary for establishing an IDD.

Policy Considerations:

The application is in compliance with City Council Tax Abatement Policy Resolution #2010-08-173, and PA 198.

Options:

City Council may establish the IDD (and approve the tax abatement). Or, City Council may choose to not establish a district at this site. In which case, the Council must then deny any tax abatement for a district not established (the next Public Hearing on your Agenda). The company would then appeal these decisions to the State Tax Commission (STC).

NI/nl H:IFT\Mahindra 01.10.14\Memo IFEC Mahindra 08.11.14

TROY SCHOOL DISTRICT
Attn: MARK RAJTER
4400 LIVERNOIS
TROY MI 48098-4799

OAKLAND COMMUNITY COLLEGE
CLARENCE E BRANTLEY
2480 OPDYKE
BLOOMFIELD HILLS MI 48304-2266

OAKLAND INTERMEDIATE SCHLS
2111 PONTIAC LAKE
WATERFORD MI 48328

OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479

OAKLAND CO EQUALIZATION
Attn: DAVID HIEBER
250 ELIZABETH LAKE RD 1000 W
PONTIAC MI 48341

OAKLAND COUNTY ZOO AUTH'Y
1200 N TELEGRAPH Dept 479
PONTIAC MI 48341-0479

MAHINDRA NA
Attn: FREDERICK LAWS
1055 W SQUARE LAKE
TROY MI 48098

MAHINDRA NA
Attn: JEFFREY BLOHM
1055 W SQUARE LAKE
TROY MI 48098

AFFIDAVIT OF PUBLICATION, POSTING & MAILING

State of Michigan

County of Oakland

City of Troy

RE: PUBLIC HEARING:

Council/Board/Committee: City Council
Day: Monday
Date: August 11, 2014
Time: 7:30 PM

To consider the following: the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc.
Address: 1055 W. Square Lake Rd.
Parcel ID#: 88-20-08-226-002
Section: 5 and 8

I hereby certify that the attached notice was E-mailed to the Somerset Gazette Newspapers on: July 24, 2014

For publication on: July 28, 2014



Cheryl A. Stewart
Admin Aide

I hereby certify that the attached notice was posted to the City of Troy website on: July 25, 2014

I further certify that the mailing is scheduled to be mailed by first class mail by the City Clerk's Office on: July 25, 2014

Cheryl A. Stewart
Admin Aide

POSTED: July 25, 2014
PUBLISHED: July 28, 2014

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, August 11, 2014 at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at the following location:

88-20-08-226-002 1055 W Square Lake, Troy, MI. 48098
T2N, R11E, Section 5 & 8

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.



M. Aileen Bittner, City Clerk

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Cheryl A. Stewart | Admin Aide

City of Troy | City Clerk's Office | 500 W. Big Beaver Troy MI 48084-5254 | Office:
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E - 01 Request for Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., 1055 W Square Lake, Troy MI., 48098

Suggested Resolution

Resolution # 2014-

Moved by:

Seconded by:

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on August 11, 2014, established an Industrial Development District (IDD) for property known as 1055 W Square Lake, Troy, MI. 48098, Parcel # 88-20-08-226-002; and

WHEREAS, An Application has been submitted by Mahindra North American Technical Center, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1055 W Square Lake, Troy, MI. 48098 for nine (9) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on August 11, 2014, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc. at 1055 W Square Lake, Troy, MI. 48098 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Troy, after granting this certificate will not exceed 5% of an amount equal to the sum of the SEV of the City of Troy, plus the SEV of real and personal property thus exempted;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at 1055 W Square Lake, Troy, MI. 48098 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for Mahindra North American Technical Center, Inc., at 1055 W Square Lake, Troy, MI. 48098, Parcel # 88-20-08-226-002, for personal property for a term of Five (5) years **after completion**, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Mahindra North American Technical Center, Inc., and the payment of the fees in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Mahindra North American Technical Center, Inc., a copy of which shall be **ATTACHED** to the original minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971

Yes:
No:



CITY COUNCIL AGENDA ITEM

Date: July 31, 2014

To: Brian Kischnick, City Manager

From: Jeanette Menig, Human Resources Director

Subject: **AGENDA ITEM** – Contract Ratification – Troy Command Officers Association (TCOA) 2014-2019

BACKGROUND

The City of Troy and Troy Command Officers Association (TCOA) recently reached a tentative agreement for a five-year successor collective bargaining agreement to replace the contract that expired June 30, 2014.

As seen in the attached Tentative Agreement Summary, this agreement provides for a wage increase (some of which is in the form of a lump sum payment) changes to active employee health insurance and a modification to the calculation for paid health insurance in retirement.

Consistent with agreements ratified with our other bargaining units, this agreement eliminates the HMOs and moves the entire group to the Blue Cross Blue Shield Community Blue PPO health insurance plan. Aligned with other employee groups, TCOA members will be contributing 5.0% of the premium. With the entire bargaining unit accepting Community Blue PPO, there would be an opt-out of PA 152 for five years (2014, 2015, 2016, 2017 and 2018).

Changes to retiree health insurance (for those hired prior to the implementation of the Retiree Health Savings Plan) will reduce the City's future liability: the accrual of employer-paid retiree health insurance will decrease from 4% to 3% for each future year of service, and the maximum is reduced from 100% to 90%. These changes will be implemented as new members enter the bargaining unit.

Also notable is the addition of a biennial physical exam incentive program which mirrors the program already in place for Police Officers.

RECOMMENDATION

City management supports and recommends approval of the tentative agreement between the City of Troy and the Troy Command Officers Association (TCOA) for a five-year successor collective bargaining agreement that will replace the contract that expired June 30, 2014.

A summary of the tentative agreement and the resulting contract language changes are attached.

TENTATIVE AGREEMENT SUMMARY
City of Troy and TCOA
2014-2019 Collective Bargaining Agreement
(With Side-by-side Comparison where applicable)

ISSUE	CURRENT	TENTATIVE AGREEMENT
Contact Duration		Five years
Wages		Upon ratification 1% plus \$500 signing bonus July 1, 2015 1% plus \$250 lump sum July 1, 2016 1% plus \$250 lump sum July 1, 2017 1% plus \$250 lump sum July 1, 2018 1% plus \$250 lump sum
Health Insurance	<ol style="list-style-type: none"> 1. Blue Cross CB PPO, BCN & HAP <ol style="list-style-type: none"> a) \$10/40 generic/brand Rx b) 2x MOPD (\$20 co-pay for 3 mo Rx supply) c) \$30 office visit co-pay; \$50 ER co-pay (waived if admitted) d) \$250/\$500 basic deductible (PPO) 	<ol style="list-style-type: none"> 1. Eliminate HMO's 2. 5% employee premium cost-share 3. For employees entering the unit, cash in lieu of health insurance equals what they currently receive, but not more than \$250/mo. 4. City selects PA 152 Local Government Opt Out for 2014, 2015, 2016, 2017, 2018
Retirement	Accrual of employer-paid retiree health insurance is 4% per year of service, up to 100% maximum	Upon promotion into the unit, accrual of employer-paid retiree health insurance is 3% for each future year of service, up to 90% maximum. (Only for those already eligible).
Physical Exam Incentive		Receive 20 hours of additional holiday leave each year for submitting proof he/she passes a biennial physical exam.
Miscellaneous		Changes regarding process for overtime distribution and use of accrued vacation time.

TENTATIVE AGREEMENT
City of Troy and TCOA
2014-2019 Collective Bargaining Agreement

Article 18. OVERTIME

- A full ten (10) or eight (8) hour shift shall be granted on a voluntary seniority basis by rank to the remaining supervisors assigned to that shift or work unit where the overtime is occurring. The overtime shall be equalized among the supervisors of each shift or work unit.
- In the event no supervisor remaining on the shift or work unit volunteers to work the overtime, it shall be offered by seniority to the remaining Division supervisors without seniority equalization.
- In the event that there is an error by management in offering overtime, such error shall be corrected only by offering that amount of hours to the aggrieved supervisor when such overtime next becomes available in accordance with section 18.H.
- Operations Division overtime for working a shift to fulfill five (5) hour minimum staffing requirements, or "time of day minimum staffing," shall be equalized as close as may be practical among all Operations Division Lieutenants and Sergeants, to include any positions under the chain of command of the Operations Division, with the Union being responsible for drafting the procedures for implementation and maintaining a record of the accumulation of overtime.

Article 28. VACATION

Remove paragraph 2 in subsection C that requires taking a 40 hours in a consecutive fashion.

Article 32. HOSPITALIZATION AND MEDICAL INSURANCE

Active Employee Medical Insurance

- Only one plan available – current Community Blue PPO (eliminate HMOs)
- Employees pay 5.0% of the premium
- Employees promoting into the unit after July 1, 2014 who are already opting out of medical insurance will receive the amount they are currently receiving, or \$250 per month, whichever is less.
- City Council Opt's out of PA 152 for 2014-15, 2015-16, 2016-17, 2017-18, 2018-19.

Retiree Medical Insurance

- For employees promoting into the unit after January 1, 2015 the calculation will change as of the date each Officer enters the unit. His previous accrual will be frozen and for the additional (future) years, the calculation will become 3% per complete future year of service. The maximum be capped at 90%. An Officer entering the unit whose calculation already equals or exceeds 90% will be frozen at that percentage and will not accrue additional percent per year of service.
- Officers participating in Retirement Health Savings (RHS) plan will remain in the RHS.

Article 33. PHYSICAL EXAMINATION

Each officer will receive 20 hours of holiday leave for the first year and 20 hours for the following year if he passes a biennial physical exam and provides documentation that he has passed the physical.

Article 38. WAGES

Effective date of ratification:	1% across the board increase + \$500 lump sum bonus
Effective 7/1/2015:	1% across the board increase + \$250 lump sum bonus
Effective 7/1/2016:	1% across the board increase + \$250 lump sum bonus
Effective 7/1/2017:	1% across the board increase + \$250 lump sum bonus
Effective 7/1/2018:	1% across the board increase + \$250 lump sum bonus

Article 43. DURATION OF AGREEMENT

5 year agreement

There shall be a reopener at either party's request on the sole issue of wages for July 1, 2017 and/or July 1, 2018.

FOR THE UNION:

FOR THE CITY:

Date: _____

Date: _____

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on July 21, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:00 PM.

B. ROLL CALL:

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

C. DISCUSSION ITEMS:

C-1 Non-Profit use of Public Land for a Community Festival – An Evaluation of the Potential for Troy Family Daze Using City Property

Mayor Slater opened the meeting.

Council Member Tietz disclosed that he is a board member on the North Woodward Community Foundation.

City Manager Kischnick introduced the topic. He referenced the last slide of the presentation and took note of the items in question tonight. He turned the discussion over to Kurt Bovensiep, Public Works Manager, who began discussing the presentation titled, "Non-Profit Use of Public Land for a Community Festival – An Evaluation of the Potential for Troy Family Daze Using City Property".

City Attorney Bluhm discussed slides regarding City Charter and City Code provisions and restrictions relating to selling or leasing City property.

City Clerk Bittner commented that the only scheduled election in 2015 is the November election.

Mayor Slater asked Tom Kaszubski to offer a summary of the North Woodward Community Foundation, what they do and how they are involved in Troy Family Daze. Mr. Kaszubski explained that the festival is operated by the Troy Family Daze Board under the direction of the North Woodward Community Foundation. He said the Foundation sponsors the festival, but all decisions are made by the Troy Family Daze Board.

Council Member Fleming asked if the festival has been profitable. Mr. Kaszubski answered that the last two festivals have been profitable.

Mayor Slater asked Mr. Kaszubski if he believes Boulan Park is the best location for the festival. Mr. Kaszubski answered that they have looked at many locations and City property sites make

the most sense. He said he first wanted to use the skate park location, but when he found out that it wasn't available, he decided that Boulan Park or the Civic Center site would both be the best locations. The Civic Center site would be the least disruptive site for a festival.

Council Member Fleming asked if Mr. Kazubski has considered parking at the Civic Center site. Mr. Kazubski explained that there are many parking lots available at the Civic Center, but also Zion Church and Walsh College have both indicated they could provide parking space for the festival.

Council Member Hodorek asked how involved the North Woodward Community Foundation is within the city. Mr. Kazubski answered that they have published grants that benefit the residents of Oakland County and Troy.

Mr. Bovensiep concluded the presentation.

Mr. Kischnick returned the conversation to the last slide that contained the discussion points.

Council Member Hodorek asked about the security aspects of using public land and would it be the Police Department or private security companies. Mr. Bovensiep answered that it would primarily be private security but the Police Department would have a presence there especially for traffic control on public roads. Council Member Hodorek commented that she likes the plan to use the Civic Center site and wants to make sure there is a partnership between the City of Troy and the North Woodward foundation.

Council Member Fleming supports using public land for the festival and likes the Civic Center site. Council Member Pennington supports using public land for the festival and likes the Civic Center site. Council Member Campbell supports using public land for the festival and likes the Civic Center site. Mayor Pro Tem Henderson supports using public land for the festival and likes the Civic Center site. Council Member Tietz supports the use of public land for the festival.

Mayor Slater commented that there is a consensus to use public land for the festival and prefers the Civic Center site over the Boulan Park site. He explained the two options before Council for the RFP or the waiver of RFP.

Council Member Campbell asked if the City has done RFP's for something similar in the past. City Manager Kischnick answered that there was an RFP for the Troy Racquet Club, a private company, in 1976.

Mayor Slater commented that if the proposed site was Boulan Park, he wanted an RFP but if it's the Civic Center site, he will support a waiver.

Council Member Fleming supports a waiver of the RFP for the festival because it will simplify the process as long as the waiver is specific.

City Attorney Bluhm commented that there cannot be a three-year lease with renewals that circumvents the Charter restrictions.

Mr. Kazubski commented that longer leases are more advantageous to the community because the festival will be able to get better prices from vendors. He stated that a seven-year lease would be his preferred terms.

Mayor Pro Tem Henderson supports a waiver of the RFP process for the lease of public land for the festival.

Council Member Pennington supports the waiver of the RFP process.

Mayor Slater said he was concerned about the waiver when the proposed site was at Boulan Park but will support a waiver for the Civic Center site.

City Attorney Bluhm commented that City Council will need to articulate why the Council is not obtaining bids such as the lease rate along with the long-standing relationship.

Mayor Pro Tem Henderson commented that the Civic Center site is so specific that he is not worried about more than one group wanting to use that area for a festival. Mayor Slater commented that many groups use the Civic Center campus for events, which is fine as long as the groups are non-profit.

Council Member Tietz commented that the Foundation engages in a lot of volunteerism and is not a company outside the City paying their employees to be here.

Mr. Kazubski commented that having the decision on the site so they can advertise future festivals will be a lot easier.

Mr. Kischnick said that City Administration will put a document together and bring it back to City Council.

D. PUBLIC COMMENT:

Al Lindsey, Chairman of Troy Family Daze Festival – Spoke in support of festival and thanked City Council for their support.

Jim Werpetinski – Spoke in support of the festival

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:48 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

Mayor Pro Tem Henderson performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, July 21, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:32 PM.

B. ROLL CALL:

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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 SafeBuilt Scholarship Presentation *(Introduced by: Paul Featherston, SafeBuilt Building Official, and Cindy Stewart, Community Affairs Director)*

C-2 Teen Advisory Board Presentation by Arushi Mahajan, Board President *(Introduced by: Cathleen Russ, Library Director)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) **Mayoral Appointments:** None

b) **City Council Appointments:**

Resolution #2014-07-097

Moved by Henderson

Seconded by Fleming

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

Parks and Recreation Board

Appointed by Council

7 Regular Members and 1 Troy School Board Member:

Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Term Expires: 7/31/2015

Gary Hauff

Term currently held by: Gary Hauff

Term Expires: 7/31/2015

David Bluhm

Term currently held by: David Bluhm (Student)

Yes: All-7

No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Planning Commission; b) City Council Nominations – Liquor Advisory Committee

a) **Mayoral Nominations:**

City Council took no action on this Item.

b) **City Council Nominations:**

City Council took no action on this Item.

I-3 No Closed Session Requested

**I-4 Contract Ratification – Troy Fire Staff Officers Association (TFSOA) 2014-2019
(Introduced by: Jeanette Menig, Human Resources Director)**

Resolution #2014-07-098
Moved by Henderson
Seconded by Fleming

RESOLVED, That a collective bargaining agreement between the City of Troy and TFSOA for the period July 1, 2014 through June 30, 2019 is hereby **RATIFIED** by the City Council of the City of Troy, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the final agreement.

Yes: All-7
No: None

MOTION CARRIED

**I-5 Joint Local Development Finance Authority (LDFA) Proposed Extension
(Introduced by: Mark F. Miller, Director of Economic and Community Development,
and Glenn Lapin, Economic Development Specialist)**

J. CONSENT AGENDA:

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

Resolution #2014-07-099
Moved by Fleming
Seconded by Campbell

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

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2014-07-099-J-2

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

- a) City Council Minutes-Special-Draft – July 7, 2014
- b) City Council Minutes- Draft – July 7, 2014

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 3: Exercise Renewal Option – PRI Services to Telephone Switch**

Resolution #2014-07-099-J-4a

WHEREAS, On April 18, 2011, Troy City Council awarded a three (3) year contract to Telnet Worldwide, of Troy, MI (Resolution #2011-04-085-J-7) for PRI Services for voice and long distance services to the City's telephone switch; and

WHEREAS, The City of Troy determines that Telnet Worldwide meets all the contract terms and conditions in accordance with the PRI Services Agreement date April 18, 2011; and

WHEREAS, Telnet Worldwide has agreed to extend the current pricing, terms and conditions for an additional three (3) years along with credit for one free month of service; and

WHEREAS, The Purchasing Department has conducted a market survey and verified that the current pricing offered by Telnet Worldwide continues to be competitive and the best value for the City;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **ACCEPTS** the offer to renew a three (3) year contract to provide voice and long distance services under the same contract prices, terms, and conditions, contract expiring August 17, 2017, at an estimated monthly cost of \$955.00 plus regulatory fees and taxes.

b) Standard Purchasing Resolution 4: State of Michigan – MiDeal Program – Fleet Vehicle/Equipment

Resolution #2014-07-099-J-4b

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2013 John Deere 672G loader from JDE Equipment/AIS Construction Equipment, of Grand Rapids, MI, through the State of Michigan MiDEAL Program for an estimated total cost of \$262,356.00 less trade-in allowance of \$11,000.00 or better for the (2) two 1980 graders for an estimated net total cost of \$251,356.00.

c) Standard Purchasing Resolution 2: Award to Lowest Bidders Meeting Specifications – Traffic Control Signs and Posts

Resolution #2014-07-099-J-4c

RESOLVED, that Troy City Council hereby **AWARDS** one-year contracts to provide Traffic Control Signs and Posts on a proposal-by-proposal basis to the four (4) lowest total bidders meeting specifications for an estimated total cost of \$43,513.40; as detailed below and at unit

prices contained in the bid tabulation opened July 10, 2014; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2015.

Bidder	Proposal	Estimated Total
Vulcan Signs	A, B, E, F, G, H	\$22,128.70
Rathco Safety Supply	C, D, J, H	\$15,608.70
Garden State Highway Products	K	\$2,916.00
Lightle Enterprises of Ohio LLC	I	\$2,860.00
Estimated Grand Total		\$43,513.40

J-5 Private Agreement – Contract for Installation of Municipal Improvements – Hunters Park – Project No. 14.901.3

Resolution #2014-07-099-J-5

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Mondrian Properties Hunters Park, LLC, is hereby **APPROVED** for the installation of Water Main, Sanitary & Storm Sewer, Concrete Pavement & Sidewalk, and Detention Pond, 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.

J-6 Private Agreement – Contract for Installation of Municipal Improvements – Chatwal Park Estates Site Condominiums – Project No. 13.921.3

Resolution #2014-07-099-J-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Mondrian Properties Chatwal Park, LLC, is hereby **APPROVED** for the installation of Water Main, Sanitary Sewer, Storm Sewer, Detention Pond & Pump Station, and Concrete Pavement & Sidewalk, 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.

J-7 Private Agreement – Contract for Installation of Municipal Improvements – Detroit Meeting Room – Project No. 13.902.3

Resolution #2014-07-099-J-7

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Detroit Meeting Rooms, is hereby **APPROVED** for the installation of Water Main, Sanitary Sewer, Concrete Sidewalk & Approach, and Detention Pond, 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.

J-8 Request for Recognition as a Nonprofit Organization from Troy Firefighter's Community Fund

Resolution #2014-07-099-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the request from Troy Firefighter's Community Fund, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**K-1 Announcement of Public Hearings:**

- a) Public Hearing August 11, 2014 - Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Mahindra NA Technical Center – 1055 W. Square Lake Rd.

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:****M. COUNCIL REFERRALS:**

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

M-1 Council Member Tietz: Resolution Regarding HB 5317 and HB 5318

Resolution #2014-07-100

Moved by Tietz

Seconded by Henderson

WHEREAS, On May 22, 2014, the Michigan House of Representatives passed HB 5317 (amendment to Safe Water Drinking Act) and 5318 (amendment to the Stille DeRossett Hale Single State Construction Code Act), which were tie barred; and

WHEREAS, On May 27, 2014, HB 5317 and HB 5318 were referred to the Senate Regulatory Reform Committee, and are pending at this time; and

WHEREAS, Under the current law and mandates of the MDEQ, residents and businesses of the City of Troy are now required to pay the costs for a licensed plumber to complete backflow testing once every three years, and these costs can be up to \$150.00 for each test; and

WHEREAS, The City of Troy acknowledges the critical need to prevent contamination of the water supply system, and recognizes that backflow testing is an important responsibility of

every homeowner, and strongly encourages education about the protections provided with backflow testing; and

WHEREAS, The MDEQ's requirement to complete backflow testing once every three years is an unfunded mandate that is not clearly set forth in state statute, and the MDEQ has not demonstrated that this backflow testing frequency is required to prevent contamination of the water supply; and

WHEREAS, This unfunded mandate on local municipalities diverts tax dollars away from core city services, and testing every ten years, as detailed in HB 5317, may provide the same protections to the water supply;

NOW, THEREFORE, BE IT RESOLVED, The City Council of the City of Troy hereby **RECOMMENDS** the immediate passage of HB 5317 and HB 5318, and urges the Governor to immediately sign it upon presentation; and

BE IT FURTHER RESOLVED, That the City Clerk shall **FORWARD** copies of this resolution to State Senator John Pappageorge, State Representative Martin Howrylak, as well as Governor Snyder; and

BE IT FURTHER RESOLVED, That the City Council **URGES** Troy residents to learn about this issue and contact their legislators to express their opinions.

Yes: All-7
No: None

MOTION CARRIED

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

Council Member Hodorek spoke of her opportunity to meet a Troy resident, who celebrated her 104th birthday last week.

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Personnel Board-Final – April 5, 2010
- b) Election Commission-Final – September 26, 2013
- c) Civil Service Commission (Act 78)-Final – March 13, 2014
- d) Building Code Board of Appeals-Draft – June 4, 2014
- e) Building Code Board of Appeals-Final – June 4, 2014
- f) Civil Service Commission (Act 78)-Final – June 26, 2014
- g) Election Commission-Draft – June 30, 2014
- h) Personnel Board-Draft – July 1, 2014
- i) Civil Service Commission (Act 78)-Draft – July 3, 2014
- j) Building Code Board of Appeal-Draft – July 9, 2014

O-2 Department Reports:

- a) Building Department Activity Report – June, 2014

O-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Mayer from Kevin Kelleher, Northwestern University, Regarding Participating in a Police Executive Panel Discussion
- b) Letter of Appreciation to Cindy Stewart from State Representative Martin Howrylak Regarding Coordination of the Roads Town Hall in Troy

O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**O-5 Letter From RCOC Regarding Winter Maintenance Contract Increase****O-6 Library Improvement Team****O-7 Fireworks Calls for Service Update****O-8 Aquatic Habitat Restoration Project Status Update****O-9 Summary for Ballot Proposal 14-1 – August 5, 2014 Provided by Nino Licari, City Assessor**

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

Vlisides, Jeff	Spoke on Item M-01.
Lueck, Mike	Spoke on Item M-01.

Q. STUDY ITEMS:**Q-1 No Study Items****R. CLOSED SESSION:****R-1 No Closed Session****S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 8:07 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: July 24, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Loraine Campbell, Executive Director, Troy Historical Village
Steven J. Vandette, City Engineer

Subject: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 14-4 – 2014 Historical Village Pathway Improvements

History

The existing brick paver pathways in the Historical Village were installed in 1993. Since that time several new buildings have been added to the site, which prompted the development of a new master site plan. The 2009 approved site plan includes a new pathway layout that connects all the buildings, improves traffic flow and enhances the visitors' experience.

The old brick pathway has a number of physical problems. Over time the pathway has become uneven due to frost heave and settlement. The pathway has a raised solid brick border along its sides that traps water and sediment; it blocks site drainage, causing puddles and soft, muddy ground conditions adjacent to the pathway; and the border bricks become broken and dislodged by lawn mowers and foot traffic.

The new pathway will be approximately 1,000 feet long by 5 feet wide and connect all of the buildings on the site. The old brick pathway will be removed, except for the newer concrete paver walkway and plaza area near the parsonage and church. Also included are six (6) new storm catch basins to help drain the site and 400 feet of drain tile to help remove excess water from the soil subsurface.

In order to comply with ADA requirements, the project is designed to be compatible with a future project to remove the existing wooden porches and ramps from the General Store, and remove the porch from the Print Shop. In addition, the new pathway will be compatible with new ADA compliant ramps and railings to be installed along the west side of the General Store and the rest room entry on the south side of the building.

All of the old pathway bricks will be removed at no cost to the city and retained by a Historical Village volunteer. The **new pathway** will be constructed with **colored, stamped concrete** to blend with the color and character of the plaza near the church. This type of construction was chosen because it can be done faster than laying concrete pavers, it's less expensive and it's less prone to surface irregularities and unevenness. It can be constructed within a very tight window of time in September that will be the least disruptive to school group visits and special events. The construction schedule calls for the work to start during the last week in August and be complete by September 26, 2014; a period of about five (5) weeks.



CITY COUNCIL AGENDA ITEM

Purchasing

The pathway project was competitively bid. Bids were publicly opened on July 9, 2014 - two (2) bidders responded. The low bid of \$135,820, was submitted by WCI Contractors, Inc. as shown in the attached tabulation of bids. The award is contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

Financial

Funds for this work are available from the Historical Village Capital, Building Improvements & Accessibility and Sidewalk budgets.

Recommendation

It is recommended that City Council award a contract for the 2014 Historical Village Pathway Improvements project to WCI Contractors, Inc., 20210 Conner Street, Detroit, MI 48234 for their low bid amount of \$135,820. In addition, we are requesting a contingency amount of 15% of the original project cost for additional work as may be needed to address underground conflicts or conflicts with adjacent structures or any additional work needed to complete the project.

WCI Contractors, Inc.
 20210 Conner Street
 Detroit, MI 48234

Macomb Pipeline
 44444 Mound Rd., ste. 640
 Sterling Heights, MI 48314

Item	Unit	Quantity	Unit Price	Total Cost	Unit Price	Total Cost
BASE BID						
1 Mobilization, Max. \$5,000	LS	1	5,000.00	5,000.00	2,500	2,500.00
2 Sidewalk, Rem	Syd	7	90.00	630.00	20.00	140.00
3 Erosion Control, Filter Bag	Ea	8	150.00	1,200.00	50.00	400.00
4 Aggregate Base 21AA Limestone	Ton	140	24.00	3,360.00	25.00	3,500.00
5 Edge Drain, 8 inch	Ft	385	32.00	12,320.00	50.00	19,250.00
6 Roof Conductor, 6 inch	Ft	100	30.00	3,000.00	40.00	4,000.00
7 PVC Sleeve	Ea	16	240.00	3,840.00	200.00	3,200.00
8 Dr Structure, 24 inch dia	Ea	5	1,800.00	9,000.00	2,000	10,000.00
9 Dr Structure, Tap 8 inch	Ea	1	600.00	600.00	500.00	500.00
10 Dr Structure, 36 inch dia	Ea	1	2,400.00	2,400.00	2,200	2,200.00
11 PVC Cleanout	Ea	6	300.00	1,800.00	300.00	1,800.00
12 Sidewalk, Conc, 4 inch	Sft	50	5.70	285.00	6.00	300.00
13 Stamped Pathway, Conc, 4 inch (Pattern "A")	Sft	4,450	15.00	66,750.00	15.00	66,750.00
14 Stamped Pathway, Conc, 4 inch (Pattern "B")	Sft	580	18.75	10,875.00	15.00	8,700.00
15 Sodding	Syd	1,200	8.00	9,600.00	5.00	6,000.00
16 Topsoil Surface, Furn, 3 inch	Syd	1,200	4.30	5,160.00	6.00	7,200.00
TOTAL AMOUNT OF BASE BID:				\$ 135,820.00	\$ 136,440.00	



CITY COUNCIL AGENDA ITEM

Date: July 25, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
 MaryBeth Murz, Purchasing Manager
 Elaine S. Bo, Recreation Director
 Brian E. Goul, Assistant Recreation Director

Subject: Standard Purchasing Resolution 2: Low Bidder Meeting Specification – Community Center Interior Painting

History

- The Community Center is thirteen years old and the building still has the original paint.
- The Community Center is used on a daily basis in all areas; especially the fitness areas, pool, banquet rooms, and conference rooms.
- Due to daily continuous use an updating of the Community Center is needed at this time to ensure continued use of the facility.

Purchasing

- On July 10, 2014, a bid opening was conducted as required by City Charter and Code to furnish all equipment, material and labor to paint interior rooms and/or areas of the City of Troy Community Center. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info and the bid was also sent to the Troy Chamber of Commerce. Three (3) bid responses were received. Below is a detailed summary of potential vendors:

Companies notified via MITN	304
Troy Companies notified via MITN	11
Troy Companies notified Active email Notification	11
Troy Companies notified Active Free	0
Companies that viewed the bid	24
Troy Companies that viewed the bid	1

MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.

Active MITN members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.

Active MITN non-paying members are responsible to monitor and check the MITN website for opportunities to do business with the City.

Inactive MITN member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.

After reviewing the bid proposal, Hermes Painting Company of Troy, MI was the low bidder meeting specification and is being recommended for the interior painting at the Troy Community Center.

Financial

- The funds for these purchases are available in the Community Center Buildings and Improvements Annex Renovation Capital Account.

Recommendation

- City management recommends awarding a contract to furnish all equipment, material, and labor to paint the interior of the Troy Community Center to the low bidder meeting specifications; *Hermes Painting Company of Troy, MI* for an estimated total cost of \$90,200.00 at prices contained in the bid tabulation dated July 10, 2014.

	Hermes Painting	Metro Trades LLC	Classic Painting
	Troy, MI	Detroit, MI	Howell, MI
Ck#	#1253447984	#79077	#9041700549
Ck Amount	\$8,000.00	\$8,000.00	\$8,000.00

PROPOSAL: Furnish all equipment, material and labor to paint the interior of the Troy Community Center in accordance with all bid specifications.

ITEM	AREA	PAINTING DATES	ESTIMATED COST	ESTIMATED COST	ESTIMATED COST
1	Banquet Room 304	8/21 - 8/23	\$1,100.00	\$2,900.00	\$3,852.00
2	Banquet Room 305	8/21 - 8/23	\$1,100.00	\$2,950.00	\$3,852.00
3	Men & Women Banquet Restrooms	8/21 - 8/23	\$1,200.00	\$1,600.00	\$984.00
4	Family Locker Room	8/25 - 8/29	\$750.00	\$3,200.00	\$3,468.00
5	Men's Family Locker Room	8/25 - 8/29	\$1,600.00	\$3,200.00	\$3,468.00
6	Women's Locker Room	8/25 - 8/29	\$1,600.00	\$3,200.00	\$3,468.00
7	Locker Room Doors (inside & outside)	8/25 - 8/29	\$800.00	\$600.00	\$2,520.00
8	Men & Women Control Desk Restrooms	8/25 - 8/29	\$800.00	\$1,200.00	\$1,080.00
9	Men, Women, Family Administration Restrooms	8/30 - 9/1	\$900.00	\$1,200.00	\$1,080.00
10	Storage Area Doors	8/30 - 9/1	\$900.00	\$500.00	\$1,560.00
11	Administrative Offices	8/31 - 9/1	\$14,500.00	\$10,500.00	\$17,304.00
12	Banquet Room 302	9/2 - 9/3	\$900.00	\$1,900.00	\$1,206.00
13	2nd Floor Studio A (gypsum walls & structural steel	9/2 - 9/5	\$1,700.00	\$3,200.00	\$6,280.00
14	2nd Floor Studio B (gypsum walls & structural steel	9/2 - 9/5	\$1,500.00	\$2,300.00	\$3,490.00
15	2nd Floor Studio C (gypsum walls & structural steel	9/2 - 9/5	\$1,500.00	\$2,300.00	\$3,490.00
16	2nd Floor Studio D (gypsum walls & structural steel	9/2 - 9/5	\$1,700.00	\$3,200.00	\$6,280.00
17	2nd Floor Viewing Room	9/2 - 9/5	\$200.00	\$1,200.00	\$324.00
18	Stairway to 2nd Floor (Control Desk)	9/2 - 9/5	\$1,700.00	\$2,600.00	\$3,285.00
19	Upstairs Storage Rooms	9/2 - 9/5	\$1,100.00	\$600.00	\$792.00
20	Men & Women 2nd Floor Restrooms	9/2 - 9/5	\$950.00	\$1,200.00	\$1,308.00
21	Banquet Room 301	9/5 - 9/6	\$900.00	\$1,445.00	\$2,010.00
22	Banquet Room 303	9/6 - 9/7	\$900.00	\$3,045.00	\$2,640.00
23	Room 504	9/8 - 9/8	\$850.00	\$1,425.00	\$2,040.00
24	Room 503	9/9 - 9/9	\$850.00	\$1,550.00	\$1,740.00
25	Rooms 402A & 402B	9/12 - 9/15	\$800.00	\$900.00	\$2,880.00
26	Cafeteria 402	9/12 - 9/15	\$2,900.00	\$3,500.00	\$1,560.00
27	Kitchen	9/12 - 9/15	\$1,100.00	\$3,500.00	\$2,584.00
28	Men & Women Senior Restrooms	9/12 - 9/15	\$900.00	\$1,200.00	\$816.00
29	Loading Dock Hallway & Room	9/12 - 9/15	\$1,500.00	\$1,800.00	\$5,370.00
30	Conference Room 403 & 404	9/13 - 9/16	\$900.00	\$1,450.00	\$1,344.00
31	Building Hallways (including gypsum board, railing structural steel)	TBD*	\$29,000.00	\$30,100.00	\$63,397.00
32	All Door Frames	TBD*	\$0.00	\$13,275.00	\$7,740.00
ESTMATED GRAND TOTAL COST OF ALL AREAS:			\$90,200.00	\$112,740.00	\$163,212.00
Mandatory Pre-Bid Meeting:	Yes or No	Yes	Yes	Yes	
Years of experience with large painting projects:		28	15	No Response	
References:		Yes	Yes	Yes	
Can meet completion date:	Yes or No	Yes	Yes	Yes	
Insurance:	Yes or No	Yes	Yes	Yes	
Payment Terms:		30 Day	Bi-Weekly	Upon completion	
Warranty:		As Specified	As Specified	As Specified	
Exceptions:		None	None	None	
Signature page:	Yes or No	Yes	Yes	Yes	
Schedule of Values:	Yes or No	Yes	Yes	Yes	
Forms Completed:	Yes or No	No	No	No	

1 Bid received: Non-Compliant

DENOTES LOW BIDDER MEETING SPECIFICATIONS

ATTEST:

Susan Riesterer
 Brian Goul
 Enna Bachelor

MaryBeth Murz,
 Purchasing Manager
 G:\ BidTabs ITB-COT 14-06 Painting CommCenter



CITY COUNCIL AGENDA ITEM

Date: 7/31/2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager *MB*
 Steven J. Vandette, City Engineer *SV*
 Larysa Figol, Sr. Right of Way Representative *LF*

Subject: Standard Purchasing Resolution 1: Low bidder – Appraisal Services for City Owned Remnant Parcels

History

City Council previously approved the sale of City owned remnant property (Resolution #2014-04-039 to 049) On April 7, 2014. Federal and State regulations require property appraisals be performed to establish fair market value for any properties that were originally acquired using Federal and State dollars. The majority of properties were originally acquired for road improvement projects.

Purchasing

On July 31, 2014, a bid opening was conducted as required by City Charter and Code to provide Appraisal Services for the City of Troy owned remnant properties in accordance with all bid specifications. The bid was sent to five (5) Appraisal Firms. Invitations to Bid for Appraisal Services are not posted on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info because there is not an applicable commodity code for this service. Three (3) bid responses were received. Note that R.S. Thomas & Associates, Inc. submitted two (2) proposals using different appraisers (Norman Thomas & Andrew Boettcher) charging the same fee to perform appraisal services.

Financial

Funds are available in the 2014/2015 Engineering Department operating budget.

Recommendation

City Management recommends awarding a contract for Appraisal Services to Norman Thomas of R.S. Thomas & Associates, Inc. of Livonia, MI for an estimated cost of \$15,175.00 for City owned remnant properties. The rationale for this recommendation is that Norman Thomas, the owner and senior appraiser for R.S. Thomas and Associates, is the more experienced and qualified appraiser who has done good work for us on previous projects.

R.S. Thomas & Associates, Inc.	R.S. Thomas & Associates, Inc.	Terzo & Bologna
Andrew Boettcher	Norman Thomas	
Livonia, MI 48154	Livonia, MI 48154	Livonia, MI 48152

PROPOSAL: To provide Appraisal Services for the City of Troy owned remnant properties in accordance with all bid specifications. Approximately eleven (11) parcels of varied shapes, sizes, zoning classifications and locations.

ESTIMATED FEE PER PARCEL:	\$15,175.00	\$15,175.00	\$27,500.00
SITE REVIEW:			
Company reviewed the sites	X	X	
Company did not review the sites			X
INSURANCE: Can Meet	X	X	X
Cannot Meet			
EXCEPTIONS:	None	None	None
ACKNOWLEDGEMENT SIGNED: Y OR N	YES	YES	YES
REFERENCES: Y OR N	YES	YES	NO
FORMS COMPLETED:			
Legal Status of Bidder: Y or N	YES	YES	YES
Non-Collusion Affidavit: Y or N	YES	YES	YES
Certification regarding Debarment: Y or N	YES	YES	YES
"Iran- Linked" Business Y or N	YES	YES	YES

BOLD FACETYPE INDICATES LOW BIDDER.

ATTEST:
Enna Bachelor
Brenda Carter
Larysa Figol


 MaryBeth Murz,
 Purchasing Manager



CITY COUNCIL AGENDA ITEM

Date: July 17, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
Steven J. Vandette, City Engineer

Subject: Traffic Committee Recommendations and Minutes – July 16, 2014

At the Traffic Committee meeting of July 16, 2014, the following recommendations were made for City Council approval:

5. Request for No Parking Zone – Burdic, Edith to Ravenna

RESOLVED, that a No Parking zone be established on the south side of Burdic, between Edith and Ravenna.

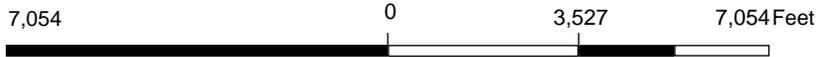
6. Request for Traffic Control – Duchess at Grenadier

RESOLVED, that the intersection of Grenadier at Duchess Court be modified from No traffic control to a STOP sign on the Grenadier approach to Duchess Court.



Stop Sign
Grenadier at Duchess

No Parking Zone
South Side of Burdick
from Edith to Ravenna



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

A regular meeting of the Troy Traffic Committee was held Wednesday, July 16, 2014 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Tim Brandstetter
Ted Halsey
Richard Kilmer
Al Petrulis
Pete Ziegenfelder

ABSENT: Sarah Binkowski
Stevan Popovic

Also present: Ken Crum, 1642 Rockfield
Ed Mancini, 5990 Adams
Sandra Adams, 5970 Sussex
Lt. Eric Caloia, Fire Department
Sgt. Mike Szuminski, Police Department
Bill Huotari, Deputy City Engineer/Traffic Engineer

2. Minutes – June 18, 2014

RESOLUTION # 2014-07-19

Moved by Kilmer
Seconded by Halsey

To approve the June 18, 2014 minutes as printed.

YES: 5 (Brandstetter, Halsey, Kilmer, Petrulis, Ziegenfelder)
NO: None
ABSENT: 2 (Binkowski, Popovic)

MOTION CARRIED

PUBLIC HEARINGS

3. Request for Sidewalk Waiver – Sidwell #88-20-07-101-001 – 5990 Adams Road

Edward Mancini requests a sidewalk waiver for the sidewalk at 5990 Adams Road (Sidwell #88-20-20-427-038), along Sussex only, as part of the Oakland Troy Senior Facility proposed at the corner of Adams and Square Lake Road. Petitioner states that eliminating the sidewalk along Sussex would preserve existing trees for screening the proposed development from existing residential homes along Sussex. Sussex is a gravel

road with no sidewalks. Sidewalk would still be required along Adams, Square Lake and Arlund Way.

Mr. Mancini was in attendance at the meeting and provided pictures of the area as well as plans for the Oakland Troy Senior Facility. Mr. Mancini stated that there are no sidewalks on Sussex and the border of the property along Sussex has numerous mature trees that can be saved if the sidewalk is waived. The landscape plan for the development proposed leaving the trees in place and adding a berm area with evergreen trees and shrubs along the top of it behind the existing trees.

Mr. Halsey asked about sidewalk widths around the parcel in the areas where it will be placed [eight foot wide along Adams and Square Lake and five foot wide along Arlund Way].

Mr. Kilmer asked if the additional landscaping on the site will compliment the trees. Mr. Mancini responded that the landscaping did take existing trees into account.

RESOLUTION # 2014-07-20

Moved by Halsey
Seconded by Kilmer

WHEREAS, City of Troy Ordinances, Chapter 34, allows the Traffic Committee to grant waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Edward Mancini has requested a waiver of the requirement to construct sidewalk to preserve existing trees for screening the proposed Oakland Troy Senior Facility from existing residential homes along Sussex; and

WHEREAS, the Traffic Committee has determined the following:

- a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee grants a waiver of the sidewalk requirement for 5990 Adams Road (Sidwell #88-20-20-427-038), along Sussex only, as part of the Oakland Troy Senior Facility proposed at the corner of Adams and Square Lake Road.

YES: 5 (Brandstetter, Halsey, Kilmer, Petrulis, Ziegenfelder)
NO: None
ABSENT: 2 (Binkowski, Popovic)

MOTION CARRIED

4. Request for Sidewalk Waiver – Sidwell #88-20-14-401-034 – 1643 Rockfield

Ken Crum requests a sidewalk waiver for the sidewalk at Lot 16 of the Square Acres Subdivision (Sidwell #88-20-14-401-034) 1643 Rockfield. Petitioner states that there are no other sidewalks in the neighborhood to connect to; open ditches where sidewalk goes; and that it is out of character for the neighborhood.

Mr. Crum was in attendance at the meeting at stated that there are no other sidewalks in the neighborhood other than at the extreme east end that was installed as part of the Rockdale Court development. Mr. Crum said that most neighbors support granting a waiver. He would like to maintain the look and feel of the neighborhood.

Mr. Halsey asked whether the property has been split and if Mr. Crum has plans for the other lot. Mr. Crum responded that the property has been split but he has no current plans for building on it.

Mr. Ziegenfelder stated that he is in favor of sidewalks at all locations in the City.

Mr. Kilmer asked about development potential in this area. [parcels are developed at this time so it would take assembling parcels in order to create a viable development similar to Rockdale Court].

Traffic Engineering received four (4) emails regarding this request. Two (2) were in favor of the waiver and two (2) were opposed to the waiver. Copies of resident emails were provided to the members when this item was discussed.

RESOLUTION # 2014-07-21

Moved by Halsey
Seconded by Kilmer

WHEREAS, City of Troy Ordinances, Chapter 34, allows the Traffic Committee to grant waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Ken Crum has requested a waiver of the requirement to construct sidewalk due to the fact that there are no other sidewalks in the neighborhood to connect to; open ditches where sidewalk goes; and that it is out of character for the neighborhood.; and

WHEREAS, the Traffic Committee has determined the following:

- a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee grants a waiver of the sidewalk requirement for Lot 16 of the Square Acres Subdivision (Sidwell #88-20-14-401-034) 1643 Rockfield.

YES: 4 (Brandstetter, Halsey, Kilmer, Petrusis)
NO: 1 (Ziegenfelder)
ABSENT: 2 (Binkowski, Popovic)

MOTION CARRIED

REGULAR BUSINESS

5. Request for No Parking Zone – Burdic, Edith to Ravenna

Christine Fricke of 2145 Burdic requests that a No Parking zone be established on the south side of Burdic, between Edith and Ravenna. Ms. Fricke reports that landscape contractors park on the south side of the road up to three (3) times per week (two separate companies) and block mailboxes and also park at locations making backing out of her driveway very difficult.

No members of the public were in attendance at the meeting to discuss this item. No additional calls or emails were received by Traffic Engineering relative to this request.

Mr. Ziegenfelder stated that he is in favor of No Parking signs on the fire hydrant side of all streets.

Lt. Caloia stated that the roads are narrow and if vehicles park along both sides of the street it is very difficult for emergency vehicles to drive down the road.

Sgt. Szuminski discussed the procedure for special event requests in areas with No Parking zones established.

General discussion regarding No Parking zones and signs ensued.

RESOLUTION # 2014-07-22

Moved by Brandstetter
Seconded by Petrulis

RESOLVED, that a No Parking zone be established on the south side of Burdic, between Edith and Ravenna.

YES: 5 (Brandstetter, Halsey, Kilmer, Petrulis, Ziegenfelder)
NO: None
ABSENT: 2 (Binkowski, Popovic)

MOTION CARRIED

6. Request for Traffic Control – Duchess at Grenadier

Ms. Sharon Koerber of 6912 Duchess Court requests that traffic control be placed at the intersection of Duchess and Grenadier. Ms. Koerber states that the lack of traffic control at the intersection creates a hazardous situation.

No members of the public were in attendance at the meeting to discuss this item. No additional calls or emails were received by Traffic Engineering relative to this request.

Sgt. Szuminski supports a Stop sign on the Grenadier approach to Duchess Court.

Mr. Brandstetter discussed the merits of an All-Way stop at the intersection due to existing grades and layout of the intersection.

Mr. Petrulis supports a Stop sign on the Grenadier approach to Duchess Court.

Mr. Halsey stated that the Stop sign could be installed on Grenadier and then the intersection reviewed at a later date if needed.

Mr. Ziegenfelder prefers Stop signs at intersections. Mr. Ziegenfelder would support an All-Way Stop at this location.

RESOLUTION # 2014-07-23

Moved by Petrulis
Seconded by Halsey

RESOLVED, that the intersection of Grenadier at Duchess Court be modified from No traffic control to a STOP sign on the Grenadier approach to Duchess Court.

YES: 3 (Halsey, Kilmer, Petrulis)
NO: 2 (Brandstetter, Ziegenfelder)
ABSENT: 2 (Binkowski, Popovic)

MOTION CARRIED

7. Public Comment

No members of the public provided comment.

8. Other Business

No other business was brought forward by the Committee.

9. Adjourn

The meeting adjourned at 8:26 p.m.

Pete Ziegenfelder, Chairperson

Bill Huotari, Deputy City Engineer/Traffic Engineer

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MOTION CARRIED

7. Public Comment

No members of the public provided comment.

8. Other Business

No other business was brought forward by the Committee.

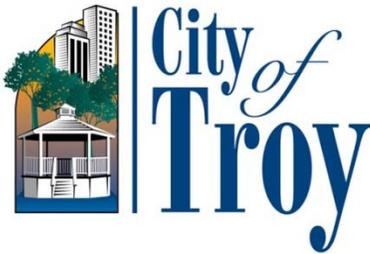
9. Adjourn

The meeting adjourned at 8:26 p.m.

Pete Ziegenfelder, Chairperson

Bill Huotari, Deputy City Engineer/Traffic Engineer

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CITY COUNCIL ACTION REPORT

Date: July 16, 2014

To: Brian Kischnick, City Manager

From: Mark Miller, Director of Economic and Community Development
Steve Vandette, City Engineer

Subject: Cost Participation Agreement - Concrete Slab Replacements on Northbound Dequindre, Approximately 600 feet North & South of the Maple/Dequindre Intersection

History:

Dequindre Road, from Big Beaver to 14 Mile, is included in the \$10.5M Troy Roads Rock (TR2) program. The work on the Troy side of Dequindre is in the southbound and center turn lanes. Dequindre is the last road that will receive work under the City's portion of the program using Dilisio Contracting.

The pavement on northbound Dequindre in Sterling Heights, north and south of Maple Road (excluding the intersection), is in very poor condition. The Road Commission for Oakland County (RCOC) requested that the concrete work shown on the attached aerial be included in the City's work at RCOC cost. This is the best time to do this work since a contractor will only need to be out there one time to finish all the needed work on Dequindre.

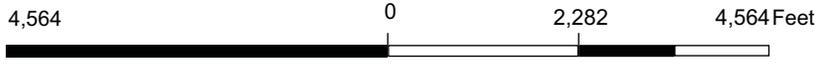
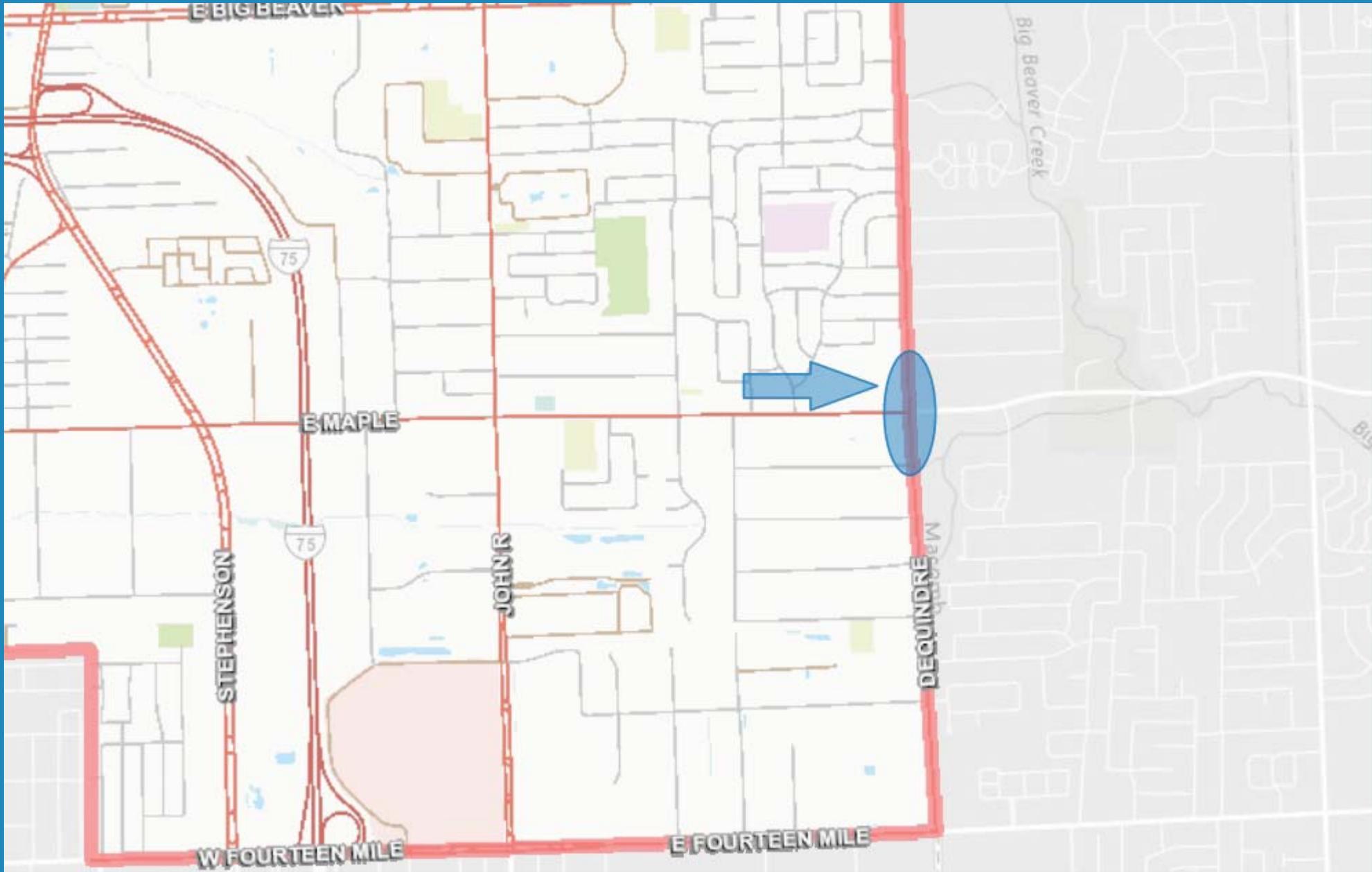
The RCOC is performing construction inspection for all of the concrete pavement replacement work under the TR2 program and will be providing the inspection on this work as well.

Financial:

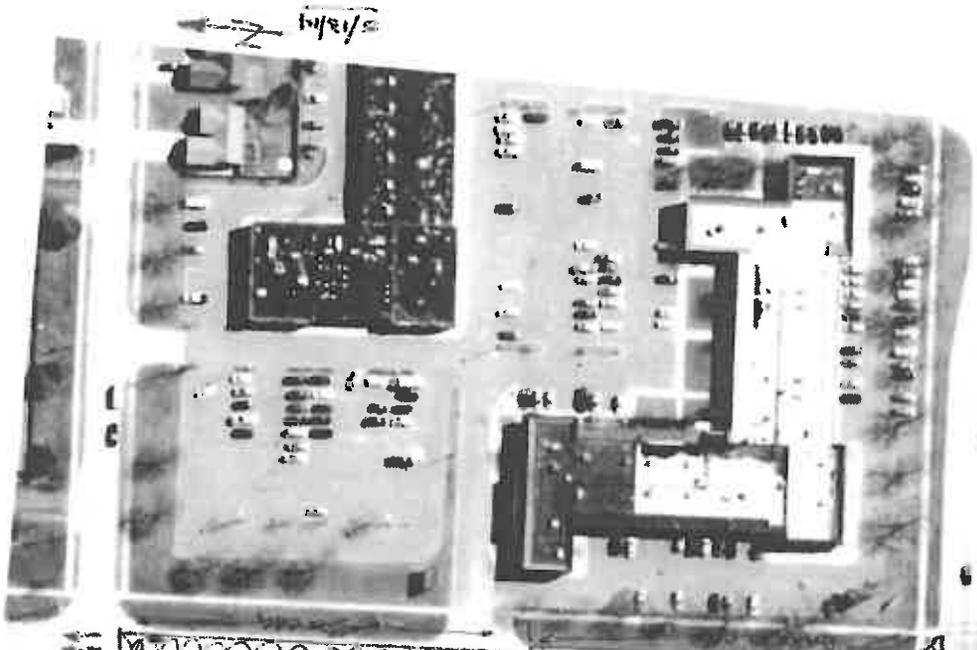
The Cost Participation Agreement makes \$200,000 available to the City for this work. The funds will be available to Troy prior to the work starting so that the City will not be financing the work and then requesting reimbursement. Upon execution of the agreement, Troy will invoice the RCOC for 100% of the cost and the RCOC will submit payment in the amount of \$200,000 to Troy.

Recommendation:

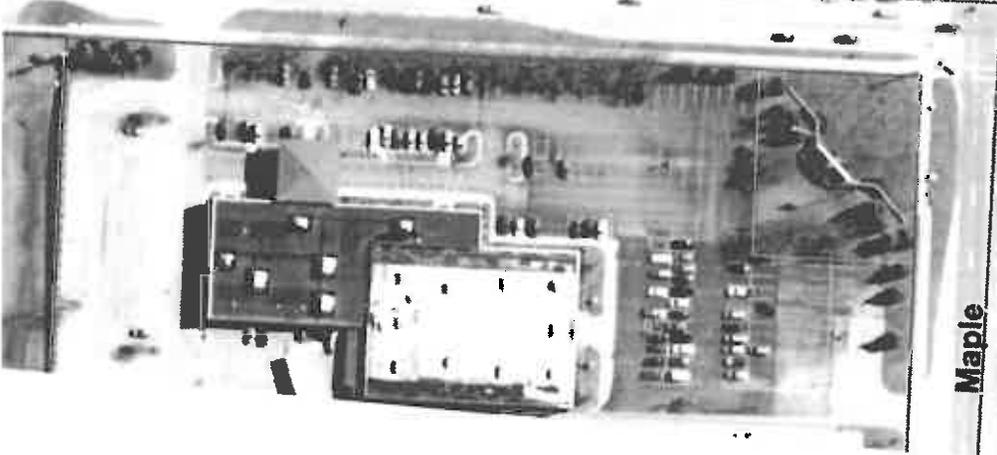
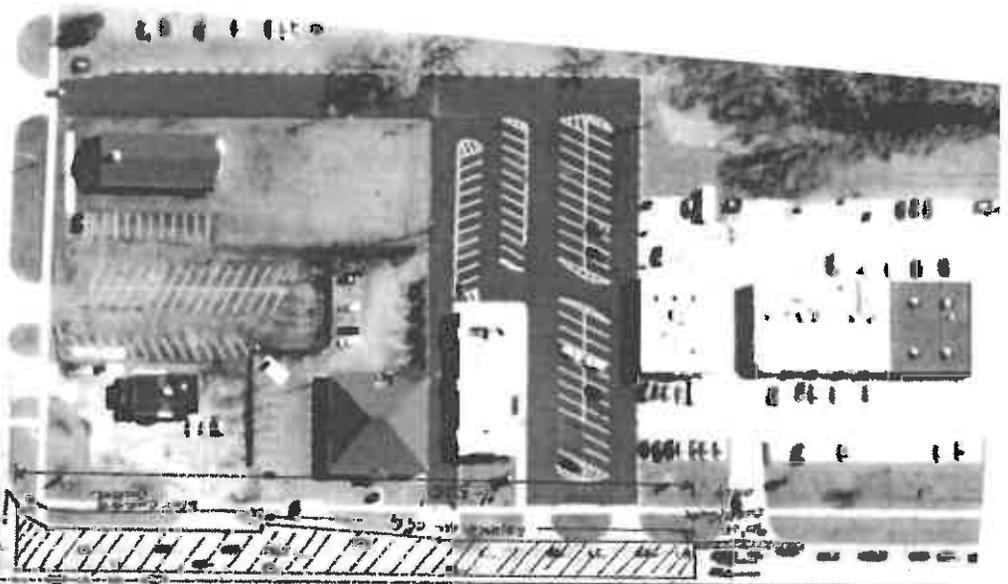
Staff recommends that City Council approve the attached Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County (Board) for the Dequindre Road, South of Maple Road to North of Maple Road work at no cost to the City of Troy. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.



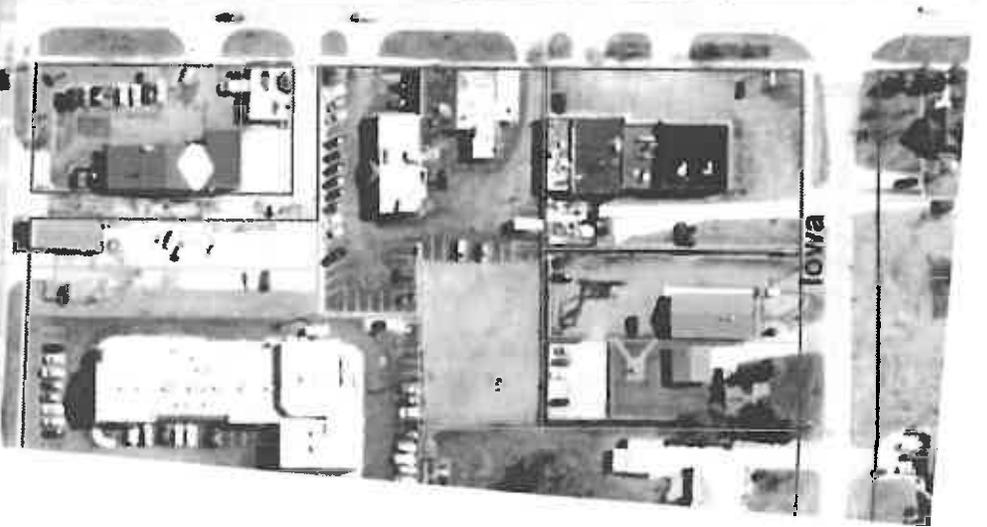
Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



Deguindre



Maple



Iowa

COST PARTICIPATION AGREEMENT
CONSTRUCTION
Dequindre Road
South of Maple Road to North of Maple Road
City of Troy
Board Project No. 52471

This Agreement, made and entered into this _____ day of _____, 2014, by and between the Board of Road Commissioners for the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Troy, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY have programmed the concrete replacement on Dequindre Road from south of Maple Road to north of Maple Road, as described in Exhibit "A", attached hereto and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$200,000; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law, it is hereby agreed between the COMMUNITY and the BOARD that:

1. The COMMUNITY shall forthwith undertake and complete the PROJECT, as above described, under Road Commission for Oakland County permit.
2. The actual total cost of the PROJECT shall include total payments to the contractor.

3. The COMMUNITY shall comply with the provisions as set forth in Exhibit "B" attached hereto.
4. The COMMUNITY shall comply with the liability and insurance requirements as set forth in Exhibit "C" attached hereto.
5. The estimated total PROJECT cost of \$200,000 shall be funded entirely by the BOARD.
6. Upon execution of this agreement, the COMMUNITY shall submit an invoice to the BOARD for \$200,000 (being 100% of the BOARD'S contribution). The invoice shall be sent to:

Ms. Julie Enders, Engineering Aide
Road Commission for Oakland County
31001 Lahser Road
Beverly Hills, MI 48025

7. Within 90 days of completion of the PROJECT, the COMMUNITY shall submit to the BOARD the following:
 - a. A cover letter originated by the COMMUNITY certifying that the PROJECT is now complete.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

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

By _____

Its _____

CITY OF TROY

By _____

Its _____

EXHIBIT A
Dequindre Road
South of Maple Road to North of Maple Road
City of Troy
Board Project No. 52471

Concrete replacement on Dequindre Road south of Maple Road to north of Maple Road.

ESTIMATED PROJECT COST

Contractor Payments	<u>\$200,000</u>
Total Estimated Project Cost	<u><u>\$200,000</u></u>

Exhibit B PROVISIONS

Bidding: The COMMUNITY shall select the contractor for its share of the work, on a competitive basis by advertising for sealed bids in accordance with its established practices.

Bonds – Insurance: The COMMUNITY shall require the contractor provide payment and performance bonds for the PROJECT; said bonds to be in compliance with the provisions of 1963 PA 213 as amended, compiled at MCL 129.201, et seq.

Further, the COMMUNITY shall require the contractor to provide insurance naming the Road Commission for Oakland County as additional named insured's. Coverage's shall be substantial as set forth in Exhibit "C", attached hereto.

Records: The parties shall keep records of their expenses regarding the PROJECT in accordance with generally accepted accounting procedures, and shall make said records available to the other during business hours upon request giving reasonable notice. Such records shall be kept for three (3) years from final payment.

Final costs shall be allocated after audit of the records and adjustments in payments shall be invoiced and paid within thirty (30) days thereafter.

EEO: The COMMUNITY shall require its contractor to specifically agree that it will comply with any and all applicable State, Federal, and Local statutes ordinances, and regulations, and with RCOC regulations during performance of the SERVICES and will require compliance of all subcontractors and subconsultants.

In accordance with Michigan 1976 PA 453, the COMMUNITY hereto agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight or marital status. Further, in accordance with Michigan 1976 PA No. 220, as amended, the parties hereby agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

The COMMUNITY further agrees that it will require all subconsultants and subcontractors for this PROJECT comply with this provision.

Governmental Function, Scope: It is declared that the work performed under this AGREEMENT is a governmental function. It is the intention of the parties hereto that this AGREEMENT shall not be construed to waive the defense of governmental immunity held by the RCOC, and the COMMUNITY.

Third Parties: This AGREEMENT is not for the benefit of any third party.

**EXHIBIT C
LIABILITY AND INSURANCE REQUIREMENTS**

Hold Harmless Agreement: The Contractor shall hold harmless, represent, defend and indemnify the Board of County Road Commissioners of Oakland County, the Road Commission for Oakland County, its officers and employees; the County of Oakland; the Water Resources Drain Commissioner and relevant drainage district(s), if applicable; the Michigan State Transportation Commission; the Michigan Department of Transportation; and the local unit(s) of government, within which the Project is located against all claims for damages to public or private property, for injuries to persons, or for other claims arising out of the performance or non-performance of the contracted work, whether during the progress or after the completion thereof.

Insurance Coverage: The Contractor, prior to execution of the contract, shall file with the Road Commission for Oakland County, copies of complete certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. **Workmen's Compensation Insurance:** To provide protection for the Contractor's employees, to the statutory limits of the State of Michigan and \$500,000 employer's liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor under worker's disability compensation coverage established by law.
- b. **Bodily Injury and Property Damage Other than Automobile:** To afford protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

1.	Bodily Injury Liability	or:	Single Limit: Bodily Injury and Property Damage
	Each Person: \$1,000,000		Each Occurrence: \$1,000,000
	Each Occurrence \$1,000,000		Aggregate: \$2,000,000
	Aggregate \$2,000,000		

Property Damage Liability:
Each Occurrence: \$250,000
Aggregate: \$250,000

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion,

excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverage.

2. Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability).

The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury Liability	or	Single Limit: Bodily Injury and Property Damage Liability
Each Person	\$500,000	Each Occurrence: \$2,000,000
Each Occurrence	\$1,000,000	

Property Damage Liability:
Each Occurrence: \$1,000,000

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

- c. Excess and Umbrellas Insurance – The Contractor may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The Contractor shall provide for and on behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the Contractor's Public Liability Insurance.
- e. Notice – The Contractor shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the Contractor. The Contractor shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the Contractor cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports – The Contractor or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.



CITY COUNCIL AGENDA ITEM

Date: July 25, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

Subject: Private Agreement – Contract for Installation of Municipal Improvements
Oakland Troy Senior Center - Project No. 14.906.3

History

Windemere Park of Troy Holdings, LLC proposes to develop the Oakland Troy Senior Center located at the southeast corner of Adams and Square Lake Roads.

Troy Planning Commission recommended preliminary site plan approval on November 26th, 2013.

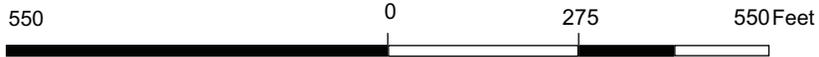
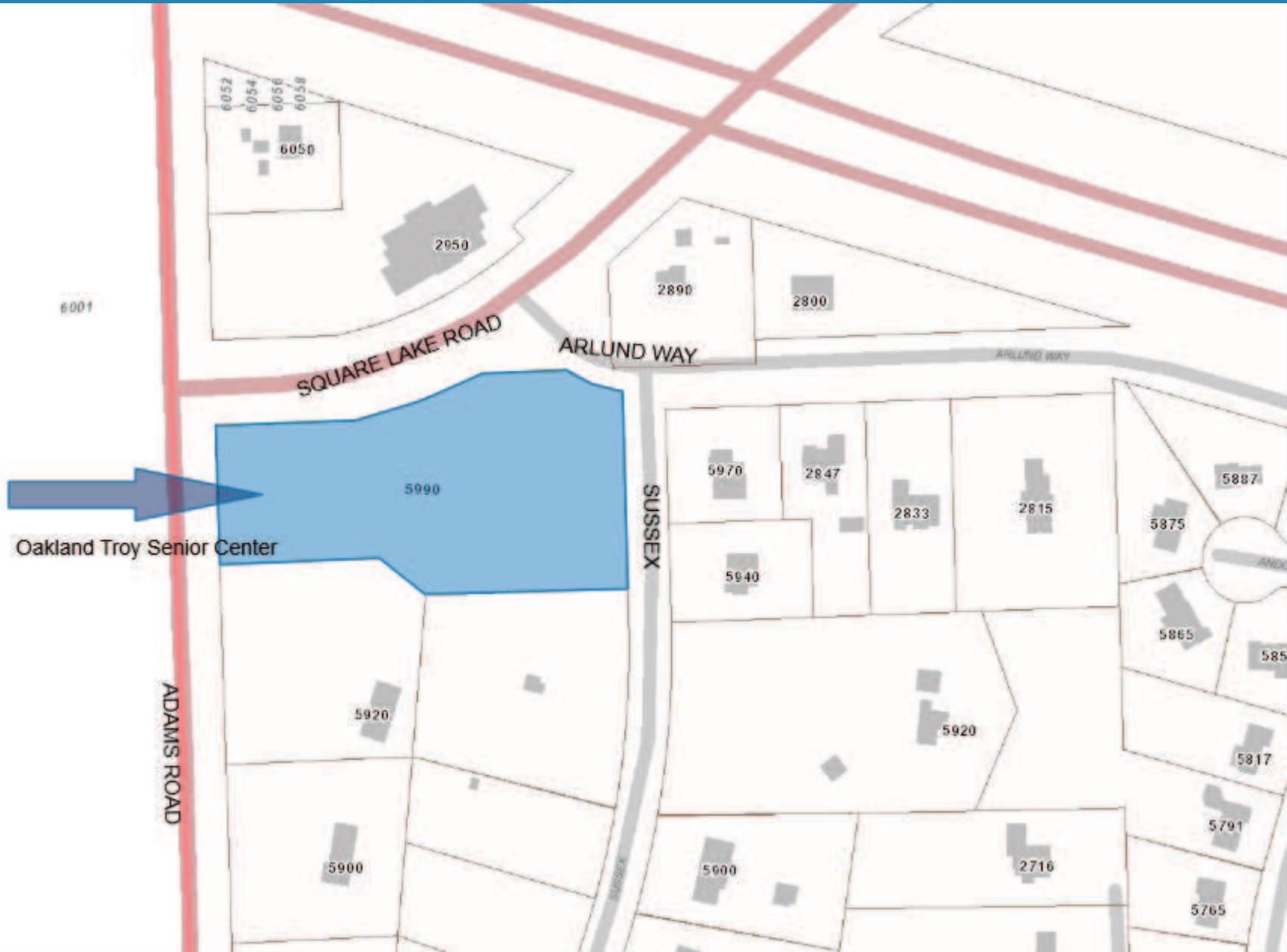
Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by Windemere Park of Troy Holdings, LLC on behalf of the City of Troy; including Water Main, Storm Sewer, Concrete Sidewalk, and Road Improvements. The required fees and refundable escrow deposits in the form of Performance Bond and 10% Cash, that will assure completion of the municipal improvements, have been provided by Windemere Park of Troy Holdings, LLC (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: **14.906.3**

Project Location: **NW 1/4 Section 7**

Resolution No:

Date of Council Approval:

This Contract, made and entered into this 18th day of July, 2014 by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and Windemere Park of Troy Holdings, LLC whose address is 30078 Schoenherr Road, Suite 300, Warren, MI 48088 and whose telephone number is (586) 563-1500 hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of Water Main, Storm Sewer, Concrete Sidewalk, and Road Improvements in accordance with plans prepared by JJ Associates, Inc. whose address is 1050 South Boulevard E., Suite 200, Rochester Hills, MI 48307 and whose telephone number is (586) 726-9111 and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ 115,293.00. This amount will be deposited with the City in the form of (check one):

Cash/Check	<input type="checkbox"/>	}	10% Cash	<u>11,529.50</u>
Certificate of Deposit & 10% Cash	<input type="checkbox"/>			
Irrevocable Bank Letter of Credit & 10% Cash	<input type="checkbox"/>			
Performance Bond & 10% Cash	<input checked="" type="checkbox"/>			

Refundable cash deposit in the amount of \$ 19,029.00. This amount will be deposited with the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
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Non-refundable cash fees in the amount of \$ 12,463.00. This amount will be paid to the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
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Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer 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, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

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

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

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

OWNERS *Windemere of TROY*
LAND Holdings LLC

CITY OF TROY

By:

By:



Edward Mancini
Please Print or Type

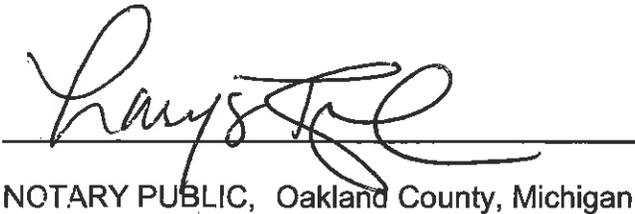
Dane M. Slater, Mayor

Please Print or Type

M. Aileen Bittner, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 24th day of JULY, A.D. 2014, before me personally appeared Edward Mancini known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.



NOTARY PUBLIC, Oakland County, Michigan

LARYSA FIGOL
Notary Public, Oakland County, Michigan
Acting in Oakland County, Michigan
My Commission Expires 03/02/2018

My commission expires: _____

Detailed Summary of Required Deposits & Fees
Oakland Troy Senior Center
14.906.3

ESCROW DEPOSITS (PUBLIC):

Sanitary Sewers	\$17,625
Water Mains	\$27,650
Paving	\$4,212
Sidewalks	\$21,595
Storm Sewer	\$15,067
Major Road Improvements (other than decel or passing lanes)	\$29,144

TOTAL ESCROW DEPOSITS (Refundable):

\$115,293

CASH FEES (Non-Refundable):

Engineering Review Fee (Private Improvements)(PA1)	\$6,354
Water Main Testing and Chlorination (PA 2)	\$650
Plan Review and Construction Inspection Fee (Public Improvements) (PA1)	\$9,246
Less Initial Engineering Review Fee (Public & Private)(1.1%)	-\$3,787

TOTAL CASH FEES (Non-Refundable):

\$12,463

CASH DEPOSITS (Refundable):

Street Cleaning/Road Maintenance	\$5,000
Soil Erosion/Sedimentation Control Repair, Replace, or Maintenance	\$2,500
Punchlist & Restoration	\$11,529

TOTAL CASH DEPOSITS (Refundable):

\$19,029

Total Escrow & Cash Deposits (Refundable):

\$134,322

Total Cash Fees (Non-Refundable):

\$12,463

Total Amount:

\$146,785

11,529.30 (10% Amount DUE)

PAID
JUL 24 2014
CITY OF TROY
TREASURER'S OFFICE



CITY COUNCIL AGENDA ITEM

Date: July 25th, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

Subject: Private Agreement – Contract for Installation of Municipal Improvements
Poppleton Ridge Site Condominiums - Project No. 14.904.3

History

BB Investment, LLC proposes to develop Poppleton Ridge Site Condominiums, an eleven unit development located on the southeast corner of Big Beaver Road and Brooklawn Drive.

Troy Planning Commission recommended preliminary site plan approval on March 11, 2014.

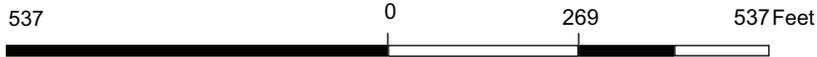
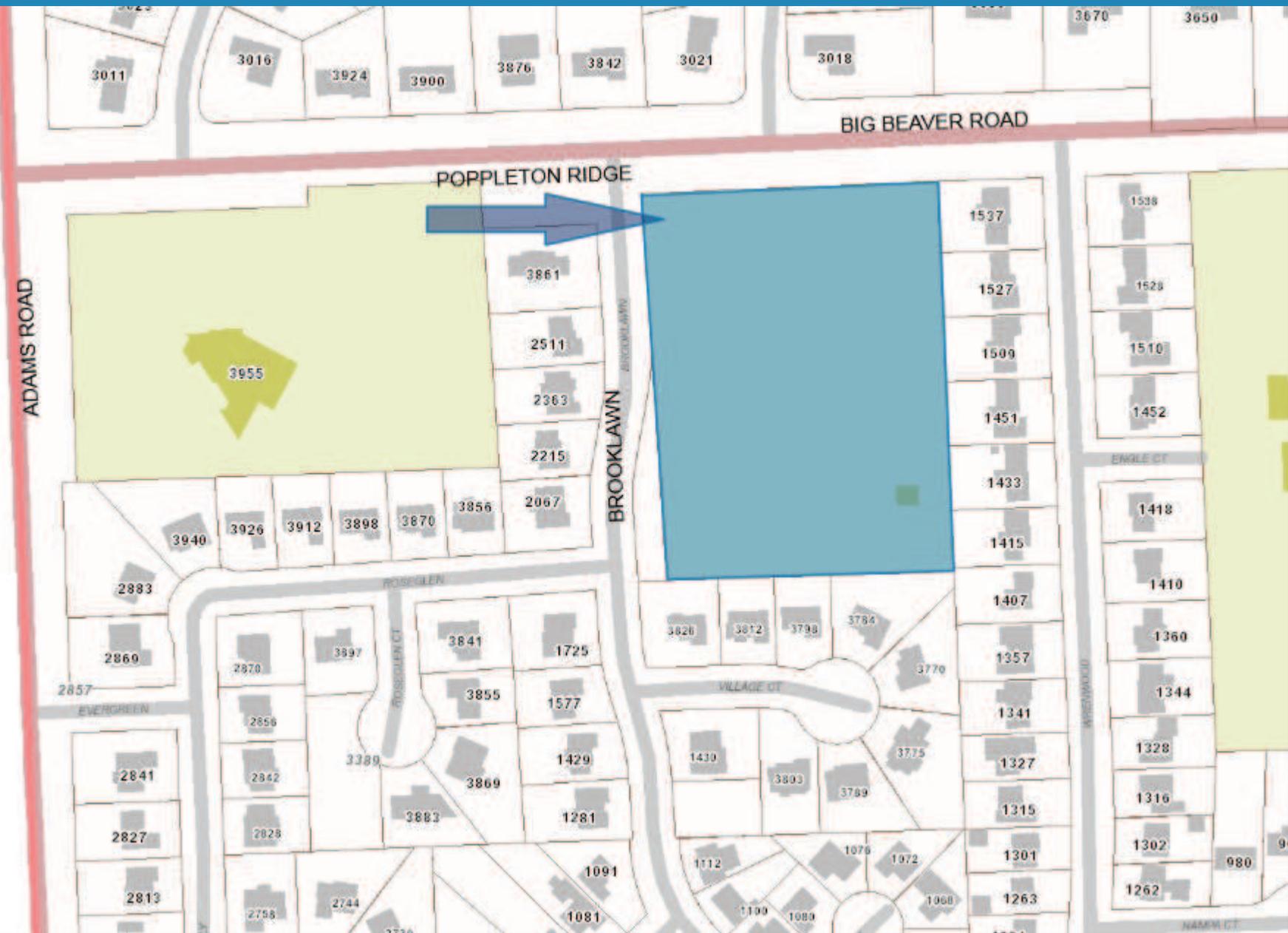
Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by BB Investment, LLC on behalf of the City of Troy; including Water Main, Sanitary Sewer, Storm Sewer, Detention Pond, and Concrete Sidewalk & Pavement. The required fees and refundable escrow deposits in the form of Check, that will assure completion of the municipal improvements, have been provided by BB Investment, LLC (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: 14.904.3

Project Location: NW 1/4 Section 30

Resolution No: _____

Date of Council Approval: _____

This Contract, made and entered into this 24th day of July, 2014 by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and BB Investment, LLC whose address is 4881 Rivorchase Drive, Troy, MI 48098 and whose telephone number is (248) 641-8500 hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of Water Main, Sanitary Sewer, Storm Sewer, Detention Pond, and Concrete Sidewalk & Pavement in accordance with plans prepared by Fenn & Associates, Inc. whose address is 14933 Commercial Drive, Shelby Twp., MI 48315 and whose telephone number is (586) 254-9577 and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ 276,701.00. This amount will be deposited with the City in the form of (check one):

Cash/Check	<input checked="" type="checkbox"/>	} 10% Cash _____
Certificate of Deposit & 10% Cash	<input type="checkbox"/>	
Irrevocable Bank Letter of Credit & 10% Cash	<input type="checkbox"/>	
Performance Bond & 10% Cash	<input type="checkbox"/>	

Refundable cash deposit in the amount of \$ 60,678.00. This amount will be deposited with the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
------	--------------------------	-------	-------------------------------------

Non-refundable cash fees in the amount of \$ 33,611.00. This amount will be paid to the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
------	--------------------------	-------	-------------------------------------

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer 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, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

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

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 24th day of July, 2014.

OWNERS

CITY OF TROY

By:

BB INVESTMENTS LLC
JOSEPH P. CRACCHIO

By:

Dane M. Slater, Mayor

Please Print or Type

M. Aileen Bittner, City Clerk



7/24/14
Please Print or Type

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 24th day of July, A.D. 2014, before me personally appeared Joseph P. Cracchio known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.



NOTARY PUBLIC, Oakland County, Michigan

My commission expires: 10/14/2016

JANET M PARSONS
Notary Public, State of Michigan
County of Oakland
My Commission Expires 10-14-2016
Acting In the County of OAKLAND

Detailed Summary of Required Deposits & Fees
 Poppleton Ridge Site Condominiums
 11 Units - Section 30

ESCROW DEPOSITS or PERFORMANCE BOND:

Sanitary Sewers		\$32,040
Water Mains		\$48,230
Storm Sewers		\$63,184
Rear Yard Drains		\$5,608
Pavement - CONCRETE		\$79,079
Grading		\$10,000
Detention Basin		\$8,375
Monuments and Lot Corner Irons		\$535
Temporary Access Road		\$2,220
Sidewalks - ON SITE		\$240
Sidewalks - OFF SITE		\$12,540
Street Light		\$7,000
Deposit for the Repair of Damage to Existing Public Streets Used for Access		\$6,600
ADA Handicap Ramps		\$1,050

PAID

JUL 24 2014

CITY OF TROY
TREASURER'S OFFICE

TOTAL ESCROW DEPOSITS or PERFORMANCE BOND (REFUNDABLE): \$276,701
 (Circle One)

CASH FEES (NON-REFUNDABLE):

Water Main Testing and Chlorination (PA2)		\$650
Street Name and Traffic Signs (SUB 4)		\$466
Maintenance of Detention Basin (20 year)		\$7,000
Soil Erosion and Sedimentation Control Permits (SUB 10)		\$2,900
Testing Services (SUB 11)		\$4,151
Engineering Review and Inspection (PA 1)		\$20,725
Less Initial Engineering Review Fee (Public & Private)(1.1%)		-\$2,281

(PA 3) TOTAL CASH FEES (NON-REFUNDABLE): \$33,611

CASH DEPOSITS (REFUNDABLE):

Sidewalk Closures		\$648
Deposit for Maintenance & Cleaning of Ex. Public Streets Used for Access		\$2,200
Landscape Deposit		\$22,125
Punchlist & Restoration Deposit		\$34,330
Deposit for Repair, Replacement or Maintenance of SESC		\$1,375

(PA 3) TOTAL CASH DEPOSITS (REFUNDABLE): \$60,678



CITY COUNCIL ACTION REPORT

Date: July 30, 2014

To: Brian Kischnick, City Manager

From: Mark Miller, Director of Economic and Community Development
Steve Vandette, City Engineer

Subject: MDOT Contract 2014-0871 – Priority Roads Investment Program Fund
Asphalt Resurfacing – Long Lake, Adams to Northfield Parkway

History:

The City of Troy was awarded \$1.5 million in state Priority Roads Investment Program (PRIP) funds for road improvements on Long Lake Road, from Adams Road to Northfield Parkway. The work includes milling (grinding off) of the existing road and an asphalt pavement overlay.

Public Act 59 of 2013, created the Road and Risks Reserve (RRR) Fund. That section also provided for the deposit of \$230 million in General Fund revenue into the RRR Fund. Half of these funds, \$115 million, was made available on a one-time basis after October 1, 2013. The balance of the reserve funds was made available effective February 1, 2014. The FY 2013-14 State Transportation budget included the PRIP and funded the program with a one-time appropriation of \$230 million from the RRR fund.

This funding is 100% state funded with no local contribution from Troy. Long Lake is from the second round of projects selected through this program. In the first round, two projects in Troy were awarded funding; Crooks Road, from Wattles to Square Lake for concrete pavement replacement; and Livernois Road, south of Town Center for the replacement of the structure carrying the Lane Drain under Livernois Road. Crooks was awarded \$1.0 million and \$750,000 was awarded for Livernois over the Lane Drain. State Representative Martin Howrylak and State Senator John Pappageorge were instrumental in securing the funding for all three projects.

A bid opening has been scheduled for August 13, 2014 with a bid award to be prepared and included on the agenda for the August 25 City Council meeting. Work on Long Lake Road is anticipated to begin after Labor Day and all work complete and open to traffic in November.

Financial:

The approval and execution of the contract makes \$1.5 million available to the City of Troy prior to the start of the project. MDOT will make one payment of \$1.5 million to the City once the Contract has been fully executed by both parties and the "Request for Payment Form – Exhibit A" has been submitted.

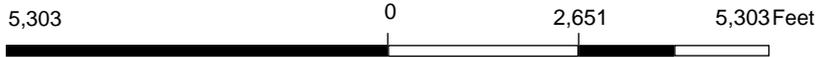
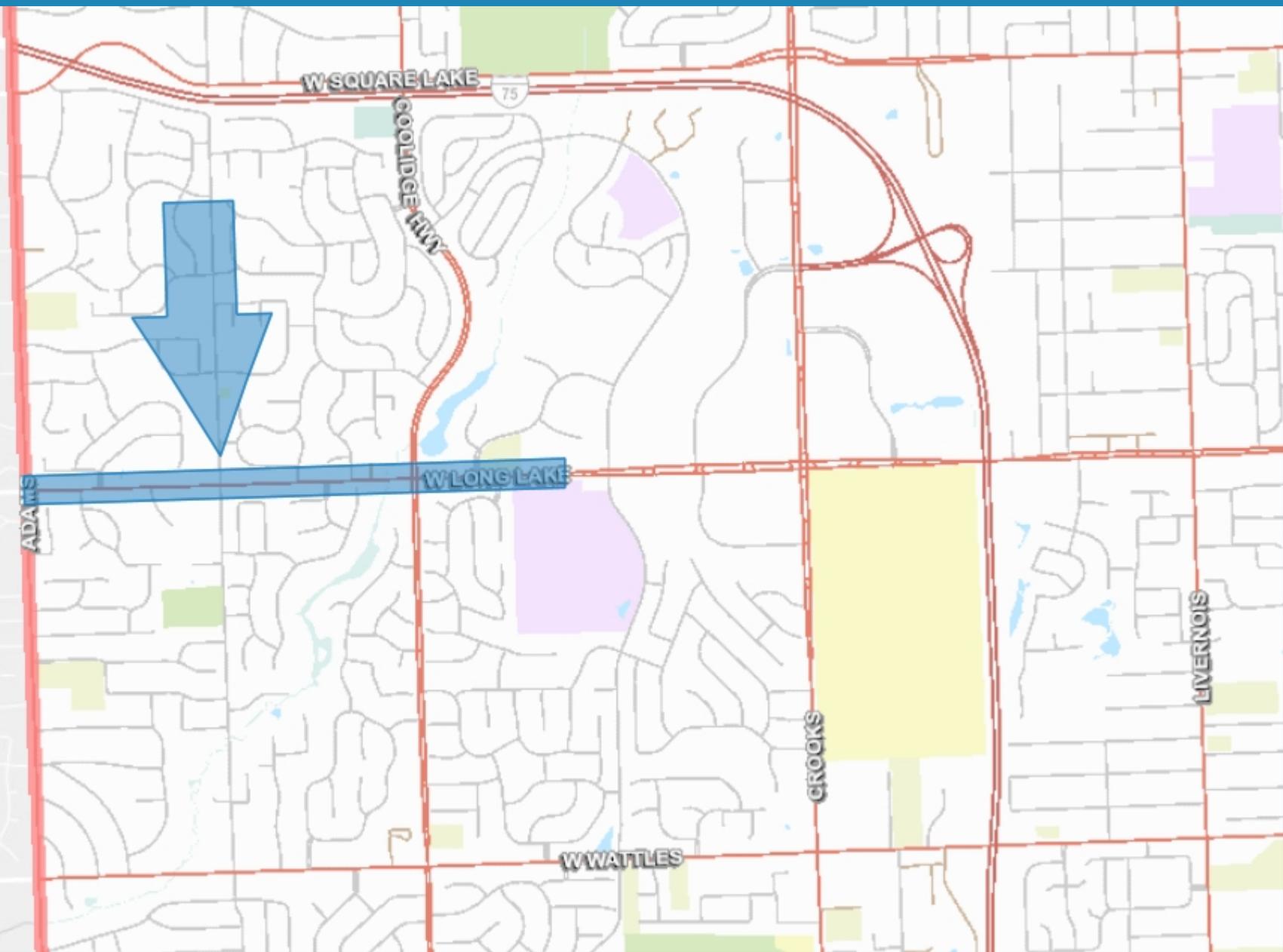
The format and content of the contract has been reviewed by the City Attorney's Office and is consistent with past MDOT contracts approved by City Council for similar projects.

There is no city match required for the PRIP funds.

Recommendation:

Staff recommends that City Council approve the attached MDOT Contract No. 2014-0871 between the City of Troy and the Michigan Department of Transportation for improvements to Long Lake Road, from Adams Road to Northfield Parkway using \$1,500,000 in Priority Roads Investment Program (PRIP) funds at no cost to the City of Troy. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.

WJH/wjhG:\Contracts\Contracts - 2014\Contract 14-5 - Long Lake, Adams to Northfield Parkway\MDOT Agreement\To CC re Long Lake_Adams to Northfield Parkway.docx



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

KIRK T. STEUDLE
DIRECTOR

July 30, 2014

Dear City of Troy:

MDOT CONTRACT 2014-0871
Priority Road Investment Program Project (PRIP)

Enclosed are the Contract(s) and other PRIP forms issued between your organization and the Michigan Department of Transportation. Please take the time to read and understand this Contract. If this Contract meets with your approval, please complete the following checklist, and return this checklist, the Contract and Exhibit A for each project as soon as possible. Upon its award you will receive an electronic scan for your files. The original signed Contract will be maintained in CSD files.

_____ **Please do not date the Contract.** MDOT will date the Contract when it is executed. This Contract is **not** executed until it has been signed by all parties. Upon all final approvals the Contract will be sent to the MDOT Director for execution.

_____ **Secure the necessary signatures on the Contract.**

_____ **Include a certified resolution/authorization.** The resolution/authorization should specifically name the officials who are authorized to sign the Contract. The resolution/authorization must be submitted, even though you may have submitted one in the past.

_____ **Return the Contract with the certified resolution/authorization to the attention of Bill Rottiers in the Bureau of Finance, Contract Services Division at the address at the bottom of the page for MDOT execution.** A scanned electronic copy of the executed Contract will be forwarded to your attention via e-mail. Our street address for the use of an overnight carrier, should you need it, is 425 W. Ottawa St., Lansing MI 48933.

_____ **Complete and return Exhibit A electronically by email to DoyleL@Michigan.gov or include it with the signed Contract**

_____ Public Act 533 of 2004 requires that payments under this Contract be processed by electronic funds transfer (EFT). **The CONSULTANT is required to register to receive payments of EFT at the Contract & Payment Express website (www.cpexpress.state.mi.us).**

_____ **Upon completion of the project complete and return Exhibit B by email to DoyleL@Michigan.gov**

If you have any questions regarding the Contract, please feel free to contact Bill Rottiers, Contract Administrator at (517) 373-2895 or by email at RottiersW@Michigan.gov. If you have any other questions please contact Larry Doyle, LAP Engineer at (517) 335-2233 or by email at DoyleL@Michigan.gov.

Enclosures: 3

Michigan Department
Of Transportation
0378 (07/14)

**REQUEST FOR PAYMENT FORM – EXHIBIT A
PRIORITY ROADS INVESTMENT PROGRAM (PRIP)
FUND PROJECTS**

Administered through MDOT Local Agency Program Unit

CONTRACT NO.
2014-0871

GRANTEE
City of Troy

ROUTE
Long Lake Road (18 Mile)

LOCATION DESCRIPTION
Long Lake (18 Mile), Adams to Northfield Parkway

This form must be completed and returned to Local Agency Programs (MDOT) in order for you to receive payment for the project. On the form, please be sure to include the estimated date that construction of the project will be completed and include your agency's federal identification number. As soon as this information is received, Local Agency Programs (MDOT) will authorize Contract Services Division to make payment to the local agency. Complete this form and forward it to:

**Attn. Larry Doyle, MDOT Local Agency Programs, P.O. Box 30050, Lansing, Michigan 48909,
EMAIL: doylel@michigan.gov**

ESTIMATED CONSTRUCTION COMPLETION DATE

APPROVED GRANT AMOUNT (for this request)
\$ 1,500,000.00

CERTIFICATION

- (1) In accordance with Section 704 of Public Act 34 of 2014, I certify that the PROJECT has been obligated and construction is underway or design work was completed by July 1, 2014.
- (2) I certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtained all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
- (3) If the construction of the PROJECT is to be contracted, I certify that the contracting procedures that will be followed in connection with the administration of the construction contract for the PROJECT will be based on an open competitive bid process and that the construction contract for the PROJECT will be publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this PROJECT will be contracted please initial here _____

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TYPED OR PRINTED NAME & TITLE	DATE
AGENCY FEDERAL I.D. NO.	TELEPHONE NO.	

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
RECEIVED BY CONTRACT SERVICES DIVISION ADMINISTRATOR (MDOT)	DATE

Clear Form

**PROJECT COST REPORTING & CERTIFICATION
FORM – EXHIBIT B
PRIORITY ROADS INVESTMENT PROGRAM (PRIP)
FUND PROJECTS
Administered through MDOT Local Agency Program Unit**

This form must be completed and returned to Local Agency Programs, MDOT within 30 days of completion of the project and final payment of construction costs.

CONTRACT NO. 2014-0871	
GRANTEE City of Troy	
ROUTE NAME Long Lake (18 Mile)	
PROJECT TERMINI FROM:	TO:

On this form, please be sure to include the date that construction of the project was completed and include your agency's federal identification number. Complete this form and forward it to:
Attn. Larry Doyle, Local Agency Programs, MDOT, P.O. Box 30050, Lansing, Michigan 48909, email: doylel@michigan.gov.

A. ACTUAL CONSTRUCTION COMPLETION DATE: _____

B. FINAL COST OF PRIP-ELIGIBLE WORK:	
(1) Total eligible PRIP Project Cost	\$ _____
(2) Total PRIP Grant Amount	\$ 1,500,000.00
(3) Total Unspent PRIP Funds to be returned back to the PRIP program (Total Original Grant Amount <u>minus</u> the Total Eligible Costs)	\$ _____

C. PROJECT DESCRIPTION (Provide a detailed description of services completed):

D. CERTIFICATIONS:	(1) I certify that the PROJECT has been constructed in accordance with the PROJECT plans, specifications, and construction contract.
	(2) I certify that the final costs reported with this form are accurate and that all items for which payment has been requested are eligible for payment with Priority Roads Investment Program (PRIP) funds.

(3) If construction of the project was contracted, I certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this project was constructed by force account, initial here _____

SIGNATURE OF AUTHORIZING CERTIFYING OFFICIAL	TYPED OR PRINTED NAME & TITLE	DATE
AGENCY FEDERAL I.D. #	TELEPHONE NUMBER	ADDRESS

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER	DATE
--	------

**PROJECT COST REPORTING & CERTIFICATION
FORM – EXHIBIT B
PRIORITY ROADS INVESTMENT PROGRAM (PRIP)
FUND PROJECTS
Administered through MDOT Local Agency Program Unit**

PURPOSE:

AUTHORITY:

Report final project costs	Required by Section 3 of the state/local agreement
Certify that reported costs are eligible for Priority Roads Investment Program (PRIP) funds	Required by Section 5 of the state/local agreement
Certify that the project was constructed in accordance with the project plans, specifications, and construction contract	Required by Section 5 of the state/local agreement
Allow for payment under the agreement be processed by electronic funds transfer (EFT).	Allowed under Section 11 of the state/local agreement Required by Public Act 533 of 2004.

INSTRUCTIONS FOR COMPLETING FORM

1. Complete **Section A** to identify the Actual Construction Completion Date. This date will be the final date that eligible work was performed on the project. If additional time is needed to complete the work proposed an amendment to the agreement will be prepared for award by the parties.
2. Complete **Section B** to calculate the sum of the final cost. This is the adjustment to the initial payment being requested with this form. Final costs should not include extras or items related to an increase in the approved scope of work, unless those activities were approved by MDOT prior to commencement of the work. *Include only items that are participating with respect to the grant (i.e., items that were included in the original grant application and deemed eligible by the MDOT).*
3. Complete **Section C** by providing a detailed explanation of services completed for the construction of the project.
4. Complete **Section D** by signing and printing your name and dating the form. Electronic signatures are acceptable.
5. Once approved by the Local Agency Program Engineer (MDOT), copies will be provided to the MDOT Transportation Service Center and to the Contract Services Division.

All inquiries and form submittals should be addressed to:

Larry Doyle, MDOT Local Agency Program Unit, MDOT, P.O. Box 30050, Lansing, Michigan 48909, Phone: (517) 335-2233, email: doylel@michigan.gov

MICHIGAN DEPARTMENT OF TRANSPORTATION
CITY OF TROY
CONTRACT

This Contract is made and entered into this date of _____ by and between the Michigan Department of Transportation (MDOT), of 425 West Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909, and the City of Troy (AGENCY) of 500 W. Big Beaver Road, Troy, MI 48084, in accordance with Public Act 34 of 2014 for the purpose of establishing the amount of the allocation from the Priority Roads Investment Program (PRIP) Fund to the AGENCY, and setting forth the services to be provided as a result of such allocation.

The PRIP Fund is to be expended on construction projects. MDOT is responsible for administering these funds.

MDOT and the AGENCY recognize and affirm that the funds provided under this Contract shall not be used for any purpose other than those provided in Section 704 of Public Act 34 of 2014, and as provided herein. It is intended for all work activities to be completed by December 31, 2015.

This Contract sets forth a grant from MDOT to the AGENCY for the completion of improvements to Long Lake Road (18 Mile Road) from Adams Road to Northfield Parkway. The work items will include milling and overlay (PROJECT).

The Parties agree that:

The AGENCY will:

1. Undertake and complete the PROJECT in accordance with the terms and conditions of this Contract.
2. The PROJECT cost will be paid for by a grant of PRIP funds. PRIP funds will be applied to the PROJECT costs at a participation ratio of 100 percent up to an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). The AGENCY will be responsible for all costs in excess of the funds shown above.

3. The AGENCY must submit a Request for Payment Form (Exhibit A) prior to the start of the PROJECT and a Project Cost Reporting & Certification Form (Exhibit B) to MDOT upon completion of the PROJECT.

The AGENCY agrees that the costs reported to MDOT for this Contract will represent only those items that are properly chargeable in accordance with this Contract. The AGENCY also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

4. Submit a copy of Exhibit B to MDOT for review and approval.
5. Certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtain all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
6. Ensure that any unspent above-mentioned funds at PROJECT completion are lapsed back to the PRIP Fund.
7. For auditing processes, all records, including executed contracts, are to be maintained for three years from the date of the project completion date. MDOT, or its representative, may inspect, copy, or audit the Records at any reasonable time after giving reasonable notice.
8. If the construction of the PROJECT is to be contracted, certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances. Selection of Consultants and subcontracts will be in conformance with the AGENCY's contracting process.
9. If the construction of the PROJECT is to be contracted, ensure the contractor who is awarded the contract for the construction of the PROJECT has the appropriate bonds/liability insurance.
10. Certify that the PROJECT shall be obligated and construction shall be underway or design work shall be completed by July 1, 2014.

MDOT will:

11. Make one payment of the amount shown in Section 2 to the AGENCY upon receipt of a Request for Payment Form (Exhibit A).

12. May conduct a follow-up review of work activity.

IT IS FURTHER AGREED THAT:

13. Public Act 533 of 2004 requires that payments under this Contract be processed by electronic funds transfer (EFT). The AGENCY is required to register to receive payments by EFT at the Contract & Payment Express website (www.cpexpress.state.mi.us).
14. Each party to this Contract will remain responsible for any claims arising out of the performance of this Contract, as provided by this Contract or by law.

This Contract is not intended to increase or decrease either party's liability for or immunity from tort claims.

This Contract is not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this Contract.

MDOT will not be subject to any obligations or liabilities by contractors of the AGENCY or their subcontractors or any other person not a party to the Contract without its specific consent and notwithstanding its concurrence with or approval of the award of any contract or subcontract or the solicitation thereof.

15. The parties will consider the PROJECT to be complete when certified by the agency. This certification is not intended to nor does it relieve the AGENCY of any of its obligations and responsibilities herein.
16. This Contract will be in effect from the date of award through the estimated construction completion date on Exhibit A. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.
17. Prior to expiration, the time for completion of performance under this Contract may be extended by MDOT upon written request and justification from the AGENCY. Upon approval and authorization by MDOT, a written time extension amendment will be prepared and issued by MDOT. Any such extension will not operate as a waiver by MDOT of any of its rights herein set forth.
18. In connection with the performance of SERVICES under this Contract, the AGENCY (hereinafter in Appendix A referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, dated June 2011. This provision will be included in all subcontracts relating to this Contract.

19. This Contract may be terminated at such time as may be agreed upon by both parties or by either party giving thirty (30) days written notice to the other party. Furthermore, it may be modified at any time as agreed upon by both parties. In the event, the AGENCY terminates this Contract; it will make full repayment to MDOT.
20. Failure to submit all required forms and/or failure to comply with Contract terms may result in withholding of future Act 51 funds.
21. In case of any discrepancies between the body of this Contract and any exhibits hereto, the body of this Contract will govern.

22. This Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Contract, as applicable.

CITY OF TROY

By: _____
Title:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Title: Department Director



CITY COUNCIL AGENDA ITEM

Date: July 24, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

Subject: Bid Waiver: Asphalt Pavement Repair on Beach Road
Contract 11-1 – Beach Road Pavement Rehabilitation

History

The Beach Road Pavement Rehabilitation project was awarded by City Council on July 11th, 2011. This project involved rehabilitating three (3) miles of asphalt pavement on Beach Road from Wattles Road to South Boulevard. It was completed on November 23rd, 2012 and the contract was closed.

Recently, City staff determined that a number of areas along this asphalt roadway were unraveling, rutting, etc. and generally in need of repair. The majority of these areas are covered under the contractor's Maintenance and Guarantee Bond, which runs for 2 years after the project completion date. Cadillac Asphalt, the contractor, will be repairing these areas at no cost to the City.

It was also determined that a number of the deteriorated areas were due to normal wear and tear. These repairs are not the responsibility of the contractor. This road damage was caused by drainage problems, heavy vehicles such as garbage trucks and plows breaking the road edge due to a lack of shoulder in some areas and most certainly by the harsh winter of 2014. Engineering requested an estimate from Cadillac Asphalt to repair these non-warranty areas at the same time that they do the warranty work. The estimated cost is \$11,380.30.

It is recommended that for efficiency and performance of the work in the shortest time period possible, that Cadillac be directed to complete the non-warranty work on Beach Road at the same time as the no cost warranty work.

Purchasing

An estimate of \$11,380.30 was received from Cadillac Asphalt to do non-warranty asphalt pavement repairs on Beach Road. It was reviewed by Engineering and determined to be comparable in cost to similar asphalt work done this year in Troy.

Financial

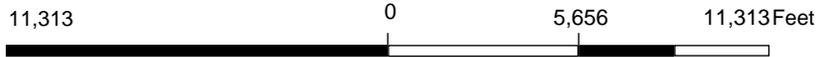
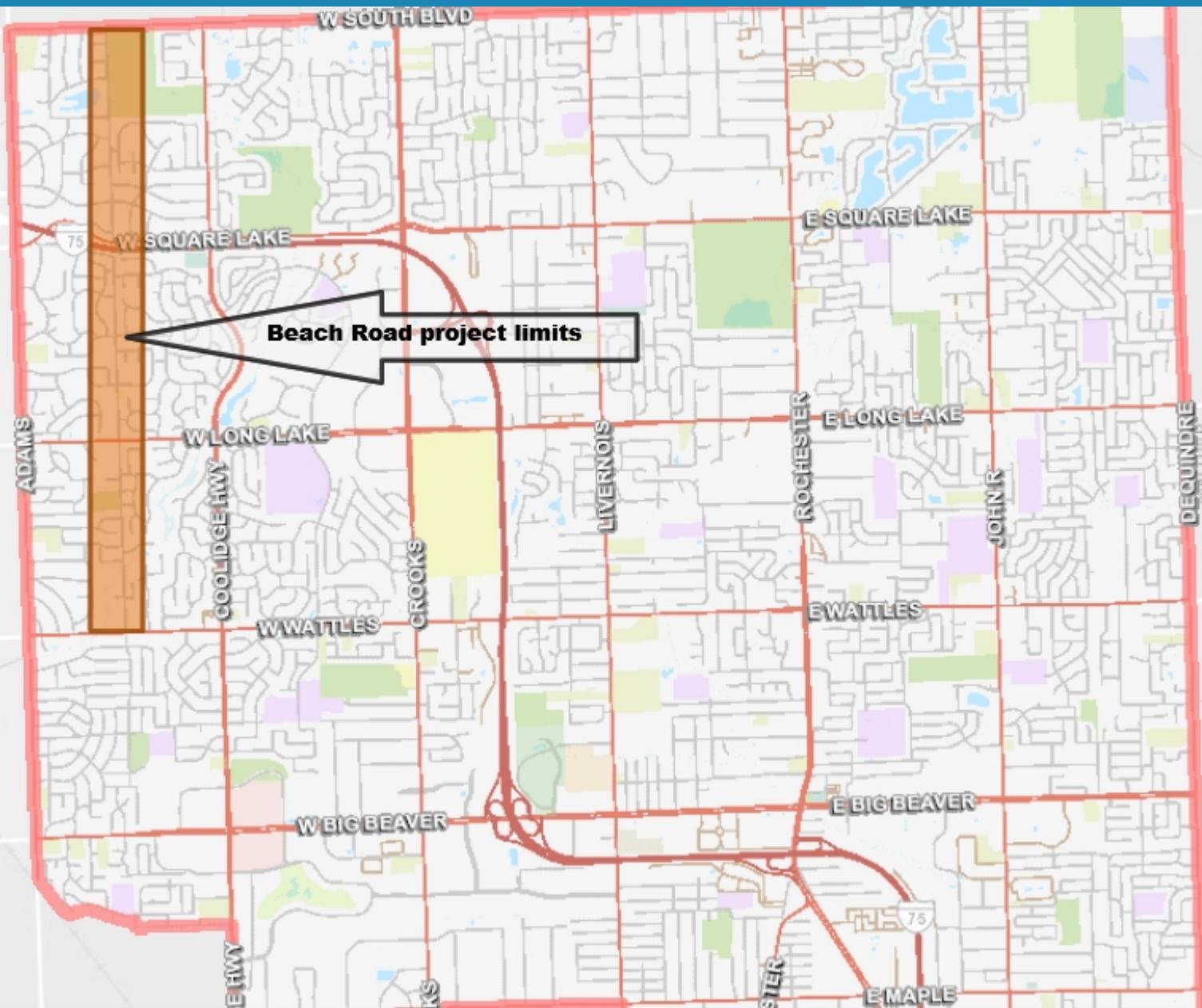
Funds are available in the Major Roads budget.



CITY COUNCIL AGENDA ITEM

Recommendation

It is recommended that City Council accept the estimate from Cadillac Asphalt LLC, 4751 White Lake Road Clarkston, MI 48346 for non-warranty asphalt repairs on Beach Road in the amount of \$11,380.30. In addition, we are requesting a contingency amount of 25% of this estimate for additional work as may be needed to address additional milling and asphalt patching that may arise during construction.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.



CITY COUNCIL AGENDA ITEM

Date: August 4, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

Subject: Private Agreement – Contract for Installation of Municipal Improvements
Alan Group Office Building - Project No. 13.922.3

History

The Alan Group proposes to develop the Alan Group Office Building located on the south east corner of Bellingham and Brinston in Section 26.

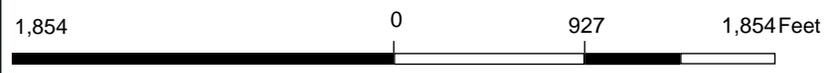
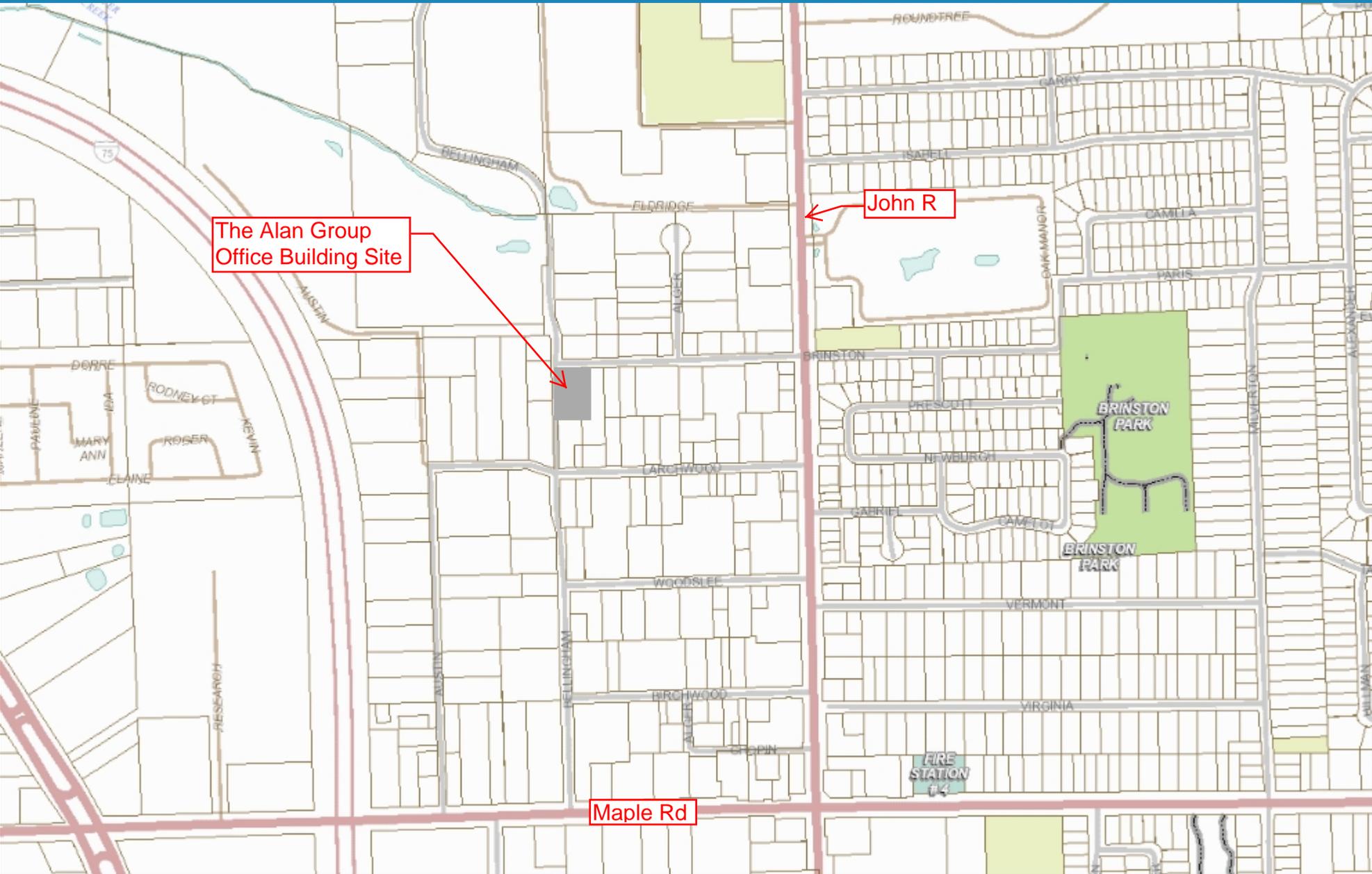
Site grading and utility plans for this development were reviewed and recently approved by the Engineering Department. The plans include municipal improvements which will be constructed by The Alan Group on behalf of the City of Troy; including a sanitary manhole, concrete drive approach & sidewalks and underground detention system. The required fees and refundable escrow deposits in the form of Performance Bond and 10% Cash, that will assure completion of the municipal improvements, have been provided by The Alan Group (see attached Private Agreement).

Financial

See attached summary of required deposits and fees for this Private Agreement.

Recommendation

Approval of the Contract for Installation of Municipal Improvements (Private Agreement) is recommended.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

City Of Troy

Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: **13.922.3**

Project Location: **SE 1/4 Section 26**

Resolution No:

Date of Council Approval:

This Contract, made and entered into this 18 day of April, 2014 by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and The Alan Group whose address is 32600 Stephenson Highway, Suite B, Madison Heights, MI 48071 and whose telephone number is 248-298-0100 hereinafter referred to as "Owners", provides as follows:

FIRST: That the City agrees to permit the installation of Sanitary Manhole, Concrete Drive Approach & Sidewalk, and Underground Detention System in accordance with plans prepared by Greentech Engineering, Inc. whose address is 51111 West Pontiac Trail, Wixom, MI 48393 and whose telephone number is 248-668-0700 and approved prior to construction by the City in accordance with City of Troy specifications.

SECOND: That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$ 79,641.00. This amount will be deposited with the City in the form of (check one):

Cash/Check	<input type="checkbox"/>	} 10% Cash <u>\$7,964.00</u>
Certificate of Deposit & 10% Cash	<input type="checkbox"/>	
Irrevocable Bank Letter of Credit & 10% Cash	<input type="checkbox"/>	
Performance Bond & 10% Cash	<input checked="" type="checkbox"/>	

Refundable cash deposit in the amount of \$ 10,964.00: This amount will be deposited with the City in the form of (check one):

Cash Check

Non-refundable cash fees in the amount of \$ 6,309.00. This amount will be paid to the City in the form of (check one):

Cash Check

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

THIRD: The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer 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, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

FOURTH: Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

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

City Of Troy
Contract for Installation of Municipal Improvements
(Private Agreement)

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

OWNERS

CITY OF TROY

By:



By:

Please Print or Type BRAD CHOSNACKE

Dane M. Slater, Mayor

Please Print or Type

M. Aileen Bittner, City Clerk

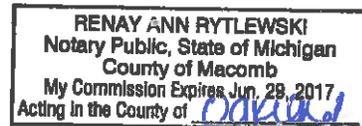
STATE OF MICHIGAN, COUNTY OF OAKLAND

On this 30 day of JULY, A.D. 2014, before me personally appeared Bradley Chosnacke known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.



NOTARY PUBLIC, Oakland County, Michigan

My commission expires: 6/29/17



**Detailed Summary of Required Deposits & Fees
The Alan Group Office Building
13.922.3**

ESCROW DEPOSITS (PUBLIC):

Sanitary Sewers		\$1,200
Paving		\$11,750
Sidewalks		\$4,800
Underground Detention System/Restricted Outlet/Sewer Tap/Oil & Gas Trap		\$61,891
TOTAL ESCROW DEPOSITS (Refundable):	10% <u>7,904.-</u>	<u>\$79,641</u>

CASH FEES (Non-Refundable):

Engineering Review Fee (Private Improvements)(PA1)		\$1,138
Plan Review and Construction Inspection Fee (Public Improvements) (PA1)		\$6,451
Less Initial Engineering Review Fee (Public & Private)(1.1%)		-\$1,280
TOTAL CASH FEES (Non-Refundable):		<u>\$6,309</u>

CASH DEPOSITS (Refundable):

Street Cleaning/Road Maintenance		\$2,500
Soil Erosion/Sedimentation Control Repair, Replace, or Maintenance		\$500
Punchlist & Restoration		\$7,964
TOTAL CASH DEPOSITS (Refundable):		<u>\$10,964</u>

Total Escrow & Cash Deposits (Refundable): \$90,605

Total Cash Fees (Non-Refundable): \$6,309

Total Amount: 25,237.- \$96,914

PAID

JUL 31 2014

**CITY OF TROY
TREASURER'S OFFICE**



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LGB*
Susan M. Lancaster *SML*
DATE: August 4, 2014
SUBJECT: Allstate Insurance Company v. City of Troy and
Troy Fire Department

Enclosed please find a copy of a lawsuit that Allstate Insurance Company filed against the City of Troy and the Troy Fire Department. Allstate Insurance Company is seeking reimbursement for the property damage claim it paid to its insured Rajkiran Pansear, whose vehicle was damaged after he drove over a fire hose that fell from a City of Troy fire truck onto M-59. The fire truck was returning to Troy after a training exercise at CREST (Oakland County Community Regional Emergency Services Training center).

The Complaint alleges that Allstate should be subrogated for the payments it made under the Michigan No Fault Act, based on an allegation that the City was somehow negligent. The complaint does not identify which exception to broad grant of governmental immunity would allow for the subrogation claim. Due to the unique nature of this case, an immediate motion for summary disposition is appropriate.

A proposed resolution, authorizing our office to represent the City's interest, is attached. As always, please let us know if you have any questions.

STATE OF MICHIGAN 52-3 JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS AND COMPLAINT	CASE NO. 14- 002677 GC
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Court address: 700 Barclay Circle, Rochester Hills, MI 48307 Court telephone no.

Plaintiff's name(s), address(es), and telephone no(s):
 Allstate Insurance Company
 PO Box 29500
 Roanoke, VA 24018

Plaintiff's attorney, bar no., address, and telephone no.
 Sean M. Taylor (P35051)
 27007 Hoover Road
 Warren, MI 48093
 (586) 756-3880

Defendant's name(s), address(es), and telephone no(s):
 City of Troy and
 Troy Fire Department
 500 W. Big Beaver Road
 Troy, MI 48084

Resident Agent:
 Troy City Clerk, Aileen Bittner

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111(C))
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 6/6/14	This summons expires 9/5/14	Court clerk RENEE S. GILLERT
------------------	--------------------------------	--

*This summons is invalid unless served on or before its expiration date.
 This document must be sealed by the seal of the court.

COMPLAINT Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.

Family Division Cases

There is no other pending or resolved action within the jurisdiction of the family division of circuit court involving the family or family members of the parties.

An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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General Civil Cases

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

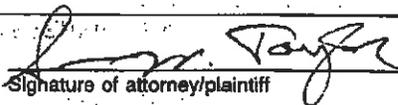
A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

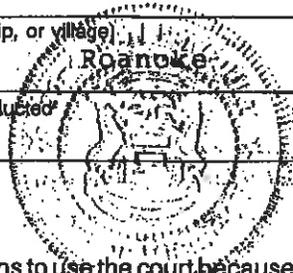
The action remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
	CASE ASSIGNED TO (P42708) JUDGE LISA L. ASADOORIAN	

VENUE

Plaintiff(s) residence (include city, township, or village) Roanoke, VA	Defendant(s) residence (include city, township, or village) Troy, MI Troy, MI
Place where action arose or business conducted Rochester Hills, MI	

Date: 6-4-14
 Signature of attorney/plaintiff: 



If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

STATE OF MICHIGAN

IN THE 52-3 JUDICIAL DISTRICT COURT FOR THE CITY OF ROCHESTER HILLS

ALLSTATE INSURANCE COMPANY, as
Subrogee of Rajkiran Panesar,

Plaintiff,

vs.

CITY OF TROY and TROY FIRE
DEPARTMENT,

Case No. 14-

GC

Defendants.

SEAN M. TAYLOR (P35051)
Attorney for Plaintiff
27007 Hoover Road
Warren, MI 48093
(586) 756-3880

COMPLAINT

NOW COMES the Plaintiff, ALLSTATE INSURANCE COMPANY, by and through their attorney, Sean M. Taylor, and for its Complaint states:

1. That ALLSTATE INSURANCE COMPANY is a foreign corporation licensed to conduct business in the State of Michigan.
2. That the Plaintiff's insured, Rajkiran Panesar, is a resident of the City of Sterling Heights, County of Macomb and State of Michigan.
3. The Defendants are governmental entities located in the City of Troy, Michigan.
4. Venue exists in this Court because of an incident on October 21, 2013 on M-59 Highway near Rochester Road in Rochester Hills, Michigan.
5. The amount in controversy is within the jurisdiction of this Court as the damages are a stated amount \$9,674.69.

6. That on October 21, 2013 the Defendant's fire truck, Engine #7, was traveling on M-59 Highway in Rochester Hills, Michigan when the Defendant's vehicle lost and/or dropped debris, including a large fire hose, on the roadway in the travel section of the roadway.

7. That on October 21, 2013 the Plaintiff's insured, Rajkiran Panesar, was traveling in a motor vehicle on M-59 Highway near Rochester Road in Rochester Hills, Michigan and drove his vehicle into the debris including a large fire hose causing damage to the vehicle.

8. That the Defendants owed the following duties of care:

- a. the duty to operate its business in a safe and reasonable manner;
- b. the duty to warn others of road hazards created by the Defendant;
- c. the duty to place proper road warnings in a proper sequence to preclude traffic from entering an impeded area;
- d. the duty to take reasonable steps to protect individuals and their motor vehicles;
- e. the duty to supervise and ensure proper performance of the work performed by the employees and/or agents.

9. That the Defendants breached one or more of the duties described in paragraph 8.

10. As a direct and proximate result of Defendant's breach of its duties the Plaintiff insured's motor vehicle was damaged.

11. That as a direct and proximate result of the negligence of the Defendant, the insured suffered damages to the automobile and said Plaintiff, ALLSTATE INSURANCE COMPANY, was obligated to expend and become liable for benefits pursuant to a policy of automobile insurance.

12. That it was necessary for the Plaintiff, ALLSTATE INSURANCE COMPANY, to expend to their insured pursuant to terms of said insurance policy and in consideration for the payment of \$9,674.69 the insured assigned to the Company, all rights, title and

interest in any cause of action they might have against the Defendant arising out of the incident herein before described to the extent of the amount paid by said company.

WHEREFORE, the Plaintiff prays for damages against the Defendant in the amount of \$9,674.69 plus interest, costs and attorney fees so wrongfully incurred.

Respectfully submitted,

By:

SEAN M. TAYLOR (P35051)
Attorney for Plaintiff
27007 Hoover Road
Warren, MI 48093
(586) 756-3880

Dated: May 28, 2014

SEAN M. TAYLOR
ATTORNEY AT LAW
27007 HOOVER ROAD
WARREN, MICHIGAN 48088

RESTRICTED
DELIVERY

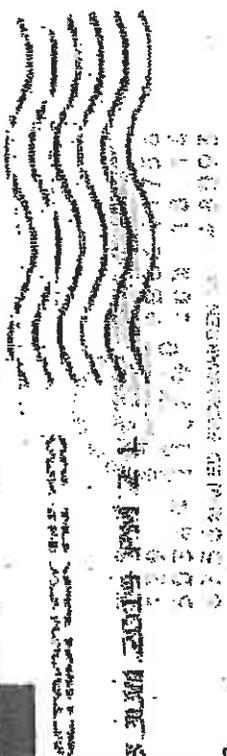
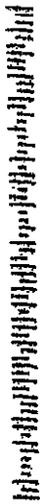
CERTIFIED MAIL



7013 0600 0001 0031 6152

City of Troy and
Troy Fire Department
C/o -- Resident Agent:
Troy City Clerk, Aileen Bittner
500 W. Big Beaver Road
Troy, MI 48064

45084520533



SEAN M. TAYLOR
27007 HOOVER ROAD
WARREN, MI 48088
JUN 11 11 29 AM '08



CITY COUNCIL AGENDA ITEM

Date: August 4, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic & Community Development
Tim Richnak, Public Works Director
Kurt Bovensiep, Public Works Manager
Cindy Stewart, Community Affairs Director

Subject: Announcement of Public Hearing for August 25, 2014 -
Re-programming Community Development Block Grant (CDBG) Program Year 2013
funds

Background

The City of Troy is required by the Oakland County Division of Community & Home Improvement to advertise and conduct a Public Hearing for the reprogramming of CDBG funds.

The PY 2013 Street Improvement Project in Section 36 was to install 28' wide slab concrete street with 5' wide sidewalks and truncated dome ramps to ADA standards at Leafgreen, Rushmore Revere, Zenia, Shaker and Fairgrove. The CDBG funds obligated for the 2013 project were not sufficient to pay for the entire project and the project is not warranted.

Reprogramming the funds will allow the City to continue the project at Milverton Park, providing recreational activities to the surrounding residents. The new project will specifically address the 2-5 year old age group, by purchasing and installing a play area for ages 2-5 years. The area will be placed over a synthetic turf with rubber infill to meet or exceed ASTM 1292 safety standards and will be ADA accessible.

Recommendation

It is recommended that City Council authorize a public hearing for Monday, August 25, 2014 at 7:30 pm or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the reprogramming of Program Year 2013 funds in the amount of \$107,174 from the Street Improvements account to the Parks-Recreational Facilities account in order to complete the project at Milverton Park in Section 36 providing recreational activities to the surrounding residents, specifically for the 2-5 year old age group.

Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on May 28, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan
Al Petruilis
Jayne Saeger
Steve Toth
Gretchen Waters

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Sergeant Michael Szuminski, Troy Police Liaison

2. APPROVAL OF AGENDA

Motion by Toth
Second by Carolan

RESOLVED, to approve the agenda as amended.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

Moved by Carolan
Second by Petruilis

RESOLVED, to approve the January 22, 2014 meeting minutes.

Yes: All

MOTION PASSED

4. CITY ATTORNEY REPORT

Assistant City Attorney Susan Lancaster provided a brief overview of the Michigan Right to Farm Act and a recent change to Generally Accepted Agricultural Management Practices. The recent change allows local units of government to regulate backyard chickens.

5. HEARING OF CASES

- A. WAIVER REQUEST, MICHAEL AND LORI SCHMITT, 2042 KIRKTON – In order to keep six (6) chickens and one (1) duck, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .30 acres in size.

Mr. Evans summarized the case for the Board. Mr. Schmitt indicated that in addition to the information presented in the application, there would be no roosters. He has researched reasonable amounts of area to provide per animal and has provided more than the recommended.

The public hearing was opened.

Several residents in the area spoke in favor, others against the proposal. Mr. Evans summarized for the Board, written comments, both for and against the proposal, from area residents.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site. Mr. Petrus indicated that waivers should be the exception, and granted for special circumstances.

Motion by Petrus
Second by Carolan

RESOLVED, to deny the request.

All: Yes

MOTION PASSED

- B. WAIVER REQUEST, KYLE SEIDEL, 3535 ANVIL – In order to keep up to six (6) chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .38 acres in size.

Mr. Evans summarized the case for the Board. Mr. Seidel indicated that in addition to the information presented in the application, there would be no chicken wire but rather hardware cloth to keep rodents out. He has selected quiet breed hens and there will be no free ranging except when cleaning.

The public hearing was opened.

One area resident spoke in favor. Mr. Evans summarized for the Board, written comments, both for and against the proposal, from area residents.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site. Mr. Petrulis indicated that waivers should be the exception, and granted for special circumstances.

Motion by Petrulis
Second by Carolan

RESOLVED, to deny the request.

Yes: Carolan, Petrulis, Saeger
No: Waters, Toth

MOTION PASSED

5. OTHER BUSINESS

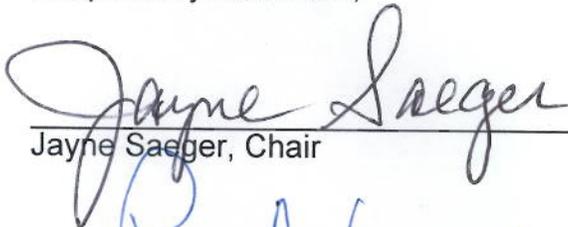
The Board discussed methods of publicizing the Animal Ordinance's three-quarters of an acre requirement. Mr. Evans will work on getting these publicized.

Sergeant Michael Szuminski introduced himself and reported on the status of the Police Department's involvement with animal control services.

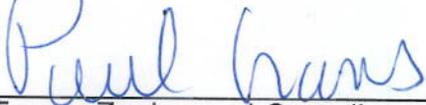
6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 8:20 p.m.

Respectfully submitted,



Jayne Saeger, Chair



Paul Evans, Zoning and Compliance Specialist

On June 17, 2014, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chair Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

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

Absent:

Allen Kneale

Also Present:

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

2. APPROVAL OF MINUTES – May 20, 2014

Moved by Courtney
Seconded by Eisenbacher

RESOLVED, to approve the May 20, 2014 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

A. VARIANCE REQUEST, JOHN D. XERRI, JR., 931 BROOKLAWN – In order to construct an addition to the home, a 13.5 foot variance from the minimum required 35 foot rear yard setback. ZONING ORDINANCE SECTION: 4.06 (C), R1-E Zoning District

Moved by Lambert
Seconded by Bloomingdale

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

- B. VARIANCE REQUEST, JASON MROZEK, 470 W. SQUARE LAKE – In order to construct a roof over the existing front porch, a 22.5 foot variance from the required 50 foot front yard setback. ZONING ORDINANCE SECTION: 4.06 (D) (1)

Moved by Courtney
 Second by Eisenbacher

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

- C. VARIANCE REQUEST, MIKE ROBERTS for CONTINENTAL SERVICES, 700 STEPHENSON HIGHWAY – A variance to allow parking, loading and maneuvering of trucks in the front yard. ZONING ORDINANCE SECTION: 4.18 (D) (2)

Moved by Krent
 Second by Eisenbacher

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

- 5. COMMUNICATIONS – None
- 6. MISCELLANEOUS BUSINESS- None
- 7. PUBLIC COMMENT – None
- 8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:14 pm.

Respectfully submitted,



 Glenn Clark, Chair



 Paul Evans, Zoning and Compliance Specialist

A regular meeting of the Troy Traffic Committee was held Wednesday, June 18, 2014 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sarah Binkowski
Tim Brandstetter
Ted Halsey
Al Petrusis
Pete Ziegenfelder

ABSENT: Richard Kilmer
Stevan Popovic

Also present: Tina Collins, 1231 Sherwood Forest
Chris Carr, 2504 Avonhurst
Jim Tafelski, 2505 Oxford
Lt. Eric Caloia, Fire Department
Sgt. Mike Szuminski, Police Department
Bill Huotari, Deputy City Engineer/Traffic Engineer

2. Minutes – April 16, 2014

RESOLUTION # 2014-06-18

Moved by Binkowski
Seconded by Halsey

To approve the April 16, 2014 minutes as printed.

YES: 5 (Binkowski, Brandstetter, Halsey, Petrusis, Ziegenfelder)
NO: None
ABSENT: 2 (Kilmer, Popovic)

MOTION CARRIED

REGULAR BUSINESS

3. Speeding Issues – Beach Road, South of Wattles Road

Heather Carr of 2504 Avonhurst and Jelena Tafelski of 2505 Oxford request that traffic control be placed on Beach Road, south of Wattles Road to slow traffic down. Ms. Carr and Ms. Tafelski state that the lack of traffic control on Beach encourages speeding on this section of road.

Traffic Engineering received one call from Mrs. Faust of 2505 Avonhurst who stated that a Stop sign was not necessary. She states that very few people speed on Beach when she observes traffic except for the occasional teenage driver. She is also concerned that her neighbor may have difficulty backing out of their driveway if a Stop sign were installed.

Traffic Engineering received an email from Mr. Jeff Carley who lives on Eastbourne Drive, which runs parallel to Beach in the area of concern. He would support additional pavement markings, speed limit signs or a Stop sign. He objects to a permanent radar speed sign, speed bump [hump] or any type of light.

A speed study was conducted and it does show that for northbound Beach, south of Oxford that there is a speed issue. The 85th percentile speed is 34 mph and is primarily an issue during AM and PM peak hours. The other locations studied did not show speeds that would be considered outside of the normal.

The speed study was shared with Troy Police and they responded by placing the radar trailer on Beach the week of May 19th and May 26th. Additional enforcement is planned when officers are not on higher priority calls.

This section of Beach is somewhat unique in that it is more akin to a collector street than a residential street. The existing right-of-way is 86' wide and the existing pavement width varies between 28'-30' wide. The right-of-way is primarily open with minimal roadside obstacles. The other local streets in this area are within 60' right-of-way and are generally 20'-22' wide pavement sections.

Parking is prohibited on the east side of Beach due to fire hydrants. Stop signs are located at each intersection between Wattles and Palmerston (near Schroeder Park) but Beach only stops at Palmerston and at Cheswick. At all of the other intersections, Beach is the through street and Stop signs are on the intersecting streets. For northbound traffic on Beach, there are no Stop signs after the All-Way Stop at Cheswick until the driver reaches Wattles Road. This is the section where speeds are the highest.

Beach is the primary access from Wattles Road but volumes are under 1,000 vehicles per day (vpd). There does not appear to be a cut-through problem as volumes are fairly consistent from day-to-day, Beach ends at Hampton and does not provide a convenient route to another major road.

In the past, a request like this would have been addressed by direct enforcement with the Traffic Safety Unit assigning officers to patrol the area as most of the drivers are consistent from day-to-day and educating drivers through enforcement is a powerful tool. With the downturn in the economy, just a few years ago, the Traffic Safety Unit was eliminated. Concentrated direct enforcement is no longer available even though Troy Police was able to provide a radar speed trailer and provide some level of enforcement recently. Enforcement now is provided by officers when they are not on higher priority calls so the level of enforcement available is significantly less than what was customary in the past.

Traffic Calming measures can take many forms. Typically, education is the first stage, then enforcement and finally physical measures.

To date, only one location in the City has a physical measure in place. A speed hump was placed on Walnut Hill, just north of Wattles and east of Adams. The speed hump was paid for by the residents. Feedback on this location in the past has been mixed as it was a singular installation and issues associated with the existing speed hump have included: additional noise; it does not slow traffic down; and inconvenient for residents.

Some options reviewed for Beach Road were:

1. **Additional speed limit signs** – placement of additional speed limit signs to reinforce the speed can be placed to enhance driver recognition of the residential area. Effectiveness is generally assumed to be minimal as most drivers proceed at a speed that they believe is “reasonable and prudent” for the conditions they encounter regardless of a posted speed limit.
2. **Longitudinal pavement markings** – mark the centerline of the road with a solid, double yellow marking and solid, white edge lines. Pavement markings have shown some effectiveness in reducing speeds due to a perceived narrowing of the traveled way. Other studies show an increase in speed due to the pavement markings making the driver’s task of tracking the roadway easier. Residential streets typically do not have pavement markings so some drivers may assume that Beach is not a residential street if they encounter full pavement markings (double-yellow center line and white edge lines)
3. **In street speed limit markings** – large overlay cold plastic or painted “25 MPH” markings are placed on the pavement to remind motorists of the residential speed limit. Long term studies on the use of in street markings alone have shown little impact.
4. **Permanent radar speed sign** – these signs show drivers their speed as they approach the sign and one model considered allows for supplemental messages and traffic data to be recorded (eliminating the need to place traffic counters on the pavement). Speed boards are effective initially, but results over longer periods of time are inconclusive without intermittent enforcement. Rochester Hills has had positive results in reducing speeds at locations where they have speed boards installed.

Stop signs are not recognized as a traffic calming device. Stop signs are intended to assign right-of-way at intersections and are to be placed based on guidance from the Michigan Manual of Uniform Traffic Control Devices (MMUTCD). Studies have shown that Stop signs are not effective in reducing speeds and in many instances increase speeds due to drivers attempting to make up time due to a stop that they believe was not necessary. In addition, unwarranted Stop signs have the potential to reduce safety by creating a false sense of security for other drivers, children or pedestrians assuming a motorist will stop at a Stop sign.

Mr. Chris Carr of 2504 Avonhurst was in attendance at the meeting and has lived in his

house since July 2013. He believes that the 25 mph speed limit is not observed. They have a small child so they spend a lot of time outside and see many drivers exceeding the posted speed limit. There are several new families that have moved into the neighborhood and many of them have small children that they worry about. There is a blind curve on southbound Beach that makes sight distance less than ideal. He believes that the double-yellow striping on Beach, as you turn from Wattles, may lead drivers to believe that this section of Beach is not a residential road. Mr. Carr would like to see a Stop sign installed on Beach at Oxford or Avonhurst.

Mr. Jim Tafelski of 2505 Oxford agreed with the statements made by Mr. Carr. He also added that many older residents are moving out and new residents are moving in with children. He watches traffic frequently when he is outside and the majority of people drive at reasonable speeds but a few are moving at what he feels are excessive speeds. He also reports that there are a lot of bikers that use Beach Road frequently. Mr. Tafelski also would like to see Stop signs installed on Beach at Oxford or Avonhurst.

Ms. Binkowski discussed the use of Stop signs for speed control. Stop signs do not control speed but are used for assigning right-of-way at an intersection when warranted. Stop signs can create a false sense of security for pedestrians, when unwarranted, creating a potentially unsafe situation.

Mr. Ziegenfelder stated that when unwarranted Stop signs are installed speeds may actually increase as drivers may slow at a Stop sign but increase speeds after the Stop sign as they feel they were stopped for no apparent reason.

Mr. Petrusis stated that one of the issues on this section of Beach is that the intersecting streets are T-intersections so they are not full intersections. He also discussed the installation of unwarranted Stop signs. Mr. Petrusis stated that the same drivers travel this section of Beach everyday and his concern is that an unwarranted Stop sign may be ignored and create an unsafe situation.

Sgt. Szuminski discussed the Police Department's ability to enforce speed limits. The concerns on Beach are the same as numerous other areas in Troy and occur at the same time as at other locations, primarily in the AM and PM peak hours. Troy Police has done enforcement at this location and has issued citations.

Mr. Brandstetter has concerns about installing a Stop sign and having children assuming a car will Stop.

Mr. Halsey stated that no matter what may be done that parents must still be responsible for their children when they are outside.

Discussion of physical measures such as speed humps ensued. This section of Beach has no curb so there is the potential that vehicles could drive around a speed hump creating an unsafe situation due to the ditches along Beach. Speed humps are most effective when used in a series. This section of Beach would require at least three speed

humps. Concerns relative to speeds between speed humps, noise, snow plowing and emergency vehicle access times were discussed. If speed humps were to be pursued they would need to be approved by residents in the area as they are paid for by the residents through a Special Assessment District. This area is scheduled for a mill and overlay project next spring, so any physical changes could be done at that time to benefit from the larger project. Traffic Committee members and residents in attendance agreed that other lower cost measures should be pursued at this time.

The members discussed the use of radar speed boards and a recommendation was made to install one on northbound Beach with the possibility of moving it to southbound Beach to provide additional feedback to drivers. Traffic Engineering will discuss this option with the supplier as some models of the speed boards are portable. The radar speed boards are informational signs so no Traffic Control Order is required.

The radar speed board is to be installed this summer and then a follow up speed study will be conducted in the fall after school is in session to compare speeds before and after the installation. The results of the speed study will be brought back to the Traffic Committee for discussion and if needed for further discussion of traffic calming measures on this section of Beach.

4. Traffic Calming Measures – Speed Humps

Traffic Engineering performed an informal survey of neighboring and similar communities relative to their use of Traffic Calming measures and specifically speed humps. One of the primary criteria for determining the use of speed humps is 85th percentile speeds (the speed at which 85% of traffic is travelling at or below). Listed are the 85th percentile speeds that are one factor used as part of the minimum criteria for consideration of speed hump installation for those agencies that have a program in place.

- Rochester Hills – 85th percentile speeds exceed the posted speed by 6 mph or greater
- Farmington Hills – 85th percentile speeds of 35 mph or greater
- Road Commission for Oakland County – 85th percentile speed greater than or equal to 35 mph

Rochester Hills is by far the most aggressive in promoting and implementing speed humps and have placed them at several locations throughout their city. The feedback they have received has been mostly positive and they have found that the speed humps have been effective in reducing vehicle speeds.

The Road Commission for Oakland County has placed speed humps at two (2) locations in the County and also found that speeds were reduced.

Farmington Hills has installed speed humps in seven (7) locations and found that speeds in general have decreased but there have been some resident concerns relative to noise and aesthetics.

Agencies that do not have Traffic Calming programs in place:

- Novi
- Clawson
- Madison Heights
- Birmingham
- Sterling Heights

One large area of concern with speed humps is their impact on emergency vehicle response time. The City of Los Angeles has over 3,700 speed humps installed and in February 2013 recommended that their program be stopped and that a ban be placed on the installation of new and replacement of existing speed humps. This recommendation was not acted on at that time and it is still under review.

There are numerous other types of traffic calming measures and a summary of various options was provided to the Traffic Committee members as information.

5. Public Comment

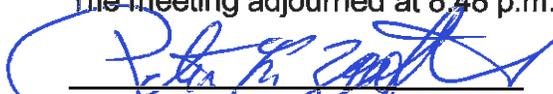
No members of the public provided comment.

6. Other Business

No other business was brought forward by the Committee.

7. Adjourn

The meeting adjourned at 8:48 p.m.



Pete Ziegenfelder, Chairperson

Bill Huotari, Deputy City Engineer/Traffic Engineer

Chair Edmunds called the Special/Study meeting of the Troy City Planning Commission to order at 7:00 p.m. on June 24, 2014 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse
 Donald Edmunds
 Steve Gottlieb
 Michael W. Hutson
 Tom Krent
 Gordon Schepke
 Thomas Strat
 John J. Tagle

Absent:

Philip Sanzica

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2014-06-035

Moved by: Tagle
 Seconded by: Strat

RESOLVED, To approve the Agenda as printed.

Yes: All present (8)
 Absent: Sanzica

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2014-06-036

Moved by: Schepke
 Seconded by: Gottlieb

RESOLVED, To approve the minutes of the June 10, 2014 Regular meeting as published.

Yes: All present (8)
 Absent: Sanzica

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Krent gave a report on the June 17, 2014 Zoning Board of Appeals meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant reported there was no Downtown Development Authority meeting in June.

7. PLANNING AND ZONING REPORT

Mr. Savidant addressed the following new applications:

- Preliminary Site Plan and Conditional Rezoning – Regency at Troy (Ciena Healthcare)
- Zoning Board of Appeals – Regency at Troy (Ciena Healthcare)
- Preliminary Site Plan – Kresge Foundations Headquarters Expansion

PRELIMINARY SITE PLAN REVIEWS

8. PRELIMINARY SITE PLAN APPLICATION (File Number SP 994) – Proposed Children’s Hospital of Michigan, Northeast corner of Big Beaver Road and Civic Center Drive (350 W. Big Beaver), Section 21, Currently Zoned BB (Big Beaver) District

Mr. Carlisle summarized the preliminary site plan application. He specifically addressed:

- Relationship with Master Plan and Big Beaver Corridor study.
- Site access points.
- Landbanked parking.
- Existing retaining wall and berm along Big Beaver.
- Design elevations.
- Potential of iconic building to become a “landmark”.

Mr. Carlisle recommended approval of the preliminary site plan application with the condition that the applicant works with the City between preliminary and final site plan approvals to determine what will trigger the need to construct the deferred parking.

Present were:

- Larry Gold, CEO and President, Children’s Hospital of Michigan
- Ron Henry, Sr. Vice President, Chief Facility Engineering and Construction Officer, Detroit Medical Center
- Art Smith, Architect, Harley Ellis Devereaux
- James Butler, Civil Engineer, Professional Engineering Associates

There was discussion on:

- Signage.
- Projected completion date (October 2015).
- Transparency of pharmacy.
- Building materials; samples displayed.
 - Colored glass and masonry.
 - Kaleidoscope, vibrancy of colors during all hours and all seasons.
 - Durability of building materials.
 - Iconic building design.
- Maintenance of City-owned adjacent parcel.

Chair Edmunds opened the floor for public comment. There was no one present; the floor was closed for public comment.

Resolution # PC-2014-06-037

Moved by: Krent
 Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Children’s Hospital of Michigan, located on the northeast corner of Big Beaver Road and Civic Center Drive (350 W. Big Beaver Road), Section 21, within the BB (Big Beaver) District, be granted, subject to the following:

1. Work with the City between Preliminary Site Plan Approval and Final Site Plan Approval to create a formal agreement that outlines the terms under which deferred parking will be constructed.

Yes: All present (8)
 Absent: Sanzica

MOTION CARRIED

9. PRELIMINARY SITE PLAN REVIEW (File Number SP 995) – Proposed Field and Stream, East side of I-75, North of 14 Mile (750 W 14 Mile), Section 35, Currently Zoned GB (General Business) District

Mr. Carlisle summarized the preliminary site plan application. He specifically addressed:

- Consolidation of the two parcels as a condition to site plan approval.
- Site access points.
- Cross access easements as relates to Oakland Mall.
- Applicant’s request for a parking deviation.

Mr. Carlisle said the reuse of the site would be a benefit to the Oakland Mall. Based on the direction of the Planning Commission with respect to the parking, Mr. Carlisle recommended approval of the preliminary site plan application with the conditions as stipulated in his report dated June 19, 2014.

Peter Light of Urban Retail Properties and James Butler of Professional Engineering Associates were present.

Mr. Light said the proposed Field and Stream store at this location would be its fifth store in the United States. Mr. Light addressed the request for a parking deviation. He said without additional parking, parking numbers would be challenged with the easement agreements in place with the mall store anchors since 1960. Mr. Light shared the number of parking spaces at existing Field and Stream stores.

Mr. Butler cited customer counts at the Field and Stream store in Erie, Pennsylvania.

There was discussion on:

- Providing more greenery, less asphalt.
- Sizeable amount of additional parking spaces requested (121).
- Landscaping along I-75 frontage.
- Breaking up “sea of asphalt” by adding islands and landscaping.
- “Coding” parking lot for customer convenience.

Chair Edmunds opened the floor for public comment. There was no one present; the floor was closed for public comment.

Resolution # PC-2014-06-038

Moved by: Krent

Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Field and Stream, located on the east side of I-75, north of Fourteen Mile (750 W. 14 Mile), Section 35, within the GB (General Business) District, be granted, subject to the following:

1. Note existing and/or proposed access easements on the final site plan.
2. Provide bicycle parking for two (2) bikes.
3. Relocate the two (2) proposed trees outside of the Chicago Street ROW.
4. Add an additional six (6) trees in the parking lot to the south of the building taking up six (6) existing parking spaces.
5. Consolidation of the two parcels as part of final site plan approval.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

OTHER BUSINESS10. **MASTER PLAN UPDATE**

Mr. Carlisle introduced Alex Stankovich of Carlisle Wortman Associates who is working on the Master Plan project.

A timeline for the Master Plan update was presented.

It was announced that the work in progress on the Master Plan would be posted on the City's website.

The North Troy study area was presented by Messrs. Carlisle and Savidant. Discussion followed.

11. **PUBLIC COMMENT** – Items on Current Agenda

There was no one present who wished to speak.

12. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

The Special/Study meeting of the Planning Commission adjourned at 8:55 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary

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A Meeting of the Civil Service Commission (Act 78) was held Thursday, July 3, 2014 at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chairman/President McGinnis called the meeting to order at 7:30 AM.

A. ROLL CALL:

PRESENT: Chairman/President Donald E. McGinnis, Jr.
Commissioner David Cannon
Commissioner John Steele

ALSO PRESENT: Lori Grigg Bluhm, City Attorney
Aileen Bittner, City Clerk
Gary Mayer, Police Chief
Keith Frye, Police Captain
Thomas Gordon, Police Lieutenant
Jeanette Menig, Human Resources Director
Brooke Insana, Human Resources Coordinator
Andrew Satterfield, Police Sergeant

B. APPROVAL OF MINUTES:

1. Approval of Minutes of Thursday, June 26, 2014

Resolution #CSC-2014-07-007
Moved by Cannon
Seconded by Steele

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the Thursday, June 26, 2014, meeting as corrected.

Yes: All-3
No: None

MOTION CARRIED

C. PETITIONS AND COMMUNICATIONS: None

D. REPORTS: None

E. OLD BUSINESS: None

F. NEW BUSINESS:

1. Approval of Eligible List for Police Officer

Resolution #CSC-2014-07-008
Moved by Cannon

Seconded by Steele

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the eligible list for Police Officer as **PRESENTED**.

Yes: All-3

No: None

MOTION CARRIED

PUBLIC COMMENT: None

G. ADJOURNMENT:

The Civil Service Commission (Act 78) meeting **ADJOURNED** at 7:34 AM.



Donald E. McGinnis, Jr., Chairman



Aileen Bittner, City Clerk

Chair Edmunds called the Special/Study meeting of the Troy City Planning Commission to order at 7:00 p.m. on June 24, 2014 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse
Donald Edmunds
Steve Gottlieb
Michael W. Hutson
Tom Krent
Gordon Schepke
Thomas Strat
John J. Tagle

Absent:

Philip Sanzica

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2014-06-035

Moved by: Tagle
Seconded by: Strat

RESOLVED, To approve the Agenda as printed.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2014-06-036

Moved by: Schepke
Seconded by: Gottlieb

RESOLVED, To approve the minutes of the June 10, 2014 Regular meeting as published.

Yes: All present (8)
Absent: Sanzica

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Krent gave a report on the June 17, 2014 Zoning Board of Appeals meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant reported there was no Downtown Development Authority meeting in June.

7. PLANNING AND ZONING REPORT

Mr. Savidant addressed the following new applications:

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Mr. Carlisle recommended approval of the preliminary site plan application with the condition that the applicant works with the City between preliminary and final site plan approvals to determine what will trigger the need to construct the deferred parking.

Present were:

- Larry Gold, CEO and President, Children’s Hospital of Michigan
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- Art Smith, Architect, Harley Ellis Devereaux
- James Butler, Civil Engineer, Professional Engineering Associates

There was discussion on:

- Signage.
- Projected completion date (October 2015).
- Transparency of pharmacy.
- Building materials; samples displayed.
 - Colored glass and masonry.
 - Kaleidoscope, vibrancy of colors during all hours and all seasons.
 - Durability of building materials.
 - Iconic building design.
- Maintenance of City-owned adjacent parcel.

Chair Edmunds opened the floor for public comment. There was no one present; the floor was closed for public comment.

Resolution # PC-2014-06-037

Moved by: Krent
 Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Children’s Hospital of Michigan, located on the northeast corner of Big Beaver Road and Civic Center Drive (350 W. Big Beaver Road), Section 21, within the BB (Big Beaver) District, be granted, subject to the following:

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Yes: All present (8)
 Absent: Sanzica

MOTION CARRIED

9. PRELIMINARY SITE PLAN REVIEW (File Number SP 995) – Proposed Field and Stream, East side of I-75, North of 14 Mile (750 W 14 Mile), Section 35, Currently Zoned GB (General Business) District

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Mr. Butler cited customer counts at the Field and Stream store in Erie, Pennsylvania.

There was discussion on:

- Providing more greenery, less asphalt.
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- “Coding” parking lot for customer convenience.

Chair Edmunds opened the floor for public comment. There was no one present; the floor was closed for public comment.

Resolution # PC-2014-06-038

Moved by: Krent

Seconded by: Strat

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Field and Stream, located on the east side of I-75, north of Fourteen Mile (750 W. 14 Mile), Section 35, within the GB (General Business) District, be granted, subject to the following:

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5. Consolidation of the two parcels as part of final site plan approval.

Yes: All present (8)

Absent: Sanzica

MOTION CARRIED

OTHER BUSINESS

10. **MASTER PLAN UPDATE**

Mr. Carlisle introduced Alex Stankovich of Carlisle Wortman Associates. Ms. Stankovich is working on the City's Master Plan update.

A timeline for the Master Plan update was presented.

It was announced that the work in progress on the Master Plan would be posted on the City's website.

The North Troy study area was presented by Messrs. Carlisle and Savidant. Discussion followed.

11. **PUBLIC COMMENT** – Items on Current Agenda

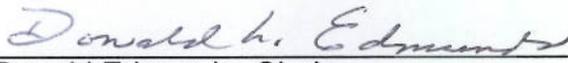
There was no one present who wished to speak.

12. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

The Special/Study meeting of the Planning Commission adjourned at 8:55 p.m.

Respectfully submitted,



Donald Edmunds, Chair



Kathy L. Czarnecki, Recording Secretary

On July 15, 2014, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

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

Absent:

David Lambert

Also Present:

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

2. APPROVAL OF MINUTES – June 17, 2014

Moved by Courtney
Seconded by Krent

RESOLVED, to approve the June 17, 2014 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

A. VARIANCE REQUEST, JON FEIKENS FOR NORTH HILLS CHRISTIAN REFORMED CHURCH, 3150 ADAMS – In order to construct a shed, a 22 foot variance to the requirement that front, side and rear setbacks be a minimum of 50 feet. ZONING ORDINANCE SECTION: 6.21 (E)

Moved by Courtney
Seconded by Eisenbacher

RESOLVED, to grant the request provided that trees be installed to screen the view of the shed and dumpster enclosure from the driveway of 3216 Adams, as described by the petitioner.

Yes: All

MOTION PASSED

- B. VARIANCE REQUEST, SAMARESH AND RACHNA SHARAN, 4071 SEYMOUR –
In order to construct an addition to the house, a 15 foot setback variance to the
required 45 foot rear yard setback. ZONING ORDINANCE SECTION: 4.06 (C) R1-B

Moved by Courtney
Seconded by Krent

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

5. COMMUNICATIONS – Mr. Evans invited the Board members and their families to the
City of Troy Employee Family Pool Party, August 14.
6. MISCELLANEOUS BUSINESS – None
7. PUBLIC COMMENT – None
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:29 pm.

Respectfully submitted,

Glenn Clark, Chairman

Paul Evans, Zoning and Compliance Specialist

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Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on July 23, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present:

Patrick Carolan
Al Petruilis
Jayne Saeger
Steve Toth
Gretchen Waters

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Sergeant Michael Szuminski, Troy Police Liaison

2. APPROVAL OF AGENDA

Motion by Carolan
Second by Toth

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

Moved by Toth
Second by Carolan

RESOLVED, to approve the May 28, 2014 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASES

A. WAIVER REQUEST, SOON HA KIM, 5781 WRIGHT – In order to keep ten (10) chickens, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .68 acres in size.

Mr. Evans summarized the case for the Board. He noted that the structure proposed to house the chickens was in substandard condition and if the Board were inclined to grant the waiver, that it be conditioned upon the structure being removed and replaced.

The applicant was not yet present.

Mr. Lee Sun of 659 Creston represented the applicant. Mr. Sun indicated allowing the chickens would be good for the community, there would be no harm to the neighborhood, that he believes the applicant would have no problem replacing the structure, and allowing the chickens would help the quality of life for the residents of the home.

The public hearing was opened.

No one was present to speak.

Mr. Evans summarized written comments filed by area residents; one was in favor, three were against the proposal. The Board members identified the location of each commenter relative to the subject property.

The public hearing was closed.

The Board discussed the proximity of those publicly commenting relative to the subject site, the concerns indicated by the public, and the conditions of the existing building.

The Board noted that it was 7:26 p.m. and the applicant had not yet appeared.

Motion by Toth
Second by Petruilis

RESOLVED, to deny the request.

All: Yes

MOTION PASSED

5. OTHER BUSINESS

Mr. Evans reported that Troy School District offers a backyard chicken raising class at Niles Continuing Education and that the public schools incubate and hatch baby chickens as part of their projects. Mr. Evans asked School District representative Kerry Birmingham to include City Animal Code requirements as part of the material presented for both programs.

6. ADJOURNMENT

The Animal Control Appeals Board meeting ADJOURNED at 7:37 p. m

Respectfully submitted,

Jayne Saeger, Chair

Paul Evans, Zoning and Compliance Specialist

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CITY COUNCIL AGENDA ITEM

Date: August 1, 2014

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police 

Subject: 2014 Mid-Year Calls for Police Service Report

Background

Each quarter the police department publishes a year-to-date report comparing the current year's data to the previous year. This data includes calls for police service, criminal offenses, arrests, clearance rates, traffic crashes, and citations issued. When reviewing this data it is important to note that because of the low number of incidents in many categories even minor changes can appear to be significant. The police department data reporting format complies with the National Incident Based Reporting System (NIBRS).

In the second quarter of 2014 there was a decrease in overall incidents or calls for service, both criminal and non-criminal, of 0.3% (58 fewer incidents/calls for service overall). Non-criminal calls for police service increased by 1.3% (185 more incidents).

The second quarter statistics show a decrease of 13.8% with 201 fewer incidents in Group A crimes, which are typically the most serious offenses and closely correspond to the categories the FBI uses to determine serious crime rates for a community. Group B Crime decreased by 8.0% with 49 fewer incidents. Total incidents of crime, both Group A & B combined, decreased by 12.1%.

Clearance rates, the percentage of offenses for which the perpetrator has been prosecuted or positively identified, continue to be high with 56.8% of all reported crime cleared. Total arrests decreased 5.3% with 58 fewer arrests in 2014.

Changes in the following categories are of particular significance:

- Breaking and Entering incidents decreased 33.7% when compared to the second quarter report of 2013. This is the second quarterly report with more than a 30% decrease in Breaking and Entering incidents. Despite the decrease in incidents, there is a 6% increase in the clearance rate. The increase in clearance rate is a reflection of the diligent efforts of department personnel in placing a high priority on these types of crimes.
- Counterfeiting/Forgery incidents increased 87.5% during this reporting quarter. While the percentage increase may be high, the overall number of incidents is low. Any notable change is going to indicate a significant percentage change. A group of individuals were passing counterfeit currency throughout the Detroit metropolitan area. The counterfeit currency is usually discovered at the end of the business day. These cases are turned over to the U.S.



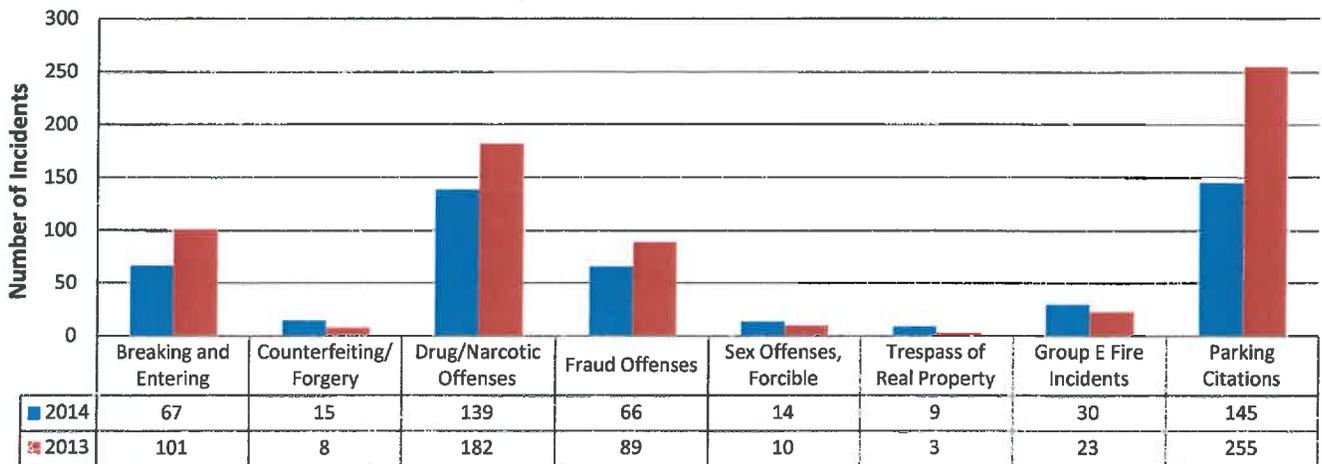
CITY COUNCIL AGENDA ITEM

Secret Service and if suspects are identified, prosecution is initiated within the federal judicial system.

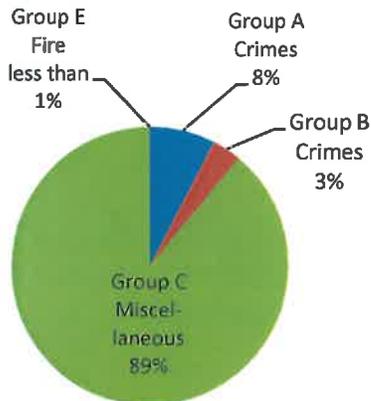
- Forcible Sex Offenses increased 40% in this reporting period, from 10 reported incidents in 2013 to 14 reported incidents in 2014. This is a notable increase due to the overall low number of incidents. The 14 reported offenses are consistent with the number of offenses (13) reported in the 2012 mid-year report. Most importantly, these types of crimes do not involve strangers but typically involve victims who have some type of established relationship with suspects.
- Trespass of Real Property incidents increased by 200.0% in the second quarter of 2014 from 3 in 2013 to 9 in 2014. The increase in violations has occurred, almost exclusively, at the Somerset Collection. This increase is because we have an officer assigned to the Somerset Collection full time. The Officer works closely with the stores to provide direct service such as guiding them in banning known retail fraud crews from their private property. This prevents crime from occurring.
- Group E Fire Incidents increased 30.4%, from 23 reported in 2013 to 30 reported in 2014. Actual fire runs are down 4.29%. The increase is only in false fire alarms.

Prepared by Paula Bratto

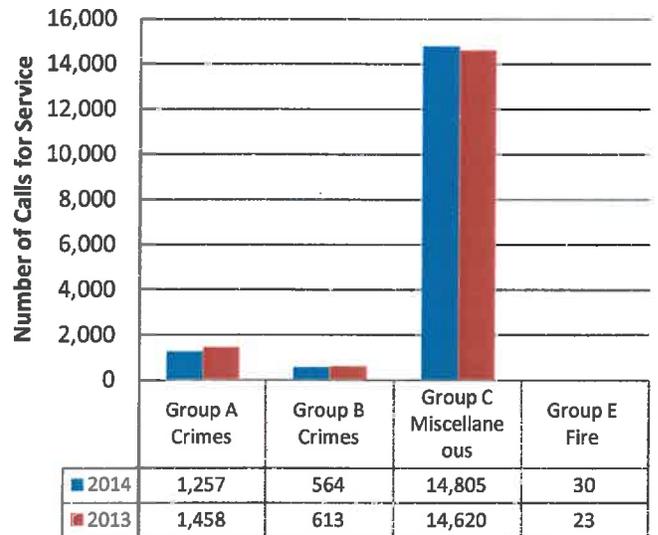
2nd Quarter 2014/2013 Incident Comparison



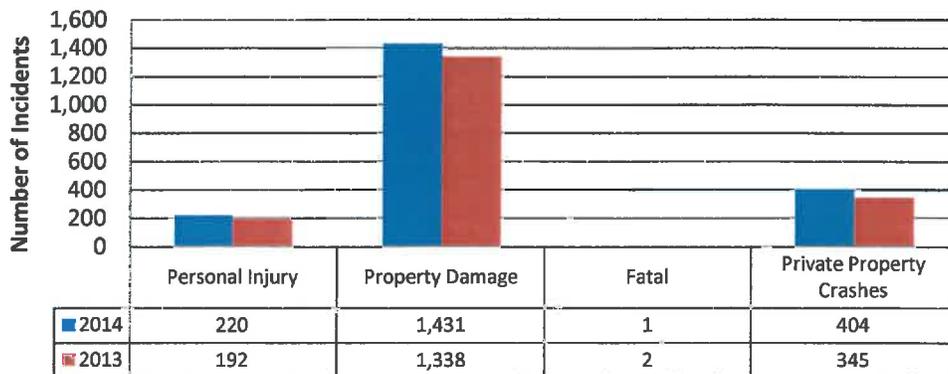
2nd Quarter Calls for Service 2014



2nd Quarter 2014/2013 Comparison



2nd Quarter Vehicle Crashes



Troy Police Department

Midyear 2014/2013 Comparison

Group A Crime Categories	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	2nd Quarter		Percent Change	2nd Quarter		Percent Change	2nd Quarter		Percent Change	2nd Quarter	
	2014	2013		2014	2013		2014	2013		2014	Percent
Arson	1	2	-50.0%	1	2	-50.0%	0	2	-	0	0.0%
Assault Offenses	221	234	-5.6%	272	285	-4.6%	66	61	8.2%	117	43.0%
Bribery	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Breaking and Entering	67	101	-33.7%	67	102	-34.3%	4	7	-42.9%	4	6.0%
Counterfeiting/Forgery	15	8	87.5%	16	9	77.8%	2	2	NC	1	6.3%
Destruction/Damage/Vandalism	83	109	-23.9%	93	114	-18.4%	7	3	133.3%	13	14.0%
Drug/Narcotic Offenses	139	182	-23.6%	219	271	-19.2%	155	210	-26.2%	204	93.2%
Embezzlement	28	34	-17.6%	29	35	-17.1%	14	24	-41.7%	6	20.7%
Extortion/Blackmail	1	0	+	1	0	+	0	0	NC	0	0.0%
Fraud Offenses	66	89	-25.8%	72	93	-22.6%	21	21	NC	15	20.8%
Gambling Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Homicide Offenses	1	0	+	1	0	+	0	0	NC	0	0.0%
Kidnapping/Abduction	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Larceny/Theft Offenses	579	634	-8.7%	589	652	-9.7%	241	265	-9.1%	201	34.1%
Motor Vehicle Theft	24	36	-33.3%	29	40	-27.5%	1	4	-75.0%	1	3.4%
Pornography/Obscene Material	1	0	+	1	1	NC	0	0	NC	0	0.0%
Prostitution Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Robbery	5	5	NC	5	5	NC	6	3	100.0%	3	60.0%
Sex Offenses, Forcible	14	10	40.0%	15	13	15.4%	3	4	-25.0%	12	80.0%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	3	6	-50.0%	7	6	16.7%	5	7	-28.6%	6	85.7%
Weapon Law Violations	9	8	12.5%	12	11	9.1%	11	4	175.0%	12	100.0%
Group A Total	1,257	1,458	-13.8%	1,429	1,639	-12.8%	536	617	-13.1%	595	41.6%
Group B Crime Categories											
Bad Checks	15	20	-25.0%	17	21	-19.0%	8	10	-20.0%	8	47.1%
Curfew/Loitering/Vagrancy	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Disorderly Conduct	6	8	-25.0%	6	11	-45.5%	2	6	-66.7%	2	33.3%
Driving Under the Influence	209	210	-0.5%	253	257	-1.6%	212	213	-0.5%	250	98.8%
Drunkenness	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Family Offenses, Nonviolent	0	9	-	2	10	-80.0%	2	1	100.0%	1	50.0%
Liquor Law Violations	19	27	-29.6%	45	55	-18.2%	30	42	-28.6%	45	100.0%
Peeping Tom	0	1	-	0	1	-	0	0	NC	0	0.0%
Runaway (Under 18)	1	5	-80.0%	1	5	-80.0%	0	0	NC	0	0.0%
Trespass of Real Property	9	3	200.0%	12	3	300.0%	1	1	NC	1	8.3%
All Other	305	330	-7.6%	359	391	-8.2%	279	268	4.1%	305	85.0%
Group B Total	584	613	-8.0%	695	754	-7.8%	534	541	-1.3%	612	88.1%
Group A and B Total	1,821	2,071	-12.1%	2,124	2,393	-11.2%	1,070	1,158	-7.6%	1,207	56.8%
Group C Miscellaneous Categories											
Alarms	1,475	1,362	8.3%	1,475	1,362	8.3%	NA	NA	NA	NA	NA
All Other	13,330	13,258	0.5%	13,496	13,439	0.4%	223	207	7.7%	NA	NA
Group C Miscellaneous Total	14,905	14,620	1.3%	14,971	14,801	1.1%	223	207	7.7%	NA	NA
Group E Fire Total	30	23	30.4%	30	23	30.4%	NA	NA	NA	NA	NA
Grand Totals	16,556	16,714	-0.3%	17,125	17,217	-0.5%	1,293	1,365	-6.3%	1,207	66.8%

Above data includes both completed and attempted offenses.

Reportable Traffic Crashes	INCIDENTS			Traffic Citations	INCIDENTS		
	2nd Quarter 2014	2nd Quarter 2013	Percent Change		2nd Quarter 2014	2nd Quarter 2013	Percent Change
Personal Injury	220	192	14.6%	Hazardous	3,018	3,137	-3.8%
Property Damage	1,431	1,338	7.0%	Non-hazardous	370	400	-7.5%
Fatal	1	2	-50.0%	License, Title, Registrar	1,196	1,223	-2.2%
Total Reportable	1,652	1,532	7.8%	Parking	145	255	-43.1%
Private Property Crashes	404	345	17.1%	Traffic Citations Total	4,729	5,015	-5.7%
Crashes Grand Total	2,056	1,877	9.5%				



CITY COUNCIL AGENDA ITEM

Date: August 5, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Paul Featherston, Building Official, SAFEbuilt
Mitch Grusnick, City Building Official

Subject: Building Department Activity Report – July, 2014

The following attachment contains a summary of permit activity and project valuation for the Building Inspection Department comparing July 2013 to July 2014. Permit activity and valuations have increased to above the levels from last year.

We have issued 5387 building, plumbing, electrical and mechanical related permits for the year so far compared to 5479 in July of 2013. Just about at the levels from last year.

Year to date project valuations thru July 2014 are at \$93,186,137. Compared to July 2013 building related permits had a valuation of \$78,153,338. A large increase in valuation for this time of the year.

Our inspectors performed 1699 trade inspections for the month of July 2014 compared to 1503 for the month of July, 2013.

Attachments:

1. Building Department Activity Report

Preparer of memo\File name\File location

BUILDING PERMITS ISSUED

	BUILDING PERMITS 2013	PERMIT VALUATION 2013	BUILDING PERMIT REVENUE 2013	BUILDING PERMITS 2014	PERMIT VALUATION 2014	BUILDING PERMIT REVENUE 2014
JANUARY	134	\$ 17,779,504.00	\$ 325,899.80	85	\$ 13,726,432.00	\$ 215,511.91
FEBRUARY	85	\$ 4,917,385.00	\$ 147,780.63	99	\$ 12,432,557.00	\$ 253,007.65
MARCH	119	\$ 8,792,342.00	\$ 214,333.92	109	\$ 9,404,255.00	\$ 181,670.90
APRIL	139	\$ 7,893,210.00	\$ 183,511.89	180	\$ 9,270,743.00	\$ 236,353.06
MAY	231	\$ 11,331,067.00	\$ 282,130.55	239	\$ 18,313,926.00	\$ 355,839.39
JUNE	205	\$ 13,523,975.00	\$ 302,089.28	239	\$ 18,102,797.00	\$ 365,425.18
JULY	228	\$ 13,915,855.00	\$ 398,711.85	247	\$ 11,935,427.00	\$ 299,613.83
AUGUST	232	\$ 13,670,900.00	\$ 347,740.85	0	-	-
SEPTEMBER	202	\$ 7,587,238.00	\$ 202,272.40	0	-	-
OCTOBER	247	\$ 26,698,481.00	\$ 427,291.44	0	-	-
NOVEMBER	144	\$ 4,968,544.00	\$ 175,694.23	0	-	-
DECEMBER	99	\$ 5,338,979.00	\$ 141,642.65	0	-	-
TOTAL	2065	\$136,417,480.00	\$3,149,099.49	1198	\$93,186,137.00	\$1,907,421.92



CITY COUNCIL AGENDA ITEM

Date: August 11, 2014

To: Brian Kischnick, City Manager

From: Timothy Richnak, Public Works Director

Subject: 2014 Residential Cross Connection Program Update

Background

Under the Michigan Safe Water Drinking Act, 1976 PA 399 (MCL 325.1001), the MDEQ is charged with the promulgation of rules to protect drinking water, and more specifically to prevent cross connections that may contaminate the public water supply systems. Under Administrative Rule 325.11401, all communities are required to implement a program for the removal of all existing cross connections and the prevention of all future cross connections.

The City of Troy implemented a three year rotational inspection and testing schedule, requiring the west 1/3 of the City to obtain inspections in 2014. The inspection and testing has progressed with a response from 49% (3319) of the residents (6824 notifications) that received notices in this program year. Of the 3319 responses 2066 were identified to have a backflow assembly. There were 1486 assemblies that passed the test and 580 assemblies that failed, resulting in a failure rate of 28%.

During the inspection and testing, a residential sprinkler system connected to the City water system was identified to have a pump added to the system downstream of the backflow assembly. This pump (Pictured below) was drawing untreated water from a local pond. The backflow assembly that was on the system was not of the type required to protect the City water supply from backflow. In the process of working with the resident they decided to separate their sprinkler system from the City water supply. This was a significant cross connection that is being removed from the City water supply.

Direction

The program will emphasize education during this initial 3 year testing and inspection period. After the 3 year period, city staff will evaluate the program, solicit public input and determine the best course of action to protect the public water supply and balance resident interests.



Troy MI 48085
July 7, 2014

Chief of Police
Troy Police Dept.
500 West Big Beaver Rpad
Troy, MI 48084

Dear sir:

I wish to commend one of your officers for helping me Friday night in a very needy situation. Although I didn't mention it because it wasn't relevant to my predicament, I was emotionally spent because I had just learned a few hours earlier that my youngest daughter Caitlin, 48, had died in Los Angeles. My son and his wife took me to dinner to discuss plans. After they dropped me off, I realized I had no way of getting into my condo. My garage door opener was locked in the garage in my car, and the front door was also locked behind a recently-purchased screen door, whose key I hadn't bothered to add to my chain. I was locked out.

I tried removing the screen from a rear window and prying it open. It wouldn't budge. The window was locked. What to do? I could call my other daughter in Flint, who owned the other garage door opener and ask her to drive down and rescue her old dad. But A, I didn't know her phone number which was embedded in my cellphone on the living room table, and B, pay phones are almost non-existent these days.

I walked the two miles to the CVS at Livernois and Long Lake and asked the clerk if he knew of a nearby pay phone. He did not, but let me use his cellphone.

Unfortunately, Megan's phone number was unlisted. Now what? Walk the additional two miles to the police station, a huge undertaking for an 86-year-old guy. After several rest stops, I finally made it only to find the main entrance completely deserted. By now it was maybe 8:30 p. m.

I walked to the side of the building and saw Officer Drewek headed for his police car. "Can you help me?" I shouted, by now barely able to stand up. I described my lockout. He checked my ID. "I'll drive you home and we'll see what we can do," he said. We decided that the likelihood of finding an open locksmith on the night of the 4th of July was minimal and even if we could, it would be very costly. Once we got to my condo Officer Drewek explored all the possibilities of gaining entrance including the rear sunken basement window. To do this he had to lift a heavy metal grate which covered the pit the window was sunk in. It too was locked.

I thought the only option would be to smash the lock on the front screen door! "Our best bet in terms of repair costs," said Officer Drewek "is to put a small cut in the screen so I can reach in and open the lock." He did so and we were able to go in through the front door for which I had the key. The slit in the screen was so so deftly that it is not visible today to flies and mosquitoes



POLICE OFFICER DOUG DREWKE:
THANK YOU FOR MAKING SUCH A GREAT IMPRESSION
AND HELPING MR. MALONEY.
JGM

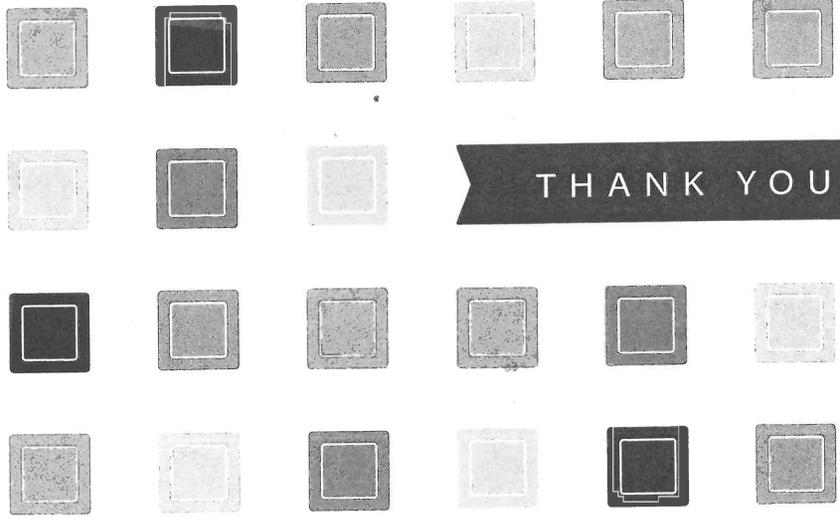
I'm sure you don't always hear about fine efforts by members of your department
But I was so pleased by the thoroughness, courtesy,, and professionalism of Officer
Drewk I thought you should be informed of it.

Sincerely,

A handwritten signature in black ink that reads "Henry B. Maloney". The signature is written in a cursive style with a large, prominent initial "H".

Henry B. Maloney

Copy: Officer Drewk



O-03b

Steve,

On behalf of the newlyweds, Jaclyn + Bryan Jones her parents, Lynda + Keith Meadows, his parents Lisa + Mike Jones. I just wanted to say Thank You for all your help with letting me know about the construction projects in Troy with regards to the movements of all our out-of-town guests and especially the limo for their wedding. Everything went off without a single issue.

It was not only a day to be the proud father of the groom but it was also a day to be a proud member of Big Beaver United Methodist Church and a proud resident of the City of Troy. It was wonderful to have people such as yourself, members of our church, and employees of the Troy Marriott, go out of their way to make my son's wedding day a truly spectacular event!

Thank you very much,
Mike Jones

July 29, 2014

Troy Police Department
500 W. Big Beaver
Troy, Michigan 48084

To whom it may concern,

We are writing to tell you how kind and helpful Officer S. Zavislak was when we met him following an accident on June 20th – a woman backed out of a parking space, hitting our car.

We made a report at the Troy Police station (incident number 14001855). The accident was shocking. But Officer Zavislak was so nice, as was one of his colleagues who was nearby (intermittently).

We really appreciated his knowledge and expertise. It really softened the whole experience.

Sincerely,



David and Carel Dunshee

Birmingham, MI 48009



POLICE DESK ATTENDANT STEVE ZAVISLAK -
THANK YOU FOR YOUR PROFESSIONAL
HANDLING OF THIS MATTER AND MAKING
SUCH A GREAT IMPRESSION ON THE DUNSHEE'S.
Jay



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

O-05



DAN WYANT
DIRECTOR

July 18, 2014

Drinking Water Revolving Fund
NOTICE OF PUBLIC HEARING

The Michigan Department of Environmental Quality (DEQ) will conduct a public hearing for the following:

The draft Fiscal Year 2015 Project Priority List for the Drinking Water Revolving Fund (DWRF), that lists projects for which Project Plans were submitted to the DEQ by May 1, 2014; and

The draft Fiscal Year 2015 Intended Use Plan that explains how DWRF funds available in Fiscal Year 2015 will be distributed.

Printed copies of these documents are available by calling the Revolving Loan Section at 517-284-5433, or they are posted on our Web site at www.michigan.gov/deq.

The public hearing will be held on August 20, 2014, at 1:30 p.m. The location will be in the Edward Hutchinson Conference Room, Atrium Level, Constitution Hall, 525 W. Allegan, Lansing, Michigan. Please use the East Entrance.

The hearing record will remain open to receive written comments until August 27, 2014, at 5 p.m. Written comments may be directed to:

Ms. Sonya Butler, Chief
Revolving Loan Section
Office of Drinking Water and Municipal Assistance
Department of Environmental Quality
P.O. Box 30241
Lansing, MI 48909-7741

Persons with disabilities needing accommodation for effective participation in the meeting should call 517-284-5433 one week in advance to request mobility, visual, hearing or other assistance.

