



TROY CITY COUNCIL

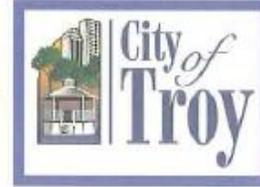
REGULAR MEETING

AGENDA

AUGUST 25, 2014
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Brian Kischnick, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Respectfully submitted,

A handwritten signature in black 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 25, 2014 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

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INVOCATION: Pastor Dan Lewis from Troy Christian Chapel

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 Regular City Council Meeting of August 25, 2014, due to _____.

Yes:
 No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 MADD Awards *(Introduced by: Gary Mayer, Chief of Police)*

C-2 Summary of Master Plan Process – 2014 Troy Master Plan Update *(Introduced by: Brent Savidant, Planning Director)*

C-3 Flood Damage Update *(Introduced by: Gary Mayer, Chief of Police)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Re-Programming Community Development Block Grant (CDBG) Program Year 2013 Funds *(Introduced by: Kurt Bovensiep, Public Works Manager)*

Suggested Resolution

Resolution #2014-08-
Moved by
Seconded by

WHEREAS, The City Council of the City of Troy, after conclusion of a Public Hearing on this date, August 25, 2014, has **DETERMINED** that program year 2013 unexpended funds of \$107,174.00 from the Street Improvements account should be re-programmed 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;

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to reprogram funds from program year 2013 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 by purchasing and installing a play area for ages 2-5 in Milverton Park. 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.

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 – Traffic Committee

a) Mayoral Appointments: None

b) City Council Appointments:

Suggested Resolution

Resolution #2014-08-

Moved by

Seconded by

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

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Traffic Committee

Unexpired Term Expiring: 01/31/2016

Ollie Apahidean

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

Unexpired Term Expiring: 01/31/2016

David Easterbrook

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

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Planning Commission; b) City Council Nominations – Liquor Advisory 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 P&R Board
Boudon	Frank	5/15/2015	STUDENT currently serving on Planning Comm.
Comiskey	Ann	3/18/2016	
Gottlieb	Steve	11/8/2015	

Yes:
No:

I-3 No Closed Session Requested

I-4 Resolution to Approve Volunteer Firefighter Incentive and Year of Service Benefit Multiplier Schedule and Transfer Money for Benefit of Volunteer Firefighter Retirement (*Introduced by: Brian M. Kischnick, City Manager*)

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

WHEREAS, The City of Troy highly values the contributions of the members of the Troy Volunteer Fire Department towards the safety and well being of our community; and

WHEREAS, In recognition of the benefits provided, and to encourage participation and retention, the City of Troy has implemented a length of service award program or plan for the members of the Troy Volunteer Fire Department setting forth plan eligibility qualifications and funding the annual incentive payments on a discretionary basis through resolutions which have been multiplied by the volunteer firefighter's tenure of service; and

WHEREAS, Through its Voluntary Incentive Committee, members of the Troy Volunteer Fire Department have expressed concern about the discretionary basis of payments, and have requested a more definitive program, and in response City Administration engaged specialized legal counsel Michael Van Overbeke to assist with options and draft the required legal documents; and

WHEREAS, A City of Troy Incentive Plan and Irrevocable Trust for Volunteer Firefighters has been drafted as a essential government function trust, based on Section 115 of the Internal Revenue Code of 1986, as amended, and the Public Employee Retirement System Investment Act, Public Act 314 of 1965, as amended (MCL 38.1132 et. seq.); and this irrevocable trust is intended to qualify the incentive benefits provided under the length of service plan as contractual benefits protected and guaranteed by Article IX, Section 24 of the State of Michigan constitution; and

WHEREAS, Both the City of Troy and also the Troy Volunteer Fire Department members intend to seek an official determination from the Internal Revenue Service confirming the tax exempt status of the City of Troy Incentive Plan and Irrevocable Trust for Volunteer Firefighters, and this process cannot be commenced until there is City Council approval and funding of the attached Section 115 trust; and

WHEREAS, The City of Troy City Council commits to funding the following increased annual length of service amounts for the Troy Volunteer Fire Department members:

- \$642, effective July 1, 2014
- \$681, effective July 1, 2015
- \$724, effective July 1, 2016
- \$769, effective July 1, 2017; and

WHEREAS, The City Council has expressed an interest in transferring one million dollars from the General Fund- Committed Fund Balance and one million dollars from the General Fund- Unassigned Fund Balance into the City of Troy Incentive Plan and Trust for Volunteer Firefighters, and acknowledges that any transferred money into the trust would be invested and administered by the independent board of trustees, as set forth in the attached trust;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **APPROVES** the attached City of Troy Incentive Plan and Trust For Volunteer Firefighters; and

BE IT FURTHER RESOLVED, That Troy City Administration is **DIRECTED** to cause the City of Troy Incentive Plan and Trust For Volunteer Firefighters to be submitted to the IRS for its review and approval, and if required or recommended by the IRS, submit any subsequent trust revisions to City Council for its review at the earliest opportunity; and

BE IT FURTHER RESOLVED, That the Troy City Council hereby **APPROVES** the following increased annual length of service amounts for the Troy Volunteer Fire Department members:

- \$642, effective July 1, 2014
- \$681, effective July 1, 2015
- \$724, effective July 1, 2016
- \$769, effective July 1, 2017;

BE IT FURTHER RESOLVED, That City Administration is hereby **DIRECTED** to transfer one million dollars from the General Fund- Committed Fund Balance and one million dollars from the General Fund- Unassigned Fund Balance into the City of Troy Incentive Plan and Trust for Volunteer Firefighters or any subsequently revised and approved trust or length of service plan for the benefit of Troy’s volunteer firefighter retirees.

Yes:
No:

J. CONSENT AGENDA:

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

Suggested 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 Minutes

Suggested Resolution
Resolution #2014-08-

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

- a) City Council Minutes-Special-Draft – August 11, 2014
- b) City Council Minutes- Draft – August 11, 2014

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles**

Suggested Resolution
Resolution #2014-08-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2015 GMC Savana 3500 cargo vans from *Red Holman Buick, GMC of Westland, MI*, through the Oakland County Cooperative Purchasing Agreement for an estimated total cost of \$45,320.00 as per the Oakland County Contract ID Number 4096.

b) Standard Purchasing Resolution 4: Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

Suggested Resolution
Resolution #2014-08-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2015 Ford Expeditions from *Signature Ford Lincoln of Owosso, MI*, for an estimated total cost of \$56,429.00 as per the Macomb County Cooperative Purchasing Agreement and Contract ID Number 51-13.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 14-5 – Long Lake Mill and Overlay, Adams to Northfield Parkway

Suggested Resolution
Resolution #2014-08-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 14-5, Long Lake Road Mill & Overlay, Adams to Northfield Parkway, to *Cadillac Asphalt LLC, 4751 White Lake Road, Clarkston, MI 48346* for their low bid amount of \$1,269,854.40.

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.

d) Standard Purchasing Resolution 4 - MITN Cooperative Agreement – Two (2) Dump Trucks with Snow Removal and Deicing Systems and One (1) Truck Chassis

Suggested Resolution
Resolution #2014-08-

RESOLVED, That Troy City Council hereby **APPROVES** contracts to purchase two (2) tandem axle truck chassis, one (1) for \$98,479.00 and one (1) for \$98,923.00 and also, one (1) single axle truck chassis for \$81,386.00 to *Wolverine Freightliner-Eastside, Inc., of Mount Clemens, MI* for an estimated price of \$278,788.00 and to purchase one (1) dump body, snow removal and deicing system for the Streets Division for \$87,983.00 and one (1) heated dump body, snow removal and deicing system for the Water Division for \$90,395.00 to *Truck and Trailer Specialties, Inc., of Dutton, MI* for an estimated price of \$178,378.00. The combined purchase of the three (3) truck chassis and two (2) dump body snow removal and deicing systems through the MITN Cooperative Purchasing Group is an estimated total cost of \$457,166.00.

J-5 Bid Waiver – Extrication ToolsSuggested Resolution

Resolution #2014-08-

WHEREAS, *R & R Fire Truck Repair, Inc. of Northville, MI* is the exclusive authorized distributor for Champion Rescue Tools in the State of Michigan; and

WHEREAS, The Safety Committee comprised of Fire Department personnel has conducted extensive research and field-testing of extrication tools and has concluded the Champion Beast Cutter Tool is superior over all others for cutting strength;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to purchase six (6) sets of Champion Beast Cutters from the exclusive authorized distributor in Michigan, *R & R Fire Truck Repair, Inc. of Northville, MI* for an estimated total cost of \$35,043.00.

J-6 Waiver of Bid – Fire Priority Dispatch SystemSuggested Resolution

Resolution #2014-08-

WHEREAS, *Priority Dispatch, Inc. of Salt Lake City, Utah* is the sole source provider of the Fire Priority Dispatch System; and

WHEREAS, The Fire and Police Department have researched and concluded that the Fire Priority Dispatch Program meets the needs of the City;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to purchase the Fire Priority Dispatch Program from the sole provider, *Priority Dispatch Inc. of Salt Lake City, Utah*, for an estimated total cost of \$58,550.00.

J-7 Fireworks Permit – Troy Family Daze FestivalSuggested Resolution

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Mad Bomber Fireworks Productions of Kingsbury, Indiana, for the public display of fireworks at the Troy Family Daze Festival at the Zion Christian Church, 3668 Livernois, Troy, Michigan, on September 13, 2014, or the rain date of September 14, 2014.

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Troy Fire Department to inspect the fireworks to be displayed along with the site to assure compliance with applicable codes and standards for such a fireworks display.

J-8 Request for Approval of Agreement to Purchase Realty for Public Purposes for John R Road Improvements, Long Lake to Square Lake - Project No. 02.203.5, Parcel #16, Sidwell #88-20-11-226-038

Suggested Resolution

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for public purposes between KC PROPCO HOLDING I, LLC, owners of property having Sidwell #88-20-11-226-038, and the City of Troy, for the acquisition of property for John R Road Improvements, Long Lake to Square Lake, in the amount of \$26,600.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Engineering Department to expend the necessary closing costs to complete this purchase according to the agreement.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-9 Fireworks Permit – Macy’s at Oakland Mall

Resolution #2014-08-

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Zambelli Fireworks, Inc., of New Castle, Pennsylvania, for the public display of fireworks at the Macy’s Holiday Shopping Kick-Off event at 500 W. Fourteen Mile Rd., Troy, Michigan, on Friday November 7, 2014.

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Troy Fire Department to inspect the fireworks to be displayed along with the site to assure compliance with applicable codes and standards for such a fireworks display.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

M. COUNCIL REFERRALS:

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

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Building Code Board of Appeals-Final – July 9, 2014
- b) Planning Commission Special/Study-Draft – July 22, 2014

O-2 Department Reports:

- a) Planning Department Development Application Update

O-3 Letters of Appreciation: None Submitted

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

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

Q. STUDY ITEMS:

Q-1 No Study Items

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

Respectfully submitted,



Brian Kischnick, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

PROPOSED SPECIAL CITY COUNCIL MEETINGS:

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

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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 19, 2014

To: Brian Kischnick, City Manager

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

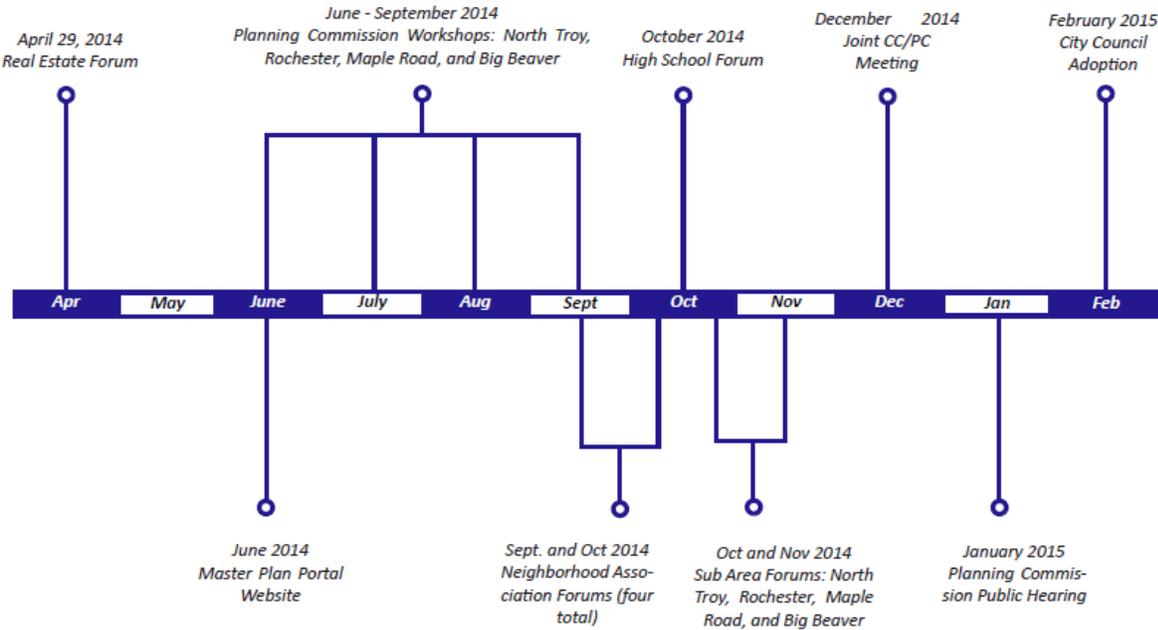
Subject: SUMMARY OF MASTER PLAN PROCESS – 2014 Troy Master Plan Update

The Michigan Planning Enabling Act requires that municipalities develop and adopt a Master Plan to define land use policy and guide future development. Further, the Act requires that municipalities must review their Master Plan every five (5) years to ensure the document remains viable. The City of Troy Master Plan was adopted in October, 2008. The Planning Commission made a finding that the Master Plan is still relevant but needs to be updated in some areas.

City Administration and Carlisle/Wortman Associates (CWA) are in the process of preparing the 2014 Master Plan Update. As part of the planning process, we have developed an inclusive community engagement process. Our community engagement strategies include:

1. Engage residents through two to four Neighborhood Association Workshops with association presidents and representatives. The workshops are intended to be interactive including the use of real time voting to address issues of transition/buffer areas, changing demographics, housing options and transportation.
2. Creation of a Master Plan Portal Website that provides pertinent information regarding the Master Planning process including meeting announcement, project calendar and draft documents.
3. Engage the future of Troy through a High School Forum. The High School Forum will include student leaders from both Troy High School and Athens High School. We will work with school administrators to identify a representative population of each school.
4. Engage business owners, commercial property owners, employees and other stakeholders through four (4) sub area forums: North Troy, Maple Road, Rochester Road and Big Beaver Road.
5. Ensure the City Council and Planning Commission remain engaged in the planning process through monthly Planning Commission discussions, Master Plan update memos to City Council, a joint City Council and Planning Commission meeting, a public hearing with the Planning Commission and adoption by the City Council.

TROY Master Plan Community Engagement Timeline



The following is a summary of the above Timeline:

1. Real Estate Forum

The City of Troy hosted a Real Estate Forum on Tuesday, April 29, 2014 at the Troy Community Center. Over 60 community leaders, business owners, real estate developers and interested citizens participated in a productive dialogue regarding the future direction of key economic areas of the city, specifically Maple Road, Big Beaver, North Troy and Rochester Road.

Status: Completed.

2. Portal for Master Plan

The City will create a project website which will include pertinent information such as meeting announcements, project calendar and draft documents. In addition, the project website will include various community engagement tools to engage the community at their convenience.

Status: Website design nearing completion.



CITY COUNCIL AGENDA ITEM

3. Planning Commission Workshops

As part of their monthly working meeting, City Administration and CWA will engage the Planning Commission in all elements of the Master Planning process including the four (4) sub area plans. On June 24, 2014, the Planning Commission reviewed a draft of the North Troy sub area plan and on July 22, 2014 the draft Rochester Road sub area plan was reviewed by the Planning Commission. The draft Maple Road sub area plan will be reviewed on August 26, 2014.

It should be noted that City administration is developing a new initiative called Move Across Troy. Part of this initiative will be hosting the Big Beaver Symposium on October 1, 2014 to bring together intellectuals, business stakeholders, residents, City Council and staff to discuss pedestrian mobility options to be implemented in future planning decisions. The Big Beaver Road sub area plan will be presented to Planning Commission after the Big Beaver Road symposium. Details of this initiative will be presented to City Council as they become available.

Status: North Troy and Rochester sub area plans reviewed with Planning Commission; Maple Road sub area plan to be discussed on August 26, 2014.

4. Neighborhood Association Forums

The City will host two to four neighborhood association forums with association presidents and representatives. The forums will be geographically spread throughout the city to address localized issues. These forums will be hosted outside City Hall at community centers such as churches or schools. The discussion will be targeted to address issues that are related to the Master Plan, specifically transition/buffer areas, changing demographics, housing options and transportation. The forums will include real time voting to ensure an interactive dialogue. City Administration and CWA will organize and schedule the forums. The City Manager will facilitate and lead the neighborhood forums. City Administration and CWA will assist and prepare the City Manager as necessary.

Status: To be scheduled.

5. High School Forum

City Administration and CWA will organize a High School Forum. The High School Forum will include student leaders from both Troy High School and Athens High School. We will work with school administrators to identify a representative population of each school. Often overlooked in the planning process, youth can provide new perspectives and offer creative solutions. We propose that the City Manager facilitate and lead the High School Forum. City Administration and CWA will assist and prepare the City Manager as necessary.

Status: To be scheduled.

6. Forum with Sub Areas

The City will host four (4) total sub area forums for the areas identified in the real estate forum of North Troy, Rochester Road, Big Beaver and Maple Road. The forums will seek input into target area plans that are being prepared by the Planning Department and CWA. The target area plans address issues of land uses, transportation, economic development and public improvements. City Administration and CWA will organize and schedule the forums. We propose that the City Manager facilitate and lead the sub area forums. City Administration and CWA will assist and prepare the City Manager as necessary.

Status: To be scheduled.

7. City Council/Planning Commission Joint Meeting

City Administration and CWA will facilitate one (1) joint Planning Commission/City Council meeting after the neighborhood forums, high school forum and sub area forums are completed. The joint meeting will provide City Administration and CWA with ongoing direction.

Status: To be scheduled.

8. Planning Commission Public Hearing

As required by State Statute, the Planning Commission will hold a public hearing for the Master Plan. Once the public hearing is complete, City Administration and CWA will prepare final documents.

Status: To be scheduled.

9. City Council Updates and Meeting

City Administration and CWA will draft monthly updates to City Council. City Administration and consulting team will meet with City Council as directed.

Status: To be scheduled.



CITY COUNCIL AGENDA ITEM

DATE: August 12, 2014

TO: Brian Kischnick, City Manager

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

SUBJECT: Public Hearing – 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 Street Improvements account for CDBG program year 2013 has a balance of \$107,174.00. The balance of funds from Program Year 2013 must be expended or relinquished.

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 this project were not sufficient to pay for the entire project and the project is not warranted.

The funding that is in the PY 2013 Street Improvement account would be best served by moving it to the Parks-Recreational Facilities account. The proposed project is a continuation of an overall project to provide recreational activities at Milverton Park for the surrounding residents. This project will specifically address the age group of 2-5 years. The project will purchase and install a play area for ages 2-5 in Milverton Park. The new area 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 reprogram the CDBG Program Year 2013 unexpended 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.



CITY COUNCIL AGENDA ITEM

Date: August 19, 2014

To: Brian Kischnick, City Manager

From: Thomas Darling, Director of Financial Services

Subject: Resolution to Approve Volunteer Firefighter Incentive and Year of Service Benefit Multiplier Schedule and Transfer Money for Benefit of Volunteer Firefighter Retirement
(Introduced by: Brian M. Kischnick, City Manager)

History

The Volunteer Firefighter Incentive Program (VFIP), established in the late 1970's, has a long history of providing incentives to attract and maintain a volunteer firefighter force that is second to none in the nation.

The City also has a long history of reviewing, on a periodic basis, the parameters of the program including the legal platform, vesting of benefits and the amount of those benefits to ascertain that the objectives of the program are being accomplished.

The City Council held a special study session on August 11, 2014 to review the Volunteer Firefighter Incentive Program (VFIP). The meeting included a history of the program, the current platform of the program, a proposed establishment of an I.R.S. section 115 Trust, years of service (YOS) benefit multiplier considerations and City costs to fund the program.

The City Council after discussions and due consideration directed management to pursue:

1. The creation and establishment of an I.R.S. section 115 Trust to provide safety, security, segregation and solvency to Plan assets.
2. To bring forward for City Council approval a Years of Service (YOS) benefit multiplier schedule that recognizes the valuable service that Volunteer Firefighters bring to the City at:
Beginning July 1st of each year:
 - 2014 - \$642 per YOS
 - 2015 - \$681 per YOS
 - 2016 - \$724 per YOS
 - 2017 - \$769 per YOS
3. To bring forward for City Council approval additional funding for the program to reduce the actuarially required annual contributions by amending the 2014/15 General Fund budget to appropriate \$1 million from committed fund balance and \$1 million from unassigned fund balance for a total of \$2 million.



CITY COUNCIL AGENDA ITEM

Financial

The current budget for contributions to the Volunteer Firefighter Incentive Program (VFIP) is \$1,078,500. The total amended budget for contributions to VFIP would be \$3,078,500 with the \$2 million budget amendment.

It is expected, based upon current estimates, the scheduled increase in the Years of Service (YOS) Benefit Multiplier and updated actuarial assumptions that the actuarially required annual contributions would decrease from \$1,268,500 to \$1,099,306 with the \$2 million budget amendment.

Recommendation

It is recommended that City Council adopt by resolution the creation and establishment of an I.R.S section 115 Trust for Volunteer Firefighter Incentive Program (VFIP) Assets.

It is recommend that this resolution include the adoption of a scheduled increase in the Years of Service (YOS) Benefit multiplier for years beginning July 1st 2014 \$642, 2015 \$681, 2016 \$724 and 2017 \$769.

It is also recommended that this resolution amend the 2014/15 budget to include additional funding to the program from the General Fund of \$2 million of which \$1 million would come from Committed Fund Balance and \$1 million would come from Unassigned Fund Balance.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Date

CITY OF TROY

INCENTIVE PLAN AND TRUST FOR VOLUNTEER FIREFIGHTERS

Chapter 1. GENERAL PROVISIONS

1:100. Establishment and Purpose.

This City of Troy Incentive Plan for Volunteer Firefighters (the “Plan”) is hereby restated, as amended, for the purpose of providing length of service incentive benefits for the City of Troy volunteer firefighters. The City of Troy Incentive Trust for Volunteer Firefighters (the “Trust”) is hereby established to allow the City of Troy to fund the required benefits as provided pursuant to the Plan provisions, an essential government function.

1:101. Short Title.

This Plan and Trust may be known and cited as the City of Troy Incentive Plan and Trust for Volunteer Firefighters (“Plan and Trust”).

1:102. Definitions.

For the purposes of this Plan and Trust, the following words shall have the meanings respectively ascribed to them by this section:

- (1) *Annual Benefit Amount* means the annual dollar amount of the length of service incentive benefits payable from the Plan to eligible Former Participants, as amended from time to time by City Council via a budget appropriations resolution.
- (2) *City* means the City of Troy, Michigan.
- (3) *City Council* means the City Council of the City of Troy, Michigan.
- (4) *Code* means the Internal Revenue Code of 1986, as amended. Reference to any section or subsection of the Code includes reference to any comparable or succeeding provision of any legislation which amends or replaces such section or subsection and any regulations thereto.
- (5) *Contribution(s)* means the payment required to be made to the Trust by the City for the purpose of providing length of service based incentive benefits to Former Participants and beneficiaries covered by the Plan.
- (6) *Former Participant* means an individual who is (a) an active volunteer firefighter, who upon attaining eligibility, elected to commence receipt of incentive benefits and is therefore no longer entitled to further benefit accruals under the provisions of this Plan; (b) a former volunteer firefighter, who upon termination of volunteer service was eligible

for, and elected to commence receipt, of incentive benefits from the Plan; or (c) a Former Vested Participant, who upon attaining eligibility, elected to commence receipt of incentive benefits from the Plan;

- (7) *Incentive Service Credit* means personal service rendered to the City as a volunteer firefighter and credited to a Participant in accordance with the Plan.
- (8) *Participant* means an individual who is an active volunteer firefighter entitled to benefit accruals under the provisions of the Plan and who has not elected to commence receipt of benefits under the terms of the Plan.
- (9) *Plan* means the City of Troy Incentive Plan and Trust for Volunteer Firefighters established by Ordinance as provided herein. A description of the incentive benefits provided to Retired Volunteer Firefighters, spouses and dependents under the Plan is maintained by the Plan Administrator.
- (10) *Plan Administrator* means the person, persons, firm, corporation or insurance company or companies, appointed by the City to administer the Plan. The Plan Administrator shall be responsible for the day-to-day operations of the Plan and shall carry out the directives of the City and the Board of Trustees.
- (11) *Spouse* means a Participant's, Former Participant's or Vested Former Participant's spouse by legal marriage who is the Participant's spouse on the earlier of the date the Participant terminates from volunteering with the City or elects to commence receipt of incentive benefits from the Plan.
- (12) *Trust* means the declaration of trust of the City of Troy Incentive Plan and Trust for Volunteer Firefighters as provided for in Chapter 3 of this Plan and Trust.
- (13) *Trustee(s) or Board* means the Board of Trustees of the Trust or a member of the Board of Trustees of the Trust as provided for in this Trust.
- (14) *Vested Former Participant* means a former volunteer firefighter and Participant who has ten (10) or more years of incentive service as a volunteer firefighter for the City, but has not reached the requisite age requirement for commencement of benefits from the Plan.
- (15) *Voluntary Incentive Committee* means a committee comprised of representatives selected by each of the six fire stations in the City.

1:103. Interpretation and law; Construction.

- (1) The Plan is hereby established and shall be administered consistent with applicable Federal and Michigan law, including, but not limited to the Public Employee Retirement System Investment Act, Public Act 314 of 1965, as amended (MCL §38.1132 et seq.),.

- (2) The Trust shall constitute a grantor governmental trust pursuant to Section 115 of the Code, as amended and shall be construed, enforced and administered and the validity thereof determined in accordance with the Code and the laws of the State of Michigan. If any provision of the Plan or Trust is held to violate the Code or to be illegal or invalid for any other reason, that provision shall be deemed to be null and void, but the invalidation of that provision shall not otherwise affect the Plan or Trust.
- (3) The City intends the incentive benefits provided by this Plan to be considered a contractual benefit protected and guaranteed by Article IX, Section 24 of the State of Michigan Constitution.
- (4) Neither the establishment of the Plan or the Trust, nor any modification thereof, nor the creation of any fund or account, nor the payment of any benefits, shall be construed as giving to any person covered under the Plan, or any other person, any legal or equitable right against the City, its elected or appointed officials or employees, the Trustees or any individual Trustee, except as may otherwise be provided in this Plan and Trust.
- (5) The headings and subheadings in this Plan and Trust are inserted for convenience of reference only and are not to be considered in the construction of any provision of the Plan or Trust.
- (6) Words herein in the masculine gender shall be construed to include the feminine gender where appropriate, and words used herein in the singular or plural shall be construed as being in the plural or singular where appropriate.
- (7) In resolving any conflict among provisions of this Plan and Trust or any uncertainty as to the meaning or intention of any provision of this Plan and Trust, the interpretation that causes both the Trust to be exempt from tax and the Trust to comply with all applicable requirements of the Code shall prevail over any different interpretation.
- (8) This Plan and Trust shall be binding upon all Participants, Former Participants and Vested Former Participants under the Plan, or their applicable heirs, executors, administrators, successors, and assigns.

1:104. Administrative Regulations.

The provisions of this Plan are subject to relevant provisions of any administrative regulations that the City may have for volunteer firefighters and any volunteer service contracts between the City and an individual Participant, if any. The provisions of any administrative regulations or service contracts for volunteer firefighters relative to incentive benefits are controlling in the event of a conflict between the terms of the administrative regulations or applicable service contract and the Plan.

1:105. Notice.

Notice given to all interested parties shall, unless otherwise specified in this Plan, be sufficient if in writing and delivered or sent by prepaid first class mail. Except as

otherwise noted, the distribution or delivery of any statements or documents required under the Plan and Trust shall be sufficient if delivered in person or prepaid first class mail.

1:106. Reporting and Disclosure.

The Plan Administrator shall complete and provide to Participants, Former Participants, Vested Former Participants, Spouses and Dependents and to the appropriate government agencies any reports as may be required by the Code, applicable federal, state or local law.

1:107. Amendments.

The provisions of the Plan or the Trust may be amended at anytime by the Troy City Council in accordance with applicable law. The Voluntary Incentive Committee will be notified at least thirty (30) days in advance that a proposed amendment or revision will be submitted to the Troy City Council for consideration.

Chapter 2.
INCENTIVE PLAN FOR VOLUNTEER FIREFIGHTERS

1:200. Participation.

- (1) Each active volunteer firefighter of the City shall be a Participant in the Plan.
- (2) Participation shall terminate upon the earlier of termination of duties as a volunteer firefighter or commencement of incentive benefits under the provisions of this Plan.

1:201. Service Credit.

- (1) A Participant shall be credited with one month of service credit for each complete calendar month the Participant is a volunteer firefighter and meets or exceeds the attendance requirements as identified in the Troy Fire Department Policy Directive 103.07. Service shall be totaled in years and months.
- (2) Service credit shall be forfeited five years after the date an individual ceases to be an active volunteer firefighter and a Participant in the Plan unless the individual is a Former Participant, a Vested Former Participant or returns to active duty as a volunteer firefighter for ten consecutive years

1:202. Benefits.

- (1) An eligible Participant or Vested Former Participant, upon written application filed with the Board of Trustees, shall be paid incentive benefits pursuant to the provisions of this Plan. The incentive benefits due an eligible Participant or Vested Former Participant shall be determined at the time he or she terminates participation, as provided in the Plan.

- (2) A Participant shall be eligible for incentive benefit payments upon his termination of Participation in the Plan and satisfaction of the following eligibility criteria as may be amended from time to time by resolution of City Council:
- (a) Ten (10) years of service and age fifty-five (55);
 - (b) Twenty-five (25) or more years of service and has attained fifty (50) years of age; or
 - (c) A Participant having attained thirty (30) years of service regardless of age.
 - (d) For Vested Former Participants, Ten (10) years of service and age sixty (60).

(3) Incentive benefits shall be made in monthly installments on the last day of each month during the life of the Former Participant.

(4) The amount of each annual incentive benefit shall be equal to Six Hundred Forty Two dollars (\$642.00) multiplied by the years of credited service. The annual benefit amount may be indexed for inflation and/or amended from time to time by a City Council budget appropriations resolution.

(5) Prior to the date of his first incentive benefits, but not thereafter, an eligible Former Participant may elect to receive his incentive benefits payable throughout his life, or receive his incentive benefits in a reduced amount payable throughout his life, and nominate a beneficiary, in accordance with the provisions of the Options as set forth below:

Option A: 100% Joint and Survivor: Upon the death of a Former Participant, who elected Option A, his reduced incentive payment shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated; or

Option B: 50% Joint and Survivor: Upon the death of a Former Participant, who elected Option B, one-half of his reduced incentive benefits shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated.

Option C: 100 % Joint and Survivor Pension w/ Pop-up (Pop-up Option A): Upon the death of a Former Participant who elected Option C, his reduced incentive benefits shall be continued through the life and paid to such person having an insurable interest in his life, as he shall have nominated. If the selected beneficiary predeceases the Former Participant, the incentive benefits shall revert to a straight-life payment payable throughout the remainder of the Former Participant's life.

Option D: 50% Modified Joint and Survivor Pension with Pop-up (Pop-up Option B): Upon the death of a Former Participant who elected Option D, one-half of his reduced incentive benefits shall be continued throughout the life of and paid to such person having an insurable interest in his life, as he shall have nominated. If the selected beneficiary predeceases the Former

Participant, the incentive benefits shall revert to a straight-life payment payable throughout the remainder of the Former Participant's life.

- (6) In the event a Participant dies who has ten or more years of incentive service, his Spouse shall receive an incentive benefit computed in the same manner in all respects as if the Participant had terminated Participation on the day preceding his death, elected Option A, and nominated his Spouse as beneficiary.

1:203. Miscellaneous.

- (1) Each Participant, Former Participant and Vested Former Participant shall be deemed to have assented to the terms and conditions of the Plan. An individual may not sell, assign or hypothecate, in any manner, all or any part of the individual's potential payments under the Plan.
- (2) Nothing in this Plan shall in any way affect the rights of the City or a Participant to terminate the volunteer firefighter relationship between them.

Chapter 3.

INCENTIVE TRUST FOR VOLUNTEER FIREFIGHTERS

1:300. Irrevocable Trust, Established.

The Trust, established by the City in accordance with Section 115 of the Code shall be an irrevocable grantor trust administered consistent with applicable federal and Michigan law, and shall constitute a governmental trust under Section 115 of the Code, as amended, Revenue Rulings 77-261 and 90-74, and other relevant guidance. The Trust is intended to fund the City's contractual obligation to provide incentive benefits under the Plan pursuant to applicable provisions of the Internal Revenue Code, the regulations promulgated under each, and applicable federal and Michigan law. The Trust shall conform to all applicable sections of the Internal Revenue Code, the statement of purpose in this Trust, and all statutes, ordinances, rules, administrative regulations, arbitrators' awards and judicial decisions interpreting the foregoing provisions.

The Trust shall consist of City Contributions pursuant to the provisions of a City administrative regulation, all investments made or held under Trust, and all income therefrom, both received and accrued, and any other property, which may be received or held by reason of this Trust.

The income accruing to the Trust shall be excluded from gross income as such trust income is derived from the exercise of an essential governmental function as provided for under Section 115(1) of the Code, as amended, Revenue Rulings 77-261 and 90-74, and other relevant guidance.

1:301. Use of Trust Assets.

- (1) The Trust assets shall not be used for or diverted to purposes other than to provide the benefits contemplated under the Plan or to pay for reasonable and necessary services, costs and expenses related to assisting the Trustees in the operation of the Trust. Plan Participants, Former Participants, Vested Former Participants and their respective beneficiaries shall have no preferred claim on, or any beneficial ownership interest in, any assets of the Trust.
- (2) All income, profits, recoveries, contributions, forfeitures and any and all monies, securities and properties of any kind at anytime received or held by the Trustees hereunder, shall become part of the Trust when received, and shall be held for the use and purposes hereof.

1:302. Funding.

- (1) For the purpose of creating and maintaining a fund for the payment of incentive benefits payable as provided in the Plan, the City will pay to the Trust an amount consistent with the actuarial valuations and calculations made by the Actuary for the Trust to result in a pre-funded plan. Such contributions shall also be made in accordance with any regulations of the Board of Trustees as are not inconsistent with the authority stated in the Plan or this Trust document, or under applicable law.
- (2) Subject to the tax provisions of applicable ordinances, resolutions and state law, the Trustees may, to the extent matters are not set forth in the Trust, in their discretion decide the manner and means of payments, the procedures to be followed in making the payments, and the forms required to accompany the payments to the Trust. Upon determination by the Trustees of these matters, the Trustees shall provide written notice to the City and will provide for payments by the City to be made pursuant to the rules and regulations of the Trust.
- (3) Time is of the essence in making and processing all payments to the Trust. The parties recognize that the regular and timely payments of Contributions are essential to the operation of the Trust and the providing of benefits under the Plan.

1:303. Trust Liabilities.

- (1) Neither the City, nor any Participant, Former Trustee, Vested Former Participant or Trustee shall be liable for any debts, liabilities or obligations of the Trust except as provided herein. Neither the City, nor any Participant, Former Participant or Vested Former Participant shall have any right to the return of any money properly paid into the Trust, except as otherwise specifically provided in this Trust, or to money improperly paid which has already been invested or distributed.
- (2) No part of the Trust or any assets payable therefrom shall be subject to alienation, sale, transfer, assignment, pledge, or encumbrance charge by any person. No Participant, Former Participant or Vested Former Participant shall be entitled to receive any part of the Contributions made by the City or payments required to be made by the Trust, in lieu of such benefits provided under the Plan as determined by the Trustees in accordance with the Trust.

1:304. Termination of the Trust.

- (1) The Trust shall continue during such period of time as may be necessary to carry out the provisions of the Plan and for a period of time sufficient to wind up the affairs of the Trust. In the event of termination or partial termination of the Plan, a Participant's vested interest is a contractual obligation under Article IX, Section 24 of the State of Michigan Constitution.
- (2) Provided there are no longer any Participants (including those not yet vested), Former Participants or Vested Former Participants eligible for benefits or who may yet become eligible to receive benefits from the Plan and all benefit obligations to Participants, Former Participants, Vested Former Participants, and their respective beneficiaries have been satisfied, the Trust may thereafter be terminated at any time by the Trustees so long as the termination is consistent with any then existing City decisions. It shall not be necessary for the City to execute such an agreement for the Trust to terminate.
- (3) If the Trust terminates, the remaining funds available after providing for all the outstanding obligations shall be returned to the City.

Chapter 4.
BOARD OF TRUSTEES

1:401. Board of Trustees.

- (1) The Board of Trustees of the City of Troy Incentive Plan and Trust for Volunteer Firefighters shall consist of the following seven (7) members:
 - (a) The City Manager or his/her designee;
 - (b) The City Financial Services Director or his/her designee, who shall serve as Chair of the Board;
 - (c) Two active volunteer firefighters appointed by the Voluntary Incentive Committee;
 - (d) One member of the Troy City Council as selected by the City Council; and
 - (e) One citizen of the City of Troy, appointed by the Mayor,
 - (f) One retiree representative, appointed by the Voluntary Incentive Committee.
- (2) The general administration, management and responsibility for the proper operation of the Plan and for making effective and construing the provisions of the Trust shall be vested in the Board of Trustees established by this Section, consistent with applicable state and federal laws and regulations. The Board of Trustees shall be the investment fiduciary of the Trust. A Trustee shall discharge his or her duties with the care, skill, and caution under the circumstances then prevailing which a prudent person, acting in a like capacity and familiar with those matters, would use in the conduct of an activity of like character and purpose.

1:402. Trustees' Terms of Office.

- (1) The regular terms of office of the Participant elected and Citizen Appointed Trustees shall be three years.
- (2) Each Trustee shall serve until the expiration of his or her term of office or until his or her death, incapacity, resignation or removal.
- (3) In the event a Participant elected Trustee resigns or is removed as a volunteer firefighter, he or she shall be considered to have resigned from the Board. The Board shall, by resolution, declare his or her office of Trustee vacated as of the date of such resolution. Any vacancy occurring in the office of Trustee shall be filled within sixty (60) days following the date of the vacancy, for the unexpired portion of the term, in the same manner in which the office was previously filled.
- (4) If a Trustee as provided in 1:401(a) shall fail to attend scheduled meetings of the Board for three consecutive meetings, unless in each case excused for cause by the remaining Trustees attending such meetings, the Trustee shall be considered to have resigned from the Board, and the Board shall, by resolution, declare the office of the Trustee vacated as of the date of adoption of such resolution. Any vacancy occurring in the office of Trustee shall be filled within sixty (60) days following the date of the vacancy, for the unexpired portion of the term, in the same manner in which the office was previously filled.
- (5) A vacancy or vacancies in the office of the Trustees shall not impair the powers of the remaining Trustees to administer the affairs of the Trust, provided there are sufficient Trustees to constitute a quorum. If a vacancy occurs on the Board of Trustees, it shall be filled as soon as practically possible.
- (6) Each successor Trustee, upon accepting such appointment, shall have and enjoy all the powers, both discretionary and ministerial, and shall be charged with all of the duties and responsibilities herein conferred upon his predecessor.

1:403. Officers and Administration.

- (1) At its first meeting in the calendar year, the Trustees shall elect a chairperson pro-tem. The chairperson pro-tem shall serve a term of one year or until a new chairperson pro-tem is elected.
- (2) The Board of Trustees shall designate a member or other individual to serve as secretary of the Board of Trustees. The secretary's term shall be at the pleasure of the Board of Trustees.
- (3) The City Treasurer shall serve as the Treasurer of the Trust. Any reimbursement for the City Treasurer's service shall be in accordance with the provisions of 1:403 (5).
- (4) The Board of Trustees may employ such other clerical staff or administrative staff to perform whatever administrative activities are required in the proper performance of the Trust. In addition thereto, the Trustees may, if they desire, utilize other staff to perform

such clerical and administrative duties as they may, in their sole discretion, determine is reasonably and prudently necessary to carry out the Trust's activities and purposes. Under no circumstances shall said staff have control or authority with respect to the management of the Trust or its assets. The said staff shall not be clothed with any type of authority or power which will constitute the staff as a fiduciary. Said staff will not have the power or authority to act as an investment counselor or manager and will not be authorized to furnish investment advice. Said staff shall also not have the power or authority to render the staff a fiduciary to the Trust.

- (5) The Board of Trustees may request to utilize City staff for such functions as personnel administration, accounting, banking, purchasing, or other services necessary for the proper administration of the Plan and Trust. On an annual basis, the City will provide the Board with a cost allocation for the City employees who are qualified to perform the required duties. If the parties mutually agree that these functions will be performed by City employees, then the City will notify the Board of the cost of performing the assigned duties, and such costs will be reimbursed from the assets of the Trust. There must be compliance with all established City control procedures and policies related to these services.
- (6) The Board of Trustees shall employ an investment manager or investment managers to manage some or all of the assets of the Trust. Each investment manager must be registered under the Investment Advisor's Act of 1940, as amended, (15 USC 80b-1) and must meet any applicable state and federal requirements to act as an investment manager. The Trustees may, if they deem proper in their discretion, or if the circumstances require it, appoint such investment manager, managers, banks or insurance companies as fiduciaries and enter into an agreement with such institutions, naming it a fiduciary and conveying to such fiduciary all or a portion of the assets of the Trust, so that said fiduciary may handle, manage and hold those assets conveyed to it. All assets conveyed to said fiduciary shall be subject to the provision of the agreement or agreements between the Trustees and the fiduciary.
- (7) The City Attorney shall serve as legal counsel to the Board of Trustees. Any reimbursement for the City Attorney's service shall be in accordance with the provisions of 1:403 (5).
- (8) The Board of Trustees shall appoint an Actuary who shall advise the Trustees on the actuarial operation of the Plan and Trust. The Trustees shall, from time to time, adopt such mortality and other tables of experience and a rate or rates of regular interest as are necessary in the operation of the Plan and Trust on an actuarial basis.

1:404. Board Meetings.

- (1) The Trustees shall meet at least once quarterly. The Trustees shall determine the time for the regular meetings of the Trustees and the place or places where such meetings shall be held. The Secretary or his or her designee shall be responsible for giving notice of the time and place of such meetings to the other Trustees.

- (2) Notice and conduct of all meetings of the Trustees, both regular and special, shall be given in accordance with applicable law including the Michigan Open Meetings Act (MCL §15.261 et seq.).
- (3) The Board of Trustees shall adopt its own rules of procedure and shall keep a record of its proceedings. Four (4) Trustees shall constitute a quorum at any meeting of the Board of Trustees. Each Trustee shall be entitled to one vote on each question before the Board of Trustees and at least four (4) concurring votes shall be necessary for a decision of the Board.

1:405. Compensation.

All Trustees shall serve without compensation as members of the Board of Trustees. Trustees may be reimbursed by the Trust for reasonable and necessary costs and expenses of the Trustees in performing their duties as Trustees as related to the operation of the Plan and Trust.

1:406. Trustees' Powers and Responsibilities.

The Trustees shall hold all the powers that are necessary to carry out the purposes of the Trust and are generally available to Trustees under the laws of the State of Michigan, except as limited by the Trust and by Federal law and regulations. It is intended that the Trust shall be tax exempt and shall qualify under the Code and any amendments of the Code applicable to plans of this type. The Trustees shall have the continuing duty to propose, to the City, amendments to this Plan to the extent it becomes necessary to qualify said Plan under the Code and to continue the tax exempt status of the Trust. The Trustees shall take no action nor make any determination inconsistent with any qualification or ruling of the Internal Revenue Service, an arbitrator or the courts with respect to the Trust. In the case of amendments to the Code or changes of regulations by the Internal Revenue Service or the Labor Department, the Trustees are empowered to take all necessary action authorized by the Plan and the Trust, Federal and state law and regulations, to continue the qualification of the Trust as a qualified Trust. In carrying out the purposes of the Trust, the Trustees shall have the following powers and duties:

- (1) The Trustees shall, in order to effectuate the purposes of the Trust, be bound by the terms of the Plan and any applicable administrative regulations.
- (2) Consistent with applicable state and Federal laws and regulations, the Trustees shall have the power to promulgate rules and regulations for the day-to-day management of the Trust, the investment of monies held by the Trust, to determine all questions regarding the interpretation of the Trust, and such other Trust related subjects as shall be deemed necessary and proper by the Trustees. If any rule or regulation of the Trust or part thereof is found to be in conflict with any law, statute, judicial decision, arbitration decision or any other competent body or tribunal, such rule or regulation or part thereof shall be deemed void and all other rules and regulations of the Trust shall remain in effect.

- (3) Whenever the signature of a Trustee is required on any document, two signatures of the individuals authorized by the Board of Trustees shall be required.

1:407. Investment of Trust Assets.

- (1) The Trustees shall be authorized to invest the assets of the Trust in accordance with the provisions of the Public Employee Retirement System Investment Act, Public Act 314 of 1965, as amended (MCL §38.1132 *et seq.*).
- (2) The Board shall invest and reinvest the principal and income of the Trust, without distinction between principal and income, in its sole discretion. The Board in its sole discretion may keep such portion of the Trust in cash or cash balances as the Board may from time to time deem to be in the best interests of the Trust.
- (3) To the extent permitted by law, the Board may commingle the investment of the Trust with other funds that it administers.

1:408. Board Liabilities.

The Board's responsibilities and liabilities shall be subject to the following limitations and other limitations as set forth in the Trust:

- (1) The Board shall have no duties other than those expressly set forth in this Trust and those imposed on the Board by applicable laws.
- (2) The Board shall be responsible only for money and property actually received by the Board, and then to the extent described in this Trust.
- (3) The Board shall not be responsible for the correctness of any determination of payments or disbursements from the Trust.
- (4) The Board shall have no liability for the acts or omissions of any predecessor or successor in office.
- (5) The Board shall have no liability for the acts or omissions of any (a) Investment Manager or Managers; (b) insurance company; (c) investment fund; or (d) contractor.
- (6) In the event of any suit brought against the Trustees arising out of the acts within the scope and powers and duties of the Trustees, or in the event of any lawsuit brought by the Trustees, the cost of defense or prosecution of such lawsuit shall be charged to the Trust, and shall be paid directly from the Trust, provided such costs are not incurred by reason of bad faith, gross negligence, or breach of a fiduciary obligation to the Trust or to the beneficiaries thereof.
- (7) The Board may authorize the purchase of insurance for the Trust and for the Trustees to cover liability or losses occurring for any reason, including, but not limited to, an act or omission (errors or omissions) of a fiduciary, including the Trustees; provided however, that such insurance policy permits recourse by the insured against the fiduciary, including

the Trustee or Trustees involved, in case of breach of fiduciary obligation by the fiduciary.

1.409. Reports.

- (1) The Trustees, or their respective designees, shall establish a uniform system for the timely transmission of required reports and contributions.
- (2) The Trustees shall maintain, or cause to be maintained, proper books of accounts and records of and for the administration of the Trust, including the minutes of all meetings, make them available for inspection during reasonable business hours by the City, or any Participant, Former Participant or Vested Former Participant covered by the Trust.
- (3) The financial records of the Trust shall be subject to the annual audit of the City. The Trustees shall fully comply with all applicable statutory and municipal budgetary and accounting procedures and provide access to or documentation of all assets and liabilities of the Trust and a resume of the operations of the Trust for the preceding year together with such other data as may be required by law or as part of the City's annual financial report.

IN WITNESS WHEREOF, this document has been signed and sealed on behalf of the City of Troy by its duly authorized officers, on this ____ day of _____, 2014.

CITY OF TROY

BY: _____

ITS: _____

BY: _____

ITS: _____

A. CALL TO ORDER:

A Special Study Meeting of the Troy City Council was held on August 11, 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 – Arrived at 6:06 PM
- Doug Tietz - Absent

C. DISCUSSION ITEMS:

C-1 Volunteer Firefighter Incentive Plan

Mayor Slater opened the meeting and asked City Manager Kischnick to begin the discussion.

Mr. Kischnick summarized the process of the review of the Volunteer Firefighter Incentive Plan. He introduced the representatives from the fire stations that make up the committee who were present at the meeting: Al Soriano, Pete Hullinger, Tony Pabian, and Joel Barthlow. Mr. Kischnick discussed the issues that the committee has reviewed for the past year and a half. Mr. Kischnick then began discussing the presentation slides.

Fire Chief Nelson discussed the history of the incentive plan.

City Attorney Bluhm and Michael VanOverbeke, Special Legal Counsel, discussed the current platform for the VFIP and the proposed IRS 115 Trust and administration of the 115 Trust.

Chief Nelson discussed the current plan eligibility and membership.

Tom Darling, Director of Financial Services, discussed the multiplier, history of the multiplier, and cost of the current plan.

Pete Hullinger, Volunteer Firefighter with Fire Station 6, discussed the proposed plan. He stressed the importance and value of the incentive plan to attract and retain quality volunteers.

Mr. Darling discussed the proposed benefit schedule.

Mr. Kischnick discussed the cost to the city of the proposed incentive plan and presented the discussion topics for City Council, beginning with the adoption of the 115 Trust.

Council Member Fleming asked if there is a reason for going with a defined benefit instead of a defined contribution plan. Mr. VanOverbeke explained that the trust can be moved into a

defined contribution plan but it has different qualities than the defined benefit plan offered to regular employees.

Mayor Pro Tem Henderson asked if the Board would be required to employ Greystone. Mrs. Bluhm answered that it would be mandatory to have an investment manager working with the Board, but that it could be a firm other than Greystone. Mr. VanOverbeke explained that some companies work with many municipalities and the costs can be reduced by economies of scale.

Council Member Pennington asked why the proposed plan showed a rate of return of 6.5%. Mr. Darling answered that 6.5% is a conservative estimate of return. Mr. VanOverbeke explained that in moving to the new trust, the City would be able to attain the 6.5% interest rate by being able to fund the plan. Mayor Slater commented that moving to the trust is wise because the City will be able to fund the plan and get a better interest rate.

Council Member Pennington asked if there is anything for the firefighters who do not hit the ten year mark and have to leave the department. Mr. VanOverbeke answered that ten years is the typical vesting date for fire departments.

Mayor Slater stated that he has a consensus to adopt the 115 Trust.

Mr. Kischnick introduced the question of the multiplier as the next item for City Council to discuss.

There was a consensus of City Council to adopt the proposed multiplier increase.

Mr. Kischnick introduced the question of how to fund the 115 Trust for City Council to discuss.

Mr. VanOverbeke recommended that City Council approve the immediate transfer of \$2 million using \$1 million from committed and \$1 million from unassigned Fund Balance to fund the trust.

Mayor Slater requested that Pete Hullinger discuss the consensus of the volunteer firefighters. Mr. Hullinger commented that all the representatives from all six fire stations are in support of the proposal presented tonight.

Council Member Hodorek asked if this proposal is consistent with the recommendation of how to use unassigned Fund Balance for the sake of the bond rating. Mr. Kischnick answered that this proposal is in line with those recommendations.

There was a consensus of City Council to adopt the proposed immediate transfer of \$2 million.

D. PUBLIC COMMENT:

Richard Bewick, Volunteer Firefighter with Station 5 – Commented on the proposed plan.

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:54 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

Council Member Fleming 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, August 11, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:32 PM.

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Resolution #2014-08-101
Moved by Slater
Seconded by Campbell

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

Yes: Slater, Campbell, Fleming, Henderson, Hodorek, Pennington
No: None
Absent: Tietz

MOTION CARRIED

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**

The Mayor opened the Public Hearing for public comment.

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

Resolution #2014-08-102

Moved by Henderson

Seconded by Fleming

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: Campbell, Fleming, Henderson, Hodorek, Pennington, Slater

No: None

Absent: Tietz

MOTION CARRIED

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

Resolution #2014-08-103
Moved by Campbell
Seconded by Henderson

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 five (5) 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: Fleming, Henderson, Hodorek, Pennington, Slater, Campbell
 No: None
 Absent: Tietz

MOTION CARRIED

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments: None

b) City Council Appointments: None

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

a) Mayoral Nominations:

City Council took no action on this Item.

b) City Council Nominations:

Resolution #2014-08-104

Moved by Henderson

Seconded by Campbell

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:

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Traffic Committee:

Unexpired Term Expiring: 01/31/2016

Ollie Apahidean

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

Unexpired Term Expiring: 01/31/2016

David Easterbrook

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

Yes: Henderson, Hodorek, Pennington, Slater, Campbell, Fleming
No: None
Absent: Tietz

MOTION CARRIED

I-3 No Closed Session Requested

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

Resolution #2014-08-105
Moved by Pennington
Seconded by Hodorek

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: Hodorek, Pennington, Slater, Campbell, Fleming, Henderson
No: None
Absent: Tietz

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2014-08-106
Moved by Henderson
Seconded by Pennington

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

Yes: Pennington, Slater, Campbell, Fleming, Henderson, Hodorek
No: None
Absent: Tietz

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2014-08-106-J-2

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**

Resolution #2014-08-106-J-4a

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**

Resolution #2014-08-106-J-4b

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

Resolution #2014-08-106-J-4c

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

Resolution #2014-08-106-J-5

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 Lanes

Resolution #2014-08-106-J-6

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. 14.906.3

Resolution #2014-08-106-J-7

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 #2014-08-106-J-8

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 Parkway

Resolution #2014-08-106-J-9

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

Resolution #2014-08-106-J-10

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

Resolution #2014-08-106-J-11

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

Resolution #2014-08-106-J-12

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
- Noted and Filed

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
- Noted and Filed

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
- Noted and Filed

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
Noted and Filed

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

Q-1 No Study Items

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:05 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: August 7, 2014

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

History

- The two (2) vehicles being purchased are replacement vehicles for the Public Works Department.
- The two (2) obsolete vehicles will be removed from service and sold at auction with estimated proceeds of \$8,500.00.
- This purchase replaces existing vehicles and will not increase the size of the existing Department of Public Works motor pool fleet.

Purchasing

- Red Holman Buick, GMC is the low total bidder in the Oakland County Cooperative Bid. The Oakland County Contract ID number is 4096. The contract pricing is valid thru 2015 model year GMC vehicles.
- On February 10, 2014 City Council authorized departments to utilize sites such as GovDeals.com to dispose of City owned surplus items. {Resolution #2014-02-017-J-4a} Therefore, note that the City will utilize and market the two (2) obsolete vehicles on the GovDeals.com site for optimal trade-in value.

Financial

Funds are available in the Public Works Fleet Division capital account.

<u>Red Holman Buick, GMC</u>	<u>Budget</u>	<u>Unit Cost</u>	<u>Estimated Total</u>
(2) GMC Savana 3500 Cargo Vans	\$48,000.00	\$22,660.00	\$45,320.00

Recommendation

City management requests authorization to purchase two (2) 2015 GMC Savana 3500 Cargo Vans for the Public Works Department from the low total bidder, Red Holman Buick, GMC of Westland, MI, as per the Oakland County Cooperative Bid for an estimated total cost of \$45,320.00.



CITY COUNCIL AGENDA ITEM

Date: July, 31 2014

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 4: Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

History

- The two (2) vehicles being purchased are replacement vehicles for the Fire Department.
- The two (2) obsolete vehicles will be removed from service and sold at auction with estimated proceeds of \$15,000.00.
- This purchase replaces existing vehicles and does not increase the size of the existing Department of Public Works motor pool fleet.

Purchasing

- Signature Ford Lincoln is the low total bidder in the Macomb County Cooperative Bid. The Macomb County Contract ID number is 51-13. The contract pricing is valid thru 2015 model year Ford vehicles.
- On February 10, 2014 City Council authorized departments to utilize sites such as GovDeal.com to dispose of City owned surplus items. {Resolution #2014-02-017-J-4a} Therefore, note that the City will utilize and market the two (2) obsolete vehicles on the GovDeal.com site for optimal trade-in value.

Financial

Funds are available in the Public Works Fleet Division capital account.

<u>Signature Ford Lincoln</u>	<u>Budget</u>	<u>Unit Cost</u>	<u>Estimated Total</u>
(2) Ford Expeditions - Fire	\$58,000.00	\$28,214.50	\$56,429.00

Recommendation

City management requests authorization to purchase two (2) 2015 Ford Expeditions, for the Fire Department from *Signature Ford Lincoln of Owosso, MI*, as per the Macomb County Cooperative Bid Contract ID Number 51-13 for an estimated total cost of \$56,429.00.



CITY COUNCIL ACTION REPORT

August 18, 2014

TO: Brian Kischnick, City Manager

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

SUBJECT: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 14-5 – Long Lake Mill & Overlay, 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. This project includes milling (grinding off), the top (3) three inches of the pavement surface, base repairs, curb & gutter repairs, and (2) two courses of asphalt, a leveling course and a wearing course. Work is anticipated to start the week of September 8th. Pavement construction shall be substantially completed by November 1, 2014 and all work including restoration is to be complete by November 15, 2014.

Purchasing

Bids were received and publicly read on August 13, 2014. The low bid of \$1,269,854.40 was submitted by Cadillac Asphalt LLC, 4751 White Lake Road, Clarkston, MI 48346, as shown on the attached tabulation summary. The Engineer's estimate at the time of bidding was \$1,445,000.00. The low bid is \$175,145.60 or 12.12% below the Engineer's estimate.

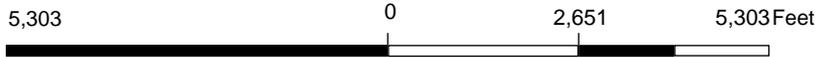
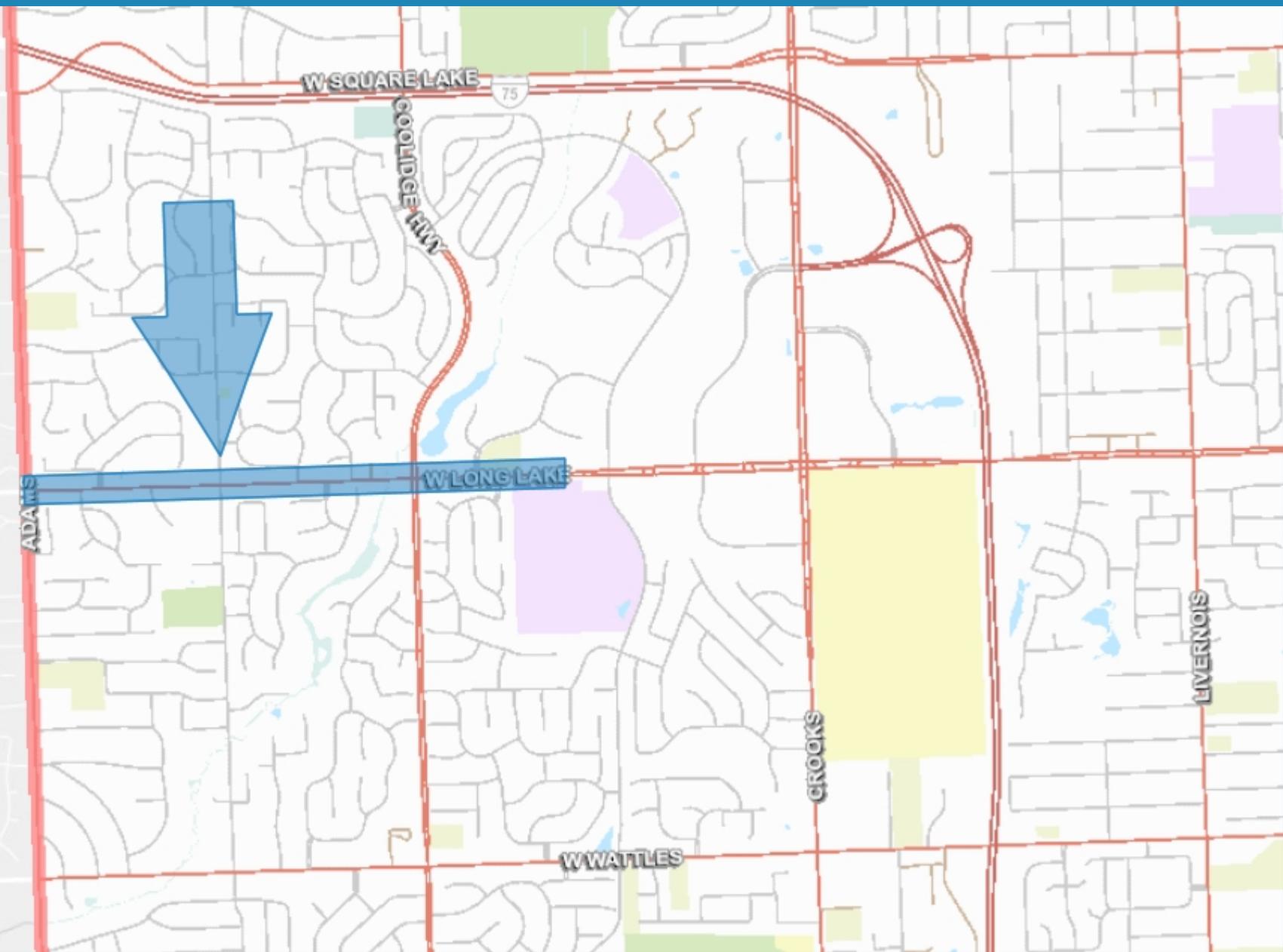
Work was competitively bid and publicly opened with four (4) bidders responding. The award is contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

Financial

Funds for this work are 100% state funded; council at the August 11th meeting approved 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. This amount includes funds for construction, inspection and contingencies.

Recommendation

It is recommended that City Council award the Long Lake Mill & Overlay, Adams to Northfield Parkway contract to Cadillac Asphalt LLC, 4751 White Lake Road, Clarkston, MI 48346, for their low bid of \$1,269,854.40. In addition, we are requesting authorization to approve additional work, if needed, not to exceed 15% of the original project cost due to unknown quantities of repair work needed after milling off the pavement surface.



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 Bid Tabulation

Contract ID: 14-05
Location: Long Lake Road Adams to Northfield Parkway
Description: Mill & Overlay

Project Number: 14-05	Project Engineer: Scott Finlay
Estimate Number: 1	Date Created: 7/21/2014
Project Type: Miscellaneous	Fed/State #:
Location: Long Lake Road	Fed Item:
Adams to Northfield Parkway	Control Section:
Description: Mill & Overlay	

Rank	Vendor	Total Bid	% Over Low	% Over Est.
0	ENGINEER'S ESTIMATE	\$1,445,000.00	13.79%	0.00%
1	(_00003) Cadillac Asphalt LLC	\$1,269,854.40	0.00%	-12.12%
2	(00891) Florence Cement Company	\$1,395,685.15	9.90%	-3.41%
3	(00588) Ajax Paving Industries, Inc.	\$1,448,177.40	14.04%	0.21%
4	(08208) Pro-Line Asphalt Paving Corp.	\$1,595,127.12	25.61%	10.38%



CITY COUNCIL AGENDA ITEM

Date: August 6, 2014

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 4: Cooperative Contract Award – Two (2) Dump Trucks with snow removal and deicing systems and One (1) truck chassis

History

The Cities of Auburn Hills, Farmington Hills, Madison Heights, Midland, St. Clair Shores, Troy, and Warren; members of the Michigan Inter-governmental Trade Network (MITN) cooperatively developed and issued a Request for Proposal (RFP) for the purchase of Single/Tandem Axle Dump Truck(s), parts, and related services. The RFP was developed with the intent of procuring Single/Tandem Axle Dump Trucks for Snow and Ice Removal Services meeting all of the entities' specifications, and to create a contract that would offer a comprehensive list of chassis, truck equipment, parts and related services for Single/Tandem Axle Dump Trucks. The intent of the RFP was to create a comprehensive contract for MITN cooperative entities so as to utilize and aggregate purchasing volumes of the agencies to generate best value offers from Single/Tandem Axle Chassis Vendors and Truck Equipment Vendors. The MITN cooperative group estimates and anticipates an initial purchase of twenty-five (25) trucks; based on this cooperative effort.

From the proposal review process the evaluation committee shortlisted and subsequently requested interviews and site visits from the qualified and approved proposers. Scoring for each phase was conducted. Wolverine Freightliner and Truck and Trailer Specialties, Inc. were selected and unanimously supported by the entities as providing the best value, quality product, timely delivery, exceptional services, an ongoing training program, and also offering the most comprehensive options to meet all of the entities needs. The selection was supported by several positive references received from other communities utilizing these companies for the purchase of their equipment.

The two (2) tandem axle dump/salt trucks are used on a daily basis by the DPW Streets and Drains division for snow plowing and de-icing major and local roads, grading, road repairs, ditch cleaning, and by the Water and Sewer division for water and sewer main breaks and repairs.

The one (1) single axle truck chassis is used on a daily basis by the DPW Water division for water service installs and water main and sewer repairs.



CITY COUNCIL AGENDA ITEM

Purchasing

Request for Proposals were solicited utilizing the Michigan Inter-governmental Trade Network (MITN) website. Five (5) proposal responses were received.

The proposal review process consisted of three stages; proposal review, interviews, and site visits. Proposals were evaluated by the City of Rochester Hills Fleet personnel and purchasing staff, as well as representatives from the participating cooperative MITN members.

Financial

Funds are available in the Public Works Fleet Division capital account.

Also note; built into the RFP is an additional *potential* quantity discount for MITN entities participating in this cooperative purchase. The discount is based on the aggregate yearly purchase. The additional potential discount structure is as follows:

- 10-19 units will receive a 1% discount
- 20 plus units will receive a 2% discount
- The percentage of discount applies to the Truck and Trailer Specialties portion of the purchase only.

Recommendation

City management recommends awarding purchase orders for the purchase of two (2) tandem axle truck chassis, one (1) for \$98,479.00 and one (1) for \$98,923.00 and also one (1) single axle truck chassis for \$81,386.00 to *Wolverine Freightliner-Eastside, Inc., of Mount Clemens, MI* for an estimated total price of \$278,788.00.

City management also recommends awarding purchase orders for the purchase of one (1) dump body, snow removal and deicing system for the Streets Division for \$87,983.00 and one (1) heated dump body, snow removal and deicing system for the Water Division for \$90,395.00 to *Truck and Trailer Specialties, Inc., of Dutton, MI* for an estimated price of \$178,378.00.

The combined purchase of the three (3) truck chassis and two (2) dump body, snow removal and deicing systems is for an estimated total cost of \$457,166.00 as per the MITN cooperative purchasing group RFP pricing.



CITY COUNCIL AGENDA ITEM

Date: August 14, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz , Purchasing Manager
William S. Nelson, Fire Chief

Subject: Bid Waiver - Extrication Tools

History

There have been major changes in the construction of automobiles in the last 10 years. Manufacturers are now making cars lighter and safer by using materials such as carbon and boron steel. These materials have a much higher strength than materials previously used in automobiles. The increased strength of these materials has created operational issues for firefighters when extrication of occupants requires the cutting of these high strength materials. The hydraulic cutters currently in use by the City of Troy Fire Department, which are over 15 years old, are unable to cut these high strength materials.

Over the past year the Fire Department Safety Committee, which is comprised of two (2) firefighters from each station and two (2) staff personnel, has conducted extensive research and field testing of the currently available extrication cutters. Based on the Safety Committee evaluation it is recommended that the department replace existing cutters with six (6) sets of the Champion Beast Cutters. The Beast Cutters have double the cutting strength (294,000 lbs.) of our current Hurst cutters and utilize our current 5,000 psi hydraulic generators, reels, and hoses.

Purchasing

It is not possible to secure competitive bids and the bid process is waived because R & R Fire Truck Repair, Inc., of Northville, MI is the official authorized distributor for Champion Rescue Tools in the state of Michigan. A letter from R & R Fire Truck Repair, Inc. verifies that the company is the sole official authorized distributor for Champion Rescue Tools.

Financial

Funds are budgeted in the current budget to purchase these items.

Recommendation

City management recommends that the bid process be waived and a contract be awarded to R & R Fire Truck Repair, Inc. of Northville, MI, to purchase six (6) sets of Champion Beast Cutters for an estimated total of \$35,043.00.



Service and repairs on all makes and models

July 10, 2014

Hi Peter,

Thank you for your request for Champion Rescue Tools. Attached is the letter of proof for sales and service in Michigan. I had Champion update this letter. Below is the cost per tool with a cutting head.

One (1) Champion Super Beast w/ Cutter Head only and Hale coupler as required. Each \$5,794
Multiplied by 6 equals \$34,764

Shipping Estimated \$279 for all in one ship

Total delivered \$35,043 Shipping estimated

Delivery time is 3 weeks from time of order to plant.

Please call or email any questions or concerns.

Best Regards

Ricke Rosselle
EVT Master
Vice President
R&R Fire Truck Repair Inc.
248/344/4443
Champion Authorized Sales and Service
www.rrfiretruck.net



Champion Rescue Tools

a division of Patton Hydraulic, Inc.

LETTER OF AUTHORIZATION OF REPRESENTATION

To whom it may concern,

We, Champion Rescue Tools, a manufacturer duly organized under the laws of the United States of America, and having its principal place of business located at:

4066 Mission Blvd Montclair, California 91763 hereby makes, constitutes and appoints:

R&R Fire Truck Repair
751 Doheny
Northville, MI 48167

As our official Distributor / Dealer, for the state of Michigan for the supply of:

Hydraulic Rescue Tools, Rescue Tool Pumps and Power Units, Hydraulic Rescue Tool Hoses, as well as all services and repairs related to said tools, pumps, power units and hydraulic hoses, which we assemble, manufacture, or produce, and extend to them our warranties as defined in our Standard Terms and Conditions.

This letter authorizes R & R Fire Truck Repair to operate as Champion Rescue Tools factory representative. This letter is drafted on July 9, 2014.

Respectfully Submitted,

Rick Haynes
President
Champion Rescue Tools



CITY COUNCIL AGENDA ITEM

Date: August 18, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
Gary Mayer, Chief of Police
William S. Nelson, Fire Chief

Subject: Waiver of Bid – Fire Priority Dispatch System

History

Fire Priority Dispatch (FPD) System is a software system that integrates with the existing computer aided dispatch (CAD) system used by the Troy Police Department Communications section. The system provides an operational method of standardizing the questions that telecommunicators ask 911 callers as well as record their responses and transmits this information to responding fire personnel.

This system has been used in fire dispatch centers across the county for over ten years. It also provides a Quality Assurance component to monitor the utilization of the system. The training which will be provided to the telecommunicators will provide them with a national certification. This system is in use by over twenty fire departments in Oakland County.

The Insurance Services Office (ISO) adopted a new community fire protection grading schedule in 2013. This new grading schedule, which replaced one that was over 30 years old, requires that fire dispatch centers utilize a fire priority dispatch system and have certified telecommunicators in order to receive credit toward the communications section of the fire insurance rating.

In addition to the software version of the program; FPD also provides quick access card sets that can be utilized manually by telecommunicators in the event of a failure of the computer version. Included in the proposal is training for the dispatch center personnel and quality assurance review for three months which is renewable.

Purchasing

The bid process is waived because Priority Dispatch, Inc. from Salt Lake City, Utah is the sole source provider of this program so it is not possible to secure competitive bids.

Financial

The estimated cost of this project is \$58,550.00. Funds are budgeted in the Fire Department Operating budget for this project. The Telecommunicator training portion of the project, \$8,450.00, is eligible to be paid with state 911 training funds which the city has already received through the state 911 program.

Recommendation

The Police and Fire departments recommend that the Fire Priority Dispatch program be purchased from Priority Dispatch, Inc. of Salt Lake City, Utah for an estimated total cost of \$58,550.00.



CITY COUNCIL AGENDA ITEM

Date: August 7, 2014

To: Brian Kischnick, City Manager

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

Subject: Fireworks Permit – Troy Family Daze Festival

The Fire Department has received a permit application from Mad Bomber Fireworks Productions of Kingsbury, Indiana, for a public fireworks display to be conducted at the Troy Family Daze Festival at the Zion Christian Church, 3668 Livernois.

Background

Michigan law requires that before anyone can conduct a fireworks display, a permit must be obtained from the local unit of government. The law states that any person or group that would like to conduct a fireworks display must apply to the local unit of government for a permit. The law defines local unit of government as the council or commission of a city or village, or the township board of a township.

Mad Bomber Fireworks Productions, therefore, is requesting that City Council grant a permit for a public fireworks display to occur at the Troy Family Daze Festival on the evening of Saturday, September 13, 2014, or the rain date of Sunday, September 14, 2014.

Mad Bomber Fireworks Productions has provided the required proof of insurance, and the resident agent is Mr. Roger Bonney of Olivet, Michigan.

Recommendation

The Fire Department has reviewed the permit application and supporting documentation and recommends that City Council issue a fireworks permit to Mad Bomber Fireworks Productions.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney



CITY COUNCIL AGENDA ITEM

Date: August 18, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer
Larysa Figol, Sr. Right of Way Representative

Subject: Request for Approval of Agreement to Purchase Realty for Public Purposes for John R Road Improvements, Long Lake to Square Lake – Project No. 02.203.5, Parcel #16 Sidwell #88-20-11-226-038

History

In connection with the proposed improvements to John R Road, from Long Lake to Square Lake, the Engineering Department made a *Conditioned Offer to Purchase Real Estate* to KC PROPCO HOLDING I, LLC, owners of the property having Sidwell # 88-20-11-226-038 located at 5877 John R. The property owners have accepted our offer in the total amount of \$26,600.

The parcel is located on the west side of John R Road, south of Square Lake Road in the northeast ¼ of Section 11. The City will purchase 27 feet of necessary right-of-way for this project.

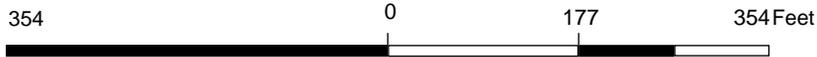
Financial

An appraisal was prepared by Andrew Reed, State Certified Appraiser and reviewed by Kimberly Harper, Deputy Assessor and State Licensed Appraiser. Staff believes that the offer of \$22,600.00 is a justifiable amount for this acquisition. In addition to the amount listed above, the City will also be responsible for all closing costs.

Eighty percent of these costs will be reimbursed from Federal funds. Funds for the City of Troy's share are included in the 2014-15 Major Road fund.

Recommendation

City Management recommends that City Council approve the attached purchase agreement with KC PROPCO HOLDING I, LLC, in the amount \$26,600.00, plus closing costs.



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
AGREEMENT TO PURCHASE REALTY
FOR PUBLIC PURPOSES

The CITY OF TROY (the "Buyer"), agrees to purchase from KC PROPCO HOLDING I LLC, a Delaware limited liability company (the "Seller"), the following described premises (the "Property"):

SEE ATTACHED EXHIBIT "A"

for a public project within the City of Troy and to pay the sum of Twenty-Six Thousand, Six Hundred and no/100 Dollars (\$26,600) under the following terms and conditions:

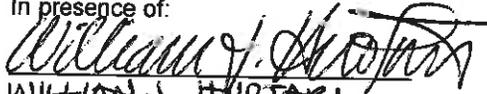
1. Seller shall assist Buyer in obtaining all releases necessary to remove all encumbrances from the property so as to vest a marketable title in Buyer.
2. Seller shall pay all taxes, prorated to the date of closing, including all special assessments, now due or which may become a lien on the property prior to the conveyance.
3. Seller shall deliver the Warranty Deed upon payment of the purchase money by check drawn upon the account of the City of Troy.
4. Buyer shall, at its own expense, provide title insurance information, and the Seller shall disclose any encumbrances against the property.
5. This Agreement is binding upon the parties and closing shall occur within ninety (90) days of the date that all liens have been released and encumbrances have been extinguished to the satisfaction of the Buyer, unless extended by agreement of the parties in writing. It is further understood and agreed that this period of time is for the preparation and authorization of purchase money.
6. Buyer shall notify the Seller immediately of any deficiencies encumbering marketable title, and Seller shall then proceed to remove the deficiencies. If the Seller fails to remove the deficiencies in marketable title to Buyer's approval, the Buyer shall have the option of proceeding under the terms of this Agreement to take title in a deficient condition or to render the Agreement null and void, and any deposit tendered to the Seller shall be returned immediately to the Buyer upon demand.
7. The City of Troy's sum paid for the property being acquired represents the property being free of all environmental contamination. Although the City of Troy will not withhold or place in escrow any portion of this sum, the City reserves its rights to bring Federal and/or State and/or local cost recovery actions against the present owners and any other potentially responsible parties, arising out of a release of hazardous substances at the property. The City of Troy may, at its own expense, conduct environmental studies prior to closing and may terminate the agreement if contamination is found.
8. Seller acknowledges that this offer to purchase is subject to final approval by Troy City Council.
9. Seller grants to Buyer temporary possession and use of the property commencing on this date and continuing to the date of closing in order that the Buyer may proceed with the public project.
10. Additional conditions, if any: BUYER SPECIFICALLY ACKNOWLEDGES AND AGREES THAT SELLER IS SELLING AND BUYER IS PURCHASING THE PROPERTY ON AN "AS IS WITH ALL FAULTS" BASIS AND THAT BUYER IS NOT RELYING ON ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER, EXPRESS OR

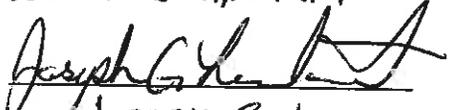
IMPLIED, FROM SELLER, ANY SELLER RELATED PARTIES, OR THEIR AGENTS OR BROKERS, OR ANY OTHER PERSON ACTING OR PURPORTING TO ACT ON BEHALF OF SELLER, AS TO ANY MATTERS CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION: (i) the presence of Hazardous Materials on, under or about the Property or the adjoining or neighboring property, or (ii) any other fact or condition which may affect the Property.

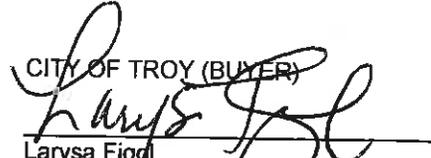
SELLER HEREBY ACKNOWLEDGES THAT NO PROMISES WERE MADE EXCEPT AS CONTAINED IN THIS AGREEMENT.

IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 11th day of August, 2014.

In presence of:

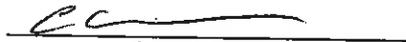

WILLIAM J. HOOTARI

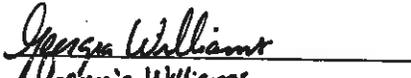

JOSEPH G. LIERTHERT

CITY OF TROY (BUYER)

Larysa Figg
Sr. Right of Way Representative

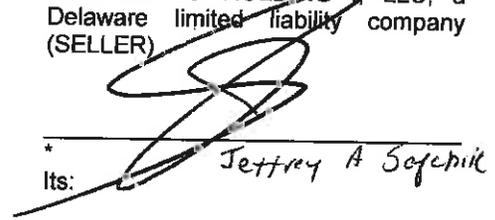
IN WITNESS WHEREOF, the undersigned hereunto affixed their signatures this 5th day of August, 2014.

In presence of:


Cavell E. Waellen


Georgia Williams

KC PROPCO HOLDING LLC, a
Delaware limited liability company
(SELLER)


*
Its: Jeffrey A. Safarik

*
Its: President

Exhibit "A"

Section 11, John R Widening Project
Parcel: 88-20-11-226-038
Parcel #16

PARENT PARCEL #16 DESCRIPTION:

T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT SOUTH 616.16 FT FROM NORTHEAST SECTION CORNER, THENCE SOUTH 113 FT, THENCE N 89°41'38" W 428.70 FT, THENCE NORTH 108.42 FT, THENCE N 89°41'38" E 428.70 FT TO BEGINNING, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 1.09 ACRES.

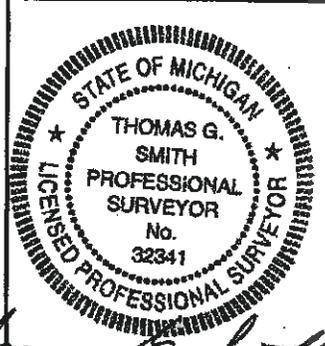
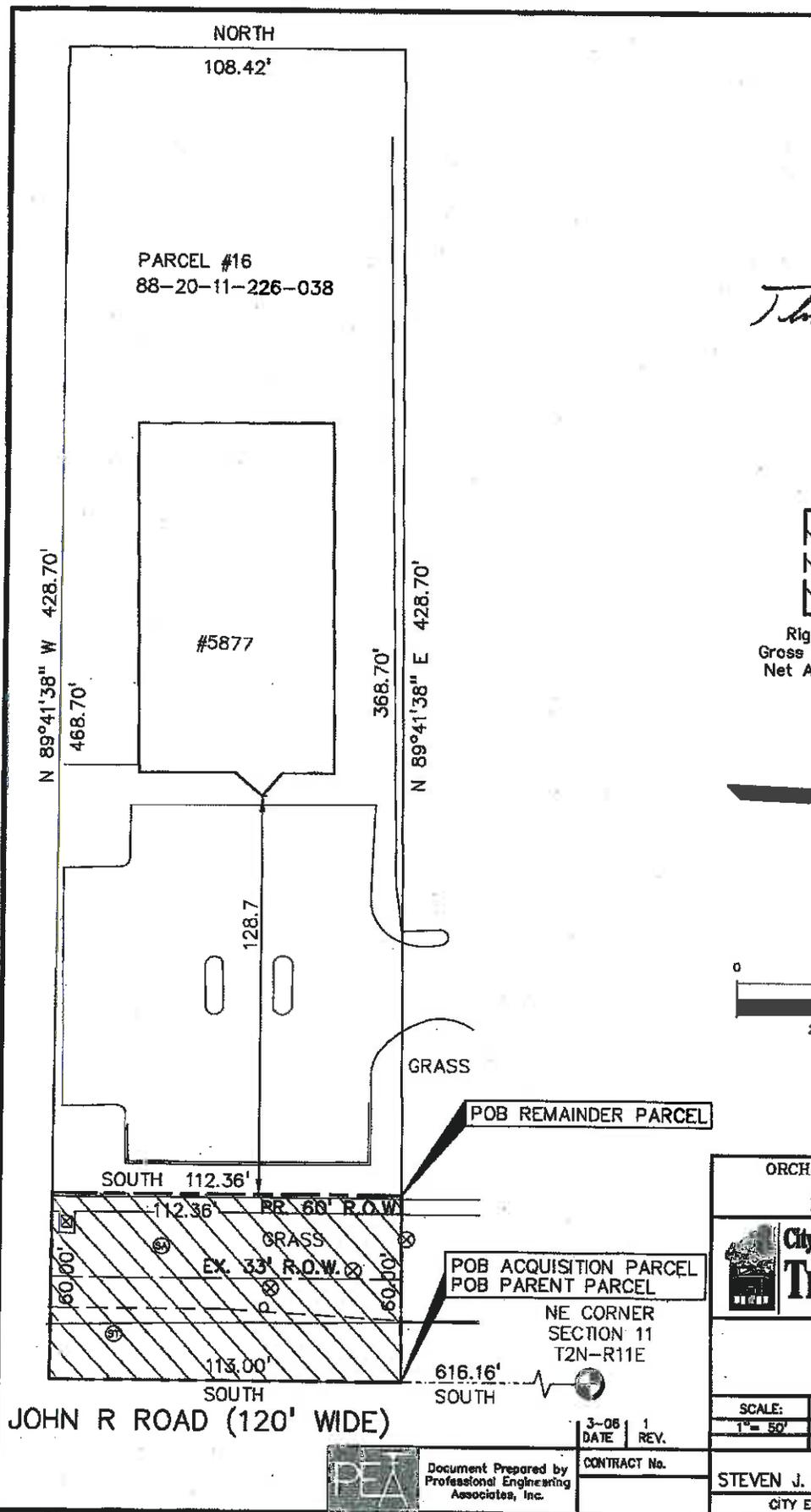
PARCEL #88-20-11-226-038

REMAINDER PARCEL DESCRIPTION:

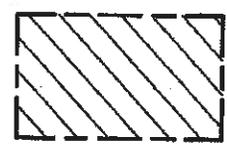
T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT SOUTH 616.16 FT AND N 89°41'38" W 60.00 FT FROM NORTHEAST SECTION CORNER, THENCE SOUTH 112.36 FT, THENCE N 89°41'38" W 368.70 FT, THENCE NORTH 108.42 FT, THENCE N 89°41'38" E 368.70 FT TO BEGINNING. CONTAINING 0.93 ACRES.

PROPOSED RIGHT OF WAY ACQUISITION:

T2N, R11E, SEC 11, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS PART OF NORTHEAST 1/4: BEGINNING AT POINT DISTANT SOUTH 616.16 FT FROM NORTHEAST SECTION CORNER, THENCE SOUTH 113 FT, THENCE N 89°41'38" W 60.00 FT, THENCE NORTH 112.36 FT, THENCE N 89°41'38" E 60.00 FT, ALSO KNOWN AS R.O.W. PARCEL #16, THE EAST 33 FEET OF WHICH IS CURRENTLY BEING USED FOR ROADWAY PURPOSES. CONTAINING 6,761 SQUARE FEET; 0.16 ACRES (GROSS) OR 3,042 SQUARE FEET; 0.07 ACRES (NET).



Thomas G. Smith



Right-of-Way Acquisition
 Gross Area= 6,761 sf; 0.16 AC
 Net Area= 3,042 sf; 0.07 AC



GRAPHIC SCALE
 1" = 50'

POB REMAINDER PARCEL

POB ACQUISITION PARCEL
 POB PARENT PARCEL

NE CORNER
 SECTION 11
 T2N-R11E

PARCEL #16

ORCHARD, HILTZ & McCLIMENT, INC.
 34000 Plymouth Road
 Livonia, MI 48150 (734) 522-6711



500 W. Big Beaver Rd.
 Troy, Michigan 48084
 (248) 524-3594
 www.ci.troy.mi.us

5877 John R
 Right-of-Way
 Acquisition Sketch

SCALE: 1" = 50'	DRAWN BY: JRV	CHECK BY: GWC	FILE 226-038 ROW
	1-27-06	2-3-08	
CONTRACT No.		SHEET No.	JOB No.
STEVEN J. VANDETTE CITY ENGINEER		1 of 2	2002-234

JOHN R ROAD (120' WIDE)

Document Prepared by
 Professional Engineering
 Associates, Inc.



CITY COUNCIL AGENDA ITEM

Date: August 18, 2014

To: Brian Kischnik, City Manager

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

Subject: Fireworks Permit – Macy's at Oakland Mall

Zambelli Fireworks, Inc., of New Castle, Pennsylvania, along with Macy's at Oakland Mall have submitted a permit application for a public fireworks display to celebrate the beginning of their holiday shopping season. Macy's and Zambelli are requesting the Troy City Council grant a permit for a public fireworks display to occur on Friday, November 7, 2014, at 7:00 PM. Macy's northwest parking lot will accommodate the necessary distances required for the display.

Legal Considerations

Michigan law requires that before anyone can conduct a fireworks display, a permit must be obtained from the local unit of government. The law states that any person or group that would like to conduct a fireworks display must apply to the local unit of government for a permit. The law defines local unit of government as the council or commission of a city or village, or the township board of a township.

Zambelli Fireworks, Inc., therefore, is requesting that City Council grant a permit for a public fireworks display to occur at Macy's, Oakland Mall, on the evening of Friday, November 7, 2014.

Zambelli Fireworks, Inc., has provided the required proof of insurance, and the resident agent is Joe Laverdi of Howell, Michigan.

Recommendation

The Fire Department has reviewed the permit application and recommends that City Council approve a fireworks permit for Zambelli Fireworks, Inc. Enclosed for Council's review is the permit application along with the permit itself to be signed and issued.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on July 9, 2014 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair
Teresa Brooks
Michael Carolan
Brian Kischnick

Absent:

Gary Abitheira

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Kathy L. Czarnecki, Recording Secretary

Also Present:

Maggie Hughes, Management Assistant

Attached and made a part hereof is the signature sheet of those present and signed in at this meeting.

2. APPROVAL OF MINUTES

Moved by: Carolan

Support by: Brooks

RESOLVED, To approve the minutes of the June 4, 2014 Regular meeting as submitted.

Yeas: All present (4)

Absent: Abitheira

MOTION CARRIED

3. HEARING OF CASES

- A. **VARIANCE REQUEST, DAN HEILEMAN OF HEILEMAN SIGNS, 1814-1816 MAPLELAWN (Suburban Hyundai, Suburban Infiniti)** – The petitioner is requesting a variance to allow 5 ground signs where the sign code limits the site to 3 and to install a 475 square foot ground sign where code limits the size to 200 square foot: 1) the ground sign measuring 475 square feet in area will replace the existing “Hyundai” ground sign; 2) an additional 37 square foot ground sign; and 3) the continuance of an existing 12 square foot ground sign.

Mr. Grusnick reviewed the variance request. He reported the department received no responses to the public hearing notices. Mr. Grusnick specifically addressed calculations used for the proposed ground signs, the free-standing front entrance sign and the existing wall signage.

Tim Heileman of Heileman Signs said Hyundai is updating their image with a new corporate logo and ground sign. He addressed the proposed signs as relates to dimensions, setbacks, pole dressing and building design features.

Tim Leroy, Chief Financial Officer for Hyundai, was also present.

Mr. Carolan disclosed a family relation works for Suburban Collection. Board members agreed there was no conflict of interest.

There was discussion on:

- Pole dressing.
- Freestanding sign; “architectural structure”.
- Existing wall signage.
- Front entrance sign; distance from building.
- 12 square foot ground sign; no records of file, permitting housecleaning item.
- Means of securing sign(s).

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Carolan
Support by: Kischnick

RESOLVED, To grant the variance request as submitted, for the following reasons.

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and
2. The variance does not adversely affect properties in the immediate vicinity of the proposed sign.

Yeas: All present (4)
Absent: Abitheira

MOTION CARRIED

- B. **VARIANCE REQUEST, JENNA AND MATT SADOWSKI, 1446 PEACHTREE** – This property is a double front corner lot. As such it has a required front setback along both Peachtree and Kings Point. A variance to install a 6 foot high privacy fence in the required front setback along Kings Point where City Code limits the height of fences to 48 inches high and non-obscuring at this location.

Mr. Grusnick reviewed the variance request and displayed photographs of the property. He reported one response to the public hearing notices was received. Mr. Grusnick said there would be no driveway visual obstruction from the sidewalk should the Board grant the request to place the fence closer to the sidewalk. Mr. Grusnick indicated the applicant was issued a permit for the installation of an inground pool.

Jenna and Matt Sadowski circulated photographs of their property and existing privacy fences on corner lots within their neighborhood. They said the fence would be a high quality PVC material and similar in color to match the siding of their home. They said there were no objections from neighbors to whom they spoke and they could provide that in writing should the Board wish. The Sadowski's said the fence would provide the necessary privacy and safety for their family and dog and improve the appearance of their yard as well as provide additional yard area should the Board agree with placing the fence closer to the sidewalk. The Sadowski's addressed their intent to landscape in front of the fence.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

There was discussion on:

- Fence in relation to existing fence of neighbor to the south, distance to sidewalk.
- Setback requirements.
- Plantings/landscaping.
- Potential obstruction views.
- Letter in response to public notice; objections do not relate to dimensions or height of proposed fence.
- Subdivision bylaws.

Moved by: Carolan

Support by: Kischnick

RESOLVED, To grant the variance request with the following conditions:

1. Install the new fence in line with the wood fence on the adjacent property to the south, 10' 3" off the Kings Point public sidewalk.
2. Plantings to be placed outside of the fence.

Yeas: Carolan, Dziurman, Kischnick

Nays: Brooks

Absent: Abitheira

MOTION CARRIED

Ms. Brooks said she thinks the existing fence is conforming.

C. **VARIANCE REQUEST, BARBARA YOLLES FOR UNITED SHORE FINANCIAL SERVICES LLC, 1414 E MAPLE** – To allow the installation of a 585.36 square foot wall sign where the Sign Code allows only one wall sign. Variances were previously granted to allow the existing wall signs.

Mr. Grusnick reviewed the variance request. He reported the department received no responses to the public hearing notices. He indicated the request is basically to replace the existing 200 square foot wall sign with the new logo “U” symbol wall sign.

David Zacks, Barbara Yolles and Anthony Valentine of United Shore Financial Services (USFS) were present.

Mr. Zacks spoke about USFS’s new logo and marketing and branding initiatives. He addressed the proposed signage with respect to the zoning of their property in relation to surrounding properties.

Paul Deters of Metro Detroit Signs addressed the material and durability of the signage.

There was discussion on:

- Ownership/tenancy of the building.
- Proposed sign in essence a “symbol”.
- Previous variances granted related to building visibility and recognition.
- Building location and proximity to Business Zoning.

Chair Dziurman opened the floor for public comment. Acknowledging there was no one present to speak, the floor was closed.

Moved by: Brooks
Support by: Carolan

RESOLVED, To grant the variance request as submitted, for the following reasons:

1. The variance would not be contrary to the public interest or general purpose and intent of Chapter 85; and
2. The variance does not adversely affect properties in the immediate vicinity of the proposed sign.

Yeas: All present (4)
Absent: Abitheira

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

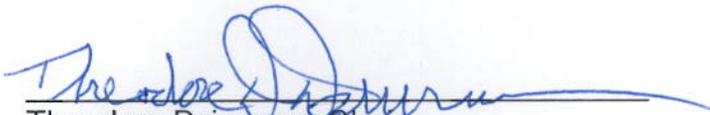
6. MISCELLANEOUS BUSINESS

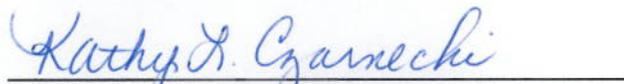
None.

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:55 p.m.

Respectfully submitted,


Theodore Dziurman, Chair


Kathy L. Czarnecki, Recording Secretary

Chair Edmunds called the Special/Study meeting of the Troy City Planning Commission to order at 7:00 p.m. on July 22, 2014 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse
Donald Edmunds
Steve Gottlieb
Tom Krent
Philip Sanzica
Gordon Schepke
Thomas Strat
John J. Tagle

Absent:

Michael W. Hutson

Also Present:

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

2. APPROVAL OF AGENDA

Resolution # PC-2014-07-039

Moved by: Gottlieb
Seconded by: Tagle

RESOLVED, To approve the Agenda as printed.

Yes: All present (8)
Absent: Hutson

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2014-07-040

Moved by: Krent
Seconded by: Strat

RESOLVED, To approve the minutes of the June 24, 2014 Special/Study meeting as published.

Yes: All present (8)
Absent: Hutson

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 July 15, 2014 Zoning Board of Appeals meeting.

6. PLANNING AND ZONING REPORT

Mr. Savidant addressed the following applications:

- Preliminary Site Plan – Kresge Foundations Headquarters Expansion
- Planned Unit Development – Big Beaver Place

Mr. Savidant shared the interest of residents to raise their own chickens. He addressed the City requirements and the recent influx of animal license and animal appeal applications.

7. MASTER PLAN UPDATE – Rochester Road Study Area

Mr. Carlisle presented and discussed the Rochester Road study area. He addressed:

- Master Plan timeline; June-Sept 2014.
- Existing conditions.
- Zoning districts (Community Business and General Business).
- Transition/buffer between commercial and residential.
- Depth of parcels.
- Recommendations from Real Estate Forum.
- Priorities and strategies.

There was discussion on:

- Utilizing community development block grants/initiatives.
- Mixing residential with commercial uses.
- Increasing setback requirements between commercial and residential.
- Modifying building height requirements.
- Parking in front of commercial buildings.
- Creating development scenarios/models from developer perspective.

Mr. Savidant said the next study area is Maple Road. He asked members to give thought to whether the Maple Road zoning designation has been effective for the City to date; i.e., should consideration be given to a different approach, incentives, tweaking requirements.

8. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

9. PLANNING COMMISSION COMMENT

There were general Planning Commission comments.

The Special/Study meeting of the Planning Commission adjourned at 8:19 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2014 PC Minutes\Draft\2014 07 22 Special Study Meeting_Draft.doc

**DEVELOPMENT APPLICATION UPDATE
PLANNING DEPARTMENT
August 19, 2014**

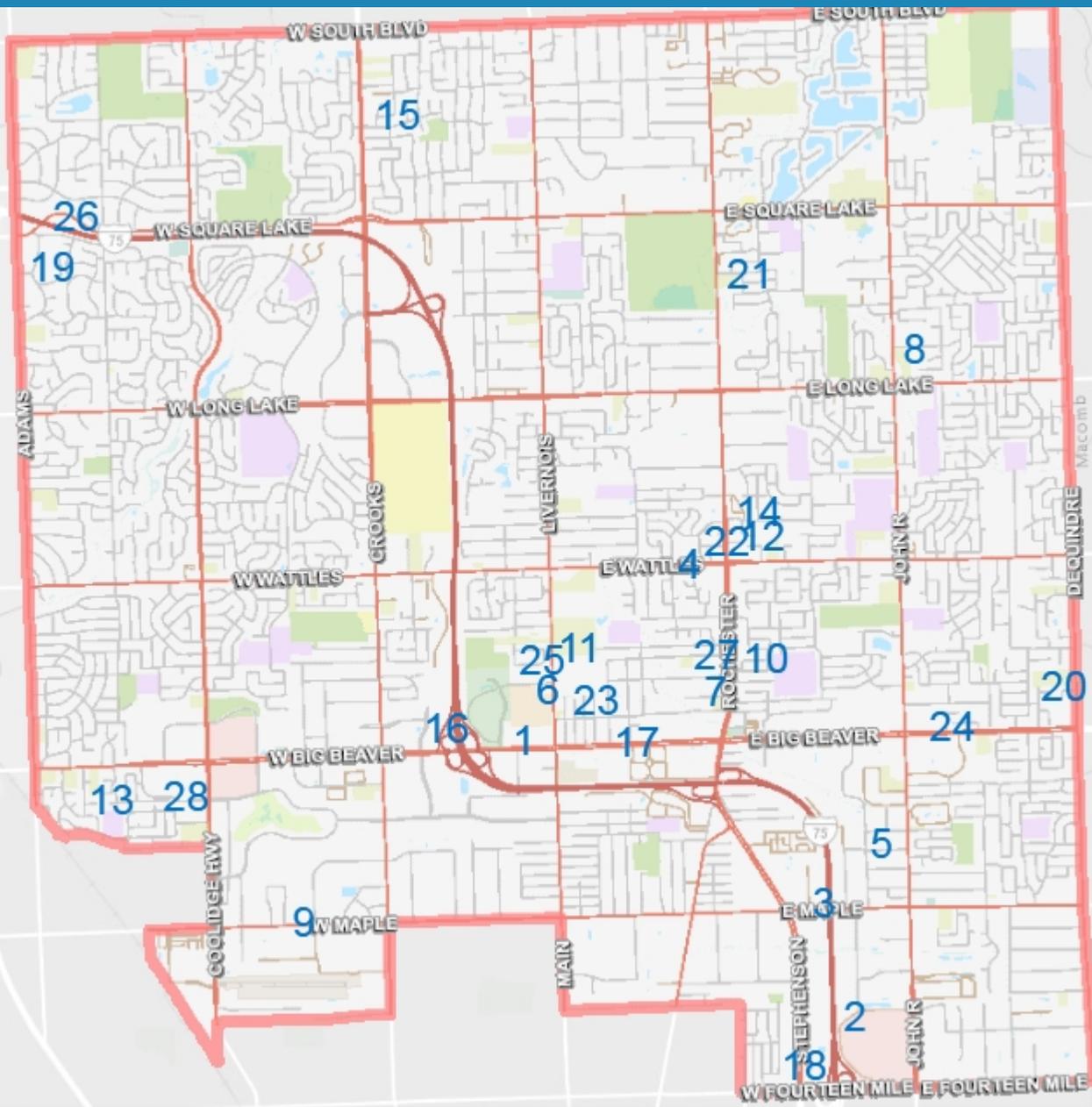
MAP I.D.	PROJECT NAME/LOCATION	PROJECT DESCRIPTION	STATUS
1	Children's Hospital of Michigan Northeast corner of Big Beaver Road and Civic Center Drive (350 W. Big Beaver), Section 21	3-story, 65,000 SF children's hospital	Groundbreaking 09/18/2014.
2	Field and Stream East side of I-75, North of 14 Mile (750 W 14 Mile), Section 35	50,000 SF retail store	Under construction.
3	Holiday Inn Hotel Northeast corner of Maple Road and Research Drive, Section 26	6-story, 130-room hotel	Under construction.
4	Chatwal Estates Site Condominium North side of Wattles, West of Rochester, Section 15	14-unit site condominium	Granted Preliminary Site Plan Approval 11/12/2013. Applicant seeks Final Site Plan Approval.
5	The Alan Group Office SE Corner of Bellingham and Brinston, Section 26	6,181 SF office building with storage yard	Under construction.
6	Amber Town Center Townhomes and Lofts West side of Livernois, North of Town Center (3409 Livernois), Section 21	4-story, 46-unit apartment building	Conditionally rezoned from O to BB on 04/14/2014. Applicant seeks Final Site Plan Approval.
7	Professional/Medical Building West of Rochester, South side of Colebrook (3545 Rochester Road), Section 22,	From R-1C (One Family Residential) District to CB (Community Business) District	City Council approved rezoning from R-1C to CB on 09/10/2014.
8	Hunters Park Site Condominium East side of John R between Tucker and Mayflower (5390 John R), Section 12	21-unit site condominium	Under construction.
9	Lincoln of Troy North side of Maple, east of Stutz (1950 W. Maple), Section 29	Misc. building additions including showroom, car sales, service area, car wash	Under construction.

DEVELOPMENT APPLICATION UPDATE
PLANNING DEPARTMENT
August 19, 2014

10	1-800-Mini Storage East side of Rochester Road, south of Wattles (3846 Rochester), Section 23	5-story, 112,120 SF self-storage building	Granted Special Use Approval/Preliminary Site Plan Approval 03/12/2013. Applicant seeks Final Site Plan Approval.
11	Walsh College Renovations/Addition East side of Livernois, South of Wattles (3838 Livernois), Section 22	Renovation/addition	Granted Preliminary Site Plan Approval 03/25/2014. Applicant seeks Final Site Plan Approval.
12	Belleclaire Estates Site Condominiums East side of Rochester Road, north of Wattles, south side of Lamb, Section 14	15-unit site condominium	Under construction.
13	Poppleton Ridge Site Condominium South side of Big Beaver, E of Adams (3737 W Big Beaver), Section 30	11-unit site condominium	Under construction.
14	Briggs Park Condominiums East side of Rochester, North of Lamb, Section 14	4 additional residential units	Under construction.
15	Cedar Pines Woods Site Condominium East side of Crooks, South of Benjamin (6622 Crooks), Section 4	8-unit site condominium	Under construction.
16	Galleria of Troy Phase II North side of Big Beaver between Wilshire and I-75, Section 21	122-room, 4-story Hampton Inn and a 114-room, 5-story Hilton Garden In	Under construction.
17	Big Beaver Kilmer PUD Northeast Corner of Big Beaver and Kilmer (3088 Kilmer), Section 22	Revision to CDP and PDP for 2 additional residential units	Residential component under construction.
18	Troy Marriott Hotels West side of Stephenson Highway, North of 14 Mile (333 Stephenson Highway), Section 35	4-story, 89-room Townplace Suites and 4-story, 91-room Fairfield Inn & Suites	Under construction.
19	Oakland Troy Senior Project Southeast Corner of Square Lake and Adams, Section 20	92-bed senior living facility	Under construction.

**DEVELOPMENT APPLICATION UPDATE
PLANNING DEPARTMENT
August 19, 2014**

20	Faith Lutheran Church West side of Dequindre, North of Big Beaver (37635 Dequindre), Section 24	Addition to youth center, add detached recreation building and sports fields	Under construction.
21	Adria Estates Site Condominium East side of Rochester, South of Square Lake, Section 11	7-unit site condominium	Under construction.
22	Belleclaire Condominiums East side of Rochester, North of Wattles, South side of Lamb, Section 14	7-unit attached condominium development	Under construction.
23	Ciena Regency at Troy East side of Livernois, north of Big Beaver, Part of 3668 Livernois, Section 22	128-bed, 104-room congregate care facility	Applicant revising site plan. No meetings scheduled at this time.
24	Big Beaver Place PUD North side of Big Beaver, East of John R, Section 24	Revision of mixed use PUD, including retail and residential uses	Applicant revising site plan. No meetings scheduled at this time.
25	St. Mark Coptic Orthodox Church West side of Livernois, South of Wattles (3603-3615 Livernois), Section 21	Classroom addition	Granted Special Use Approval/Preliminary Site Plan Approval 06/11/2013.
26	Detroit Meeting Room North of Square Lake and I-75 Expressway, East of Adams, Section 6	Place of worship	Granted Special Use Approval/Preliminary Site Plan Approval 03/12/2013. Applicant seeks Final Site Plan Approval.
27	Murray Plaza West side of Rochester Road, north of Big Beaver (3385 Rochester), Section 22	5,000 SF retail building	Applicant revising plans. No meeting scheduled at this time.
28	Kresge Foundation South side of Big Beaver, west of Coolidge (3215 W. Big Beaver), Section 30	Office addition	Applicant revising plans. No meeting scheduled at this time.
-	City of Troy Master Plan Update	Update City Of Troy Master Plan per State Planning Enabling Act	Ongoing.



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.