



# TROY CITY COUNCIL

## REGULAR MEETING

### AGENDA

**NOVEMBER 10, 2014**  
CONVENING AT 7:30 P.M.

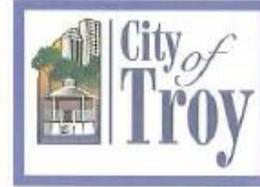
**Submitted By**  
**The City Manager**

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***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](mailto:clerk@troymi.gov) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.***

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TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: Brian Kischnick, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Respectfully submitted,

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

Brian Kischnick, City Manager



# TROY CITY COUNCIL

## VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

### **VISION:**

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

### **GOALS:**

#### **Provide a safe, clean, and livable city**

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

#### **Provide effective and efficient local government**

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

#### **Build a sense of community**

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

#### **Attract and retain business investment**

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

2014/2015

# TOP 11 STRATEGIES

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

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

1

Improve road/infrastructure conditions, including County roads

Maintain a branding and marketing plan to effectively communicate

3

Build and maintain strong, productive service levels

Maintain strong Public Safety service

5

Increase outreach to residents, businesses, and neighboring communities

Facilitate redevelopment of underutilized office and industrial sites

7

Advance technology to gain efficiencies

Update and identify funding for the Pathways and Trails Plan

9

Implement a way-finding strategy for City resources

Enhance gateways and entrance to create a sense of place

11

Embrace the Transit Center

2

4

6

8

10



# CITY COUNCIL AGENDA

November 10, 2014 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317

**INVOCATION: Father James Grau From St. Anastasia Catholic Church** **1**

**PLEDGE OF ALLEGIANCE:** **1**

**A. CALL TO ORDER:** **1**

**B. 1. ROLL CALL:** **1**

**B. 2. 2014-2015 CITY COUNCIL:** **1**

- a) Appointment of Mayor Pro Tem ..... 1
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C-2 On Behalf of the City of Troy Employees’ Casual for a Cause Program for the Months of May and June, 2014, Community Affairs Director Cindy Stewart will Present a Check in the Amount of \$742 to Robin Beltramini, Chairperson, and Leonette Ciepielowski, Past Chairperson, Troy Youth Assistance (*Introduced by: Cindy Stewart, Community Affairs Director*) 3

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**INVOCATION: Father James Grau From St. Anastasia Catholic Church**

**PLEDGE OF ALLEGIANCE:**

**A. CALL TO ORDER:**

**B. 1. 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 #2014-11-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of \_\_\_\_\_ at the Regular City Council Meeting of November 10, 2014, due to \_\_\_\_\_.

Yes:  
No:

**B. 2. 2014-2015 CITY COUNCIL:**

**a) Appointment of Mayor Pro Tem**

*Rules of Procedure for the City Council* addresses the appointment of Mayor Pro Tem as follows:

**1. APPOINTMENT OF MAYOR PRO TEM**

The selection of Mayor Pro Tem shall rotate annually in the following order: Henderson, Campbell, Pennington, Hodorek, Fleming, Tietz

Suggested Resolution  
Resolution #2014-11-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **APPOINTS** \_\_\_\_\_ to serve as Mayor Pro Tem for the City Council of the City of Troy for a term scheduled to expire at 7:30 PM on Monday, November 9, 2015.

Yes:  
No:

**b) Adoption of City Council Rules of Procedure**

Suggested Resolution  
Resolution #2014-11-  
Moved by  
Seconded by

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

Yes:  
No:

**c) Adoption of Code of Ethics for City Council**

Suggested Resolution  
Resolution #2014-11-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **ADOPTS** the Code of Ethics of the City Council of the City of Troy as recorded by the City Clerk in the Minutes of this meeting.

Yes:  
No:

**d) Adoption of Code of Ethics for Boards and Committees**

Suggested Resolution  
Resolution #2014-11-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **ADOPTS** the Code of Ethics for Boards and Committees of the City of Troy as recorded by the City Clerk in the Minutes of this meeting.

Yes:  
No:

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1** On Behalf of the City of Troy Employees' Casual for a Cause Program for the Months of March and April, 2014, Community Affairs Director Cindy Stewart will Present a Check in the Amount of \$886 to Dr. Tim Coldiron, Founder and Executive Director, Promise Village (*Introduced by: Cindy Stewart, Community Affairs Director*)

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**C-2** On Behalf of the City of Troy Employees' Casual for a Cause Program for the Months of May and June, 2014, Community Affairs Director Cindy Stewart will Present a Check in the Amount of \$742 to Robin Beltramini, Chairperson, and Leonette Ciepielowski, Past Chairperson, Troy Youth Assistance (*Introduced by: Cindy Stewart, Community Affairs Director*)

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**C-3** Troy Youth Assistance Annual Report (*Presented by Robin Beltramini, Chairperson*)

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**C-4** Lights of Hope (*Introduced by: Barbara Knight*)

**D. CARRYOVER ITEMS:**

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**D-1** No Carryover Items

**E. PUBLIC HEARINGS:**

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**E-1** Industrial Development District (IDD) for Toyoda Gosei NA Corp., 1400 Stephenson (*Introduced by: Nino Licari, City Assessor*)

Suggested Resolution

Resolution #2014-11-

Moved by

Seconded by

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

WHEREAS, Toyoda Gosei NA Corp. 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 November 10, 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 1400 Stephenson, Troy, MI. 48083, Parcel #88-20-35-126-024, in accordance with City Council Policy Resolution #2010-08-173.

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

Yes:  
No:

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**E-2 Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., 1400 Stephenson (Introduced by: Nino Licari, City Assessor)**

Suggested Resolution  
Resolution #2014-11-  
Moved by  
Seconded by

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on November 10, 2014, established an Industrial Development District (IDD) for property known as 1400 Stephenson, Troy, MI 48083, Parcel # 88-20-35-126-024; and

WHEREAS, An Application has been submitted by Toyoda Gosei NA Corp. for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1400 Stephenson, Troy, MI 48083 for nine (9) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the Troy City Council, on November 10, 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 Toyoda Gosei NA Corp. at 1400 Stephenson, Troy, MI 48083 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 Toyoda Gosei NA Corp., at 1400 Stephenson, Troy, MI 48083 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 Toyoda Gosei NA Corp., at 1400 Stephenson, Troy, MI 48083, Parcel # 88-20-35-126-024, for personal property for a term of Nine (9) years after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Toyoda Gosei NA Corp., 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 Toyoda Gosei NA Corp., a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes:

No:

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

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

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as

permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.

- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

*The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up.*

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

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

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

## **H. POSTPONED ITEMS:**

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### **H-1 2015 Council Meeting Schedule**

#### Suggested Resolution

Resolution #2014-11-

RESOLVED, That Troy City Council **SHALL HOLD** Regular Meetings in 2015 according to the following schedule at 7:30 PM:

- Monday, January 12 & 26
- Monday, February 9 & 23
- Monday, March 9 & 23
- Monday, April 13 & 20
- Monday, May 11 & 18
- Monday, June 8 & 22
- Monday, July 6 & 20
- Monday, August 10 & 24
- Monday, September 14 & 28
- Monday, October 12 & 26
- Monday, November 9 & 23
- Monday, December 7 & 14

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Special Study Sessions for the purpose of budget discussions in 2015 according to the following schedule at 6:00 PM:

- Monday, April 27
- Wednesday, April 29

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Regular Liquor Violation Hearing Meetings in 2015 according to the following schedule at 6:00 PM:

- Monday, February 9
- Monday, March 9

BE IT FINALLY RESOLVED, That Troy City Council **MAY SCHEDULE** other Special Meetings as needed.

Yes:  
No:

**I. REGULAR BUSINESS:**

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

**a) Mayoral Appointments: None**

**b) City Council Appointments:**

Suggested Resolution  
Resolution #2014-11-  
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:

**Animal Control Appeal Board**

Appointed by Council  
5 Regular Members  
3 Year Term

**Term Expires: 9/30/2017**

**P. Terry Knight**

Term currently held by: Vacancy-Steve Toth resigned 10/15/2014

Yes:  
No:

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

**a) Mayoral Nominations:**

Suggested Resolution  
Resolution #2014-11-  
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			4/30/2016	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	

Yes:

No:

**b) City Council Nominations:**

Suggested Resolution

Resolution #2014-11-

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	
Gorcycya	David	12/6/2015	1/31/2017	
Hall	Patrick	12/12/2014	1/31/2016	
Huber	Robert	3/1/2015	7/31/2015	STUDENT
Kaltsounis	Andrew	12/13/2014	1/31/2016	
Oberski	Jeff			Police Dept.

Payne	Timothy	2/8/2014	1/31/2015	
Vacancy			7/31/2015	STUDENT

**Nomination to the Liquor Advisory Committee:**

**Term Expires: 7/31/2015**

Term currently held by: Vacancy (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	
Kaltsounis	Andrew	10/15/2016	

Yes:

No:

**I-3 No Closed Session Requested**

**I-4 Winter Maintenance Agreement – Road Commission for Oakland County  
(Introduced by: Tim Richnak, DPW Director)**

Suggested Resolution

Resolution #2014-11-

Moved by

Seconded by

RESOLVED, That the 2014-2015 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of county roads, which are described and outlined in Exhibit A, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the necessary documents; a copy of this agreement, which is authorized by the provisions of 1951 PA 51 (MCL 247.651 et seq.), shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

**I-5 Recommendation: Eighteen Month Review of the Amendments to Troy City Code Chapter 77, Smoking Lounges Hours of Operation (Introduced by: Gary Mayer, Chief of Police and Lori Grigg Bluhm, City Attorney)**

Suggested Resolution

Resolution #2014-11-

Moved by

Seconded by

RESOLVED, That the Troy City Council shall **TAKE NO ACTION** on the request to **AMEND** Chapter 77 of the City of Troy Ordinances, as recommended by City Administration.

Yes:

No:

**I-6 Approval to Submit Application for EPA Funding – Sylvan Glen Phase 2**  
***(Introduced by: Steve Vandette, City Engineer)***

Suggested Resolution

Resolution #2014-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** submittal of an application to the EPA for the Sylvan Glen Phase 2 project and barring any unforeseen circumstances, the EPA projects being able to make an award of \$375,000 in calendar year 2014 towards the project.

BE IT FURTHER RESOLVED, That upon approval of the application and successful implementation of the award of the grant, City Council **DIRECTS** City of Troy Staff to work with the EPA in developing the project and moving to the construction phase in 2015.

Yes:

No:

**I-7 ICCA Funding Formula *(Introduced by: Cindy Stewart, Community Affairs Director)***

Suggested Resolution

Resolution #2014-11-

Moved by

Seconded by

**THIS AMENDATORY AGREEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between and among the municipalities and other political subdivisions of the State of Michigan (hereinafter “Parties” or “Members”) who are or who become signatures hereto.

**WITNESSETH:**

WHEREAS, The parties hereto did on \_\_\_\_\_ enter into an Intergovernmental CATV Agreement; and

WHEREAS, Pursuant to the terms of Article XVI. Amendments of said Agreement, the parties specifically retained the right to modify said Agreement; and

WHEREAS, The parties presently desire to modify and amend the original Intergovernmental CATV Agreement as is hereinafter set forth;

**This section of the current Intergovernmental Cable TV Agreement (VI. F) will be replaced with the section below it as follows:**

*“F. Payments to Authority – Pay to the Authority a proportionate share of such amount, if any, required by the Authority to enable the Authority to meet its operating costs and expenses; provided, however, it is the intent of the Parties, and shall be the intent of the Authority, that the Authority’s operating costs and expenses, to the greatest extent possible, be paid by the franchisee. For purposes of this section, a Member’s “proportionate share”, prior to construction of the System, shall be equal to the ratio which such Member’s number of dwelling units bears to the total number of dwelling units of all Members based on 1980 census figures of the Oakland County Planning Division, and subsequent to construction of the System, shall be equal to the ratio which such Member’s number of subscribers bears to the total number of subscribers of all Members.”*

**NEW SECTION:**

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

“VI. Responsibilities of Members - .....

F. Payments to Authority- Pay to the Authority a membership fee to enable the Authority to meet is operating costs and expenses. The fee will be established by the ICCA Board of Directors and approved by each member community. The fee will be due annually on December 31 of each year. It shall be the policy of the Intergovernmental Cable Communications Authority to report to each community the level of unassigned fund balance at the end of each yearly operating cycle, as determined by outside audit counsel. The ICCA will be required to convey all audit information to each member community within 30 days of audit approval. The Authority will seek to maintain a level of fund balance sufficient for operations as per the recommendation of audit counsel, however, not more than 125% of annual audited operations. Changes in membership fees shall be based upon the currently adopted fee schedule for each member community. Annual increases, if necessary, shall be no higher than the annual rate of inflation as measured by the Consumers Price Index provided for property tax calculations or 3%, whichever is less.

ICCA MEMBER COMMUNITY	AVERAGE OF 2011 FRANCHISE FEE AND POPULATION	BASE FEE	Annual Membership Fee
Auburn Hills	1,340	1,000	2,340
Berkley	1,050	1,000	2,050
Clawson	760	1,000	1,760
Ferndale	1,240	1,000	2,240
Hunt Woods	480	1,000	1,480
Oakland Twp	1,050	1,000	2,050
Pleasant Ridge	190	1,000	1,190
Rochester	860	1,000	1,860
Rochester Hills	4,300	1,000	5,300
Royal Oak	3,910	1,000	4,910
Troy	3,920	1,000	4,920
<b>TOTAL FEE</b>	<b>19,100</b>	<b>11,000</b>	<b>30,100</b>

Membership fee will be due by December 31, 2014 and each December 31<sup>st</sup> thereafter to fund the ICCA Authority.”

All other provisions contained in the original Intergovernmental CATV Agreement dated \_\_\_\_\_, including all amendments, are hereby affirmed and the parties hereto have executed this Agreement as of the day and year first written above.

In the Presence of:

CITY OF TROY

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

Yes:

No:

**J. CONSENT AGENDA:**

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

Suggested Resolution

Resolution #2014-11-

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:

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

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**J-2 Approval of City Council Minutes**

Suggested Resolution

Resolution #2014-11-

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

- a) City Council Minutes-Draft – October 20, 2014
- b) Special City Council Minutes-Draft – October 22, 2014

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**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions: None Submitted**

- a) **Standard Purchasing Resolution 4: State of Michigan – MiDEAL Program – Fleet Vehicles/Equipment – Brush Chipper**

Suggested Resolution

Resolution #2014-11-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2014 Brush Bandit 255XP Chipper from *Bandit Industries, Inc., of Remus, MI*, through the State of Michigan MiDEAL Program for an estimated total cost of \$40,126.00 less trade-in allowance of \$7,000.00 or better for the 2002 Chipper for an estimated net total cost of \$33,126.00.

- b) **Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Energy Management Improvements – 52-4 District Court**

Suggested Resolution

Resolution #2014-11-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to furnish all labor, materials and equipment to install new Energy Management Improvements at the 52-4 District Court to the sole bidder meeting specifications, *Mechanical Control & Maintenance, Inc. of Sterling Heights, MI*, for an estimated total cost of \$142,990.00, not to exceed budgetary limitations; at the unit prices contained in the bid tabulation opened October 9, 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 contractor's submission of properly executed contract documents, including insurance certificates and all other specified requirements.

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

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) 2015 Ford F-250 4X4 Super Cab Pickups and one (1) 2015 Ford 4X4 Escape from *Signature Ford Lincoln of Owosso, MI*, for an estimated total cost of \$76,686.00 as per the Macomb County Cooperative Purchasing Agreement and Contract ID Number 51-13.

**d) Standard Purchasing Resolution 2: Low Bidders Meeting Specifications– Snow Removal Services**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide seasonal requirements to *Advanced Landscape & Builders Supply Co. of Troy, Michigan* for Proposal A, *MVP Environmental of Troy, Michigan* for Proposals B, C, and D, *DiPonio Contracting, Inc. of Shelby Township, Michigan* for Front End Loader with 5 and 3 yard capacities and Truck with 10 foot Snowplow in Proposal E, *Florence Cement Company of Shelby Township, MI* for Truck with 8" Snowplow and 20,000 GVW Road Grader in Proposal E; at unit prices contained in the bid tabulation opened October 23, 2014, with the option to renew for one (1) additional season and the separate quote received from Florence Cement Company of Shelby Township, MI on October 29, 2014; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; with the contract expiring April 30, 2016.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** City of Troy Administration to extend prices established in Proposal E to additional vendors meeting requirements under emergency conditions for snow and ice removal.

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

**e) Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Audio, Visual, and Lighting Upgrades at the Troy Community Center Banquet Rooms**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all equipment, material, and labor to upgrade audio, visual, and lighting in Banquet Rooms 304 and 305 at the City of Troy Community Center to the sole bidder meeting specifications, *Advanced Lighting*

and *Sound of Troy, MI* for an estimated total cost of \$56,188.44, as contained in the bid tabulation opened October 30, 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.

**f) Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Liquid Calcium Chloride**

Suggested Resolution

Resolution #2014-11-

RESOLVED, That Troy City Council hereby **AWARDS** a one-year contract to provide seasonal requirements for Liquid Calcium Chloride with the option to renew for one additional year to the low bidder, *Liquid Calcium Chloride Sales, Inc. of Kawkawlin, MI* for an estimated total cost of \$40,180.00, at the unit prices contained in the bid tabulation opened October 30, 2014; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring November 30, 2016.

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.

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**J-5 Bid Waiver – Purchase of All American Fire Hose**

Suggested Resolution

Resolution #2014-11-

WHEREAS, *Apollo Fire Equipment of Romeo, MI* is the exclusive authorized distributor for All American Fire Hose in the State of Michigan; and

WHEREAS, The City of Troy Fire Department personnel has conducted extensive research and field testing of supply hoses on the market and has concluded that All American Fire Hose is superior over other comparable hoses, compresses and packs into a smaller space and is the most durable;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to purchase 2,775 feet of 5" Kryptonite fire hose and 200 feet of National 8D 1 3/4" attack hose from the exclusive authorized distributor in Michigan, *Apollo Fire Equipment of Romeo, MI* for an estimated total cost of \$21,699.75.

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**J-6 Bid Waiver – High and Low Pressure Air Lift Bags**

Suggested Resolution

Resolution #2014-11-

WHEREAS, *First Due Fire Supply Company of Mason, MI* is the exclusive authorized distributor for Paratech Maxiforce Airbags in the State of Michigan; and

WHEREAS, The City of Troy Fire Department has been using Paratech Maxiforce Airbags for the last 12 years and has invested extensive training to use these airbags it is recommended that the Paratech bags continue to be purchased for standardization purposes;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to award a contract to purchase Paratech Maxiforce Airbags to the exclusive authorized distributor in Michigan, *First Due Fire Supply Co of Mason, MI* for an estimated total cost of \$23,791.60.

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**J-7 Bid Waiver – Professional Services – Police Department Promotional Testing Services**

Suggested Resolution

Resolution #2014-11-

WHEREAS, *EMPCO, Inc.* has been providing testing and hiring services to the City's Fire Department for 24 years; and has provided this service to several other surrounding municipalities (Resolution #2011-11-261); and

WHEREAS, *EMPCO, Inc.* meets departmental needs and complies with Act 78 Commission requirements, including the requirements to be fair and impartial.

THEREFORE, BE IT RESOLVED, That formal bidding procedure for this professional service is hereby **WAIVED**, since the public interest is best served by contracting with *EMPCO, Inc.*

BE IT FINALLY RESOLVED, The Chief of Police is **AUTHORIZED TO EXECUTE** a contract on behalf of the City, authorizing *EMPCO, Inc.* to conduct the Police Department promotional testing in accordance with the attached proposal.

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**J-8 Suggested Resolution Requesting a Study Session be Scheduled on Monday, December 15, 2014 to Receive an Update from Media Genesis Regarding Troy's Brand**

Suggested Resolution

Resolution #2014-11-

RESOLVED, That Troy City Council hereby **SCHEDULES** a Study Session for the purpose of receiving an update from Media Genesis regarding Troy's brand on Monday, December 15, 2014 at 6:00 PM in the City Council Boardroom of Troy City Hall, 500 W. Big Beaver Rd., Troy, MI 48084.

**J-9 Suggested Resolution Requesting a Study Session be Scheduled on Monday, January 12, 2015 to Discuss the Findings of the September 30<sup>th</sup> & October 1<sup>st</sup>, 2014 Big Beaver Move Across Troy Symposium**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That Troy City Council hereby **SCHEDULES** a Study Session for the purpose of reviewing the findings from the September 30<sup>th</sup> & October 1<sup>st</sup>, 2014 Big Beaver Move Across Troy Symposium on Monday, January 12, 2015 at 6:00 PM in the City Council Boardroom of Troy City Hall, 500 W. Big Beaver Rd., Troy, MI 48084.

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**J-10 Suggested Resolution Requesting a Study Session on Monday, February 9<sup>th</sup>, 2014 at Automation Alley for a Tour and Update by Ken Rogers, Executive Director**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That Troy City Council hereby **SCHEDULES** a Study Session for the purpose of receiving a facility tour and Automation Alley Update from Ken Rogers, Executive Director, on Monday, February 9, 2015 at 6:00 PM at Automation Alley, 2675 Bellingham, Troy, MI 48083.

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**J-11 Request for Acceptance of a Warranty Deed and Four Permanent Easements for Chatwal Estates Site Condominium – Sidwell #88-20-15-476-037, 038, 021**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That City Council hereby **ACCEPTS** a warranty deed for right of way, and four permanent easements for public utilities, landscaping and non-access greenbelt, emergency ingress/egress, storm sewer and surface drainage from Mondrian Properties Chatwal, LLC, owner of the properties having Sidwell #88-20-15-476-037, 038 & 021.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the warranty deed and permanent easements with the Oakland County Register of Deeds; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-12 Request for Acceptance of a Warranty Deed and Four Permanent Easements for Alpine Meadows Site Condominium – Sidwell #88-20-20-402-016, 017, 018, 030, 032**

Suggested Resolution  
Resolution #2014-11-

RESOLVED, That City Council hereby **ACCEPTS** a warranty deed for right of way, and four permanent easements storm sewers, sanitary sewers, public utilities, and water mains from

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GFA Alpine Meadows, LLC, owner of the properties having Sidwell #88-20-20-402-016, 017, 018, 030 & 032.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the warranty deed and permanent easements with the Oakland County Register of Deeds; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-13 Request for Acceptance of a Warranty Deed and Four Permanent Easements for Hunters Park Site Condominium – Sidwell #88-20-12-301-003**

Suggested Resolution

Resolution #2014-11-

RESOLVED, That City Council hereby **ACCEPTS** two warranty deeds for a public road and detention purposes, and four permanent easements for public utilities, storm sewers, water mains, and sanitary sewers from Mondrian Properties Hunters Park, LLC, owner of the property having Sidwell #88-20-12-301-003.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the warranty deeds and permanent easements with the Oakland County Register of Deeds; copies of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-14 Interlocal Agreement for the Special Investigations Unit (SIU)**

Suggested Resolution

Resolution #2014-11-

WHEREAS, The Troy Police Department Special Investigations Unit (SIU) is a cooperative initiative comprised of officers from Troy, Bloomfield Township, and Auburn Hills; and

WHEREAS, The Birmingham Police Department has expressed an interest in dedicating a police officer to SIU; and

WHEREAS, An Amended Interlocal Agreement will outline the purpose, responsibilities, and liability of each of the participating agencies.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Amended Interlocal Agreement and Binder for Participation in the Troy Police Department Special Investigations Unit.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Chief of Police to sign the Amended Interlocal Agreement and Binder on behalf of the City of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-15 2014-15 Budget Amendment No. 3 – Customer Friendly City Hall Initiative – City Manager’s Office**

Suggested Resolution

Resolution #2014-11-

RESOLVED, The Troy City Council hereby **APPROVES** the 2014-15 Budget Amendment No. 3 "Customer Friendly City Hall Initiative (City Manager' Office)" as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

## **K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**K-1 Announcement of Public Hearings: None Submitted**

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

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## **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

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**M-1 No Council Referrals Advanced**

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## **N. COUNCIL COMMENTS:**

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**N-1 No Council Comments Advanced**

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## **O. REPORTS:**

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### **O-1 Minutes – Boards and Committees:**

- a) Traffic Committee Minutes-Draft – September 27, 2014
  - b) Planning Commission-Final – October 14, 2014
  - c) Brownfield Redevelopment Authority-Draft – October 21, 2014
  - d) Joint Local Development Finance Authority Troy Subcommittee–Draft – October 27, 2014
  - e) Planning Commission Special/Study-Draft – October 28, 2014
- 

### **O-2 Department Reports: None Submitted**

- a) Troy Nature Society Financial Statements for the Year Ended June 30, 2014
  - b) Financial Report for the Quarter Ended September 30, 2014
  - c) 2014 Year to Date Calls for Police Service Report
  - d) 2014 Third Quarter Litigation Report
  - e) Building Department Activity Report – October, 2014
-

**O-3 Letters of Appreciation:**

- a) To Mark Miller from Jill Lajdziak, QEK, Regarding Wonderful Customer Service
- b) To Brent Savidant from Jill Lajdziak, QEK, Regarding Wonderful Customer Service
- c) To Cathy Russ from Julie Stebbins Regarding Library Staff Participation at a Troy School District Event
- d) To Antonio Cicchetti from Cindy
- e) To Tim Richnak from Chris and Chelsey Farrar Regarding Outstanding Assistance from DPW Employees

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

**O-5 Procedure for Filling Vacancy in Office**

**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 AND  
STUDY SESSIONS:**

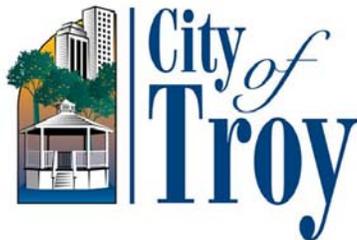
December 15, 2014..... Troy’s Brand Update – Media Genesis  
January 12, 2015.....2014 Big Beaver Move Across Troy Symposium Findings  
February 9, 2015..... Automation Alley Tour and Update

**SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**

November 24, 2014..... Financial Update

**SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

November 24, 2014 ..... Regular Meeting  
December 1, 2014 ..... Regular Meeting  
December 15, 2014 ..... Regular Meeting



**RULES OF PROCEDURE FOR THE  
CITY COUNCIL  
CITY OF TROY, MICHIGAN**

**Adopted: November 25, 2013**

1.	APPOINTMENT OF MAYOR PRO TEM.....	1
2.	CODE OF ETHICS.....	1
3.	DESIGNATION OF ACTING MAYOR.....	1
4.	SPECIAL MEETINGS.....	1
5.	REGULAR MEETINGS.....	2
6.	AGENDA.....	2
7.	ORDER OF BUSINESS.....	<del>32</del>
8.	CABLE CASTING OF CITY COUNCIL MEETINGS.....	3
9.	MINUTES.....	3
10.	PROCLAMATIONS.....	4
11.	RECONSIDERATION OF QUESTIONS.....	4
12.	RESCISSION OF QUESTIONS.....	4
13.	WITHDRAWAL OF MOTIONS PRIOR TO VOTING.....	4
14.	PUBLIC HEARING.....	4
15.	CONSENT AGENDA.....	4
16.	APPOINTMENTS.....	4
17.	MEMBERS OF THE PUBLIC AND VISITORS.....	<del>65</del>
18.	POSTPONE.....	7
19.	RULES OF ORDER.....	7
20.	MISCELLANEOUS EXPENSES.....	7
21.	EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS.....	7
22.	ABSENCES AT COUNCIL MEETINGS.....	<del>87</del>
23.	SUSPEND RULES.....	8
24.	COUNCIL DISCUSSION.....	8
25.	AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS.....	8
26.	VIDEO AND AUDIO PRESENTATIONS.....	8
27.	CONTINUED AGENDA ITEMS NOT CONSIDERED BEFORE 12:00 AM.....	8
28.	VIOLATIONS.....	8
29.	WIRE COMMUNICATIONS BY AND TO COUNCIL MEMBERS DURING ANY MEETING OF COUNCIL.....	8

**1. APPOINTMENT OF MAYOR PRO TEM**

The selection of Mayor Pro Tem shall rotate annually in the following order: Henderson, Campbell, Pennington, Hodorek, Fleming, Tietz.

**2. CODE OF ETHICS**

- a) The City Council Code of Ethics shall be reviewed in November of each calendar year, and all City Council members shall agree to abide by the City Council Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing a copy to the City Clerk.
- b) The Board and Committee Code of Ethics shall be reviewed in November of each calendar year, and all Board and Committee members shall agree upon appointment to abide by the Board and Committee Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing a copy to the City Clerk.

**3. DESIGNATION OF ACTING MAYOR**

In the absence or disability of the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

**4. SPECIAL MEETINGS**

Special Meetings shall be held in the Council Boardroom at 6:00 PM unless otherwise noted in the Call of the Meeting.

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**A. CALLING OF SPECIAL MEETINGS** (Pursuant to City Charter Section 4.2):

Special meetings shall be called by the Clerk on the written request of the Mayor, or any two members of the Council on at least twenty-four hours written notice to each member of the Council, served personally or left at his usual place of residence; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

**B. DOCUMENTATION:**

Special meetings shall be exclusively limited to items specifically referenced in the Call of the Meeting.

- **Special Meeting Posting:** Pursuant to City Charter a printed meeting notice for each specially called meeting shall contain the items indicated in the written notice calling the meeting.
- **Study Session (Special Meeting) Agenda and Posting:** Study Session Agendas shall contain the items as indicated in the motion calling the meeting.

**C. POSTING AND DELIVERY:**

Special Meeting Calling Notice and/or Agenda shall be personally delivered to each Council Member and posted for public display at least twenty-four (24) hours in advance of the meeting.

**D. ORDER OF BUSINESS:**

At each Study Session (Special Meeting) of the Council, the business to be considered shall include the items listed and in the following order:

**A. Call to Order**

**B. Roll Call:**

- 1) Listing of Council Members
- 2) Excuse Absent Council Members pursuant to Rule Number 22.

**C. Items as Indicated in the Motion Calling of the Meeting**

**D. Items Not Indicated in the Motion Call the Meeting** (Pursuant to City Charter Section 4.2):

- 1) Special meetings are limited to what is expressly indicated in the Call of the Meeting (Motion of Council or written notice), except as set forth below.

**E. Amendments/Additions to Agenda** (Pursuant to City Charter Section 4.3):

In order for City Council to address items at a Special Meeting that are in addition to the Items expressly indicated in the Call of a Special Meeting, all members of City Council must consent to the requested addition(s) in writing and all Council members present at the Special Meeting must consent.

**F. Public Comment**

**G. Adjournment**

**5. REGULAR MEETINGS**

Regular meetings shall be held in the Council Chambers at 7:30 P.M. Meeting dates will be established, by resolution, prior to the end of the preceding calendar year.

**6. AGENDA**

**A. Regular Meeting Agenda:** A printed agenda for each regularly scheduled meeting shall be produced at least forty-eight (48) hours in advance of the meeting. Every item of business to come before the Council shall be filed with the City Clerk by noon on the Wednesday preceding the Monday on which the Council meets. It shall be the duty of the City Clerk to have delivered, as soon as practical, to each member of the Council a complete agenda of the items to be considered at the following meeting. Each item on the agenda shall have sufficient explanation to indicate its intent. All items introduced by the City Council members that do not meet the Wednesday noon deadline will be referred to a later meeting, except by suspension of these rules. A packet, excluding all confidential items, will be posted on the City's Website at least 48 hours prior to Council meetings.

**B. Closed Session Agenda:** Where a Closed Session is requested for a pending case pursuant to MCL 15.268 (e), the specific name(s) of each case is to be identified in the resolution, even though the specific name(s) is not technically required under the Open Meetings Act. Where a Closed Session is requested for any collective bargaining unit discussion pursuant to MCL 15.268 (c), the specific bargaining unit is to be identified pursuant to MCL 15.268 (c), even though not technically required under the Open Meetings Act.

## 7. ORDER OF BUSINESS

At each Regular meeting of the Council, the business to be considered shall be taken up for consideration and disposition in the following order:

### Invocation

### Pledge of Allegiance

#### A. Call to Order

#### B. Roll Call

- 1) Listing of Council Members
- 2) Excuse Absent Council Members pursuant to Rule Number 22

#### C. Certificates of Recognition and Special Presentations

#### D. Carryover Items

#### E. Public Hearings

#### F. Public Comment for Items On the Agenda from Troy Residents and Businesses – In accordance with the Rules of Procedure of the City Council, Rule Number 17 - Members of the Public and Visitors

#### G. City Council/City Administration Response/Reply to Public Comment

#### H. Postponed Items

#### I. Regular Business

#### J. Consent Agenda

- 1) Approval of "J" Items NOT Removed for Discussion
- 2) Address of "J" Items Removed for Discussion

#### K. Memorandums and Future Council Agenda Items

#### L. Public Comment for Items Not on the Agenda from Troy Residents and Businesses– In accordance with the Rules of Procedure of the City Council, Rule Number 17 – Members of the Public and Visitors

#### M. Council Referrals - Items appearing under Council Referrals are items intended for City Council action that are brought forward by the Mayor or Council Members in accordance with Rule 6 (A).

#### N. Council Comments - Items for the good of the order brought forward by Mayor and Council.

#### O. Reports

#### P. 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)

#### ~~Q. Study Items~~

#### ~~R-Q. Closed Session~~

#### ~~S-R. Adjournment~~

## 8. CABLE CASTING OF CITY COUNCIL MEETINGS

All City Council Meetings will be broadcast on WTRY, with the exception of Closed sessions and Council retreats.

## 9. MINUTES

A. **Minutes:** The minutes will be distributed to the Council prior to their approval. The minutes will be placed on the Consent Agenda for approval.

**Closed Session Minutes:** No official City Council action will be necessary for closed

session minutes, since the closed session minutes will reflect only the reason for the closed session (in compliance with Section 6 (B), the date, the starting and ending time and the persons in attendance.

**10. PROCLAMATIONS**

Proclamations, which are formal public announcements made by City Council, shall be included in the agenda under Reports and Communications and may be brought before Council or City Administration for consideration by any member. Proclamations will be placed on the Consent Agenda for approval and may include a presentation listed under *Certificates of Recognition and Special Presentations*.

**11. RECONSIDERATION OF QUESTIONS**

A motion to reconsider any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members elect. If such a motion to reconsider passes, and new information has been brought forward, then any member of Council may move to take action on the motion that is to be reconsidered, and any such motion would pass by an affirmative vote of the majority of the Council Members elect.

**12. RESCISSION OF QUESTIONS**

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members. \*Charter states "majority of the members elect."

**13. WITHDRAWAL OF MOTIONS PRIOR TO VOTING**

Any motion may be withdrawn by its maker prior to voting. A motion to withdraw must receive a second and the affirmative vote of the majority of the Council Members present.

**14. PUBLIC HEARING**

Public Hearings will be held after required notice has been provided. Notices shall inform recipients of possible continuations of hearings. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution. If the City Council elects to continue the Public Hearing it will appear in the designated meeting Agenda under the topic of "Public Hearings".

**15. CONSENT AGENDA**

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

**16. APPOINTMENTS**

**A. Appointments to Boards, Commissions and Committees:**

The Mayor shall, with City Council concurrence, appoint members of Boards or Committees

as governed by State Statute or local ordinances.

The Mayor Pro Tem will contact incumbents to determine their interest in being nominated for reappointment.

The Mayor or any Council Member desiring to nominate a person for appointment to a Board, Commission, or Committee shall at the meeting prior to the appointment, submit such name, for nomination. A brief summary of background and personal data as to nominee's qualifications should be presented at the time of nomination, except that such a resume shall not be required for the re-nomination of a current member, or if the Council unanimously agrees that a resume is not necessary. Resumes will be submitted on or before the time of nomination.

Nominations will occur during any regular meeting of the Council. A resolution to nominate will be considered during the "Regular Business" of the agenda. All nominations are subject to Section "B" which appears below.

**B. Method of Voting on Nominees:**

- 1) Where the number of nominees does not exceed the number of positions to be filled, a roll call vote shall be used.
- 2) Where the number of nominations exceeds the number of positions to be filled, voting shall take place by the City Clerk calling the roll of the Council and each Council Member is to indicate the names of the individuals he/she wishes to fill the vacancies
- 3) When no candidate receives a majority vote, the candidate(s) with the least number of votes shall be eliminated from the ensuing ballot.
- 4) No member of the City Council shall serve on any committee, commission or board of the City of Troy, except the Retirement System Board of Trustees, Retiree Health Care Benefits Plan and Trust Board, and the Local Development Finance Authority (LDFA) unless membership is required by Statute or the City Charter.
- 5) Persons nominated, but not appointed during this process will be sent a letter thanking them for their willingness to serve the community.
- 6) Recognition will be given to persons who have concluded their service to the community on Boards and Commissions.

**Appointment of City of Troy Representation to SEMCOG and SOCRRRA**

**SEMCOG (Southeastern Michigan Council of Governments) Representation:** The Mayor and City Council shall appoint one Delegate and one Alternate to serve on the SEMCOG General Assembly for a term of two-years expiring at 7:30 PM on the Monday following the Regular City Council Election. The appointments shall be made at the organizational meeting of Council at the first Regular meeting of every odd-year November.

**SOCRRRA (South Oakland County Resource Recovery Authority) Representation:** The Mayor and City Council shall appoint one delegate and one alternate to serve on the SOCRRRA Board for a term of one-year expiring on June 15<sup>th</sup>.

## 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. **NOTE TO THE PUBLIC:** *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.

Prior to *Public Comment for Items On the Agenda*, the Mayor will provide a verbal notification of the rules of decorum for City Council meetings. In addition, the written Agenda Packet will include the following language, as approved by City Council:

*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.*

**18. POSTPONE**

A motion to postpone may be made for a definite period of time. Items will automatically appear on the appropriate agenda.

**19. RULES OF ORDER**

*Robert's Rules of Order*, current edition, as clarified by the City Clerk, is hereby adopted and made a part hereof, except as modified by these Rules of Procedure, the Charter, and the City Code.

**20. MISCELLANEOUS EXPENSES**

Reasonable and necessary expenses incurred in service on behalf of the City shall be paid for the Mayor and Council, provided that at the end of each month a detailed expense report is submitted and approved by the City Council.

**21. EXPENSES: OUT-OF-TOWN TRAVEL FOR CITY BUSINESS**

- A. Funds providing for Council representation at State and National conferences sponsored by affiliations of cities will be annually approved in the budget for the subject fiscal year. The City Council will by advance resolution grant authorization for out of town travel to specific places, for conference purposes. Members of the City Council will submit expense vouchers exceeding \$50.00 per day to attend out-of-town meetings and conferences, with additional allowances being made for transportation (paid at the air coach rate, City pool car, City Vehicle rental rate, or gas mileage at current IRS guidelines, depending upon the mode of transportation) and lodging. Expenses may be authorized for payment by the City Manager, and a copy of the expense report form will be placed on the Council agenda under Reports and Communications.
- B. Detailed and receipted expenses, not to exceed \$150.00, to attend legislative committee hearings, legislative meetings, etc., may be authorized for payment by the City Manager without prior authorization by the Council, and a copy of the expense report form, along with receipts, will be placed on the Council agenda under Reports and Communications.

**22. ABSENCES AT COUNCIL MEETINGS**

- A. Council members who are unable to attend a Council meeting and desire an excused absence shall notify the City Manager, City Attorney or City Clerk of their absence in writing prior to the meeting and indicate the reason for the absence. The reason shall be entered in the proceedings of the Council at the time of each absence.
- B. In the event of an absence of a Council member at a meeting, the City Manager is directed to supply such absent Council member with information about any special meetings that may have been scheduled.

**23. SUSPEND RULES**

The Rules of Procedure may be waived by a simple majority.

**24. COUNCIL DISCUSSION**

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5) minutes at a time.

**25. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS**

Mayor and Council Members submitting an agenda item that calls for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion may be written to accompany the item. Rule 17 would govern, limiting any presentations to 15 minutes.

**26. VIDEO AND AUDIO PRESENTATIONS**

Video and Audio Presentations may not be submitted for presentation at a Council meeting unless submitted to the Troy City Clerk by noon on the day of the meeting. Inappropriate material will be prohibited.

**27. CONTINUED AGENDA ITEMS NOT CONSIDERED BEFORE 12:00 AM**

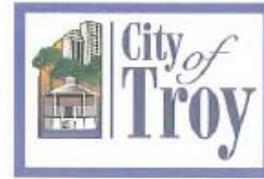
Any item on the Council agenda that has not been discussed by 12:00 AM of the morning following the beginning of the meeting shall be continued to the next regular meeting as a Carryover Item, unless City Council takes action to the contrary.

**28. VIOLATIONS**

The City Clerk shall be responsible for reporting violations of time limitations or speaking sequence to the Chair.

**29. WIRE COMMUNICATIONS BY AND TO COUNCIL MEMBERS DURING ANY MEETING OF COUNCIL**

All communications are subject to the Michigan Open Meetings Act, therefore members of the City Council shall not engage in any form of wire communication, as defined by U.S. Code Title 18, Part I, Chapter 119, Section 2510, during any meeting of the Council.



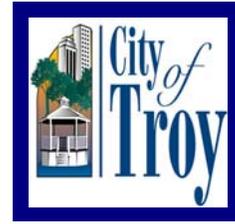
## **Troy City Council Code of Ethics**

As a member of Troy City Council, I will:

- Respect the confidentiality of privileged information;
- Recognize that an individual council member has no authority to speak or act for council;
- Work with other council members to establish effective policies;
- Delegate authority for the running of the city to the manager and staff;
- Encourage the free expression of opinion by all council members;
- Seek systematic communications between council, staff, and all elements of the community;
- Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- Make every effort to attend all meetings;
- Become informed concerning the issues to be considered at each meeting;
- Avoid conflicts of interest or the appearance thereof;
- Refrain from using this position for personal benefit, nor for the benefit of family members or business associates;
- Use the same care and caution when using electronic media as would be exercised when speaking face-to-face or through written memoranda;
- Avoid use of derogatory or denigrating language.

Signed this 10th day of November, 2014.

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## City of Troy Appointee Code of Ethics

A City of Troy Appointee shall:

- Respect the confidentiality of privileged information;
- Recognize that an individual board or committee member has no authority to act or speak on behalf of the Troy City Council, the City of Troy or their respective committee;
- Work with other appointees to further the board or committee goals;
- Encourage the free expression of opinion by all board and committee members;
- Communicate to City Council and staff as to issues of concern or requiring study or action;
- Render all decisions based on the available facts and independent judgment;
- Make every effort to attend all meetings;
- Become informed concerning the issues to be considered at each meeting;
- Avoid conflicts of interest or the appearance thereof;
- Refrain from using this position for personal benefit, nor for the benefit of family members or business associates.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Appointee

Appointee's Name: \_\_\_\_\_

Board/Committee: \_\_\_\_\_

Term expiring: \_\_\_\_\_

LEADING A PATH TO A BRIGHTER FUTURE



Troy

Strengthening Families  
Through Community Involvement

ANNUAL REPORT  
2013-2014





On behalf of the Executive Committee, Board of Directors, volunteers and staff, it is my privilege to present the 2013-2014 TYA Annual Report. I am proud to say that everyone involved worked hard to embody and model our commitment to prevention and reduction of juvenile delinquency, child neglect and abuse through community involvement. Please take time to review this synopsis of our efforts and accomplishments.

### Robin Beltramini

Chairperson

#### EXECUTIVE COMMITTEE

Robin Beltramini, Chairperson  
Det. Krissy Shuler, Vice-Chairperson  
Donna Swiatko, Treasurer  
Leonette Ciepielowski, Advisor  
Nancy Piotrowski, Advisor  
Karen Purrenhage, Secretary

#### BOARD OF DIRECTORS

Nancy Piotrowski, Family Education  
Elliot Gold, Fundraising  
Sandy Macknis, Youth Involvement  
Nancy Piotrowski, Membership  
Bethany Chung, Troy High Rep  
Rachel Renou, Athens High Rep  
Cindy Stewart, Publicity  
Jeff Stewart, Camp/Skillbuilding  
Leonette Ciepielowski, Youth Rec  
Anil Shrivastava, Mentors PLUS  
George Zielinski, Webmaster

Karen Wonsowicz, Caseworker



### Family Education Committee

The Family Education Committee had a productive year providing six different programs to educate parents and youth. Programs were selected based on previous success and identified community needs. Our post-program evaluations indicated that participants were not only satisfied but enthusiastic about the information received.

First, a new (grant-funded) workshop for parents of pre-school children, **Parent Café**, offered an opportunity to learn about and share parenting challenges and solutions. Our **How Smart is a Smart Phone?** program for parents was offered both in the fall and spring. In the fall, Troy Police Detective Kristine Shuler discussed the various ways youth have gotten into trouble in Troy with a smart phone and a representative from the Geek Squad at Best Buy gave advice from a provider's perspective, offering tips and safeguards for parents to discuss with their child and their own provider. In the spring, additional information came from Dr. Doug Carpenter of Insight Counseling Services as he addressed the topic of "computer addiction," a growing technology related issue.

Pastor Larry Cranston taught the six-session **Active Parenting Now** program for parents of children 5-12 years old. The course covered the proven basics that strengthen families: communication skills, discipline techniques and problem-solving strategies. This was followed two months later with the six-session **Parenting with Boundaries** for parents of children of all ages. "Boundaries" focused on helping parents create home environments which promote development of healthy boundaries—knowing when to say, "Yes" and when to say, "No."

**Trends, Friends and Fatal Ends** was offered to parents of middle and high school youth and focused on "tweens" and teens thrill-seeking. While this is a normal part of adolescent development, it needs to be properly channeled. Dr. Carpenter and Pastor Cranston

presented their professional observations on the trends in Troy, teen behaviors which could signal trouble and the parenting strategies to address them. **Teenage Sex: At What Price? Costs and Consequences of Early Sexual Activity** again was offered as an opportunity for parents and youth together to attend the program and begin a discussion to continue at home. In the video presentation by national speaker and former counselor, Pam Stenzel, a coed high school audience is addressed in a no-nonsense, straightforward tone. The video was followed by a panel of experts who spoke briefly from their particular professional perspective and, then, answered questions. After attending, no one can say, "No one ever told me."



### Membership

Attracting, initiating and retaining new member-volunteers to truly accomplish the TYA mission, ". . .through community involvement" was the Membership Committee focus for the year. Several volunteer information packets were distributed, job descriptions discussed with potential volunteers and every effort was made to secure the best fit for each individual's skills. We secured new chairs for Mentors PLUS and Fundraising and a new Board Secretary, as well as several task volunteers. We continue seeking community members to enhance our membership.

The Executive Committee acknowledged, with gratitude, all volunteers who helped in any way throughout the year with a "Garden Party" celebration in June 2014.

# LEADING A PATH TO A BRIGHTER FUTURE



## Camp/Skillbuilding

Partial scholarships were awarded to several children to participate in activities designed to develop specific skills in areas of interest to them. Other scholarships provide extra-curricular, self esteem-building opportunities for the children and financial assistance to their parents who are unable to afford the full cost of tuition. This year we assisted a number of children in attending summer camps through Troy Parks and Rec and the Troy Community Coalition.

## Mentors PLUS

(People Listening, Understanding, Sharing)

Mentors PLUS matches caring adults with young people who will benefit from having positive adult figures in their lives. Volunteers choose the involvement that seems best for them: prevention - connecting with an identified youth within the community, OR intervention - helping guide a young person with minor court involvement back onto the right track. Mentoring is rewarding, builds relationships and allows adult volunteers to share their lives with children who need their attention and support. The minimum commitment is two hours per week for one year. Each mentor plans the one-on-one meetings and activities which promote a trusting relationship and determines the time that works best for them and their mentees. There are opportunities provided to attend various outings and activities with other mentors and mentees throughout Oakland County. If your heart and schedule are open, this is an opportunity that will benefit you as much as a child. Contact the TYA office for more information.



## Fundraising

The fourth annual *Dollars for Education* raffle was a success and major source of revenue. TYA sold 500 raffle tickets, resulting in a \$6,000 net profit. The winning tickets were drawn at the TYA Youth Recognition Awards Program at Troy High School. This year, the event generated even more excitement as three prizes were awarded: two \$1,000 winners plus a \$4,000 Grand Prize winner.

TYA participated in Carson's Community Days. We sold Carson's coupon booklets to family, friends and TYA supporters as well as at the Rochester Carson's store. For our efforts, we raised \$635 and saved people hundreds of dollars on their Carson's purchases.

TYA was a very fortunate beneficiary of the Troy Police Charity Golf Outing in August 2013, which resulted in a donation of \$7,900. In return for their sponsorship, TYA participated as the fiscal agent and we volunteered on the golf course that day.

In addition to our fundraising activities, we received \$4,427 from TYA Advocates and donors. Thank you to our supporters for your generous contributions and for participating in our fundraisers.

## Youth Recognition

The annual Youth Recognition Awards Program, co-sponsored by TYA and the Rotary Club of Troy, was held on April 16, 2014, in the Troy High School Auditorium. Eighty-three students were individually recognized by their nominators for their contributions within the Troy community and then personally presented with certificates of achievement from TYA and the Rotary Club of Troy. The honorees and their guests; local dignitaries, and TYA supporters were treated to a



light dinner before the formal presentation of awards. Once again, the program lived up to its reputation as the *signature event* of the spring season.

## Youth Involvement

TYA encourages youth to interact positively with one another and on behalf of all those who are less fortunate. The Youth Involvement Committee provided financial support to subsidize the cost of the post-graduation, All-Night parties at Athens and Troy High Schools. We also supported *Spring Break: Troy Style*, safe alternatives to unsupervised times during Spring Break, sponsored by Troy Community Coalition.

TYA initiated the annual collection of excess Halloween candy from Troy elementary schools: Costello, Hamilton, Hill, Schroeder, and Troy Union. Elementary students donated 300+ lbs. of candy for redistribution to the MI Veterans Foundation/Detroit Veteran Center and the North Woodward Community Foundation: *Blessings in a Backpack* program. TYA partnered with Ambassador Girl Scout Troop 42790 to sort and prepare the candy for redistribution.

TYA entertained 27 Morse Elementary School students at three after-school parties during the 2013-14 school year. AHS/THS student volunteers were paired with the children. They decorated (and ate) cupcakes; enjoyed pizza, salad, and ice cream; worked on craft projects together, and participated in games and relays until they were transported home by their parents. TYA members and volunteers from the First Presbyterian Church in Troy provided adult supervision.



## THANK YOU SPONSORS

*Working together for the prevention of juvenile delinquency, child neglect and abuse through community involvement:*

### Family Division Judges

Honorable Mary Ellen Brennan  
Honorable Lisa Gorcyca  
Honorable Linda S. Hallmark  
Honorable Cheryl A. Matthews  
Honorable Karen D. McDonald  
Honorable Elizabeth Pezzetti  
Honorable Joan E. Young

### Oakland County Court

Kevin Oeffner, Court Administrator  
Lisa Langton, Dep. Court Administrator  
Mary Schusterbauer, Chief,  
Oakland County Youth Assistance  
Paul Scobie, Supervisor,  
Oakland County Youth Assistance

### Oakland County Commissioners

Mike Bosnic  
Robert Gosselin  
Gary R. McGillivray

### Troy School District

Dr. Barbara Fowler, Superintendent

### School Board Members

Nancy Philippart, President  
Todd Miletti, V.P.  
Karl Schmidt, Secretary  
Ida Edmunds, Paula Fleming, Gary Hauff,  
Wendy Underwood

### City of Troy

Brian Kischnick, City Manager  
Dane Slater, Mayor  
Dave Henderson, Mayor Pro Tem

### Council Members

Jim Campbell, Wade Fleming,  
Ellen Hodorek, Ed Pennington,  
Doug Tietz



## TYA ANNUAL REPORT 2013-2014

### Mission Statement

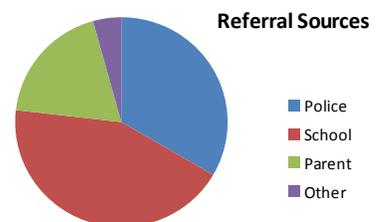
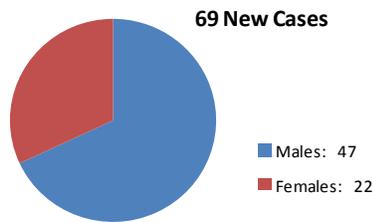
**Troy Youth Assistance is committed to strengthening youth and families by preventing and reducing juvenile delinquency, child neglect and child abuse through community involvement.**

Troy Youth Assistance is a volunteer-driven 501 (c) (3) non-profit organization. It is one of 26 Youth Assistance programs in Oakland County. Each local Youth Assistance office is tri-sponsored by the Oakland County Circuit Court-Family Division, the local school district and the city therein. The Oakland County Board of Commissioners provides major funding for a professional counselor in each unit. Volunteers work with the professional counselor to plan and sponsor local prevention programs for youth and their families.



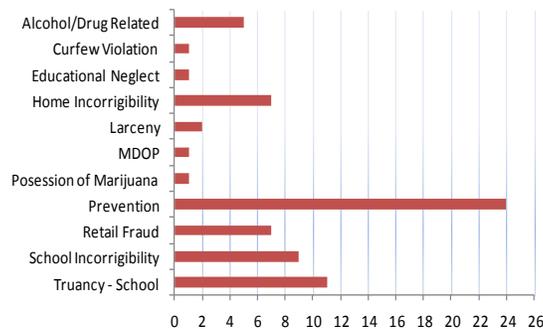
Join us on facebook

### Casework Referrals 2013-2014



With 68 additional cases reviewed and referred to other agencies for more extensive service

### Referral Overview



Age of Client:	Number of Clients:
5	1
6	0
7	0
8	2
9	2
10	3
11	5
12	5
13	13
14	9
15	12
16	16
17	1

### OUR EXECUTIVE COMMITTEE



Robin Beltramini  
Chairperson



Det. Krissy Schuler  
Vice—Chairperson



Leonette Ciepielowski  
Advisor



Nancy Piotrowski  
Advisor



Donna Swiatko  
Treasurer

## TROY YOUTH ASSISTANCE

4420 Livernois Road Troy, MI 48098

P: 248.823.5095

F: 248.823.5240

[www.trooyouthassistance.org](http://www.trooyouthassistance.org)

email: [trooyouthassistance@troy.k12.mi.us](mailto:trooyouthassistance@troy.k12.mi.us)



## CITY COUNCIL AGENDA ITEM

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Date: November 10, 2014

To: Brian Kischnick, City Manager

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

Subject: Public Hearing for the establishment of an Industrial Development District (IDD)  
for Toyoda Gosei NA Corp., 1400 Stephenson

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### **Background:**

Toyoda Gosei NA Corp. has purchased the property at 1400 Stephenson. They are in the process of renovating the facility so they may consolidate operations in Troy.

The building has been partially vacant for several years, and is uniquely suited for their consolidation.

They will invest over \$4.2 million in equipment and renovations, and will be bringing an additional 51 jobs to the existing 136 that are currently located there.

In January of 2014 they submitted a Letter of Intent to apply for tax abatement at the site.

They have applied to have an Industrial Development District established at the site so that they may apply for personal property tax abatement for a 9 year period. If granted, they will save approximately \$85,000 on their overall tax bill. Of that amount, \$28,400 would be City tax savings.

### **Financial Considerations:**

Based on their ownership of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for a nine (9) year abatement under Council Policy Resolution #2010-08-173.

The \$4,223,965 investment would generate approximately \$170,124.76 in total taxes over nine (9) years, of which \$56,801.67 would be City taxes.



## CITY COUNCIL AGENDA ITEM

---

The abatement would therefore save the company \$85,062.38 over its life. The City would realize \$28,400.83 in taxes that it does not currently receive.

### Legal Considerations:

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

### Policy Considerations:

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

### Options:

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

NI/nl H:IFT\Toyoda Gosei 2014\Memo IDD Toyoda Gosei 11.10..14

# Application for Industrial Facilities Tax Exemption Certificate

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

**INSTRUCTIONS:** File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-2408.

To be completed by Clerk of Local Government Unit	
<b>Signature of Clerk</b>	<b>Date received by Local Unit</b> <b>10/01/14</b>
STC Use Only	
<b>Application Number</b>	<b>Date Received by STC</b>

## APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) <b>Toyota Gosei North America Corporation</b>		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <b>3069</b>	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <b>1400 Stephenson Highway Troy MI 48083</b>		▶ 1d. City/ <b>City of TROY</b>	▶ 1e. Cour** <b>Oakland Co.</b>
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located <b>Troy Public</b>	▶ 3b. School Code <b>63150</b>
		▶ 4. Amount of years requested for exemption (1-12 Years) <b>9 plus 2 for completion</b>	

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

see attached

6a. Cost of land and building improvements (excluding cost of land) ..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ _____ Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures ..... * Attach itemized listing with month, day and year of beginning of installation, plus total	▶ <u>\$4,223,965.00</u> Personal Property Costs
6c. Total Project Costs ..... * Round Costs to Nearest Dollar	▶ <u>\$4,223,965.00</u> Total of Real & Personal Costs

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

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements ▶	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	8/1/14	12/30/15	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. **136**      ▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. **51**

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

a. TV of Real Property (excluding land) .....	_____
b. TV of Personal Property (excluding inventory) .....	_____
c. Total TV .....	_____

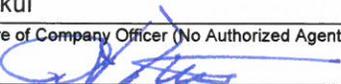
▶ 12a. Check the type of District the facility is located in:  
 Industrial Development District       Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit)      ▶ 12c. Is this application for a speculative building (Sec. 3(8))?  
 Yes       No

**APPLICANT CERTIFICATION - complete all boxes.**

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

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

13a. Preparer Name Lisa Owens	13b. Telephone Number (248) 280-7426	13c. Fax Number (248) 280-7416	13d. E-mail Address lisa.owens@toyodagosei.com
14a. Name of Contact Person John Wells	14b. Telephone Number (248) 280-7312	14c. Fax Number (248) 280-7416	14d. E-mail Address john.wells@toyodagosei.com
▶ 15a. Name of Company Officer (No Authorized Agents) Hiroki Fukui			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 9/30/2014
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1400 Stephenson Hwy, Troy MI 48083		15f. Telephone Number (248) 286-2676	15g. E-mail Address hiroki.fukui@toyodagosei.com

**LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.**

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

▶ 16. Action taken by local government unit <input checked="" type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), <u>9</u> Yrs Pers (1-12) After Completion <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit <b>Check or Indicate N/A if Not Applicable</b> <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.		16c. LUCI Code <b>63223</b>	
17. Name of Local Government Body <b>City of TROY</b>		16d. School Code <b>63150</b>	
		▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk <b>Aileen Bittner</b>	19c. E-mail Address <b>BittnerA@troy.mi.gov</b>
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) <b>500 W Big Beaver, Troy, MI. 48084</b>		
19e. Telephone Number <b>248-524-3311</b>	19f. Fax Number <b>248-524-1770</b>	

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

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

State Tax Commission  
Michigan Department of Treasury  
P.O. Box 30471  
Lansing, MI 48909-7971

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

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

## TGNA Building Renovation Planned Spend

		Timing	Budget
<i>Renovation 1st Floor</i>			
	<i>New Training room, paint, new carpet, new conference rooms, remodel lobby / guest area, new employee cafeteria, storage room and quality / warrenty area, remodel men's and women bathroom and new display area</i>	<i>Sept. 2014 - Jan 2015</i>	
<i>Renovation - 2nd Floor</i>			
	<i>Paint, remodel men's and women's bathrooms, remodel engineering conference room, remodel refresh space</i>	<i>Dec 2014 - Feb 2015</i>	
<i>Renovation - 3rd Floor</i>			
	<i>Paint, remodel men's and women's bathrooms, new Executive area (paint, carpet), and remodel refresh space</i>	<i>Dec 2015- Mar 2015</i>	
<b>1. Infrastructure</b>	New Roof	Oct-15	\$2,900,000.00
	HVAC	Sept. 2014 - Mar 2015	
	Seal Windows	Sept. 2014	
	Parking Lot / Concrete	Oct. 2014	
	Sidewalk Concrete / New Truckwell	TBD	
	Paint Stairwells	Sept. 2014	
	Add Smart Technology / training rooms	Nov. 2014 - Mar. 2015	
<b>2. Productivity</b>	Relocate Chillers	Sept. 2014	
	Tuck point exterior brick	Sept. 2014	
	New Furniture (gathering spaces, cafeteria, patio, executive area, etc)	Oct. 2014 - Feb. 2015	
	Patio	Spring 2015	
<b>3. Extra</b>	Landscaping - exterior of building (Spring 2015)	Spring 2015	
<b>Total</b>			<b>\$2,900,000.00</b>

Toyoda Gosei North America  
 Actual Capital Equipment Spend from 1/29/2014 Through 8/31/14

G/L Detail Report

Date	Explanation	Explanation -Remark-	Amount	Invoice Number
1/31/2014	TATA TECHNOLOGIES INC.	Network Appliance FAS2240	20,319.98	197060452
2/5/2014	HEWLETT- PACKARD	HP Z420 F8H28US#ABA	93.00	53885237
2/5/2014	HEWLETT- PACKARD	HP Z420 F8H28US#ABA	2,114.87	53896017
2/18/2014	CDW DIRECT (REMIT TO)	MacBook Pro 13 Inch	2,816.22	JX43264
2/28/2014	COMERICA BANK	Windows Surface Pro 2 Tablet	1,377.99	COMERICA 02.28.14
3/31/2014	PRESIDIO NETWORKED SOLUTIONS	VOIP Upgrade for all North	6,348.06	40416256
4/13/2014	PRESIDIO NETWORKED SOLUTIONS	VOIP Upgrade for all North	1,074.31	40418403
5/8/2014	HEWLETT- PACKARD	CAD/CAE License Server - HP	7,175.96	54301829
5/25/2014	DELL MARKETING L.P.	25 laptops, for TGNA employees	29,846.20	XIDXJ5RR1
6/3/2014	TELNET GROUP, INC.	New Voicemail System	4,535.74	52479
6/18/2014	HEWLETT- PACKARD	CAE Workstations (2)-HP Z420s	196.68	54467792
6/20/2014	HEWLETT- PACKARD	CAE Workstations (2)-HP Z420s	4,050.74	54482806
7/1/2014	HEWLETT- PACKARD	CAE Workstations (2)-HP Z420s	1,975.65	54530383
7/7/2014	CONFERENCEING ADVISORS, INC.	LifeSize system hardware for	4,531.00	6640
8/29/2014	DELL MARKETING L.P.	Latitude 15 5000 Series (Todd	1,371.68	XJJCJT47

Total \$ 87,828.08

**Capital Equipment for TGNA Troy Location for Yearsw 2014 - 2016**

ITEMS	2014 Sep-Dec		2015		2016	
	Purchased		Purchased		Purchased	
PC	\$20,000		\$18,000		\$9,000	
Laptop	\$28,000		\$56,000		\$21,000	
VDI	\$190,000					
VDI Zero Clients			\$28,890		\$21,375	
VPBX	\$169,000		\$25,000		\$25,000	
Lease on AS/400	\$55,500		\$74,000			
Cloud Lease on AS/400			\$156,000		\$234,000	
VC			\$10,800			
Switches					\$64,000	
Access Points			\$8,400			
Blade servers					\$75,000	
D2D Backup Devices					\$30,000	
Firewall			\$5,000			
	\$462,500		\$382,090		\$479,375	

Total \$1,323,965

Applicant Name <b>Toyoda Gosei NA Corp</b>
---

## Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

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

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

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

### LOCAL UNIT CERTIFICATION

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

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



**TOYODA GOSEI**

**Toyoda Gosei  
North America Corporation**  
1400 Stephenson Highway  
Troy, Michigan 48083 USA  
Phone: 248.280.2100  
Fax: 248.280.2110  
www.toyodagosei.com

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January 24, 2014

Leger A. (Nino) Licari | MMAO (4), PPE  
City Assessor – City of Troy  
500 W. Big Beaver  
Troy, MI 48084

Dear Mr. Licari,

This is Toyoda Gosei North America Corporation Letter of Intent to request the City of Troy Michigan to establish an industrial development district at 1400 Stephenson Hwy, Troy Michigan. This Letter of Intent request is for our Tax Abatement application.

Regards,

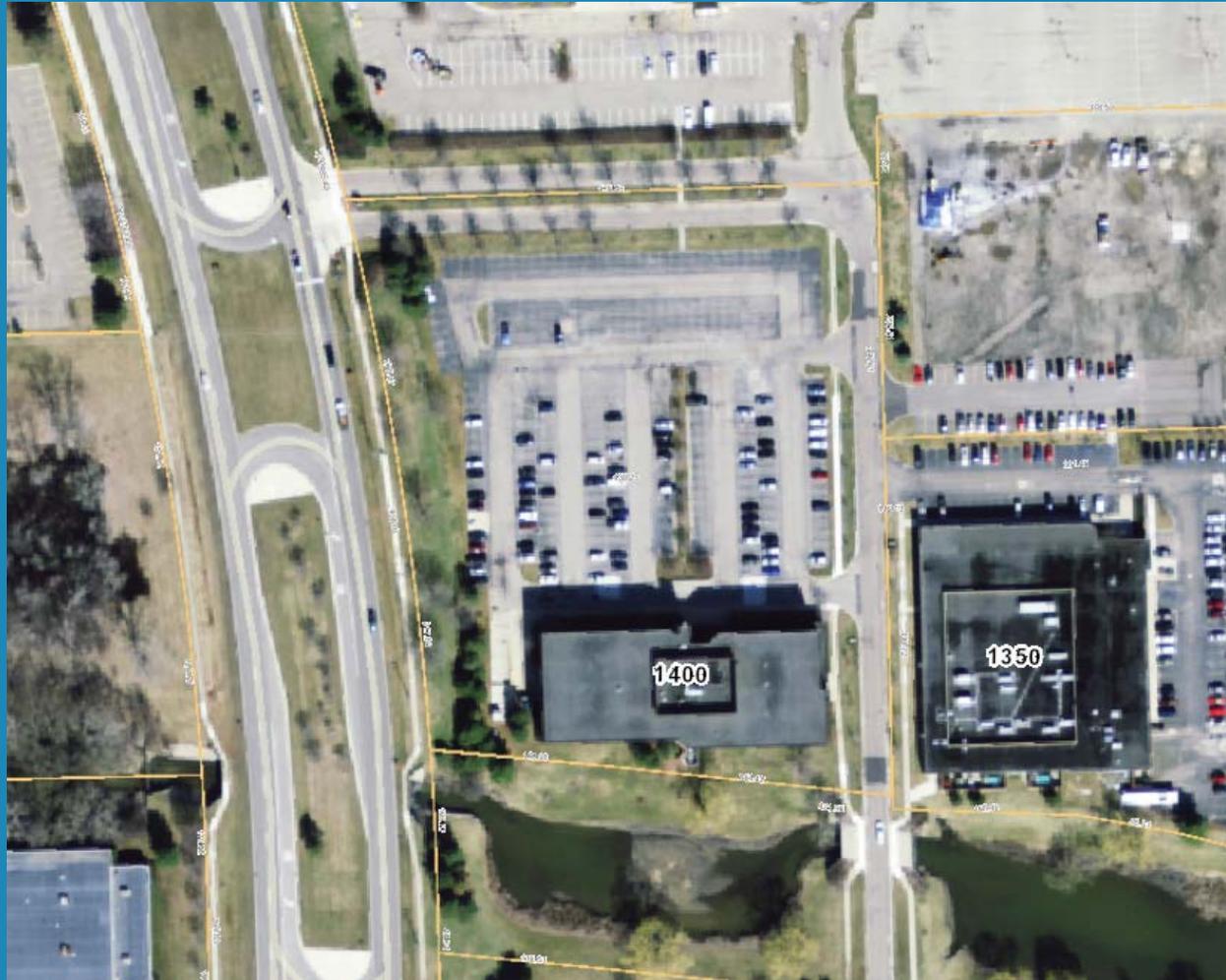
Hiroki Fukui  
Executive Vice President  
Toyoda Gosei North America Corporation

88-20-35-126-024  
1400 Stephenson  
Toyoda Gosei  
Aerial View  
IDD & IFEC



# GIS Online

Legend:  
Parcels



Notes:

Map Scale: 1=173  
Created: January 23, 2014



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



# GIS Online



### Legend:

#### Parcels

- Building Footprints 1
- <all other values>
- GOVERNMENT - CITYHALL
- GOVERNMENT - COMMUNITY CENTE
- GOVERNMENT - DISRTICT COURT
- GOVERNMENT - FIRE STATION
- GOVERNMENT - LIBRARY
- GOVERNMENT - POLICE
- GOVERNMENT - POST OFFICE
- GOVERNMENT - RECREATION
- PLACE OF WORSHIP
- SCHOOL

#### Building Footprints 2

- <all other values>
- GOVERNMENT - CITYHALL
- GOVERNMENT - COMMUNITY CENTE
- GOVERNMENT - DISRTICT COURT
- GOVERNMENT - FIRE STATION
- GOVERNMENT - LIBRARY
- GOVERNMENT - POLICE
- GOVERNMENT - POST OFFICE
- GOVERNMENT - RECREATION
- PLACE OF WORSHIP
- SCHOOL

#### Hydrography Poly 5

- Streams
- Lakes And Ponds

### Notes:

Map Scale: 1=173  
 Created: January 23, 2014



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

88-20-35-126-024  
1400 Stephenson  
Toyoda Gosei  
IDD & IFEC

**Legal Description:**

T2N, R11E, SEC 35  
ROBBINS EXECUTIVE PARK WEST NO 3  
PART OF LOT 10, ALSO  
PART OF LOT 11 OF  
'ROBBINS EXECUTIVE PARK WEST NO 4'  
ALL DESC AS  
BEG AT NW COR OF SD LOT 11,  
TH S 89-14-30 E 476.26 FT,  
TH S 01-13-00 W 546.61 FT,  
TH N 81-30-18 W 254.42 FT,  
TH N 81-57-54 W 160.98 FT  
TO POINT ON ELY R/W LINE  
OF STEPHENSON HWY,  
TH ALG SD ELY R/W LINE  
ALG CURVE TO LEFT,  
RAD 2985.49 FT,  
CHORD BEARS  
N 06-12-25 W 495.61 FT,  
DIST OF 496.18 FT  
TO BEG  
5/21/85 FR 013 & 023

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

<b>Market Value</b>	4,223,965	3,759,329	2,857,090	1,914,250	1,148,550	620,217	303,906	136,758	57,438	21,827
<b>50% of Value</b>	2,111,983	1,879,664	1,428,545	957,125	574,275	310,109	151,953	68,379	28,719	10,913
<b>Year</b>		<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Depreciation</b>		0.8900	0.7600	0.6700	0.6000	0.5400	0.4900	0.4500	0.4200	0.3800
<b>Taxable Value</b>		1,879,664	1,428,545	957,125	574,275	310,109	151,953	68,379	28,719	10,913

<b>Taxing Authority</b>	<b>100% of Millage</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>	<b>Taxes</b>
Trans	0.59000	\$1,109.00	\$842.84	\$564.70	\$338.82	\$182.96	\$89.65	\$40.34	\$16.94	\$6.44
County	4.64610	\$8,733.11	\$6,637.16	\$4,446.90	\$2,668.14	\$1,440.80	\$705.99	\$317.70	\$133.43	\$50.70
Zoo	0.10000	\$187.97	\$142.85	\$95.71	\$57.43	\$31.01	\$15.20	\$6.84	\$2.87	\$1.09
Int Schools	3.36900	\$6,332.59	\$4,812.77	\$3,224.55	\$1,934.73	\$1,044.76	\$511.93	\$230.37	\$96.75	\$36.77
Comm Coll	1.58440	\$2,978.14	\$2,263.39	\$1,516.47	\$909.88	\$491.34	\$240.75	\$108.34	\$45.50	\$17.29
State Ed	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Op	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.95000	\$9,304.34	\$7,071.30	\$4,737.77	\$2,842.66	\$1,535.04	\$752.17	\$338.48	\$142.16	\$54.02
Hold Harmless	5.55630	\$10,443.98	\$7,937.42	\$5,318.07	\$3,190.84	\$1,723.06	\$844.30	\$379.93	\$159.57	\$60.64
Admin	0.15240	\$286.45	\$217.70	\$145.86	\$87.52	\$47.26	\$23.16	\$10.42	\$4.38	\$1.66
City	10.50000	\$19,736.48	\$14,999.72	\$10,049.81	\$6,029.89	\$3,256.14	\$1,595.51	\$717.98	\$301.55	\$114.59
<b>Total</b>	<b>31.44820</b>	<b>\$59,112.05</b>	<b>\$44,925.16</b>	<b>\$30,099.86</b>	<b>\$18,059.91</b>	<b>\$9,752.35</b>	<b>\$4,778.65</b>	<b>\$2,150.39</b>	<b>\$903.17</b>	<b>\$343.20</b>

**Total Taxes 9 Yrs** \$170,124.76

**Total City Taxes 9 Yrs** \$56,801.67

50% Total Taxes 9 Yrs	\$85,062.38	Net Total Taxes Abated
50% Total City Taxes 9 yrs	\$28,400.83	Net Total City Taxes Abated
2% Total City 9 Yrs	\$568.02	Application Fee (2% total city)

**I-4 Amending the Personal Property Tax Abatement Policy**

Resolution #2010-08-173

Moved by Beltramini

Seconded by Kerwin

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

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

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

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

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

Tax Abatement Matrix for Real and Personal Property					
51 Job Creation		Building Terms		RP and/or PP Investment \$4.2M	
10 - 24	1 year	Own	4 years	\$ 750,000	1 year
25 - 49	2 years	Lease		\$ 2,000,000	2 years
50 - 99	3 years	5 year	1 Year	\$ 5,000,000	3 years
100 - 149	4 years	6 - 9 year	2 years	\$ 10,000,000	4 years
150 - 199	5 years	10 + year	4 years	\$ 20,000,000	5 years
200 +	6 years				

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

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

No: Howrylak

**MOTION CARRIED**

September 9, 2014

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

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

Re: Affidavit of Application Fees For IFEC  
Toyoda Gosei North America Corp.  
PA 198 Tax Abatement

This affidavit attests to the fact that the City of Troy has charged an application fee in the amount of \$568.02, equal to 2% of the estimated abated City taxes for the life of the exemption for Toyoda Gosei NA, at 1400 Stephenson, Troy MI.

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

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

\_\_\_\_\_  
Dated:

\_\_\_\_\_  
Signed: Toyoda Gosei North America Corp.

\_\_\_\_\_  
Dated:

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

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

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Toyoda Gosei NA Corp.**, understands that through its investment of \$4,223,965, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is 9 years after either completion of construction of the facilities, or December 31, 2025, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2016, **Toyoda Gosei NA Corp.**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Toyoda Gosei NA Corp.**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

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

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

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

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

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

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

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

Signed: \_\_\_\_\_ (date) \_\_\_\_\_

Name:

Title:

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

Signed: \_\_\_\_\_ (date) \_\_\_\_\_  
M. Aileen Bittner  
City Clerk

**AFFIDAVIT OF PUBLICATION, POSTING & MAILING**

**State of Michigan**  
**County of Oakland**  
**City of Troy**

**RE: PUBLIC HEARING:**

Council/Board/Committee: City Council  
Day: Monday  
Date: November 10, 2014  
Time: 7:30 PM

To consider the following: the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp.  
Address: 1400 Stephenson  
Parcel ID#: 88-20-35-126-024  
Section: 35

I hereby certify that the attached notice was E-mailed to the Somerset Gazette Newspapers on: October 14, 2014

For publication on: October 20, 2014

*Cheryl A Stewart*

\_\_\_\_\_  
Cheryl A. Stewart  
Admin Aide

I hereby certify that the attached notice was posted to the City of Troy website on: October 14, 2014

I further certify that the mailing is scheduled to be mailed by first class mail by the City Clerk's Office on: October 14, 2014

*Cheryl A Stewart*

\_\_\_\_\_  
Cheryl A. Stewart  
Admin Aide

**POSTED:** October 14, 2014  
**PUBLISHED:** October 20, 2014

## Cheryl A Stewart

---

**From:** Cheryl A Stewart  
**Sent:** Tuesday, October 14, 2014 10:03 AM  
**To:** 'editor@troy-somersetgazette.com'; 'Patti Sweitzer'  
**Cc:** Clerks  
**Subject:** PUBLISH: October 20, 2014 20141110 IDD-IFEC Toyoda Gosei NA Corp, 1400 Stephenson  
**Attachments:** 20141110 IDD-IFEC Toyoda Gosei NA Corp, 1400 Stephenson.doc

Cindy and/or Patti,

Would you please publish the attached Notice of Public Hearing in the **October 20, 2014** edition of the Somerset Gazette?

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

Thanks,

**Cheryl A. Stewart** | Admin Aide

[City of Troy](#) | [City Clerk's Office](#) | 500 W. Big Beaver Troy MI 48084-5254 | Office: 248.524.3316 | Fax 248.524.1770 | [troymi.gov](http://troymi.gov)  

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

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, November 10, 2014, at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., at the following location:

88-20-35-126-024 1400 Stephenson, Troy, MI. 48083  
T2N, R11E, Section 35

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

---

M. Aileen Bittner, City Clerk

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

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

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

OAKLAND INTERMEDIATE SCHLS  
2111 PONTIAC LAKE  
WATERFORD MI 48328

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

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

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

TOYODA GOSEI NA  
Attn: LISA OWENS  
1400 STEPHENSON  
TROY MI 48083

---

**I-## Establishment of an Industrial Development District (IDD) at 1400 Stephenson**

Suggested Resolution

Resolution #2014-

Moved by

Seconded by

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

WHEREAS, Toyoda Gosei NA Corp. 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 November 10, 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 1400 Stephenson, Troy, MI. 48083, Parcel #88-20-35-126-024, in accordance with City Council Policy Resolution #2010-08-173; and

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

Yes:

No:



## CITY COUNCIL AGENDA ITEM

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Date: November 10, 2014

To: Brian Kischnick, City Manager

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

Subject: Public Hearing for the granting of an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., 1400 Stephenson

---

### **Background:**

Toyoda Gosei NA Corp. has purchased the property at 1400 Stephenson. They are in the process of renovating the facility so they may consolidate operations in Troy.

The building has been partially vacant for several years, and is uniquely suited for their consolidation.

They will invest over \$4.2 million in equipment and renovations, and will be bringing an additional 51 jobs to the existing 136 that are currently located there.

In January of 2014 they submitted a Letter of Intent to apply for tax abatement at the site.

They have applied to have an Industrial Development District established at the site so that they may apply for personal property tax abatement for a 9 year period. If granted, they will save approximately \$85,000 on their overall tax bill. Of that amount, \$28,400 would be City tax savings.

### **Financial Considerations:**

Based on their ownership of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for a nine (9) year abatement under Council Policy Resolution #2010-08-173.

The \$4,223,965 investment would generate approximately \$170,124.76 in total taxes over nine (9) years, of which \$56,801.67 would be City taxes.



## CITY COUNCIL AGENDA ITEM

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The abatement would therefore save the company \$85,062.38 over its life. The City would realize \$28,400.83 in taxes that it does not currently receive.

### **Legal Considerations:**

The site meets all legal and Policy Resolution criteria necessary for granting an IFEC.

### **Policy Considerations:**

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

### **Options:**

City Council may approve the tax abatement. Or, City Council may choose to deny any tax abatement. The company would then appeal this decision to the State Tax Commission (STC).

NI/nl H:IFT\Toyoda Gosei 2014\Memo IFEC Toyoda Gosei.11.10.14

**AFFIDAVIT OF PUBLICATION, POSTING & MAILING**

**State of Michigan**  
**County of Oakland**  
**City of Troy**

**RE: PUBLIC HEARING:**

Council/Board/Committee: City Council  
Day: Monday  
Date: November 10, 2014  
Time: 7:30 PM

To consider the following: the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp.  
Address: 1400 Stephenson  
Parcel ID#: 88-20-35-126-024  
Section: 35

I hereby certify that the attached notice was E-mailed to the Somerset Gazette Newspapers on: October 14, 2014

For publication on: October 20, 2014

*Cheryl A Stewart*

\_\_\_\_\_  
Cheryl A. Stewart  
Admin Aide

I hereby certify that the attached notice was posted to the City of Troy website on: October 14, 2014

I further certify that the mailing is scheduled to be mailed by first class mail by the City Clerk's Office on: October 14, 2014

*Cheryl A Stewart*

\_\_\_\_\_  
Cheryl A. Stewart  
Admin Aide

**POSTED:** October 14, 2014  
**PUBLISHED:** October 20, 2014

## Cheryl A Stewart

---

**From:** Cheryl A Stewart  
**Sent:** Tuesday, October 14, 2014 10:03 AM  
**To:** 'editor@troy-somersetgazette.com'; 'Patti Sweitzer'  
**Cc:** Clerks  
**Subject:** PUBLISH: October 20, 2014 20141110 IDD-IFEC Toyoda Gosei NA Corp, 1400 Stephenson  
**Attachments:** 20141110 IDD-IFEC Toyoda Gosei NA Corp, 1400 Stephenson.doc

Cindy and/or Patti,

Would you please publish the attached Notice of Public Hearing in the **October 20, 2014** edition of the Somerset Gazette?

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

Thanks,

**Cheryl A. Stewart** | Admin Aide

[City of Troy](#) | [City Clerk's Office](#) | 500 W. Big Beaver Troy MI 48084-5254 | Office: 248.524.3316 | Fax 248.524.1770 | [troymi.gov](http://troymi.gov)  

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

**CITY OF TROY**  
**PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, November 10, 2014, at 7:30 P.M. to consider the establishment of an Industrial Development District (IDD) and the granting of an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., at the following location:

88-20-35-126-024 1400 Stephenson, Troy, MI. 48083  
T2N, R11E, Section 35

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

---

M. Aileen Bittner, City Clerk

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

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

OAKLAND COMMUNITY COLLEGE  
CLARENCE E BRANTLEY  
2480 OPDYKE  
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2111 PONTIAC LAKE  
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250 ELIZABETH LAKE RD 1000 W  
PONTIAC MI 48341

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

TOYODA GOSEI NA  
Attn: LISA OWENS  
1400 STEPHENSON  
TROY MI 48083

**E - 01 Request for Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., at 1400 Stephenson, Troy, MI. 48083**

Suggested Resolution

Resolution # 2014-

Moved by:

Seconded by:

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on November 10, 2014, established an Industrial Development District (IDD) for property known as 1400 Stephenson, Troy, MI. 48083, Parcel # 88-20-35-126-024; and

WHEREAS, An Application has been submitted by Toyoda Gosei NA Corp. for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1400 Stephenson, Troy, MI. 48083 for nine (9) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on November 10, 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 Toyoda Gosei NA Corp. at 1400 Stephenson, Troy, MI. 48083 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 Toyoda Gosei NA Corp., at 1400 Stephenson, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., at 1400 Stephenson, Troy, MI. 48083, Parcel # 88-20-35-126-024, for personal property for a term of Nine (9) years **after completion, CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Toyoda Gosei NA Corp., and the payment of the fees in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Toyoda Gosei NA Corp., a copy of which shall be **ATTACHED** to the original minutes of this meeting; and

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

Yes:

No:



## CITY COUNCIL AGENDA ITEM

---

Date: November 3, 2014  
To: Brian Kischnick, City Manager  
From: Beth Tashnick, Office Coordinator  
Subject: 2015 City Council Meeting Schedule

---

### **History**

According to the City Charter Chapter 4.1 – Regular Meetings:

*“The Council shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month.”*

According to the City Council Rules of Procedure for the City Council of Troy, Michigan part 5:

*“Regular meetings shall be held in the Council Chambers at 7:30 P.M. Meeting dates will be established, by resolution, prior to the end of the preceding calendar year.”*

All Liquor Violation Hearings and Special Study Sessions will be scheduled at 6:00 P.M. in the Council Boardroom unless otherwise noted.

### **Recommendation**

The following 2015 Regular Meeting dates are recommended:

Monday, January 12 & 26  
Monday, February 9 & 23  
Monday, March 9 & 23  
Monday, April 13 & 20  
Monday, May 11 & 18  
Monday, June 8 & 22  
Monday, July 6 & 20  
Monday, August 10 & 24  
Monday, September 14 & 28  
Monday, October 12 & 26  
Monday, November 9 & 23  
Monday, December 7 & 14



## CITY COUNCIL AGENDA ITEM

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The following 2015 Budget Special Study Session dates are recommended:

Monday, April 27  
Wednesday, April 29

The following 2015 Regular Liquor Violation Hearing dates are recommended:

Monday, February 9  
Monday, March 9



## CITY COUNCIL AGENDA ITEM

Date: November 10, 2014

To: Brian Kischnick, City Manager

From: Timothy Richnak, Public Works Director

Subject: Winter Maintenance Agreement, Road Commission for Oakland County  
(Introduced by: Timothy Richnak, DPW)

### **History**

Since 2001 the City of Troy has serviced all county roads in Troy for snow and ice control. The amount of compensation to the City has not increased since the 2007/2008 Winter Maintenance Agreement (\$249,691), which does not cover costs but does provide for a higher level of service by the City. The higher level of service has cost the City an average of \$98,130 per year, with expenditures in 2002 amounting to \$41,811 less than what was received by the Road Commission for Oakland County (RCOC) and last year's expenditures exceeding revenues received by \$387,224. For detailed expense information refer to the Road Commission of Oakland County Winter Maintenance Contract Expense History graph.

The extremely harsh winter of 2013/14, with record snowfall has escalated salt prices. The seasonal back-up salt prices have more than doubled from \$36.77 to \$76.61 per ton, due to the supply of mined salt. A substantial increase in salt prices was also triggered after a severe winter in 2008/2009. See "Seasonal Back-Up Salt Prices" line chart for historical salt price data.

Attached are copies of the proposed 2014/2015 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy.

It is evident that this agreement is beneficial to the residents, businesses and traveling public with regards to the level and timeliness of service. The City is able to administer snow and ice control in a more timely and uniform manner to these high priority roads, while allowing the county to concentrate on its highest priority roads, I-75 and M-59.

### **Financial**

Funds are budgeted and available in the winter maintenance operating budgets for county snow and ice control (Labor 101.502.7702, Materials 101.502.7774.115 and Equipment 101.502.7943).

### **Recommendation**

City Management is in agreement with the measured lane mile figures as presented, and with the calculations used to determine the level of compensation for each road configuration; therefore we recommend that the proposed maintenance agreement be approved with funding that is attached to the road segment selected by City Council.

### **City Attorney's Review as to Form and Legality**

\_\_\_\_\_  
Lori Grigg Bluhm, City Attorney

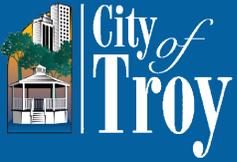
\_\_\_\_\_  
Date



# CITY COUNCIL AGENDA ITEM

Road Commission of Oakland County Winter Maintenance Contract Expense History															Total	% of Expenses
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014			
Personal Services	\$ 67,971	\$ 109,889	\$ 85,042	\$ 122,384	\$ 87,472	\$ 93,444	\$ 173,673	\$ 125,799	\$ 69,447	\$ 113,287	\$ 49,177	\$ 61,799	\$ 231,716	\$ 1,391,100	31.7%	
Vehicles & Equipment	\$ 39,260	\$ 73,090	\$ 62,263	\$ 88,718	\$ 57,674	\$ 58,122	\$ 112,434	\$ 117,084	\$ 56,849	\$ 79,109	\$ 42,838	\$ 62,300	\$ 185,740	\$ 1,035,481	23.6%	
Salt and Supplies	\$ 64,128	\$ 128,162	\$ 118,385	\$ 167,386	\$ 128,565	\$ 120,004	\$ 257,666	\$ 238,349	\$ 114,949	\$ 191,836	\$ 81,388	\$ 123,749	\$ 219,459	\$ 1,954,026	44.6%	
<b>Totals Expense</b>	\$ 171,359	\$ 311,141	\$ 265,690	\$ 378,488	\$ 273,711	\$ 271,570	\$ 543,773	\$ 481,232	\$ 244,114	\$ 384,232	\$ 173,403	\$ 247,848	\$ 636,915	\$ 4,383,476		
<b>RCOC Contract Amount</b>	\$ 213,170	\$ 219,565	\$ 226,152	\$ 230,676	\$ 235,289	\$ 239,995	\$ 244,795	\$ 249,691	\$ 249,691	\$ 249,691	\$ 249,691	\$ 249,691	\$ 249,691	\$ 3,107,788		
<b>Net Cost to City</b>	\$ 41,811	\$ 91,576	\$ 39,538	\$ 147,812	\$ 38,422	\$ 31,575	\$ 298,978	\$ 231,541	\$ 5,577	\$ 134,541	\$ 76,288	\$ 1,843	\$ 387,224	\$ 1,526,726		
<b>Average Net Cost to City / Year</b>		\$ 98,130														





City of Troy  
**Roadway  
Jurisdiction**

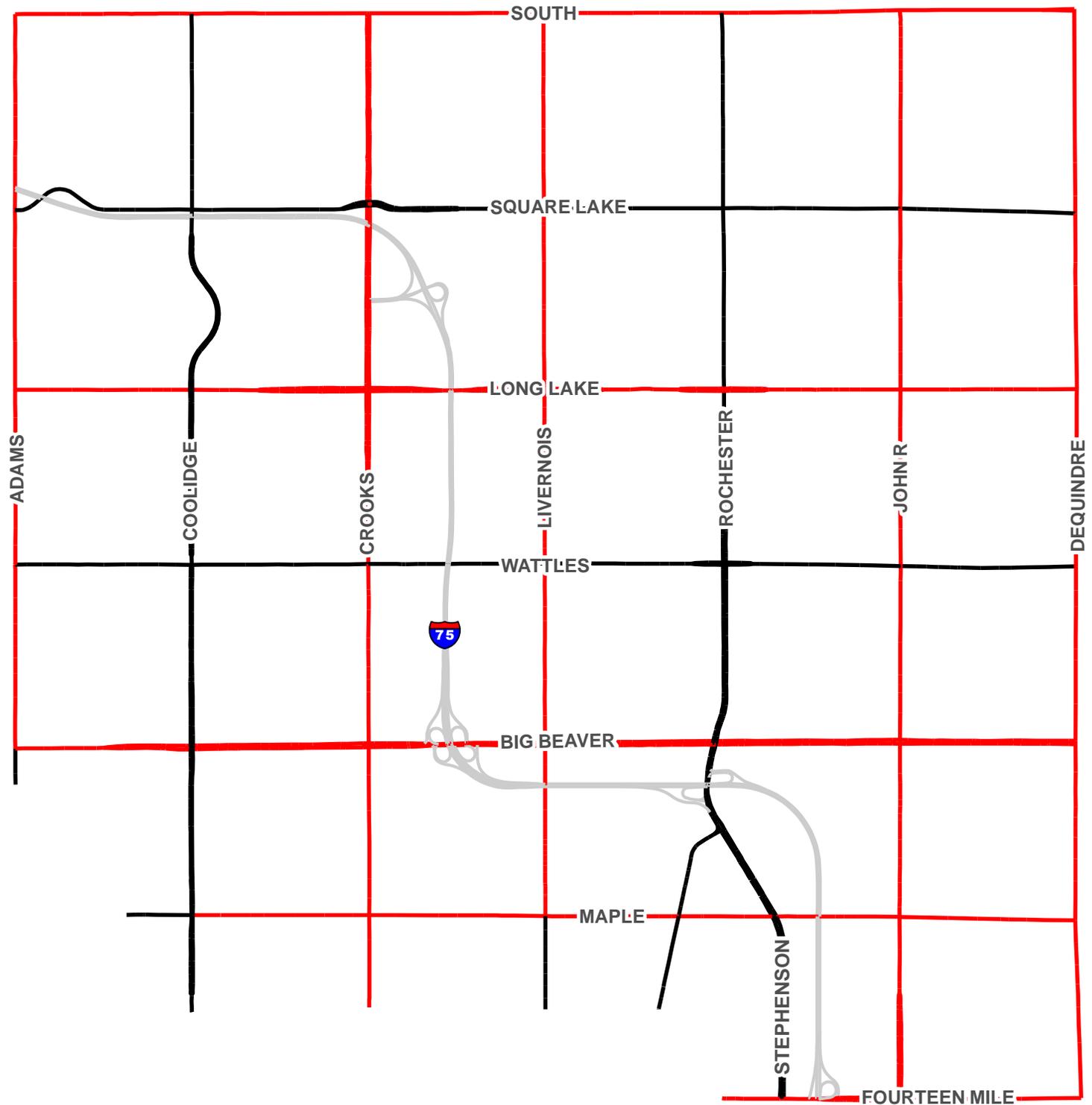
-  Troy
-  Oakland County
-  State



**CONTACT INFORMATION:**

**Troy Public Works**  
248-524-3392  
<http://troymi.gov/>

**Oakland County Road Commission**  
248-858-4804  
<http://www.rcocweb.org/default.aspx>





QUALITY LIFE THROUGH GOOD ROADS:  
ROAD COMMISSION FOR OAKLAND COUNTY  
"WE CARE."

Board of Road Commissioners

Ronald J. Fowkes  
Commissioner

Gregory C. Jamian  
Commissioner

Eric S. Wilson  
Commissioner

Dennis G. Kolar, P.E.  
Managing Director

Gary Plotrowicz, P.E., P.T.O.E.  
Deputy Managing Director  
County Highway Engineer

Maintenance  
Department  
Headquarters

2420 Pontiac Lake Road  
Waterford, MI  
48328

248-858-4881

FAX  
248-858-7607

TDD  
248-858-8005

www.rcocweb.org

August 15, 2014

Mr. Timothy Richnak  
Director of Public Works  
City of Troy  
500 West Big Beaver Road  
Troy, Michigan 48084-5285

RE: 2014-2015 Winter Maintenance Agreement

Dear Mr. Richnak:

Attached are two copies of a Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your City Council. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in any way to provide our citizens with the best road system possible.

We request that your signed agreement be returned to us no later than the end of November, so that we may present the agreement to our Board prior to the end of the year, which will allow RCOC to make payments per the agreement.

Sincerely,

Darryl M. Heid, P.E.  
Director of Highway Maintenance

/slp  
Attachment

2014-2015 WINTER MAINTENANCE AGREEMENT  
CITY OF TROY

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2014, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the “Board,” and the City of Troy, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. “Winter Maintenance,” herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board’s maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board’s standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$249,691.36, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

35% in December, 2014  
65% in March, 2015

The making of said payments shall constitute the Board's entire obligation in reference to Winter Maintenance.

#### IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees of the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 10 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

#### V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

#### VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

#### VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the

individual's ability to perform the duties of a particular job or position.. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2014, and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2015, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of \_\_\_\_\_, and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_, (copy attached as Exhibit C).

Witnesses:

CITY OF TROY  
A Municipal Corporation

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

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

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

EXHIBIT A  
WINTER MAINTENANCE  
2014-2015  
CITY OF TROY

EXHIBIT A

Long Lake Road

Extending from Adams to Dequindre

1.54 miles at \$3,252.78 per mile	\$ 5,009.28
0.16 miles at \$4,615.14 per mile	\$ 738.42
3.47 miles at \$5,692.38 per mile	\$ 19,752.56
0.86 miles at \$7,020.96 per mile	<u>\$ 6,038.03</u>
TOTAL	\$ 31,538.29

John R Road

Extending from Fourteen Mile Road to South Boulevard

1.15 miles at \$3,252.78 per mile	\$ 3,740.70
0.32 miles at \$4,615.14 per mile	\$ 1,476.84
4.37 miles at \$5,692.38 per mile	\$ 24,875.70
0.38 miles at \$7,020.96 per mile	<u>\$ 2,667.96</u>
TOTAL	\$ 32,761.20

Big Beaver

Extending from Adams to Dequindre

3.40 miles at \$5,692.38 per mile	\$ 19,354.09
2.61 miles at \$7,020.96 per mile	<u>\$ 18,324.71</u>
TOTAL	\$ 37,678.80

Crooks Road

Extending from Maple Road to South Boulevard

0.38 miles at \$3,252.78 per mile	\$ 1,236.06
0.26 miles at \$4,615.14 per mile	\$ 1,199.94
3.08 miles at \$5,692.38 per mile	\$ 17,532.53
1.40 miles at \$7,020.96 per mile	<u>\$ 9,829.34</u>
TOTAL	\$ 29,797.87

Livernois Road

Extending from Maple Road to South Boulevard

1.31 miles at \$3,252.78 per mile	\$ 4,261.14
0.34 miles at \$4,615.14 per mile	\$ 1,569.15
3.05 miles at \$5,692.38 per mile	\$ 17,361.76
0.43 miles at \$7,020.96 per mile	<u>\$ 3,019.01</u>
TOTAL	\$ 26,211.06

CITY OF TROY  
EXHIBIT A  
(Continued)

Maple Road

Extending from Dequindre to Coolidge  
5.01 Miles at \$5,692.38 per mile

\$ 28,518.83

South Boulevard

Extending from Dequindre to Adams  
5.96 Miles at \$3,252.78 per mile

\$ 19,386.57

Dequindre Road

Extending from Fourteen Mile to South Boulevard  
2.16 Miles at \$3,252.78 per mile  
3.98 Miles at \$5,692.38 per mile  
TOTAL

\$ 7,026.00

\$ 22,655.67

\$ 29,681.67

Adams Road

Extending from South Troy City Limits to South Boulevard  
4.34 Miles at \$3,252.78 per mile

\$ 14,117.07

TOTAL

\$249,691.36

CITY OF TROY  
 EXHIBIT A  
 (Continued)

TWO LANES

(\$3,252.78 per mile)

1.54 miles	\$ 5,009.28
1.15 miles	\$ 3,740.70
0.38 miles	\$ 1,236.06
1.31 miles	\$ 4,261.14
5.96 miles	\$ 19,386.57
2.16 miles	\$ 7,026.00
<u>4.34 miles</u>	<u>\$ 14,117.07</u>
16.84 miles	\$ 54,776.82

THREE LANES

(\$4,615.14 per mile)

0.16 miles	\$ 738.42
0.32 miles	\$ 1,476.84
0.26 miles	\$ 1,199.94
<u>0.34 miles</u>	<u>\$ 1,569.15</u>
1.08 miles	\$ 4,984.35

FOUR OR FIVE LANES

(\$5,692.38 per mile)

3.47 miles	\$ 19,752.56
4.37 miles	\$ 24,875.70
3.40 miles	\$ 19,354.09
3.08 miles	\$ 17,532.53
3.05 miles	\$ 17,361.76
5.01 miles	\$ 28,518.83
<u>3.98 miles</u>	<u>\$ 22,655.67</u>
26.36 miles	\$150,051.14

SIX OR MORE LANES

(\$7,020.96 per mile)

0.86 miles	\$ 6,038.03
0.38 miles	\$ 2,667.96
2.61 miles	\$ 18,324.71
1.40 miles	\$ 9,829.34
<u>0.43 miles</u>	<u>\$ 3,019.01</u>
5.68 miles	\$ 39,879.05

TOTAL 49.96 miles \$249,691.36

35% in December, 2014	\$ 87,391.98
65% in March, 2015	<u>\$162,299.38</u>
	<u>\$249,691.36</u>

**EXHIBIT B**

**2014-2015 WINTER MAINTENANCE AGREEMENT**

**ROAD COMMISSION FOR OAKLAND COUNTY**

**INSURANCE PROVISION  
(CITY)**

Insurance Coverage:

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

- a. **Worker's Compensation and Employer's Liability Insurance:** The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$500,000
Disease – Each Employee	\$500,000
Disease – Policy Limit	\$500,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. **Bodily Injury and Property Damage:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

- 1. **Bodily Injury and Property Damage Other Than Automobile:** The minimum limits of property damage and bodily injury liability covering each contract shall be:

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

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

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

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

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

See provisions of the maintenance agreement to which this Exhibit B is attached.



# CITY COUNCIL ACTION REPORT

Date: November 10, 2014

To: Honorable Mayor and City Council

From: Brian M. Kischnick, City Manager  
 Lori Grigg Bluhm, City Attorney *LG*  
 Gary G. Mayer, Chief of Police *GGM* *FN* *Acost*

Subject: Recommendation: Eighteen Month Review of the Amendments to Troy City Code Chapter 77, Smoking Lounges Hours of Operations

### Background

Prior to May of 2013, several incidents occurred at Hookah establishments in the City of Troy. Hookah establishments attracted large crowds which resulted in overflow parking into nearby businesses, often leaving behind debris. These large crowds generated multiple incidents requiring a police response, including a shooting, fights, drug and alcohol possession, noise, traffic, and parking complaints from area businesses and residents. Complaints were also received that hookah establishments were allowing minors (under 18) into their businesses contrary to state law. There were no restrictions on the hours of operations for hookah establishments and many of the incidents occurred after 12:00 a.m. (midnight).

On May 8, 2013, City Council voted to amend City Ordinance Chapter 77 of the Troy City Code to limit the hours of operations, restrict transfers of smoking lounges from other communities into Troy, require specific information on operational management, reinforce current state laws, implement parking-related restrictions, and establish specific codes of conduct for these establishments. Approximately six months after Chapter 77 was adopted, City Council reviewed the compliance and effects of the new ordinance, and decided to make no changes at that time. An owner of one of the Smoking Lounges in Troy has requested revisions to Chapter 77 to extend allowable operational hours until 2 am.

Attached please find documents that summarize incidents pre and post enactment of Chapter 77.

### Review

Calls for service at the three hookah lounge establishments have been minimal for the past year. A citation was issued to the owner of Blue Moon Hookah for not having a valid state issued smoking lounge license (the owner was given a warning for the same violation prior to the citation being issued in June of 2014).

In summary, the operation of the three hookah lounges within the City of Troy has been smooth over the course of the last year.

It is easily noted however that the same cannot be said for hookah lounge establishments in neighboring jurisdictions. Discussion with contacts within the Metro Detroit law enforcement network and local media stories demonstrate that hookah lounges without regulations similar to Troy's can significantly drain municipal resources in our surrounding communities:

- Ignite Hookah Lounge at Crooks and Auburn in Rochester Hills had a shooting (multiple shooters, multiple rounds fired) in June of 2014
- Purple Haze Hookah in Walled Lake hosted a "rave" in February of 2014; investigation revealed they were almost five times over the occupancy limit and narcotic activity was rampant

- Blo Hookah in Shelby Township (previously owned by the owner of Amnesia Hookah & Cigar in Troy) was cited for the sale of tobacco to underage persons
- Recent news story cites 64 police calls for service to Blo Hookah in Shelby Township
- Blo Hookah in the City of Rochester has been a source of 48 police calls for service in recent months; 90% of these calls for service were between the hours of 12:00 a.m. and 4:00 a.m.
- Included in those 48 calls for service are felony narcotic arrests, misdemeanor narcotic arrests, assault and battery complaints, minor in possession of alcohol citations, and OWI arrests related to hookah lounge patrons

The statistical data supports that the number of complainants and observed issues at all three hookah establishments in Troy has dropped significantly since City Ordinance Chapter 77 was amended. There have been isolated incidents involving narcotics activity observed in the parking lots (specifically at Blue Moon Café and Mist Hookah Lounge) as well as other miscellaneous police action; however, this has been the exception not the rule.

We believe this drop in calls for service has a direct correlation to a drop in the overall negative impact of the Hookah establishments. This has been achieved through a combination of efforts put forth by the police department, the owners and management of the hookah establishments who have made business investments in the community, and the amendments enacted by City Council on May 8, 2013.

In review of the operation of the hookah lounge establishments within the city of Troy over the past year and a comparison of similar establishments in neighboring jurisdictions it is our recommendation that Chapter 77 remain status quo and no change is made to provide for additional hours of operation.

We are concerned that the request to extend the hours of operations until 2 am, which was made by one of the hookah lounge businesses, is designed to attract patrons who had previously frequented bars or other entertainment venues in the area. While this business model may benefit each of the three hookah establishments it would predictably have a corresponding negative effect on other area businesses, law enforcement resources, and quality of life for area residents. A glimpse of this effect can easily be seen by looking back to when Mist Hookah Lounge (now called Amnesia Hookah and Cigar) first opened for business and was met with harsh reaction from both local residents and neighboring businesses.

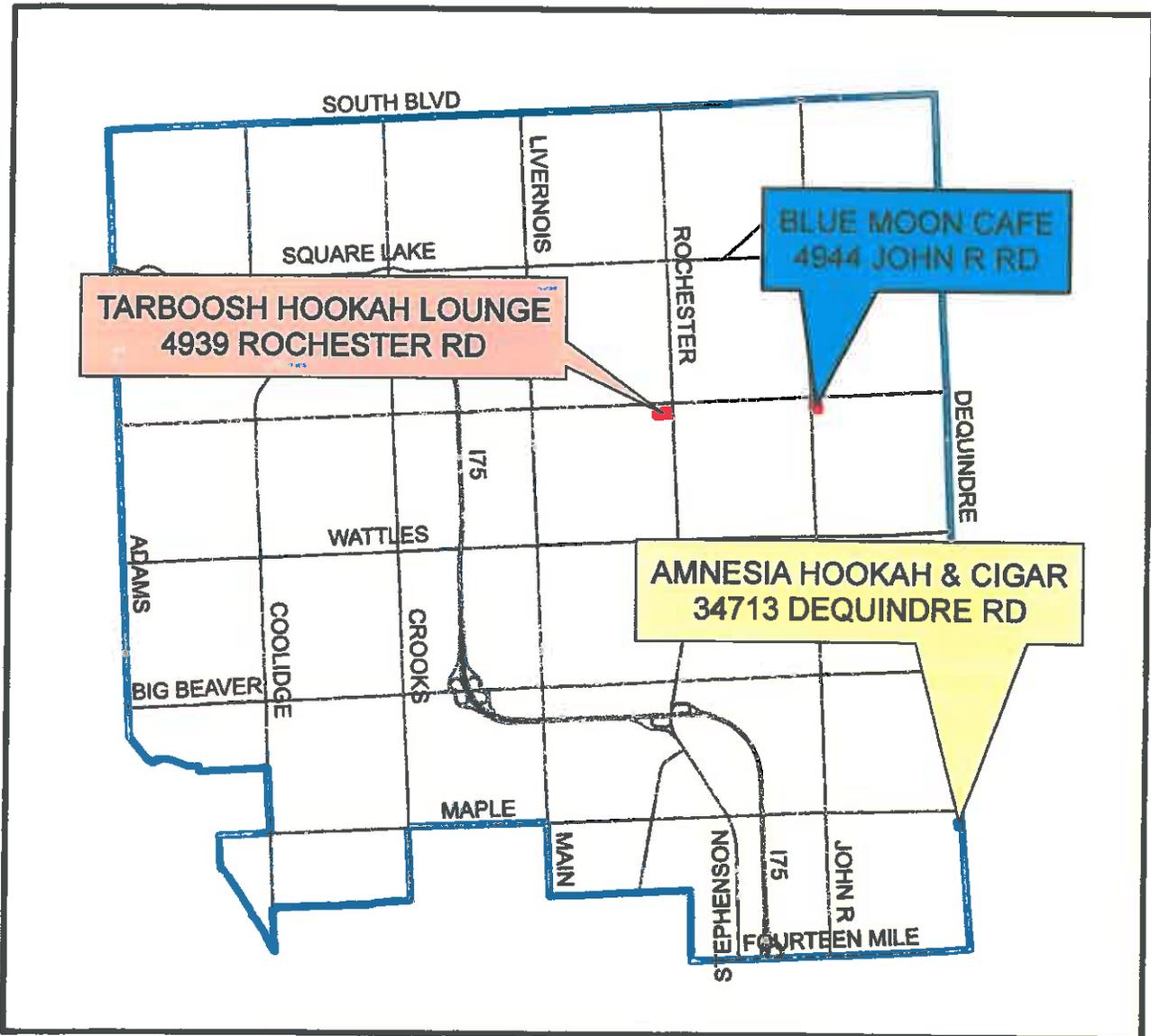
### **Recommendation**

It is evident that the amendments to Chapter 77, combined with a robust licensing inspection program by the Police Department and the cooperation of the business owners to date, has achieved the intended purpose. We recommend no modification of Chapter 77.



# CITY OF TROY HOOKAH LOUNGES

10/20/2013 - 10/20/2014



**BLUE MOON CAFE**  
 4944 JOHN R RD  
 6-27-2014 (14-19346)  
 Ordinance Violation- cited for not having a valid smoking license on premise after a warning on 6-25-2014 11-14-2013  
 Copy of memo about council meeting delivered to Jonathan Yacoub

**TARBOOSH HOOKAH LOUNGE**  
 4939 ROCHESTER RD  
 11-14-2013  
 Copy of memo about council meeting delivered to Bashar Dimitry

**AMNESIA HOOKAH and CIGAR**  
 previously MIST HOOKAH LOUNGE-  
 34713 DEQUINDRE RD  
 6-27-2014  
 Met with new owner who stated he is waiting on paperwork from state to change state permit into his name from the previous owner 11-14-2013  
 Copy of memo about council meeting delivered to Brian Karjo 11/11/2013 (13-35842)  
**Marijuana Possession and PNP- Officer observed vehicle running with head lights on and went to check on driver-passenger was in possession of marijuana and pipe-passenger was cited and released**

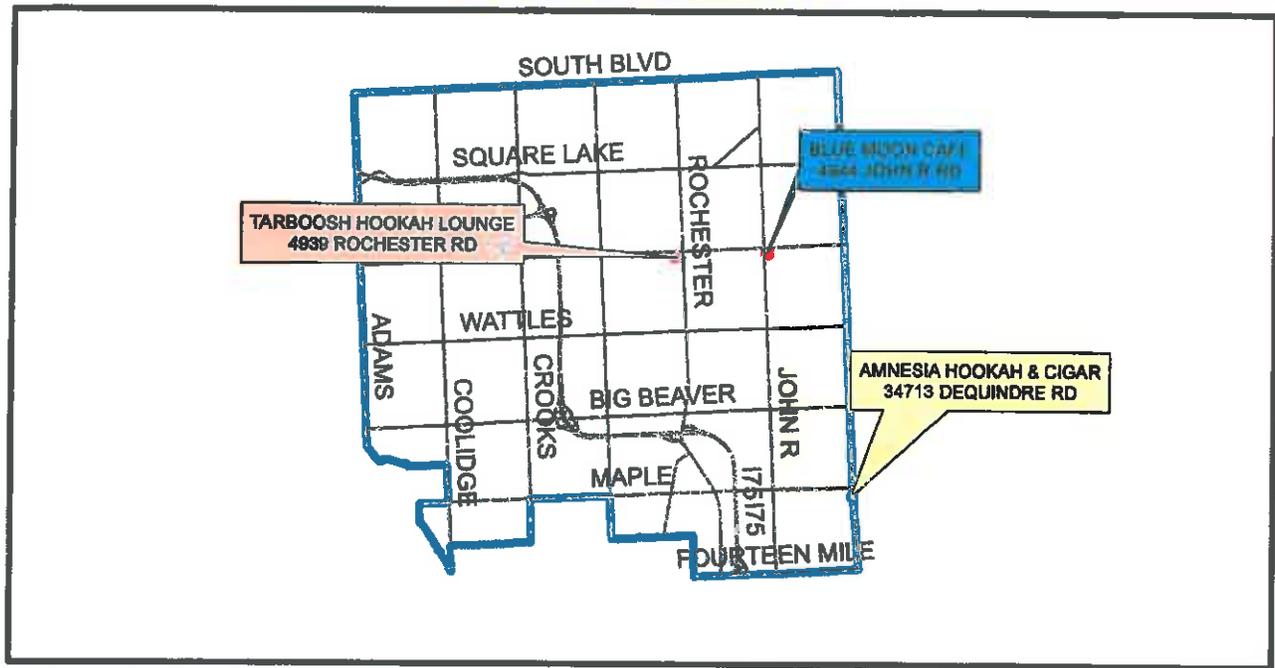
\*\*ICE Lounge (formerly CoffeeNetUSA- 5929 John R Rd) 2nd applicant rejected by Police because of criminal past 3rd applicant also rejected by Police because of criminal past on 7-25-2013 Recently noticed business signage taken down and "For Lease" up out front  
 \*\*White Room (1985 E Wattles) has state exemption, but has not applied for city license No Updates  
 \*\*2995 E Long Lake (inquiries made) No Updates



# CITY OF TROY HOOKAH LOUNGES

## POST CHAPTER 77 ORDINANCE CHANGE

5/13/2013 - 10/20/2014



**BLUE MOON CAFE**  
4544 JOHN R RD  
No new incidents between  
6-26-2014 and 10-20-2014  
6-27-2014 (14-18346)  
Ordinance Violation - cited for not having a valid smoking license on premise after a warning on 6-25-2014 11-14-2013  
Copy of memo about council meeting delivered to Jonathan Yacoub 6-8-2013 (13-25022)  
Ordinance Violation - cited for no registered manager on premise - Yacoub, Julian stated he was the manager but was not registered with City and had Troy warrants and was arrested (13-28021)  
6-16-2013 (13-16766)  
Parking Complaint - Person issued citation for parking in handicapped spot without proper tag 6/02/2013 (13-17094)  
Suspicious Vehicle - vehicle checked out clear 5/29/2013 (13-16459)  
Cocaine Possession - suspicious vehicle in parking lot after midnight revealed two underage males that had been consuming alcohol in the parking lot and were in possession of cocaine - suspects released pending warrants- both suspects have criminal histories.  
5-27-2013 (13-16214)  
Ordinance Violation - Nine patrons were still in the business at 01:00 business was cited for violation of new ordinance  
5-21-2013 (13-15596)  
Copy of new ordinance was given to owner Jonathan Yacoub

**AMNESIA HOOKAH and CIGAR**  
previously MIST HOOKAH LOUNGE-  
34713 DEQUINDRE RD  
No new incidents between  
6-28-2014 and 10-20-2014  
6-27-2014  
Met with new owner who stated he is waiting on paperwork from state to change state permit into his name from the previous owner 11-14-2013  
Copy of memo about council meeting delivered to Brian Karjo 11/11/2013 (13-35842)  
Marijuana Possession and PNP- Officer observed vehicle running with head lights on and went to check on driver-passenger was in possession of marijuana and pipe-passenger was cited and released 9-11-2013 (13-29063)  
Marijuana Possession- suspicious occupied car in parking lot after midnight revealed car's driver had a large amount of marijuana and drug paraphernalia in car-driver received citations and was released and advised to set-up a court date  
5-24-2013 (13-18014)  
Call for a suspicious person waving a taser - through investigation learned it was an underage cousin of owner who sparked a security guard's taser - cousin was asked to leave.  
5-21-2013 (13-15584)  
Copy of new ordinance was given to co-owner Brian Joseph Karjo

**TARBOOSH HOOKAH LOUNGE-**  
4939 ROCHESTER RD  
No new incidents between  
11-15-2013 and 10-20-2014  
11-14-2013  
Copy of memo about council meeting delivered to Bashar Dimity 5-21-2013 (13-15601)  
Copy of new ordinance was given to manager Bashar Dimity

**\*\*ICE Lounge (formerly CoffeeNetUSA- 5929 John R Rd) 2nd applicant rejected by Police because of criminal past 3rd applicant also rejected by Police because of criminal past on 7-25-2013 Recently noticed business signage taken down and "For Lease" up out front**  
**\*\*White Room (1985 E Wattles) has state exemption, but has not applied for city license No Updates**  
**\*\*2995 E Long Lake (inquiries made) No Updates**



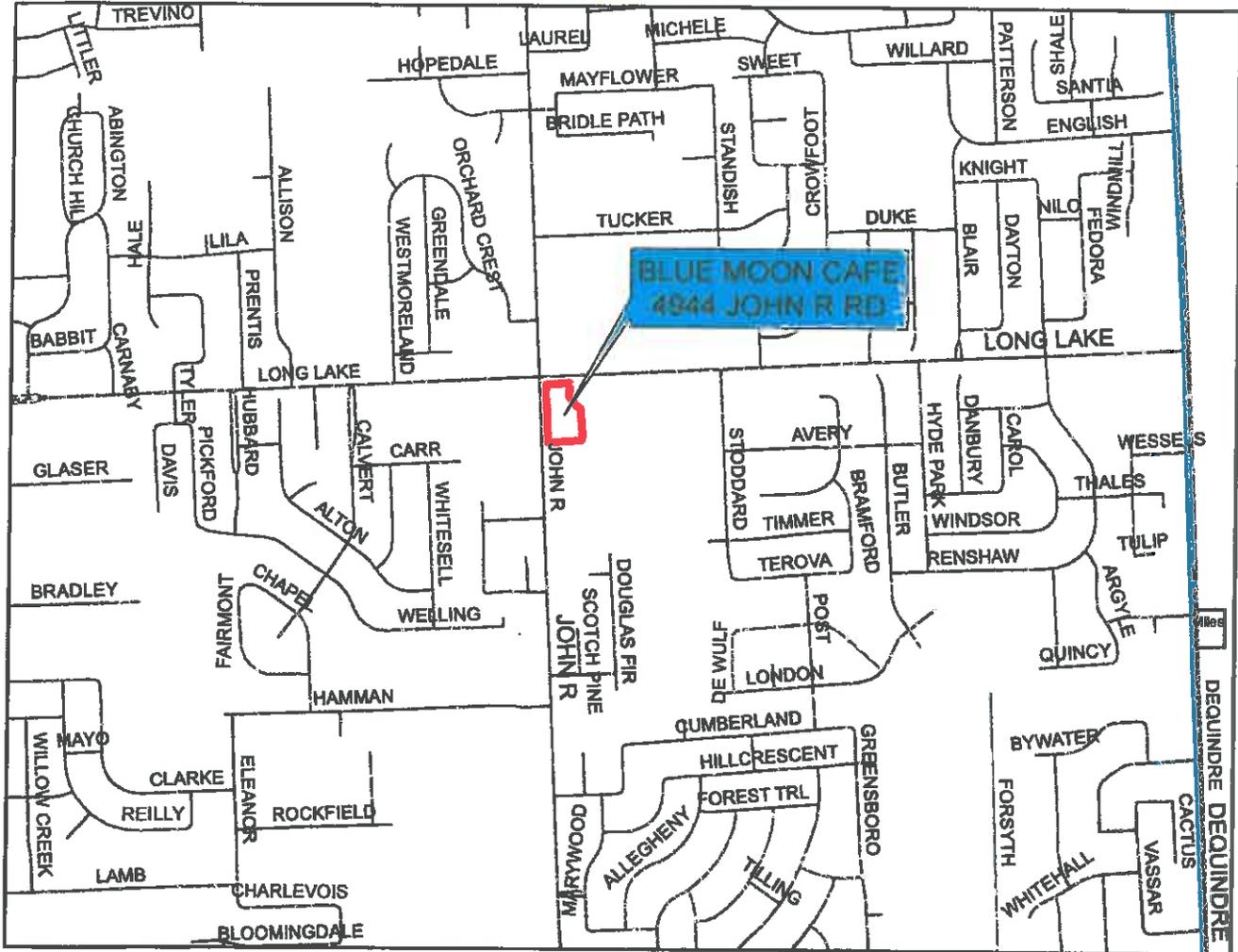
\*\*Report Updated from Previous Report Created on 7-28-2014

CREATED BY BENJAMIN NELMS, CRIME DATA ANALYST, CITY OF TROY POLICE DEPARTMENT

# BLUE MOON CAFE

## PRE CHAPTER 77 ORDINANCE CHANGE

11/13/2012 - 5/12/2013



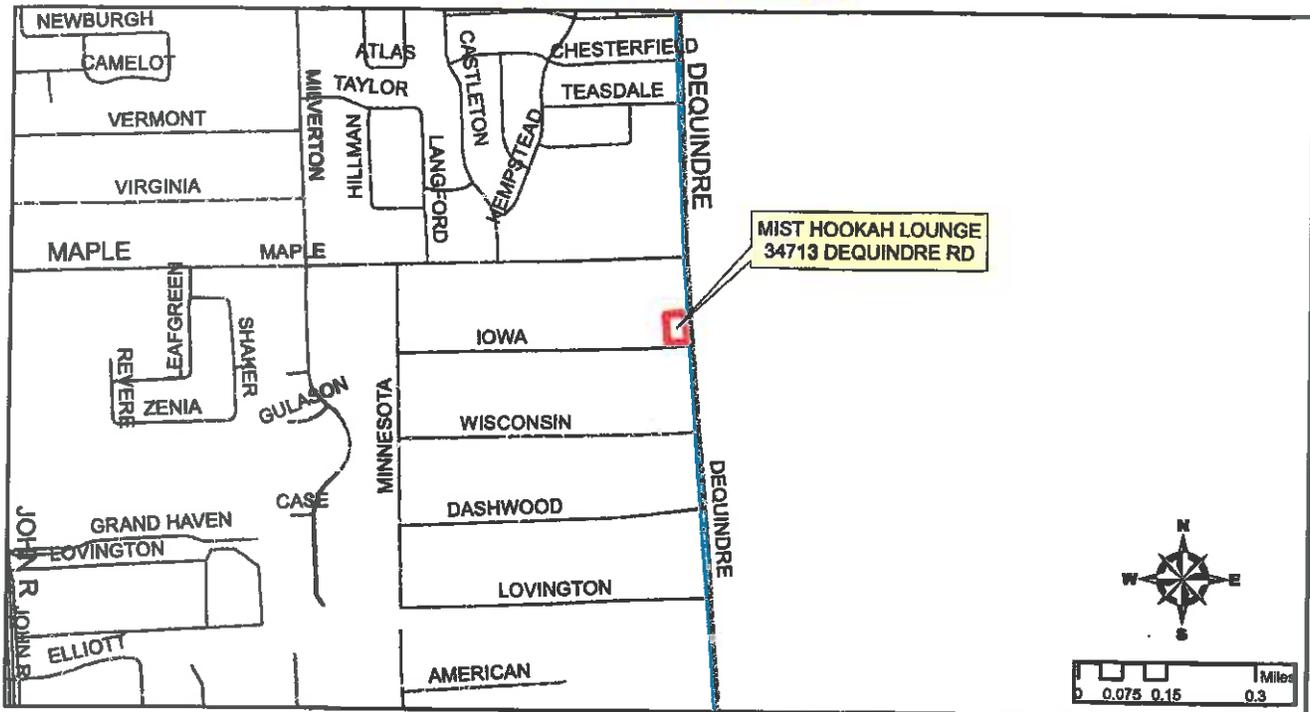
**BLUE MOON CAFE**  
 4844 JOHN R RD  
 8-21-2013 (13-15588)  
 Copy of new ordinance was given to owner Jonathan Yasoub  
 4-26-2013 (13-12654)  
 Suspicious Vehicle- while patrolling parking lot officers noticed car with windows fogged up and found two patrons inside car  
 3-18-2013 (13-08134)  
 Suspicious Vehicle- citation issued  
 3-15-2013 (13-08011)  
 Traffic/Parking Complaint- citation issued  
 12-21-2012 (12-41815)  
 Sick Care for Medical- employee of Blue Moon was reported to have passed and was vomiting  
 12-15-2012 (12-41618)  
 Suspicious Person- person in vehicle parked in Handicap space without permit was cited for giving false info to officer  
 6-12-2012  
 Blue Moon's smoking license was approved by City



# MIST HOOKAH LOUNGE

## PRE CHAPTER 77 ORDINANCE CHANGE

11/13/2012 - 5/12/2013



**MIST HOOKAH LOUNGE-  
34713 DEQUINDRE RD  
5-21-2013 (13-15684)**  
Copy of new ordinance was given to co-owner Brian Joseph Karjo  
**5-04-2013 (13-13476)**  
Customer Trouble  
**5-03-2013 (13-13340)**  
Marijuana Possess - Officers walking parking lot noticed car running occupied by four men - driver cited for marijuana and paraphernalia possession and released  
**4-27-2013 (13-12671)**  
Disorderly Conduct - two patrons were fighting and left before police arrival  
**4-12-2013 (13-11189)**  
Marijuana Possess- officers patrolling parking lots found occupied vehicle- driver cited and released  
**4-10-2013 (13-10948)**  
Suspicious Circumstances - reports of under age patrons - no violations  
**4-01-2013 (13-09963)**  
Suspicious Vehicle - passengers just talking- no violations  
**3-27-2013 (13-09571)**  
Marijuana Possess- two individuals observed smoking marijuana inside vehicle - both cited and released  
**3-06-2013 (13-07138)**  
Parking Complaint- no violation  
**3-06-2013 (13-07135)**  
Nuisance Parking- citations issued  
**3-03-2013 (13-06776)**  
Larceny- purse stolen from patron while inside Mist

**2-25-2013 (13-06128)**  
AB Simple - two patrons got into a fight inside Mist  
**2-26-2013 (13-06122)**  
Parking Complaint- Citation issued for illegally parking in Handicap space  
**2-26-2013 (13-06028)**  
Parking Complaint- citation issued  
**2-24-2013 (13-06021)**  
Property Damage Crash - citation issued  
**2-23-2013 (13-5933)**  
Open Container- person in parking lot drinking a 22 oz beer- cited and released  
**2-23-2013 (13-5926)**  
Suspicious Vehicle- no issues  
**2-23-2013 (13-5867)**  
Marijuana Possess- while officers were patrolling parking lot found occupied vehicle with three males smoking marijuana- passenger cited and released  
**2-23-2013 (13-5858)**  
Nuisances Ordinance- patron in car in Mist's parking lot was honking his horn at pedestrians in lot - cited for Noise Prohibited Horns and Signal Devices  
**2-22-2013 (13-5847)**  
Marijuana Possess- officers patrolling parking lot and found occupied vehicle with two people smoking marijuana and both were arrested  
**2-22-2013 (13-5836)**  
Suspicious Vehicle- no issues

**2-21-2013 (13-5618)**  
Suspicious Person- no issues  
**2-19-2013 (13-5522)**  
Suspicious Person- no issues  
**2-18-2013 (13-5428)**  
Suspicious Circumstances- several customers came and went very quickly - no issues  
**2-16-2013 (13-5132)**  
Aggravated Assault w/ Gun- 4 males were kicked out of the Mist and one retrieved a gun and pointed it at the bouncers and then fired one shot in the air as they all left in vehicle  
**1-19-2013 (13-2045)**  
Suspicious Circumstances- called in as fight inside Mist but all people involved had left before police arrived  
**12-28-2012**  
Mist's smoking license was approved by City







## CITY COUNCIL ACTION REPORT

October 23, 2014

TO: Brian Kischnick, City Manager

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

SUBJECT: Approval to Submit Application for EPA Funding – Sylvan Glen Phase 2  
Project No. 14.301.5

### History

The City has been pursuing outside funding for the Sylvan Glen Streambank Stabilization Phase 2 project for several years. Work on Phase 1 was completed in 2008. Several grant applications have been unsuccessful, but recent discussions has led the EPA to request an application from the City to submit for the next phase of the Sylvan Glen project (email from EPA attached).

Phase 2 includes improvements in four primary areas, as identified in the attached documents. These include:

- Project Area A: Gibson-Renshaw (repairs to work in areas in Phase 1)
  - Address erosion to outfalls, restore channel dimensions, repair storm sewer end sections and storm sewer, restore with native riparian vegetation along the channel
- Project Area B: West Gibson – Near Parking Lot
  - Remove existing stream crossing (culvert under the old access drive), address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimensions, install natural riffle grade controls and floodplain bench excavation in channelized areas, restore with native riparian vegetation along the channel
- Project Area C: West Gibson – 18<sup>th</sup> Fairway
  - Address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimensions, install natural riffle grade controls and floodplain bench excavation in channelized area, restore with native riparian vegetation along the channel.
- Project Area D: West Gibson – 9<sup>th</sup> Fairway
  - Remove existing stream crossing (bridge), address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimension, install natural riffle grade controls and floodplain bench excavation in channelized area, restore with native riparian vegetation along the channel.

The work in Phase 2 is similar in nature to what was completed in Phase 1. It will primarily address areas in Phase 1 that need maintenance, bank erosion along the drain, remove the failing culvert under the access drive, remove and replace an existing bridge as well as restoring 3,500 feet of stream, reduce over 40 tons of sediment per year in the Clinton River all of which work toward delisting the Beneficial Use Impairments in the Clinton River. Coordination with the golf course will be required to minimize impacts to play as much as possible.

## **Financial**

The EPA is interested in providing funding for this project in the amount of \$375,000 contingent upon an approvable application by the City and barring any unforeseen circumstances. The total project cost is \$850,000, meaning the City's share of the project is \$475,000 or a 45% federal share and 55% local share.

The City's 3-year budget includes \$100,000 in 2014/15 and \$750,000 in 2015/16 within the Drains Fund, with \$375,000 in grant funding anticipated as outside revenue.

## **Recommendation**

It is recommended that City Council approve submittal of an application to the EPA for the Sylvan Glen Phase 2 project and barring any unforeseen circumstances, the EPA projects being able to make an award of \$375,000 in calendar year 2014 towards the project.

**William J Huotari**

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**From:** Mosier, Bart <mosier.bart@epa.gov>  
**Sent:** Tuesday, October 21, 2014 1:34 PM  
**To:** Steven J Vandette  
**Cc:** William J Huotari; Jaffess, Sharon; Virgilio, Susan  
**Subject:** Sylvan Glen restoration

Mr. Vandette,

EPA requests that you submit an application for your Sylvan Glen project. EPA is interested in providing funding for this project because the Clinton River Public Advisory Council identified it as an important aquatic habitat restoration project that will contribute to removing the Degraded Fish and Wildlife Populations and Loss of Fish and Wildlife Habitat Beneficial Use Impairments in the Area of Concern.

As we have discussed, your application should include an EPA share of \$375,000, and the City of Troy will provide match for the remainder of the costs of the project.

If you are able to submit an approvable application timely, and barring any unforeseen circumstances, we would project being able to make an award in CY 2014. This email is not a promise of funding, as EPA cannot make such a promise prior to the official award of a grant.

I look forward to continuing to work with you on this project.

Bart A. Mosier  
Program Analyst  
Great Lakes National Program Office  
U.S. Environmental Protection Agency  
77 W. Jackson Boulevard, G-17J  
Chicago, IL 60604  
(312) 353-4513



**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**

*Project Scope:*

- Removing two stream culverts
- Address erosion at outfalls
- Repair storm sewer end sections and storm sewer
- Restore natural meanders, riffle-pool bed topography, and channel dimensions
- Install natural riffle grade controls and floodplain bench excavation in channelized areas
- Restore with native riparian vegetation along the channel.

*Deliverables:*

- Review of existing data on stream conditions and Preliminary Monitoring Evaluation
- Soil Erosion and Sedimentation Control Permits
- Final Design Plans and Specifications for bidding (including Safety Plan)
- Bid tab, contractor bid reviews, and engineer's recommendations
- Documented implementation of Construction
- Public education and awareness
- Post-Construction Monitoring Reports

*Project Time Line:*

Some milestone dates are as follows:

- Project Initiation Meeting – November, 2014
- Permit Applications Submittals – December, 2014
- Final Design Plans and Specifications – February, 2015
- Bidding – March, 2015
- Construction – April, 2015 – May, 2016 \*\*
- Monitoring – May, 2016 – August, 2016
- Project Final Reports–August, 2016

\*\* The project time line will be coordinated with golf course staff to avoid interruptions to golf playing season.

**EPA Great Lakes Restoration Initiative Request for Applications**  
**Funding Opportunity Number: EPA-R5-GL2014-2**  
**Watershed Management Implementation**

**Estimated Construction Costs:**

Table 2: Preliminary Estimate of Probable Project Costs

<b>Engineers Estimate of Probable Construction Costs</b>						
August 18, 2014				HRC Job No. 20090277.07		
<u>Item</u>	<u>Qty</u>		<u>Cost</u>		<u>Total Cost</u>	
<b><i>Project Area A: Gibson-Renshaw</i></b>						
Address erosion to outfalls, restore channel dimensions, repair storm sewer end sections and storm sewer, restore with native riparian vegetation along the channel.	1	lsum	@	\$80,000.00	=	\$80,000.00
<b><i>Project Area B: West Gibson – Near Parking Lot</i></b>						
Remove existing stream crossing, address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimensions, install natural riffle grade controls and floodplain bench excavation in channelized areas, restore with native riparian vegetation along the channel.	1	lsum	@	\$200,000.00	=	\$200,000.00
<b><i>Project Area C: West Gibson (18th Fairway)</i></b>						
Address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimensions, install natural riffle grade controls and floodplain bench excavation in channelized areas, restore with native riparian vegetation along the channel.	1	lsum	@	\$140,000.00	=	\$140,000.00
<b><i>Project Area D: West Gibson (9th Fairway)</i></b>						
Remove existing stream crossing, address erosion to outfalls, restore natural meanders, riffle-pool bed topography, channel dimensions, install natural riffle grade controls and floodplain bench excavation in channelized areas, restore with native riparian vegetation along the channel.	1	lsum	@	\$200,000.00	=	\$200,000.00
Sub Total Estimated Construction Cost					=	\$620,000.00
Contingencies (~10%)					=	\$60,000.00
<b>TOTAL ESTIMATED CONSTRUCTION COST</b>					=	<b>\$680,000.00</b>
Design Engineering					=	\$100,000.00
Construction Engineering					=	\$70,000.00
<b>TOTAL ESTIMATE PROJECT COSTS</b>					=	<b>\$850,000.00</b>

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**

**Photos:**



Photo 1 – Project Area A: Gibson-Renshaw



Photo 2 – Project Area A: Gibson-Renshaw

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 3 – Project Area A: Gibson-Renshaw



Photo 4 – Project Area A: Gibson-Renshaw

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 4 – Project Area B: West Gibson – Near Existing Culvert



Photo 2 – Project Area B: West Gibson – At Culvert

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 3 – Project Area B: West Gibson – Near Parking Lot



Photo 4 – Project Area B: West Gibson – Near Parking Lot

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 1 – Project Area C: West Gibson (18<sup>th</sup> Fairway), Looking Downstream

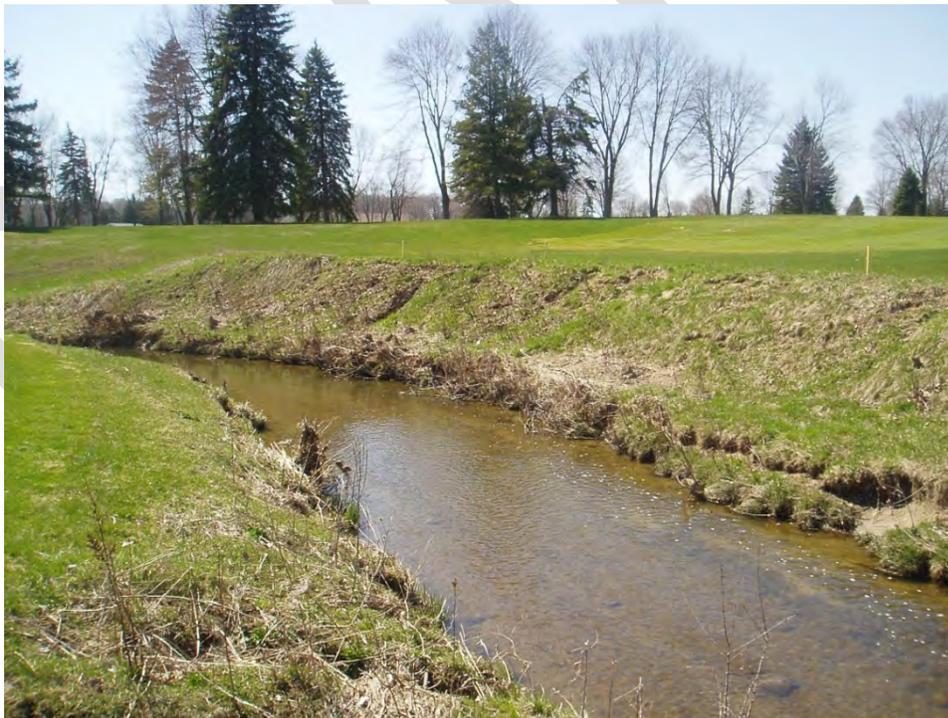


Photo 2 – Project Area C: West Gibson (18<sup>th</sup> Fairway), Looking Downstream

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**

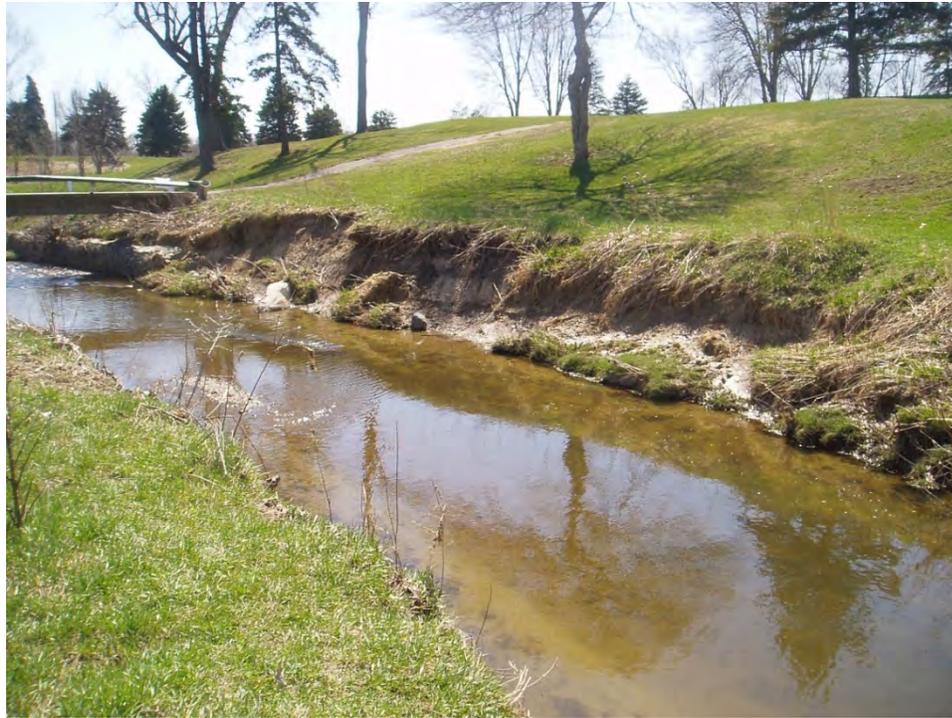


Photo 3 – Project Area C: West Gibson (18<sup>th</sup> Fairway), Right Bank



Photo 4 – Project Area D: West Gibson (9<sup>th</sup> Fairway), Looking Upstream

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 5 – Project Area D: West Gibson (9<sup>th</sup> Fairway), Right Bank



Photo 6 – Project Area D: West Gibson (9<sup>th</sup> Fairway), Looking Upstream

**EPA Great Lakes Restoration Initiative Request for Applications  
Funding Opportunity Number: EPA-R5-GL2014-2  
Watershed Management Implementation**



Photo 7 – Project Area D: West Gibson (9<sup>th</sup> Fairway), Right Bank



Photo 8 – Project Area D: West Gibson (9<sup>th</sup> Fairway), Right Bank

# Sylvan Glen Golf Course Culvert

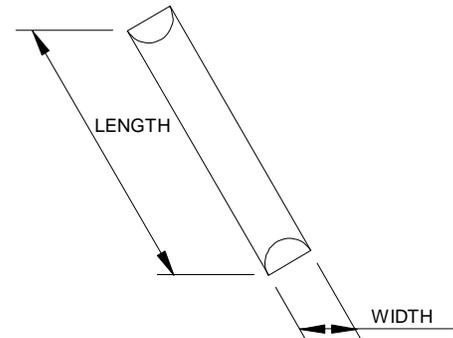


## Sylvan Glen Golf Course Maintenance Road over Renshaw County Drain Inspection Summary & Recommendations

1. Inspection Date: August 22, 2011

2. Culvert Description

- a. Owner – City of Troy, MI
- b. Location – 0.40 Miles south of Square Lake Road & 0.10 Miles west of Rochester Road
- c. Type – Corrugated Multi-Plate Pipe-Arch Culverts (14'-10" x 9'-10" Pipe Arch)
- d. Dimensions – Length: 59', Width: 14'-10'
- e. Year Built – Unknown
- f. Road Over – 1 lane, 16-ft wide gravel road with 54' long guardrail on each side



3. Culvert Condition

- a. Culvert – Poor condition. Several areas of the pipe along the water line have corroded through exposing the backfill material. A large heaved/buckled section of the pipe is located a little more than halfway through and has flaked, chipped steel as well as corroded and missing bolts. Culvert inlet and outlet have raised ~6" on both ends.
- b. Joints/Bolt Lines – Poor condition. The bolt lines at water level are severely corroded. Bolt lines mid-pipe are in fair condition but are visibly skewed indicating significant movement of the pipe. Bolt lines above the water line and in the pipe ceiling are in good condition and appear to have little or no corrosion.

4. Site Issues

- a. Scour – Visible erosion sediment in the culvert base and at local buckled and failed areas. Flowing water exists in many sections below the pipe.
- b. Channel – Fair condition. Well vegetated on both sides. Steep slopes on both sides with a large erosion pocket in the southwest quadrant.

5. Recommended Maintenance Items

- a. N/A – refer to Action Items. Culvert condition should be monitored on a regular basis, especially after rain events.

6. Recommended Action Items

- a. Culvert Replacement – The culvert is in very poor condition and its structural integrity has been compromised.
  - i. Precast Culvert Box - \$70,000
  - ii. Dual Concrete Pipes - \$35,000
  - iii. 3-Sided Concrete Arch - \$57,000
  - iv. Multi-Plate Pipe Arch - \$24,000
  - v. Aluminum Ellipse Pipe - \$24,000

# Sylvan Glen Golf Course Culvert



Note: Replacement option costs are approximate and include only the primary replacement structure itself. Each option will also include similar construction costs to remove and replace the structure and have not been included in these price estimates.

Note: Range pole, shown for scale in photos, is 4 feet tall (1-ft segments).

# Sylvan Glen Golf Course Culvert



Undermined culvert outlet (south end)

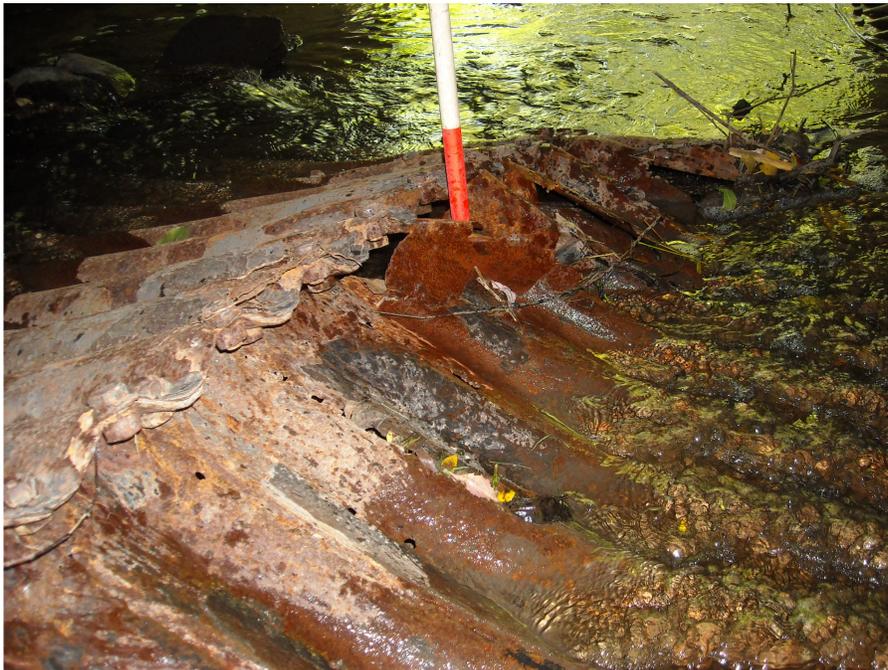


Corroded steel at heaved/buckled section of culvert and at water line.

# Sylvan Glen Golf Course Culvert

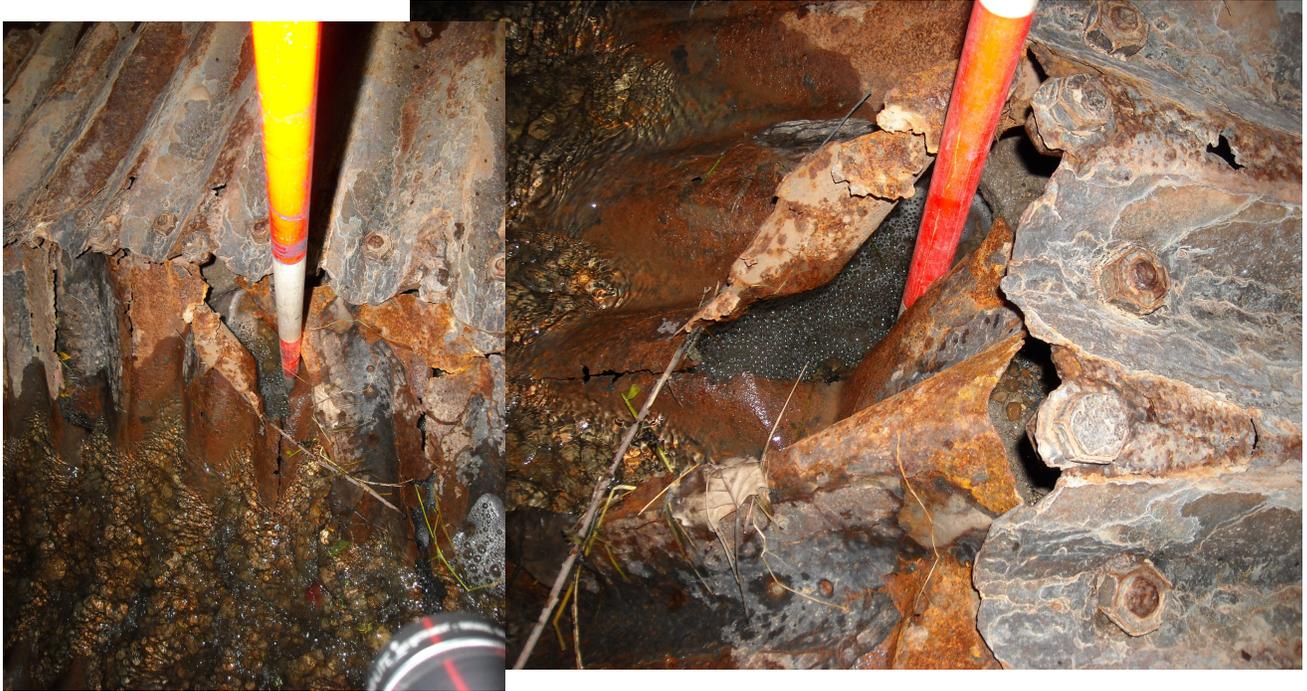


Heaved/buckled section of culvert looking north.



Heaved/buckled section of culvert looking south.

# Sylvan Glen Golf Course Culvert



Deterioration in bolt-line in heaved/buckled section of pipe. Erosion of base material and flowing water under the culvert.



Heavy debris built up inside culvert.

# Sylvan Glen Golf Course Culvert



Erosion pocket in slope in the southwest quadrant (above culvert)



Renshaw County Drain looking upstream of culvert inlet.

# Sylvan Glen Golf Course Culvert



Renshaw County Drain looking downstream of culvert outlet.



Gravel maintenance road over culvert (additional aggregate has been added).

# Sylvan Glen Golf Course Culvert



Sunken portion of road (north side) with shifted guardrail.

October 17, 2014

**Re: UPDATE**  
***Amendment to the Intergovernmental Cable CATV Agreement***  
***Of the Intergovernmental Cable Communications Authority***

Dear City Managers, Mayors and City Council/Commissioners:

As you are aware, the ICCA has been in place for in excess of 30 years. As a Cable Authority authorized by its member communities, the ICCA has had a spectacular record of providing outstanding service to a large portion of Oakland County. However, as stellar as this record may be, the future of the ICCA is in jeopardy. Let me explain.

100% of our operations have been funded by grant monies provided by the cable companies at the inception of the franchise agreements, however, the fund balance for operations is now becoming low.

The ICCA is at a point where we need member communities to provide a funding mechanism in order to continue our operations. Without such funding, the ICCA would be forced to discontinue its oversight duties, as there is no other funding source.

Recently, the ICCA convened a committee to review this issue and to help establish a reasonable baseline to fund the operations of the ICCA into the future. In doing so, many models, indexes and demographic issues will be reviewed in an effort to assure you (our members) that the funding would be fair and equitable to large and small communities.

**On September 10, 2014 you received a copy of our initial letter with the then proposed annual membership fee for each community. On October 15, 2014, the City Managers of Rochester and Pleasant Ridge attended the ICCA meeting and requested a revision to the annual membership fee. Their requested revision is to set a lower base for each community with the balance of the membership fee being allocated based on population and franchise fees. That revised schedule is contained herein. The ICCA voted unanimously to adopt this formula and now request that your communities do likewise.**

The current Intergovernmental Cable TV Agreement provides as follows:

“F. Payments to Authority – Pay to the Authority a proportionate share of such amount, if any, required by the Authority to enable the Authority to meet its

operating costs and expenses; provided, however, it is the intent of the Parties, and shall be the intent of the Authority, that the Authority's operating costs and expenses, to the greatest extent possible, be paid by the franchisee. For purposes of this section, a Member's "proportionate share", prior to construction of the System, shall be equal to the ratio which such Member's number of dwelling units bears to the total number of dwelling units of all Members based on 1980 census figures of the Oakland County Planning Division, and subsequent to construction of the System, shall be equal to the ratio which such Member's number of subscribers bears to the total number of subscribers of all Members."

At the meeting held last year, this was discussed with managers and cable representatives of each community at which time requests for consideration of a different method of compensation was made to the ICCA. In response to that request, the following revision was suggested:

"F. Payments to Authority- Pay to the Authority a membership fee to enable the Authority to meet its operating costs and expenses. The fee will be established by the ICCA Board of Directors and approved by each member community. The fee will be due annually on December 31 of each year. It shall be the policy of the Intergovernmental Cable Communications Authority to report to each community the level of unassigned fund balance at the end of each yearly operating cycle, as determined by outside audit counsel. The ICCA will be required to convey all audit information to each member community within 30 days of audit approval. The Authority will seek to maintain a level of fund balance sufficient for operations as per the recommendation of audit counsel, however, not more than 125% of annual audited operations. Changes in membership fees shall be based upon the currently adopted fee schedule for each member community. Annual increases, if necessary,

shall be no higher than the annual rate of inflation as measured by the Consumers Price Index provided for property tax calculations or 3%, whichever is less.

**UPDATED ANNUAL MEMBERSHIP FEE**

ICCA MEMBER COMMUNITY	AVERAGE OF 2011 FRANCHISE FEE AND POPULATION	BASE FEE	Annual Membership Fee
Auburn Hills	1,340	1,000	2,340
Berkley	1,050	1,000	2,050
Clawson	760	1,000	1,760
Ferndale	1,240	1,000	2,240
Hunt Woods	480	1,000	1,480
Oakland Twp	1,050	1,000	2,050
Pleasant Ridge	190	1,000	1,190
Rochester	860	1,000	1,860
Rochester Hills	4,300	1,000	5,300
Royal Oak	3,910	1,000	4,910
Troy	3,920	1,000	4,920
<b>TOTAL FEE</b>	<b>19,100</b>	<b>11,000</b>	<b>30,100</b>

Membership fee will be due by December 31, 2014 and each December 31<sup>st</sup> thereafter to fund the ICCA Authority.

We are making this request at this time so that you may include an appropriation in the first budget period beginning after December 31, 2014.

**A little background:**

The Intergovernmental Cable Communications Authority (ICCA) began operation on July 20, 1981. The background regarding the creation of the Authority is set forth in the Intergovernmental Agreement.

“The Parties, being authorized by law to enter into agreements providing for mutual cooperation for the purpose of obtaining mutual benefits and a desire to enter into such an agreement regarding the franchising of a cable communications system. It is the specific purpose of the Parties to provide, for the respective residents and areas represented by them, the most technologically advanced system of cable

communication at the lowest reasonable cost to subscribers. The Parties desire to implement such purpose by the creation of an area cable communications authority whereby the parties constitute themselves into a single cable communications market to be served by a single franchise.

Accordingly, the parties agreed to the creation and establishment of an Area Cable Communication Authority for the administration and oversight of the cable providers.”

The 11 member communities (listed on this letterhead) have benefited greatly by the ICCA. For 30 years the Authority has provided management oversight of the franchise agreements. In doing so, the ICCA has been successful in assuring our elected officials and residents that payments and credits due our member cities and customers are returned in a timely fashion. A few examples are listed on the attached spreadsheet that exemplify the work effort of the ICCA.

On a day-to-day basis, the ICCA monitors the administration of cable franchise contracts with Comcast, Wide Open West, AT&T, and without public access provider, Community Media Network (CMN). The ICCA coordinates assistance from the various providers for the public events held in each of our communities as well as responds to complaints by our citizens with respect to cable television services. We have been active with other municipal organizations in lobbying for changes to the Michigan Uniform Franchise Act as well as being responsive to the Michigan Public Service Commission with respect to the experiences of our member communities.

The Authority is charged with conducting audits of the signal strength, clarity and noise to signal ratios and other industry standards to insure the best practices are used in allowing the best quality picture to come to each individual household. The ICCA was instrumental in the development and implementation of a (CPO) Consumer Protection Ordinance that helped define standards of customer service that were expected from our Cable Providers including standards for notifying our residents of changes in service or billing. This ordinance was adopted by all 11 member communities and saved thousands of dollars in legal fees for its development. Once again we are undertaking a franchise and PEG fee review of three (3) cable providers to check if there are any under-payments since the last review.

### **Summary to date**

No monetary contributions have been sought or received by any of the member communities for the operation of the ICCA in the past 33 years. The ICCA has had a long history of providing high quality oversight to you. These developments at state level pertaining to franchising have left communities more vulnerable than ever before. We believe that a strong Cable Authority is critical in providing quality cable services to our citizens.

The ICCA has a very small operating budget primarily for legal services and audit purposes. We have no salaries and no overhead and generally meet once a month. The current audited fund balance is \$32,523 as of December 31, 2013. This will be enough operation for approximately two (2) years, however, the ICCA will be utilizing a sizeable portion of these

remaining monies for the cable providers to determine whether each provider provided the proper reimbursement to the member cities through the franchise agreements.

The ICCA Board, therefore, requests that you adopt the attached Amendment to the Intergovernmental Cable CATV Agreement which will provide that a membership fee shall be payable by each community to the Authority so it will be able to meet its operating cost and expenses.

If you need additional information, please do not hesitate to let us know. We will be more than happy to provide packets to all of your counsel/Commission/Board of Trustees, if desired. We have attached a Resolution for your review and approval for your governing body. We are hoping that the Resolution and Continuation Agreement can be presented and accepted by all member communities by December 31, 2014.

Very truly yours,

*Cindy Stewart*

Cindy Stewart,  
Chairman, ICCA

EFFECTIVE 7-20-81  
ON R.O. SIGNING

INTERGOVERNMENTAL CATV AGREEMENT

AGREEMENT entered into, as of the effective date designated herein, by and between and among the municipalities and other political subdivisions of the State of Michigan (hereinafter "Parties" or "Members") who are or who become signatories hereto.

BACKGROUND

The Parties, being authorized by law to enter into agreements providing for mutual cooperation for the purpose of obtaining mutual benefits, desire to enter into such an agreement regarding the franchising of a cable communications system. It is the specific purpose of the Parties to provide, for the respective residents and areas represented by them, the most technologically advanced system of cable communication at the lowest reasonable cost to subscribers. The Parties desire to implement such purpose by the creation of an area cable communications authority whereby the Parties constitute themselves into a single cable communications market to be served by a single franchisee. Accordingly, the parties agree as set forth below.

I. Creation of Area Cable Communication Authority - The initial Parties hereto agree to establish, and by this Agreement hereby do establish, an Area Cable Communications Authority (the "Authority").

II. Purpose of the Authority - The purpose of the Authority shall be to obtain for the citizens of the Parties hereto, and thereafter maintain for them, the highest quality of cable communications service at the lowest reasonable cost. The Authority shall attempt to realize such purpose through its exercise of the powers, functions, duties, and responsibilities granted to it in and imposed upon it by this Agreement.

III. Organization and Internal Operations of the Authority - The Authority shall be composed, organized, and internally operated in accordance with the following:

A. Composition - Each Party to this Agreement shall be a Member of the Authority. No person or entity not a party hereto shall be a Member.

B. Representatives - Each Member shall be represented by one representative and one alternate representative. Each Party shall appoint its representatives in accordance with its own rules and procedures. In the absence of the representative, the alternate representative shall be entitled to cast the vote for the Member such alternate represents. A Member's representatives, or either of them, may, but need not be, an elected or appointed official of such Member. No person having any ownership or financial interest, direct or indirect, in any cable communications company shall be eligible to be a representative or alternate representative. All representatives shall serve without compensation. In the event of the resignation or removal of a representative, the Member represented by such representative shall promptly designate a successor to fill the unexpired term.

C. Voting - Each Member, through its representative, shall be entitled to one vote plus one additional vote for each 10,000 (or fraction thereof) dwelling units within the Member's territorial limits as established by 1980 census figures of the Oakland County Planning Division. Voting shall be by a representative or alternate actually present at a meeting of the Authority and voting by proxy or in absentia shall not be permitted.

D. Officers - The Authority shall select annually, from among the representatives to it, a Chairman, a Vice Chairman, a Treasurer, a Secretary, and such other officers as may be required or permitted by the Authority's by-laws. All such officers shall constitute an Executive

Committee.

E. Committees - The Authority may appoint such standing committees, special committees, and task forces as the Authority may deem necessary or appropriate to aid it in the performance of its functions and duties.

F. Transaction of Business - A quorum of representatives shall consist of that number capable of casting a majority of the maximum number of possible votes of all representatives. Except as otherwise provided in Section G of this Article, a majority of the votes capable of being cast by a quorum shall be necessary and sufficient for the Authority to take any action.

G. By-Laws - The Authority shall adopt by-laws by a majority of the aggregate number of votes available to its entire membership. By-laws may be amended in the same manner as originally adopted. The by-laws shall contain no provision which conflicts with any provision of this Agreement and shall contain provisions relating to:

- (1) holding of regular and special open meetings;
- (2) preparation of an agenda for all meetings;
- (3) adoption of rules of order for all meetings;
- (4) preparation of minutes of all meetings and mailing copies of the same to all members;
- (5) description of required and permitted officers and procedure for selection thereof;
- (6) integrity of the franchisee selection process in accordance with Article IX of this Agreement;
- (7) such other matters as the Authority may deem necessary or appropriate for the efficient administration of its affairs and successful discharge of its responsibilities.

IV. Powers and Responsibilities of the Authority - The Authority

shall have the following powers, functions, and responsibilities, all of which shall be delegated to it by the Parties hereto (it being understood and agreed that the Authority shall engage in no activities except those expressly provided for or necessarily implied herein):

A. Franchise Instruments - To prepare and disseminate to all Members, and to advise and recommend to such Members with respect thereto, proposed drafts of the materials required to award a cable communications franchise, including without limitation (whether integrated into one document or in separate but related instruments): (1) a regulatory ordinance; (2) a form of franchise agreement; (3) a form of request for proposals (RFP).

B. Dissemination of RFP - Upon final approval of the materials referred to in A above, to make such materials available to prospective franchisees and to disseminate the RFP to such prospective franchisees.

C. Receipt of Proposals - To receive, review, and evaluate proposals submitted to it by prospective franchisees in response to the RFP and to advise and recommend to its Members with respect to such proposals.

D. Construction Time-Table - To monitor construction of the system by the franchisee with respect to adherence to the time-table and other matters relating to the construction of the system as set forth in the franchise; to furnish advice and recommendations to all Members respecting the foregoing.

E. Evaluation Hearings - To conduct review and evaluation hearings in accordance with applicable provisions of the franchise; to adopt findings pursuant to such hearings, reduce such findings to written form, and furnish copies of the same to all Members.

F. Mediation - To mediate serious disagreements between and among the franchisee, subscribers, and other public and private users of the system in accordance with procedures provided for in the franchise.

G. Access Channels - To review the use of cable access channels and prepare such reports as may be appropriate describing the utilization of such channels.

H. Interconnection - To help supervise and coordinate any interconnection of the franchisee's system with other cable communications systems.

I. Franchisee's Records - To receive, review and maintain, on behalf of its Members, all records and reports required to be submitted by the franchisee under the terms and provisions of the franchise.

J. Rates - To render advice and recommendations to all Members regarding changes in rates in accordance with standards and procedures provided for in the franchise.

K. Revocation of Franchise - To furnish advice and recommendations to all Members regarding revocation by them of the franchise for breach or default by the franchisee under the provisions of the franchise.

L. Construction Bond/Letter of Credit - To apply for and receive payment of, on behalf and for the account of Members, any payment due such Member under the terms of the franchise awarded by such Member from a construction bond and/or letter of credit required to be furnished by the franchisee under the franchise.

M. Transfer of Franchise - To furnish advice and recommendations to all Members regarding approval by them of any transfer of ownership of the franchisee's system, or ownership of the franchisee, pursuant to the requirement of such approval as set forth in the franchise.

N. Franchise Renewal - To furnish advice and recommendations to all Members regarding the renewal of the franchise in accordance with applicable provisions of such franchise or otherwise.

O. Reports, Audit, Budget - To prepare an annual report of

its activities, to prepare an annual budget, and to cause an audit to be made of its financial affairs and condition; to furnish copies of all of the foregoing to its Members as promptly as possible after the completion thereof.

P. Additional Powers and Duties - To accept such additional powers and discharge such additional responsibilities as may properly and lawfully be delegated to it by the Parties.

V. Authority's Power to Bind Members - On any matter upon which, in accordance with Article IV, the Authority has been charged with the duty to provide advice and recommendations, and does so, but on which matter any such advice or recommendation requires, in order to be implemented, action by Members, then all Members shall be required to take such action except as otherwise provided in this Article. Any Member which disagrees with the Authority's advice or recommendation shall, on or before 30 days after receipt of such advice or recommendation in writing from the Authority, file its written dissent thereto with the Authority. Such dissent shall specify the Member's objections to the advice or recommendation and may also request a hearing on the matter. A copy of such dissent shall be furnished by the dissenter to all other Members. In the event no such dissent has been filed as provided above, then the advice or recommendation shall be final and binding on all Members upon the expiration of the 30 day period specified above. If any such dissent has been filed, but no hearing has been requested by the dissenter, the Authority shall reconsider the matter at its next regular meeting, or at an earlier special meeting, and may do so on the basis of the written dissent alone. The decision of the Authority at such meeting shall be communicated to all members in writing and shall then be final and binding on all members. If the dissenter has requested a hearing,

the Authority shall schedule one within a reasonable time thereafter and shall furnish reasonable notice of the time and place thereof and of the issue or issues to be heard to the dissenter and to all other Members. The hearing shall be conducted in accordance with the requirements of procedural due process and pursuant to such rules and procedures as the Authority may adopt. The decision of the Authority pursuant to the hearing shall be communicated in writing to all Members and shall then be final and binding on all Members.

VI. Responsibilities of Members - Each Member agrees to cooperate with the Authority and with each other in the pursuit of their common purpose and specifically undertakes to:

A. Adoption of Franchise Documents - Adopt a regulatory franchise ordinance, a form of franchise agreement, and an RFP in substantially the form and containing substantially the provisions recommended by the Authority.

B. Award of Franchise - Take such formal action as may be required to award a franchise in accordance with the advice and recommendation of the Authority.

C. Information and Assistance - Furnish such information and render such other reasonable assistance to the Authority as may reasonably be requested by the Authority in connection with the Authority's discharge of its duties.

D. Legal Action - Join with the Authority and other members in any legal action against the franchisee or any other defendant deemed by the Authority to be necessary or appropriate to enforce the terms and provisions of the franchise.

E. Designation of Representatives - Appoint its representative and alternate representative to the Authority at such Party's first regular meeting, or earlier special meeting, occurring after the effective

date of this Agreement.

F. Payments to Authority - Pay to the Authority a proportionate share of such amount, if any, required by the Authority to enable the Authority to meet its operating costs and expenses; provided, however, it is the intent of the Parties, and shall be the intent of the Authority, that the Authority's operating costs and expenses, to the greatest extent possible, be paid by the franchisee. For purposes of this section, a Member's "proportionate share", prior to construction of the System, shall be equal to the ratio which such Member's number of dwelling units bears to the total number of dwelling units of all Members based on 1980 census figures of the Oakland County Planning Division and, subsequent to construction of the System, shall be equal to the ratio which such Member's number of subscribers bears to the total number of subscribers of all Members.

G. Implementing Action - Take all other actions as may be necessary or appropriate to implement this Agreement and any final and binding decisions of the Authority made or taken in accordance with this Agreement.

Nothing in this Agreement shall be deemed to prohibit any Member from appointing its own local committee to deal either with local issues, or any other issues, arising out of the franchise; provided, however, no such local committee may deprive the Authority of any of the powers, duties, or responsibilities provided for under this Agreement.

VII. Financial Matters - The parties agree to the matters set forth below regarding certain financial matters:

A. Members' Proportionate Shares - For purposes of this Article a Member's "proportionate share" of all funds distributable by the Authority to its Members shall be equal to the ratio which such Member's number of dwelling units bears to the total number of dwelling units of

all Members based on 1980 census figures of the Oakland County Planning Division.

B. Individual Expenses of Members - Costs and expenses paid and incurred by individual Members in connection with the award of the franchise shall be paid directly to such Members by the franchisee and the franchise shall so provide. The amount of any such costs and expenses shall be submitted by a Member to the Authority as promptly as possible in order that prospective franchisees may receive timely notice thereof.

C. Application Fees - The non-refundable application fees required to be paid by prospective franchisees submitting proposals to the Authority in response to the RFP shall be paid by such applicant to the Authority. The Authority shall be entitled to use such funds to defray costs and expenses incurred by it in the franchising process. All funds not so used by the Authority shall be distributed to Members in proportionate shares or, if the Authority so decides, may be used in support of the Authority's first annual budget.

D. Acceptance Fee - The non-refundable acceptance fee, required under the terms of the franchise to be paid by the franchisee, shall be paid to the Authority. Such fee shall be used by the Authority or distributed in proportionate shares to Members as provided for in Section C of this Article regarding application fees.

E. Franchise Fees - The continuing annual franchise fees payable to the Parties by the franchisee, pursuant to each Party's award of a franchise to such franchisee, shall be paid directly to the respective Parties and not to the Authority.

F. Professional Services - The Authority is hereby authorized to engage the services of such attorneys, accountants, consultants and other advisors as it may deem necessary or appropriate to the exercise of its powers and the discharge of its responsibilities and to pay the reasonable costs of such services.

G. Financial Accounting - The Authority shall open and maintain such bank account or accounts as may be required by law and as may otherwise be dictated by sound financial practice. All funds received or collected by the Authority shall initially be deposited to such account or accounts. The Treasurer shall properly invest, so far as practicable, all funds received by the Authority and the interest received on account thereof shall be applied to defray the Authority's operating expenses. The Treasurer shall be bonded in such amount as the Authority may designate from time to time.

VIII. Certain Policy Matters - It is the policy and intent of the Parties that no Member of the Authority be required materially to subsidize the special requirements of any other Member and that each Member's requirements with respect to public access channels be considered by prospective franchisees. Accordingly, the Parties agree as to the matters set forth below.

A. Special Costs:- The RFP shall require all proposals to specify any identifiable material costs associated with low density service, underground installation, or non-contiguous service. All such costs, if any, shall be paid by the subscribers benefitting therefrom.

B. Special Services - Special services provided by the franchisee to any business, institution, or other user shall be recovered from such users, or others benefitting from such services, to the maximum extent possible.

C. Public Access - The RFP shall require all proposals to address the special needs and characteristics of each Party regarding public access channels.

IX. Integrity of the Franchisee Selection Process - Each of the Parties hereto is committed to awarding a franchise solely on the basis of the merit of the successful applicant and such applicant's proposal as revealed solely by the public record relating to such award. To

that end, the Authority, in its by-laws, and each Party, by ordinance or by resolution, shall adopt a policy to implement the foregoing commitment. Such policy shall comply with the spirit of Section VI ("Guidelines for Lobbying Rules", a copy of which is attached hereto and the provisions of which are incorporated herein) of the Code of Cable Television-Franchising Conduct, adopted and endorsed by the National League of Cities Board of Directors on February 28, 1981.

X. Withdrawal of Party - Except as otherwise provided in this Article and in Article XI, no party may withdraw from this Agreement for a period ending on (1) two years from and after the effective date hereof or (2) the completion of construction of the franchisee's system within such Party's jurisdiction, whichever first occurs. Thereafter, any Party may withdraw, but such withdrawal shall not be effective until December 31st of the year of withdrawal and unless written notice of such withdrawal shall have been mailed to the Authority by registered or certified mail on or before July 1st of the year of withdrawal. From and after the effective date of withdrawal, the withdrawing Party shall cease to be a Member of the Authority and shall lose all benefits of membership therein.

XI. Withdrawal on Dissent From Franchisee Selection - Notwithstanding any provision to the contrary contained in this Agreement, if any Party disagrees with the recommendations of the Authority as to the designation of the franchisee, and such recommendation has become a final and binding decision of the Authority pursuant to the provisions of Article V, such Party may withdraw from this Agreement upon 10 days written notice, mailed by registered or certified mail, to the Authority and to all other Parties. Any other Party may also then withdraw by mailing written notice of such withdrawal, by registered or certified mail, on or before 10 days after receiving notice of the first Party withdrawing under this Article or by

mailing such notice on or before 10 days after receiving notice of the withdrawal of any subsequent Party withdrawing hereunder. If, as a result of such withdrawal, the aggregate number of dwelling units contained in the remaining Parties becomes less than 35,000, based on 1980 Census figures of the Oakland County Planning Division, then this Agreement shall automatically terminate as to such remaining Parties.

XII. Minimum Parties; Effective Date; Condition Subsequent - It is intended that the initial Parties to this Agreement shall contain, in the aggregate, not less than 35,000 dwelling units based on 1980 census figures of the Oakland County Planning Division. Accordingly, the effective date of this Agreement shall be the date the Agreement is signed by a community having a sufficient number of dwelling units to raise the total of such units of all the communities which have then signed to not less than 35,000; provided, however, if the required number has not been so reached by July 31, 1981, such failure shall constitute a condition subsequent to this Agreement terminating the same as to all communities which have signed.

XIII. Additional Parties - Any political subdivision of the State of Michigan which desires to become a party to this Agreement after its effective date but prior to the first or organizational meeting of the Authority may do so upon the majority affirmative vote of the existing Parties (which vote shall be weighted in accordance with the provisions of Article III, Section C) and upon executing this Agreement. After the first or organizational meeting of the Authority, any political subdivision of the State of Michigan desiring to become a party to this Agreement may make application to do so in accordance with such rules and procedures as the Authority may adopt regarding such applications. The Authority shall condition its approval of such application on the applicant's signing this Agreement, as then amended or restated, and may condition such approval on such other terms and conditions as it may deem necessary

or appropriate to protect its interests and the interests of its existing members.

XIV. Time Table - The Parties all acknowledge the importance and desirability of awarding a franchise as quickly as reasonably possible. Accordingly, the Parties hereby undertake, and hereby mandate the Authority to undertake, to exert their respective best efforts to comply with the following time table: (1) completion by the Authority of all required franchise documents (including, without limitation, forms of franchise ordinance, franchise agreement and RFP), and dissemination of the same to the Parties, within 45 days after the effective date of this Agreement; (2) adoption of the franchise documents (or filing objections thereto) by the Parties within 30 days after the same have been disseminated to the Parties by the Authority; (3) dissemination of the RFP by the Authority to prospective bidders forthwith upon the adoption by the Parties of the franchise documents; (4) submission of proposals by bidders to the Authority within 75 days after dissemination of the RFP by the Authority; (5) submission by the Authority to the Parties of the Authority's recommendation regarding the award of a franchise within 60 days after the date specified to prospective bidders for submission of proposals.

XV. Captions and Counterparts - The titles of Articles and the captions to sections shall not be deemed to be a part of this Agreement and shall have no independent significance. This Agreement may be executed in any number of counterparts each of which, when so executed, shall be deemed to be an original, but such counterparts together shall constitute one and the same Agreement.

XVI. Amendments - This Agreement may only be amended by further written agreement executed by all the Parties then bound hereby.

In Witness Whereof, this Agreement has been signed on the date indicated.

Dated: \_\_\_\_\_

City of \_\_\_\_\_

By \_\_\_\_\_

BY-LAWS

INTERGOVERNMENTAL CABLE COMMUNICATIONS AUTHORITY

1. Establishment. The Authority has been established by a certain Agreement between and among certain political subdivisions of the State of Michigan entitled "Intergovernmental CATV Agreement" (the Agreement) effective as of July 20, 1981. The rights, privileges, powers, purposes, duties, and responsibilities of the Authority, and the limitations thereon, shall at all times be subject to the terms and provisions of the Agreement.
2. Official Name. The official name of the Authority shall be "Intergovernmental Cable Communications Authority".
3. Members. Members of the Authority shall consist of and be limited to the parties to the Agreement as such parties may exist from time to time.
4. Representatives. Each Member shall be represented by one representative and one alternate representative. In the absence of the representative, the alternate representative shall be entitled to cast the vote for the Member such alternate represents. All representatives shall serve without compensation and no person having any ownership or financial interest, direct or indirect, in any cable communications company shall be eligible to be a representative or alternate representative.
5. Regular Meetings. All regular and special meetings shall comply with the requirements of P.A. 267 of 1976, as amended ("Open Meetings Act"). Regular meetings shall be held monthly on the second Wednesday of each month.
6. Special Meetings. Special meetings may be called by the Chairman of the Authority or by any two Members pursuant to notice as required under the Open Meetings Act. The notice shall specify the purpose for which the meeting has been called.
7. Place and Time of Meetings. The Huntington Woods City Hall shall be the official place and 2:00 p.m. the official time of all meetings of the Authority.
8. Rules of Order. Meetings of the Authority shall be conducted in accordance with Roberts Rules of Order, Revised; provided, however, such rules may be waived by unanimous consent of all representatives present at the meeting at which a motion to waive is introduced.
9. Quorum. A quorum of representatives shall consist of that number capable of casting a majority of possible votes of all representatives. Except as otherwise provided in Section 17 of these by-laws

a majority of the votes capable of being cast by a quorum shall be necessary and sufficient for the Authority to pass motions, adopt resolutions, or take any other action within its powers.

10. Voting. Each Member, through its representative or alternate representative, shall be entitled to one vote plus one additional vote for each 10,000 (or fraction thereof) dwelling units within such Member's territorial limits as established by 1980 census figures of the Oakland County Planning Division. Voting shall only be by a representative or alternate actually present at a meeting; voting by proxy or in absentia shall not be permitted.

11. Agenda and Minutes. There shall be an agenda for each regular meeting and minutes shall be kept of each regular and special meeting of the Authority. Copies of such minutes shall be mailed to each Member as promptly as practicable after the meeting to which such minutes apply.

12. Annual Periods. The fiscal year and all other annual periods of the Authority referred to herein shall end on June 30th of each year.

13. Officers. The officers of the Authority shall consist of a Chairman, a Vice Chairman, a Secretary, and a Treasurer. Any person may occupy any two of such offices except the offices of Chairman and Vice Chairman. Such officers shall be elected from among the representatives to the Authority by such representatives (or alternate representatives). Such election shall be by open ballot. The initial election of such officers shall take place at the first or organizational meeting of the Authority. Subsequent elections shall be held on the first meeting of the Authority held after the expiration of each fiscal year. All officers of the Authority shall serve without compensation and for a period commencing with their election and terminating with the election of their respective successors. In the event of a vacancy in any office, such vacancy shall be filled promptly by an election to be held at the next regular meeting or an earlier special meeting.

14. Duties of Officers. The Chairman of the Authority shall preside at all meetings of the Authority and shall approve the agenda for all regular meetings of the Authority as initially prepared by the Secretary. With the exception of the Vice Chairman in the Chairman's absence, the Chairman shall have the sole authority to execute documents or instruments on the Authority's behalf and to sign correspondence on behalf of the Authority. The Vice Chairman shall assume and perform all duties of the Chairman in case of the Chairman's absence or other inability to perform such duties. The Secretary shall keep, or cause the keeping, of all minutes of the Authority's meetings and shall prepare the agenda for all regular meetings of the Authority subject to the Chairman's right to amend such agenda. The Secretary shall also maintain and safekeep, or provide for the maintenance and safekeeping, of all of the Authority's official papers, documents, instruments and records. The Treasurer shall have custody and keep account of all funds of the Authority and render such accounts as the Authority may require of him. He shall deposit all funds of the Authority in such bank or banks as the Authority may designate, pay out money as the affairs of the

Authority may require, and properly invest so far as practicable, all funds received by the Authority. The Authority shall have the power, by resolution, to provide by what officers, if any, all bills, checks, vouchers, or other instruments shall be countersigned. All officers shall perform, in addition, such other duties as may be delegated to them or to any of them by the Authority. The Authority may secure the fidelity of any or all of such officers by bond or otherwise.

15. Executive and Other Committees. The officers of the Authority shall constitute the Executive Committee. The Executive Committee shall have such powers and shall perform such duties as the Authority may delegate to it from time to time. The Authority may appoint by resolution such additional standing committees, special committees and task forces as the Authority may from time to time deem necessary or appropriate.

16. Lobbying. Pursuant to the requirements of Article IX of the Agreement, a special lobbying by-law shall be adopted, as soon as reasonably possible, establishing rules for lobbying, which such rules shall comply with the spirit of Section VI ("Guidelines for Lobbying Rules") of the Code of Cable Television Franchising Conduct, adopted and endorsed by the National League of Cities Board of Directors on February 28, 1981.

17. Amendments. These by-laws may only be amended by a majority of the maximum number of votes capable of being cast by the representatives of all of the Authority's members.

18. Supremacy of Agreement. In the event of any conflict between any provision of these by-laws, as originally adopted or subsequently amended, and any provision of the Agreement, as originally executed or subsequently amended, the provision of the Agreement shall prevail and the provision of the by-laws in conflict therewith shall be deemed to be void.

*see additional  
by-laws 19+20 on  
next page*

RESOLVED, that the Authority's by-laws be amended by adding additional by-laws 19 and 20 thereto to read as follows:

19. Any representative or alternate representative to the Authority who has a personal or financial interest in any matter presented to the Authority, shall disclose such interest to the Authority and thereafter shall not participate, except to respond to questions from Authority representatives, in any deliberation regarding that matter and shall abstain from voting thereon.

20. No representative, alternate representative, employee, or agent of the Authority shall apply for, or have any interest in any entity which applies for, any non-governmental grant or similar benefaction to be awarded by the Authority. Any entity in which a representative, alternate representative, employee, or agent of the Authority has a direct interest shall be ineligible to apply for or be a recipient of any such grant or similar benefaction to be awarded by the Authority.

Adopted at regular meeting of the Authority on July 18, 1990.

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, October 6, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:32 PM.

#### **B. ROLL CALL:**

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

Excuse Absent Council Members:

Resolution #2014-10-124  
Moved by Slater  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council member Tietz at the Special City Council Meeting of September 29, 2014, due to being out of the county.

Yes: All-7  
No: None

#### **MOTION CARRIED**

#### **C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1** Presentation by Salih Ozdemir, Niagara Foundation Executive Director and Tolga T. Celik, President of the Turkish American Society of Michigan (TASM) to the City of Troy (*Introduction by: Mayor Dane Slater*)

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**C-2** Transit Center Grand Opening – October 14, 2014 at 9:30 AM (Press Release to Follow on Monday, October 6, 2014) (*Introduction by: Mayor Dane Slater*)

#### **D. CARRYOVER ITEMS:**

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**D-1** No Carryover Items

#### **E. PUBLIC HEARINGS:**

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**E-1** No Public Hearings

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

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

**H. POSTPONED ITEMS:**

**H-1** No Postponed Items

**I. REGULAR BUSINESS:**

**I-1** Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; b) City Council Appointments – Animal Control Appeal Board, Parks and Recreation Advisory Board

**a) Mayoral Appointments:**

Resolution #2014-10-125

Moved by Slater

Seconded by Pennington

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

**Downtown Development Authority**

Appointed by Mayor

13 Regular Members

4 Year Term

**Term Expires: 9/30/2018**

**Ward Randol Jr.**

**(In District)**

Term currently held by:

Ward Randol Jr.

**Term Expires: 9/30/2018**

**Ernest Reschke**

**(At Large)**

Term currently held by:

Ernest Reschke

**Term Expires: 9/30/2018**

**Douglas Schroeder**

**(At Large)**

Term currently held by:

Douglas Schroeder

Yes: All-7

No: None

**MOTION CARRIED**

**b) City Council Appointments:**

Resolution #2014-10-126

Moved by Henderson  
Seconded by Campbell

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

**Animal Control Appeal Board**

Appointed by Council  
5 Regular Members  
3 Year Term

**Term Expires: 9/30/2017**

**Jayne Saeger**

Term currently held by: Jayne Saeger

**Term Expires: 9/30/2017**

**Steve Toth**

Term currently held by: Steve Toth

**Parks and Recreation Board**

Appointed by Council  
7 Regular Members and 1 Troy School Board Member:  
Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

**Term Expires: 9/30/2017**

**Janice Zikakis**

Term currently held by: Janice Zikakis

Yes: All-7  
No: None

**MOTION CARRIED**

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

**a) Mayoral Nominations:**

**b) City Council Nominations:**

Resolution #2014-10-127  
Moved by Henderson  
Seconded by Pennington

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:

Parks and Recreation Board

Appointed by Council

7 Regular Members and 1 Troy School Board Member:

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

Nominations to the Parks and Recreation Board

**Term Expires: 9/30/2017**

**Timothy McGee**

Term currently held by:

Meaghan Kovacs

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-3 No Closed Session Requested**

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**I-4 Standard Purchasing Resolution 2: Low Bidder Meeting Specifications - Fencing for I-75 Under the Overpass (Introduced by: Kurt Bovensiepe, Public Works Manager)**

Resolution #2014-10-128  
Moved by Henderson  
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish and install new fencing on Big Beaver under the I-75 Overpass to the low bidder meeting specifications; *Motor City Fence Co. of Troy, Michigan*, for an estimated total cost of \$12,489.00, not to exceed budgetary limitations; at unit prices contained in the bid tabulation opened September 25, 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 contractor’s submission of properly executed contract documents, including insurance certificates and all other specified requirements.

Yes: All-7  
No: None

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2014-10-129  
Moved by Fleming  
Seconded by Campbell

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

Yes: All-7  
No: None

## MOTION CARRIED

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

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### J-2 Approval of City Council Minutes

#### Suggested Resolution

Resolution #2014-10-129-J-2

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

- a) City Council Minutes-Draft – September 22, 2014
- b) Special Joint City Council Minutes-Draft – September 29, 2014

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### J-3 Proposed City of Troy Proclamations: None Submitted

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### J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Parking Lot Maintenance Program – Community Center**

Resolution #2014-10-129-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** a contract to complete an asphalt overlay to the Community Center's north parking lot and north service drive to the low bidder meeting specifications; *S & J Sealer Co. dba S & J Asphalt Paving Co. of Canton, Michigan*, for an estimated total cost of \$102,493.50, not to exceed budgetary limitations; at the unit prices contained in the bid tabulation opened September 25, 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 contractor's submission of properly executed contract documents, including insurance certificates and all other specified requirements.

- b) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications - Calcium Chloride Tank and System**

Resolution #2014-10-129-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish one (1) Calcium Chloride Tank and System unit to the low bidder meeting specifications; *Fluid Cooling Systems of Rochester Hills, Michigan*, for an estimated total cost of \$53,589.00, not to exceed budgetary

limitations; at unit prices contained in the bid tabulation opened September 25, 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 contractor's submission of properly executed contract documents, including insurance certificates and all other specified requirements.

**c) Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement - In-Car Video System**

Resolution #2014-10-129-J-4c

RESOLVED, That Troy City Council hereby **APPROVES** a contract for the purchase of three (3) in-car video systems for the Police Department from *Advanced Wireless Telecom of Wixom, MI*, through the Oakland County Cooperative Purchasing Contract as per the detailed Proposal, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$21,945.58.

**d) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 14-7 – Department of Public Works Trench Drain**

Resolution #2014-10-129-J-4d

RESOLVED, That Troy City Council **AWARDS** Contract No. 14-7, 2014 Department of Public Works (DPW) Trench Drain, to *Marshall Pools & Excavation Inc., 7125 Birchwood Dr., Genesee MI 48437*, for their low total bid amount of \$55,405.00.

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.

**J-5 Bid Waiver – Troy Public Library – Youth Services Shelving Replacement**

Resolution #2014-10-129-J-5

WHEREAS, The City of Troy Public Library shelving in the Youth Services Section is Worden Shelving, and is need of replacement and continued shelving standardization; and

WHEREAS, Library Design Associates, Inc. of Plymouth, MI is the sole authorized Michigan Dealer for Worden Library shelving products;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it be in the City's best interest to **WAIVE** bidding procedures and **AWARDS** a contract for the purchase of one (1) lot of library shelving from *Library Design Associates, Inc. of Plymouth, MI*, as detailed in Proposal #P-16887.1, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$32,758.00.

**J-6 Bid Waiver – Replacement TASERs**

Resolution #2014-10-129-J-6

WHEREAS, Michigan Taser Distributing of South Lyon, MI is the sole source provider in Michigan of the X26 Tasers and accessories; and

WHEREAS, On June 7, 2010, Troy City Council deemed it to be in the City's best interest to waive formal bidding procedures; and purchase X26 Tasers and training cartridges from Michigan Taser Distributing and approved a three (3) year contract, which expired June 30, 2014, (Resolution #2011-11-261); and

WHEREAS, Michigan Taser Distributing has successfully provided Tasers and all accessories to the City of Troy;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it be in the City's best interest to **WAIVE** bidding procedures and **CONFIRMS** the purchase of X26 Tasers, training cartridges and accessories from *Michigan Taser Distributing of South Lyon, MI*, as detailed in quote #3691, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$49,988.02.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a three (3) year contract to order Tasers, training cartridges and accessories on an as needed replacement basis from the sole source provider, *Michigan Taser Distributing of South Lyon, MI*; contract expiring June 30, 2017.

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

- a) November 10, 2014 – For Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Toyoda Gosei NA Corp., 1400 Stephenson

**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:**

David Zuza	Spoke about the "Scarecrow Glow" fundraising event at the Historical Village on Wednesday, October 22, 2014, from 6 pm–9 pm.
James Savage	Spoke about the "Shall We Dance" event at the Community Center on Thursday, October 9, 2014, from 7 pm-9:30 pm. Light refreshments are provided by American House-Troy. \$6 for residents, \$7 for non-residents.

**M. COUNCIL REFERRALS:**

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

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**M-1 No Council Referrals Advanced****N. COUNCIL COMMENTS:****N-1 No Council Comments Advanced****O. REPORTS:****O-1 Minutes – Boards and Committees:**

- a) Traffic Committee-Final – July 16, 2014
  - b) Animal Control Appeal Board-Final – July 23, 2014
  - c) Zoning Board of Appeals-Final – August 19, 2014
  - d) Planning Commission-Draft – September 9, 2014
  - e) Planning Commission-Final – September 9, 2014
  - f) Civil Service Commission (Act 78)-Draft – September 11, 2014
  - g) Zoning Board of Appeals-Draft – September 16, 2014
  - h) Animal Control Appeal Board-Draft – September 24, 2014
- Noted and Filed
- 

**O-2 Department Reports:**

- a) Building Department Activity Report – September, 2014
- Noted and Filed
- 

**O-3 Letters of Appreciation:**

- a) To Brian Kischnick from Bryan Barnett, Mayor of the City of Rochester Hills Regarding Assistance with the Tornado that Hit Rochester Hills on September 21, 2014
  - b) To Brian Kischnick from Michael Koran, President of Specialized Vehicles, Inc., Regarding the Move Across Troy Big Beaver Symposium
  - c) To Brian Kischnick from Police Chief Gary Mayer Regarding the Troy Police Charity Golf Outing
- Noted and Filed
- 

**O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted****O-5 Notice of Hearing for the Electric Customers of DTE Electric Company Case No. U-17632**

Noted and Filed

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**O-6 Notice of Hearing for the Electric Customers of DTE Electric Company Case No. U-17689**

Noted and Filed

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**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):**

Karen Geibel	Introduced herself as a candidate for the 6 <sup>th</sup> Circuit Court.
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**Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #17 – Members of the Public and Visitors**

Resolution #2014-10-130  
Moved by Slater  
Seconded by Henderson

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #17 - *Members of the Public and Visitors* to allow someone to speak during public comment.

Yes: All (7)  
No: None

**MOTION CARRIED**

Ilene Hill	Spoke requesting bike paths and trails along Beach Road and spoke about the Children’s Hospital development on Big Beaver.
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**Q. STUDY ITEMS:**

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**Q-1 No Study Items**

**R. CLOSED SESSION:**

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**R-1 No Closed Session**

**S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 8:08 PM.

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Mayor Dane Slater

---

M. Aileen Bittner, CMC  
City Clerk

**A. CALL TO ORDER:**

A Special Study Meeting of the Troy City Council was held on October 22, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:30 AM.

**B. ROLL CALL:**

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

**C. DISCUSSION ITEMS:**

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**C-1 Request for Vote Allowing Employment Under Charter Anti-Nepotism Provision  
(Introduced by: Lori Grigg Bluhm, City Attorney)**

Resolution #2014-10-137

Moved by Fleming

Seconded by Tietz

RESOLVED, That Council Member Campbell be **PERMITTED** to abstain from voting.

Yes: All-7

No: None

**MOTION PASSED**

Resolution #2014-10-138

Moved by Hodorek

Seconded by Henderson

RESOLVED, That approval is **GRANTED** to hire Colleen Campbell as a Troy Police Service Aide, should she successfully complete the remaining steps in the selection process.

Yes: Fleming, Henderson, Hodorek, Pennington, Slater, Tietz

No: None

Abstain: Campbell

**MOTION PASSED**

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**C-2 Transit Center Memo of Understanding (Introduced by: Lori Grigg Bluhm, City Attorney)**

Resolution #2014-10-139  
Moved by Tietz  
Seconded by Henderson

BE IT RESOLVED, That the Troy City Council **APPROVES** the substance of the attached Memorandum of Understanding between the City of Troy and Grand Sakwa, and **AUTHORIZES** the City Attorney or City Manager to finalize the document and once completed, to execute the document on behalf of the City.

Yes: All-7  
No: None

**MOTION PASSED**

**D. PUBLIC COMMENT: No Public Comment Received**

**E. ADJOURNMENT:**

The Meeting **ADJOURNED** at 7:43 AM.

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Mayor Dane Slater

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M. Aileen Bittner, CMC  
City Clerk



## CITY COUNCIL AGENDA ITEM

---

October 27, 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: State of Michigan – MiDEAL Program –  
Fleet Vehicles/Equipment

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### **History**

- The Brush Bandit Chipper Model 255XP recommended for purchase is a replacement for the 2002 Brush Bandit Chipper to be auctioned or traded-in.
- This 15” capacity disc style chipper is used by the Department of Public Works and Parks Division to chip brush from storm damage, city right away tree trimming, park maintenance and brush from ditches.

### **Purchasing**

- Bandit Industries, Inc. – Is one of the awarded low bidders from the State of Michigan – MiDEAL Program – Contract #071B3200141.
- Bandit Industries, Inc has offered a trade-in allowance of \$7,000 for the 2002 Bandit chipper.
- 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 may benefit from marketing the chipper on the GovDeals.com site for optimal trade-in value.

### **Financial**

Funds are available in the Public Works Fleet Division capital account 661.549.565.7981. Budgeted amount for this purchase is \$55,000.00.

### **Recommendation**

City management requests authorization to purchase one (1) 2014 Brush Bandit Chipper Model 255XP for the Public Works Department and Parks division from Bandit Industries, Inc., of Remus, MI, through the State of Michigan MiDEAL Program Contract #071B3200141 for an estimated total cost of \$40,126.00; less trade-in for the 2002 Bandit Chipper for \$7,000.00 or better at the time of delivery of the new unit.





## CITY COUNCIL AGENDA ITEM

---

Date: October 27, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
Steven Pallotta, Building Operations Director

Subject: Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Energy Management Improvements – 52-4 District Court

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### History

- The current Energy Management System was installed in 1997 for the adaptive re-use of the Troy Community Center for Oakland County 52-4 District Court. The current Energy Management System is made by Honeywell and throughout the years, hardware, software, and support have become unavailable.
- The current Energy Management System controls the temperature of the heating and cooling systems, the start and stop times of three rooftop units, full control of the boiler system, and the ability to independently control and manage forty five temperature zones within the building.
- In the past five years, it has become very difficult to obtain replacement parts and any software support for the current Honeywell System.
- Staff recommends that the Energy Management System be replaced with Andover Controls for City Building standardization. The Andover Energy Management System is currently used at the Troy Police Department, Troy City Hall, Troy Community Center and the Troy Public Library.
- The Andover Energy Management System is also currently used by the City of Troy School District at all of their locations.

### Purchasing

- On October 9, 2014; a bid opening was conducted as required by City Charter/Code and bids were received at the City's request from Companies that are able to furnish all labor, materials and equipment to complete Energy Management Improvements at the City of Troy 52-4 District Court.
- Companies were notified via the Michigan Intergovernmental Trade Network (MITN); [www.mitn.info](http://www.mitn.info). 430 vendors were notified via the MITN website. One (1) bid response was received. Below is a detailed summary of the vendor responses.



# CITY COUNCIL AGENDA ITEM

<b>Companies notified via MITN</b>	430
Troy Companies notified via MITN	11
Troy Companies notified Active email Notification	11
Troy Companies notified Active Free	0
<b>Companies that viewed the bid</b>	47
Troy Companies that viewed the bid	0

**MITN** provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy. **Active MITN** members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City. **Active MITN non-paying members** are responsible to monitor and check the MITN website for opportunities to do business with the City. **Inactive MITN member** status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.

- Included in the bid process was a pre-bid meeting. Two (2) Companies attended the Pre-Bid meeting.
- Mechanical Controls and Maintenance, Inc. (MCMI) of Sterling Heights, MI was the sole bidder meeting specifications and is being recommended to install the new energy management improvements at the 52-4 District Court Building.
- 430 companies were notified of this bid opportunity and two (2) companies attended the Pre-Bid Meeting and one (1) bid was received. Of the two companies that attended the Pre-Bid meeting; one company was not an authorized Andover Energy Management System Dealer.

### Financial

The total cost of this project is \$142,990.00 and funds are budgeted and currently available in the Building and Improvements Reserve (District Court) 277.7975.145; which has a current balance of \$90,000.00, and the Buildings and Improvements Emergency Repairs (City Hall) 265.7975.050 for \$52,990.00; which has a current balance of \$200,000.00. This project will be completed during FY 2014/2015.

### Recommendation

City management recommends awarding a contract to complete new energy management improvements at the 52-4 District Court for an estimated total cost of \$142,990.00 not to exceed budgetary limitations to the sole bidder, Mechanical Controls and Maintenance, Inc. (MCMI) of Sterling Heights, MI at the base bid price contained in the bid tabulation opened October 9, 2014. The award is contingent upon the contractors' submission of properly executed bid documents including insurance certificates, and all other specified requirements.



## CITY COUNCIL AGENDA ITEM

Date: November 3, 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 – Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

### History

- The three (3) vehicles being purchased are replacement vehicles for the Public Works Department.
- This purchase replaces existing vehicles and does not increase the size of the existing Department of Public Works motor pool fleet.
- The three (3) obsolete vehicles will be removed from service and sold at auction with estimated proceeds of \$17,000.00.
- 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)

### 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.

### Financial

Funds are currently available in the Public Works Fleet Division capital account 661.549.565.7981

<u>Signature Ford Lincoln</u>	<u>Budget</u>	<u>Unit Cost</u>	<u>Estimated Total</u>
(2) Ford F-250 4X4 Super Cab Pickups	\$64,000.00	\$26,138.00	\$52,276.00
(1) Ford 4X4 Escape	<u>\$17,000.00</u>	\$24,410.00	<u>\$24,410.00</u>
	<b>\$81,000.00</b>		<b>\$76,686.00</b>

### Recommendation

City management requests authorization to purchase two (2) 2015 Ford F-250 4X4 Super Cab Pickups and one (1) 2015 Ford 4X4 Escape for the Public Works Department from the low total bidder, Signature Ford Lincoln of Owosso, MI, as per the Macomb County Cooperative Bid Contract ID Number 51-13 for an estimated total cost of \$76,686.00.



Ford Escape



Ford F-250 4X4 Super Cab



## CITY COUNCIL AGENDA ITEM

Date: November 3, 2014  
 To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
 Timothy L. Richnak, Public Works Director  
 Kurt Bovensiep, Public Works Manager  
 Cindy Stewart, Community Affairs Director  
 Paul Evans, Zoning and Compliance Specialist

Subject: Standard Purchasing Resolution 2: Low Bidders Meeting Specifications – Snow Removal Services

### History

- The Parks Division is responsible for the snow and ice removal on all municipal property, which includes parking lots, building entrances, and sidewalks
  - Locations include; City Hall, Community Center, Museum, Nature Center, Transit Center, Fire Stations, Police and Fire Training Center, Camp Ticonderoga
  - For the past 4 years this service has been contracted to allow the Parks Division employees to assist with snow and ice removal on major and local roads
- The Streets and Drains Division is responsible for the snow and ice removal on all municipal owned sidewalks at detention/retention ponds, vacant property, median crossings, park property, and cemeteries
  - There are over 100 separate locations totaling 22 miles worth of sidewalk.
  - Sidewalks are cleared when accumulations exceed 2 inches
- The Code Enforcement Division is responsible for clearing snow and ice from uncompliant private property owners abutting public sidewalks as Chapter 34.11 and 34.11.01 states
  - Code Enforcement only responds to those properties that have received specific complaints
  - Contractor charges and fees are invoiced to the property owner
- The Community Affairs Division is responsible for administrating the Community Development Block Grant (CDBG) Home Chore Program
  - Qualified individuals are eligible for assistance with snow and ice removal from driveways and sidewalks
  - Approximately 90 homes are completed under this program
  - CDBG funds this operation
- The Streets and Drains Division is responsible for the snow and ice removal on subdivision roads (local roads) when accumulations exceed 3 inches and continued below freezing conditions are predicted
  - Troy has over 265 miles of local roads
  - Objective is to clear all local roads within 24-48 hours after the snow stops
  - Contractors assist City of Troy crews in completing this objective

### Purchasing

On October 23, 2014, a bid opening was conducted as required by City Charter and Code for seasonal requirements for Snow Removal Services with an option to renew for one (1) additional season. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; [www.mitn.info](http://www.mitn.info) and the bid was also sent to the Troy Chamber of Commerce. One (1) bid response was received for each proposal. Below is a detailed summary of potential vendors for the bid opportunity:



# CITY COUNCIL AGENDA ITEM

**Purchasing (continued):**

<b>Companies notified via MITN</b>	229	<p><b>MITN</b> provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.</p> <p><b>Active MITN</b> members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.</p> <p><b>Active MITN non-paying</b> members are responsible to monitor and check the MITN website for opportunities to do business with the City.</p> <p><b>Inactive MITN</b> member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of</p>
Troy Companies notified via MITN	5	
Troy Companies notified Active email Notification	5	
Troy Companies notified Active Free	0	
<b>Companies that viewed the bid</b>	30	
Troy Companies that viewed the bid	3	

After reviewing the bid responses, *Advanced Landscape & Builders Supply Co. of Troy Michigan* was the low bidder meeting specifications for Proposal A, *MVP Environmental of Troy, Michigan* was the low bidder meeting specifications for Proposals B, C, and D, and *DiPonio Contracting, Inc. of Shelby Township, Michigan* was the low bidder meeting specifications for Front End Loader with 5 and 3 yard capacities and Truck with 10 foot Snowplow in Proposal E and is being recommended for snow removal services respectively.

*Florence Cement Company of Shelby Township* submitted a separate quote for the items Truck with 8 foot Snowplow and Road Grader with Minimum Size of 6 Wheels 20,000 GVW Grader. Historically Florence Cement Company has been the only local company with this type of equipment and is being recommended for snow removal services under Proposal E for these two items only.

**Financial**

Funds are currently available for each service in the corresponding division:

	<b>Account Number</b>	<b>Available Funds</b>
<b>Proposal A- City Owned Properties</b>		
Civic Center	101.751.30.756.7802.070	\$115,304
Fire Hall Operations	101.336.344.7802.050	\$34,910
Police and Fire Training	101.264.261.7802.050	\$1,500
Museum	101.804.807.7802.070	\$13,605
Park Maintenance	101.751.30.770.7802.050	\$181,412
<b>Proposal B- City Owned Properties</b>		
Park Maintenance	101.751.30.770.7802.070	\$115,304
Street Sidewalks	101.447.24.511.7802.050	\$44,000
<b>Proposal C- Code Enforcement</b>		
Code Enforcement	101.447.26.519.7802.070	\$22,003
<b>Proposal D- Home Chore</b>		
CDBG	280.733.7802.070	\$36,526
<b>Proposal E- Local Roads</b>		
Streets Local Road Snow Removal	101.447.20.498.7802.070	\$250,000



## CITY COUNCIL AGENDA ITEM

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### **Recommendation**

City management recommends awarding a contract to provide seasonal requirements with an option to renew for one (1) additional season to *Advanced Landscape & Builders Supply Co. of Troy Michigan* for Proposal A, *MVP Environmental of Troy Michigan* for Proposals B, C, and D, *DiPonio Contracting, Inc. of Shelby Township Michigan* for Front End Loader with 5 and 3 yard capacities and Truck with 10 foot Snowplow in Proposal E, *Florence Cement Company of Shelby Township* for Truck with 8" Snowplow and 20,000 GVW Road Grader in Proposal E, at prices detailed and contained in the attached bid tabulation. In addition City management is recommending the approval to allow city administration to extend the pricing established in Proposal E to other vendors for emergency conditions of snow and ice removal.

VENDOR NAME:	<b>Advanced Landscape &amp; Builders Supply Co. Troy, MI</b>	<b>MVP Environmental Troy, MI</b>
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**Proposal (A): City Owned Properties - Parking Lots, Building Entrances and Sidewalks**

Item	Type of Equipment	# Dedicated	COST		
<b>Parking Lots</b>					
1	5-10 Yd Capacity Truck w/Salting Capabilities	2	\$ 90.00 /Hr	No Bid	
2	Front End Loader - 5 yd Capacity w/Snow Pusher	4	\$ 120.00 /Hr	No Bid	
3	Front End Loader - 3 yd Capacity w/Snow Pusher	2	\$ 120.00 /Hr	No Bid	
4	Skid Steer with Snow Pusher	1	\$ 100.00 /Hr	No Bid	
5	Pickup with 8 ft Blade	10	\$ 75.00 /Hr	No Bid	
6	Truck with 10 ft Snowplow	2	\$ 85.00 /Hr	No Bid	
7	Parking Lot Salt		\$ 115.00 /Ton	No Bid	
<b>Sidewalks:</b>					
8	Utility Vehicle with 5' Snow Plow	4	\$ 55.00 /Hr	No Bid	
9	Utility Vehicle with Salt Spreader	3	\$ 55.00 /Hr	No Bid	
10	Utility Vehicle w/5' Snow Plow & Salt Spreader	4	\$ 55.00 /Hr	No Bid	
11	Utility Tractor Mounted Snow Blower	1	\$ 55.00 /Hr	No Bid	
12	Walk-Behind Snow Blower	6	\$ 35.00 /Hr	No Bid	
13	Snow Shovel and Operator	10	\$ 35.00 /Hr	No Bid	
14	Walk-Behind Salt Spreader with Operator	10	\$ 35.00 /Hr	No Bid	
15	Sidewalk Salt: To be supplied by the City of Troy		Included		
<b>ESTIMATED GRAND TOTAL - PROPOSAL A:</b>			\$ 1,030.00	No Bid	

**Proposal (B): City Owned Properties - Sidewalks (Various locations within the City of Troy)**

Item	Description	Sidewalk - Deicing	Sidewalks - Plowing	Sidewalk - Deicing	Sidewalks - Plowing
1	Less than One (1) inch or Icy Conditions	No Bid		\$ 0.01	
2	Three (3) inches to Six (6) inches	No Bid	No Bid	\$ 0.01	\$ 0.1205 /LF
3	Greater than Six (6) inches	No Bid	No Bid	\$ 0.01	\$ 0.1650 /LF

**Proposal (C): Code Enforcement per Call Basis**

Item	Description	Cost		Cost	
1	Dispatch Fee	No Bid	Per Property	\$ 3.00	Per Property
2	Price for Snow / Ice Removal	No Bid	Per Hour	\$ 25.00	Per Hour
3	Price for Salting per each Service Call	No Bid	Per Call Out	\$ 12.50	Per Call Out

**Proposal (D): Snow Removal Services for the Home Chore Program**

Est #	Description	Snow Removal Service Call	Salting/ Service Call	Snow Removal/ Service Call	Salting/ Service Call
85	Snow Removal and/or Salting at Residential City of Troy Homes	No Bid	No Bid	\$ 19.00	\$ 2.00

CITY OF TROY  
 BID TABULATION  
 SNOW REMOVAL SERVICES

VENDOR NAME:	<b>Advanced Landscape &amp; Builders Supply Co.</b>	<b>MVP Environmental</b>
	<b>Troy, MI</b>	<b>Troy, MI</b>

**Proposal (E): Snow Removal Services - Local Roads Emergency Basis**

Type of Equipment	# of Available Pieces of Eq	Hourly Rate Per Piece	# of Available Pieces of Eq	Hourly Rate Per Piece
Front End Loader: Minimum Size 3 Yards				
5 Yd Capacity	No Bid		No Bid	
3 Yd Capacity	No Bid		No Bid	
Other Size	No Bid		No Bid	
Other Size	No Bid		No Bid	
Pick up with minimum 8 ft Blade (to assist loaders only)	No Bid		No Bid	
Road Grader with Minimum Size of 6 Wheels				
20,000 GVW Grader	No Bid		No Bid	
Other Size	No Bid		No Bid	
Truck with 10 ft Snowplow	No Bid		No Bid	
<b>SITE VISITS:</b>	Proposal A: Y/N	Yes	No N/A	
	Date	Several Occassions		
	Proposal B: Y/N	No	Yes	
	Date		10/19 & 10/22	
<b>INSURANCE:</b>	Can Meet	Yes	Yes	
	Cannot Meet			
<b>PAYMENT TERMS:</b>		Net 30	Did not specify	
<b>ALL OR NONE AWARD</b>	Y/N	No	No	
<b>EXCEPTIONS:</b>		None	None	
<b>ACKNOWLEDGEMENT:</b>	Signed Y/N	Yes	Yes	
<b>VENDOR QUESTIONNAIRE:</b>	Y/N	Yes	Yes	
<b>FORMS:</b>	Legal Status Y/N	Yes	Yes	
	Non-Collusion Y/N	Yes	Yes	
	Indemnification Y/N	Yes	Yes	
	Sole Proprietor Y/N	No	Yes	
	"Iran Linked" Y/N	Yes	Yes	

ATTEST:  
 Susan Riesterer  
 Kurt Bovensiep

\_\_\_\_\_  
 MaryBeth Murz,  
 Purchasing Manager

VENDOR NAME:

**DiPonio Contracting, Inc.**  
**Shelby Township, MI**

**Proposal (A): City Owned Properties - Parking Lots, Building Entrances and Sidewalks**

Item	Type of Equipment	# Dedicated	COST		
Parking Lots					
1	5-10 Yd Capacity Truck w/Salting Capabilities	No Bid			
2	Front End Loader - 5 yd Capacity w/Snow Pusher	No Bid			
3	Front End Loader - 3 yd Capacity w/Snow Pusher	No Bid			
4	Skid Steer with Snow Pusher	No Bid			
5	Pickup with 8 ft Blade	No Bid			
6	Truck with 10 ft Snowplow	No Bid			
7	Parking Lot Salt	No Bid			
Sidewalks:					
8	Utility Vehicle with 5' Snow Plow	No Bid			
9	Utility Vehicle with Salt Spreader	No Bid			
10	Utility Vehicle w/5' Snow Plow & Salt Spreader	No Bid			
11	Utility Tractor Mounted Snow Blower	No Bid			
12	Walk-Behind Snow Blower	No Bid			
13	Snow Shovel and Operator	No Bid			
14	Walk-Behind Salt Spreader with Operator	No Bid			
15	Sidewalk Salt: To be supplied by the City of Troy		Included		
<b>ESTIMATED GRAND TOTAL - PROPOSAL A:</b>			\$	-	

**Proposal (B): City Owned Properties - Sidewalks (Various locations within the City of Troy)**

Item	Description	Sidewalk - Deicing	Sidewalks - Plowing	Sidewalk - Deicing	Sidewalks - Plowing
1	Less than One (1) inch or Icy Conditions	No Bid			
2	Three (3) inches to Six (6) inches	No Bid	No Bid	/LF	
3	Greater than Six (6) inches	No Bid	No Bid	/LF	

**Proposal (C): Code Enforcement per Call Basis**

Item	Description	Cost		Cost
1	Dispatch Fee	No Bid	Per Property	
2	Price for Snow / Ice Removal	No Bid	Per Hour	
3	Price for Salting per each Service Call	No Bid	Per Call Out	

**Proposal (D): Snow Removal Services for the Home Chore Program**

Est #	Description	Snow Removal Service Call	Salting/ Service Call	Snow Removal/ Service Call	Salting/ Service Call
85	Snow Removal and/or Salting at Residential City of Troy Homes	No Bid	No Bid		

CITY OF TROY  
 BID TABULATION  
 SNOW REMOVAL SERVICES

VENDOR NAME:

**DiPonio Contracting, Inc.**  
**Shelby Township, MI**

**Proposal (E): Snow Removal Services - Local Roads Emergency Basis**

Type of Equipment	# of Available Pieces of Eq	Hourly Rate Per Piece	# of Available Pieces of Eq	Hourly Rate Per Piece
Front End Loader: Minimum Size 3 Yards				
5 Yd Capacity	2	\$ 150.00		
3 Yd Capacity	2	\$ 140.00		
Other Size				
Other Size				
Pick up with minimum 8 ft Blade (to assist loaders only)				
Road Grader with Minimum Size of 6 Wheels				
20,000 GVW Grader				
Other Size				
Truck with 10 ft Snowplow	1	\$ 125.00		
<b>SITE VISITS:</b>				
Proposal A: Y/N		No		
Date				
Proposal B: Y/N		No		
Date				
<b>INSURANCE:</b>				
Can Meet		Yes		
Cannot Meet				
<b>PAYMENT TERMS:</b>		Did not specify		
<b>ALL OR NONE AWARD</b>	Y/N	No		
<b>EXCEPTIONS:</b>		None		
<b>ACKNOWLEDGEMENT:</b>	Signed Y/N	Yes		
<b>VENDOR QUESTIONNAIRE:</b>	Y/N	Yes		
<b>FORMS:</b>				
Legal Status	Y/N	Yes		
Non-Collusion	Y/N	Yes		
Indemnification	Y/N	Yes		
Sole Proprietor	Y/N	Yes		
"Iran Linked"	Y/N	Yes		



# CITY COUNCIL AGENDA ITEM

Date: November 3, 2014

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 2: Sole Bidder Meeting Specification – Audio, Visual, and Lighting Upgrades at the Troy Community Center Banquet Rooms

**History**

- The Community Center Banquet Rooms have been used for 13 years and are in need of audio, visual and lighting upgrades and updates to the current system.
- These upgrades will increase rentals and rental revenue for the City and will also provide our customers with a better more enhanced experience.

**Purchasing**

- On October 30, 2014, a bid opening was conducted as required by City Charter and Code to furnish all equipment, material and labor to upgrade audio, visual, and lighting in Banquet Rooms 304 and 305 at the City of Troy Community Center. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; [www.mitn.info](http://www.mitn.info) and the bid was also sent to the Troy Chamber of Commerce. One (1) bid responses was received. Below is a detailed summary of potential vendors:

<b>Companies notified via MITN</b>	221	<p><i>MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.</i></p> <p><b>Active MITN</b> members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.</p> <p><b>Active MITN non-paying</b> members are responsible to monitor and check the MITN website for opportunities to do business with the City.</p> <p><b>Inactive MITN</b> member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.</p>
Troy Companies notified via MITN	5	
Troy Companies notified Active email Notification	5	
Troy Companies notified Active Free	0	
<b>Companies that viewed the bid</b>	21	
Troy Companies that viewed the bid	1	

After reviewing the bid proposal, *Advanced Lighting and Sound of Troy, MI* was the sole bidder meeting specification and is being recommended to upgrade audio, visual, and lighting in Banquet Rooms 304 and 305 at the Troy Community Center as specified and as per the project timeline.

**Financial**

The estimated total cost of this upgrade is \$56,188.44 and funds in the amount of \$65,800.00 has been budgeted and is currently available in the Community Center Buildings and Improvements Annex Renovation Capital Account.

**Recommendation**

City management recommends awarding a contract to furnish all equipment, material, and labor to upgrade the audio, visual, and lighting in Banquet Rooms 304 and 305 at the City of Troy Community Center to the sole bidder meeting specifications, *Advanced Lighting and Sound of Troy, MI* for an estimated total cost of \$56,188.44, at prices contained in the bid tabulation dated October 30, 2014.

Opening Date -- 10/30/2014  
 Date Reviewed -- 10/31/2014

CITY OF TROY  
 BID TABULATION  
 BANQUET ROOM UPGRADES - COMMUNITY CENTER

Vendor	<b>Advanced Lighting &amp; Sound</b>
	<b>Troy, MI</b>
Check Amount	<b>\$5,000.00</b>
Check No.	<b>#1033913</b>

**PROPOSAL: Furnish all equipment, material and labor to install new video, audio and lighting concepts for Banquest Rooms 304 and 305 at the City of Troy Community Center.**

	Complete for Sum Of	Complete for Sum Of
<b>AUDIO: Furnish all labor, materials and equipment to install audio upgrades in accordance with specifications</b>	\$10,816.00	
<b>VISUAL: Furnish all labor, materials, and equipment to install visual upgrades in accordance with specifications</b>	\$16,581.60	
<b>LIGHTING: Furnish all labor, materials, and equipment to lighting upgrades in accordance with specifications</b>	\$28,790.84	
<b>GRAND TOTAL</b>	<b>\$56,188.44</b>	
<b>DESCRIPTIVE LITERATURE</b>	Y/N	Y
<b>WARRANTY</b>		Manufacturer's Warranty
<b>CONTACT INFORMATION</b>	Hrs of Operation	9:00 am - 6:00 pm
	24 Hr. Phone #	248.765.8901
	Contact Name	Bob Minchella
<b>REFERENCES</b>		Y
<b>SITE INSPECTION</b>	Y/N	Y
<b>COMPLETION DATE</b>		Can meet
<b>PAYMENT TERMS</b>		Net 10 Upon Completion
<b>INSURANCE REQUIREMENTS</b>	Meet Cannot Meet	X
<b>EXECEPTIONS</b>		None
<b>ACKNOWLEDGEMENT SIGNED</b>	Y/N	Y
<b>FORMS (5)</b>	Y/N	Y

**Bold Type Indicates Sole Bidder meeting Specifications.**

ATTEST:  
Susan Riesterer  
Enna Bachelor  
Scott Mercer  
 \_\_\_\_\_

\_\_\_\_\_  
 MaryBeth Murz,  
 Purchasing Manager



## CITY COUNCIL AGENDA ITEM

Date: November 3, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
Timothy L. Richnak, Public Works Director  
Kurt Bovensiep, Public Works Manager

Subject: Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications– Liquid Calcium Chloride

### History

- The Streets and Drains Division uses a Calcium Chloride solution on an as needed basis to assist in the snow removal process by applying the solution directly onto the road salt to make it more effective at a rate of 8 gallons per ton of salt.
- The solution is also used on gravel roads as dust control.
- 2014/15 salt prices have almost doubled from last winter.
- The Streets and Drains Division will increase the rate of use of calcium chloride to 12 gallons per ton of salt in an effort to decrease the amount of road salt used.
- The current contract expires November 30, 2014.

### Purchasing

On October 30, 2014, a bid opening was conducted as required by City Charter and Code for seasonal requirements of Liquid Calcium Chloride with and an option to renew for one additional season. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; [www.mitn.info](http://www.mitn.info) and the bid was also sent to the Troy Chamber of Commerce. One (1) bid response was received. Two (2) Statements of no bid were received; one company could not supply product as specified and the other company indicated the job was too small. Below is a detailed summary of potential vendors for the bid opportunity:

<b>Companies notified via MITN</b>	125	<p><b>MITN</b> provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.</p> <p><b>Active MITN</b> members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.</p> <p><b>Active MITN non-paying members</b> are responsible to monitor and check the MITN website for opportunities to do business with the City.</p> <p><b>Inactive MITN member</b> status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of</p>
Troy Companies notified via MITN	2	
Troy Companies notified Active email Notification	0	
Troy Companies notified Active Free	2	
<b>Companies that viewed the bid</b>	13	
Troy Companies that viewed the bid	0	

Upon review of the bid responses, *Liquid Calcium Chloride Sales, Inc. of Kawkawlin, Michigan* is the sole bidder meeting specifications and is being recommended for the supply of seasonal requirements of Liquid Calcium Chloride with the option to renew for one (1) additional season.

See below for bid pricing comparing *current* bid pricing to the last time this commodity was bid in 2012. Because of the Calcium Chloride 12,000 gallon storage tank that was just purchased (Resolution # 2014-10-129-J-4b) which provides the ability to purchase larger quantities of Liquid Calcium Chloride based on tiered pricing; the City will pay less for this commodity than the previous contract, and it will decrease the time it takes to fill the salt trucks.



# CITY COUNCIL AGENDA ITEM

Bid Pricing Comparison	ITB-COT 12-25	ITB-COT 14-37
<b>38% Liquid Calcium Chloride - <i>dust control</i></b>		
Minimum order 3,000 gallons	0.623	0.655
4,000 gallons		0.600
5,000 gallons		0.568
6,000-9,000 gallons		0.546
<b>32% Liquid Calcium Chloride - <i>ice control</i></b>		
Minimum order 2,000 gallons	0.643	0.677
3,000 gallons		0.568
4,000 gallons		0.514
5,000 gallons		0.481
6,000-9,000 gallons		0.459

**Financial**

The estimated total cost of one year seasonal requirements of Liquid Calcium Chloride is \$40,180.00 and funds are budgeted and currently available in the following Streets Division Operating Accounts;

Account Name	Account Number	Current Available Budget
Streets Division/ Local Roads/ Snow and Ice/ Supplies	101.447.20.498.7774.115	\$140,000.00
Streets Division/ County Roads/ Snow and Ice/ Supplies	101.447.21.502.7774.115	\$216,000.00
Streets Division/ Major Roads/ Snow and Ice/ Supplies	101.447.22.478.7774.115	\$168,831.77
Streets Division/ Local Roads/ Surface Maint. Gravel/ Supplies	101.447.20.481.7774.115	\$2,375.10

**Recommendation**

City Management recommends awarding a contract to provide seasonal requirements of Liquid Calcium Chloride with an option to renew for one additional year to the soled bidder meeting specifications, *Liquid Calcium Chloride Sales Inc, of Kawkawlin, MI* for an estimated total cost of \$40,180.00 at the unit prices contained in the bid tabulation opened October 30, 2014.

Opening Date -- 10/30/14  
 Date Reviewed -- 11/3/2014

CITY OF TROY  
 BID TABULATION  
 LIQUID CALCIUM CHLORIDE

VENDOR NAME: **Liquid Calcium Chloride Sales, Inc.**  
**Kawkawlin, MI**

**PROPOSAL: One Year Requirements of Liquid Calcium Chloride with an Option to Renew for One Additional Year**

EST QTY	DESCRIPTION	PRICE/ GALLON	PRICE/ GALLON
<b>OPTION A: 38%</b>			
20,000 GALS	Bidder to <u>deliver to storage tank</u> at 4693 Rochester Rd for dust control <i>Minimum</i> order 3,000 gallons	\$	0.655
	4,000 gallons	\$	0.600
	5,000 gallons	\$	0.568
	6,000 - 9,000 gallons	\$	0.546
<b>OPTION B: 32%</b>			
40,000 GALS	Bidder to <u>deliver to storage tank</u> at 4693 Rochester Rd for snow & ice control <i>Minimum</i> order 2,000 gallons	\$	0.677
	3,000 gallons	\$	0.568
	4,000 gallons	\$	0.514
	5,000 gallons	\$	0.481
	6,000 - 9,000 gallons	\$	0.459
	ESTIMATED TOTAL COST:	\$	40,180.00
	<b>ESTIMATED TOTAL AWARDED ITEMS:</b>	<b>\$</b>	<b>40,180.00</b>
<b>CONTACT INFORMATION:</b>		Hours	6:00 am-5:00 pm
		24 Hr Phone No.	989 245 2518
<b>INSURANCE:</b>		Can Meet	XX
		Cannot Meet	
<b>DELIVERY:</b>		<b>As Specified</b>	
<b>PAYMENT TERMS:</b>		Net 30 Days, 1% 10 days	
<b>EXCEPTIONS:</b>		None	
<b>ACKNOWLEDGEMENT:</b>		Signed:	
		Y or N	Yes
<b>FORMS:</b>		Y or N	Yes

**Statements of No bid:**

John Deere Landscapes  
 Great Lakes Chloride, Inc.

ATTEST:  
 Susan Riesterer  
 Enna Bachelor

\_\_\_\_\_  
 MaryBeth Murz,  
 Purchasing Manager

HIGHLIGHTED AREAS DENOTES SOLE BIDDER MEETING SPECIFICATIONS.



## CITY COUNCIL AGENDA ITEM

Date: October 27, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
William Nelson, Fire Chief  
Peter Hullinger, Technician

Subject: Bid Waiver – Purchase of All American Fire Hose

### **History**

The Fire Department uses 5" supply hose as the primary supply line from the fire hydrant to the engine and ladder truck. Historically each engine and ladder carried 875 ft. of 5" supply hose. NFPA standards require that Fire Departments pressure test all hose on an annual basis. The 2014 hose testing was completed in June of this year. A number of lengths of 5" supply hose failed the performance test and need to be replaced.

In 2014, the Insurance Services Office (ISO) received approval to utilize a new grading schedule (2013 edition) in Michigan. The previous grading schedule had been in use since 1980. The 2013 ISO Grading Schedule requires every engine and every ladder truck equipped with a fire pump to carry a minimum of 1,075' of 5" supply hose.

The Fire Department has evaluated the current brands of 5" supply hose on the market. The major factors evaluated were weight, size of hose when stored, and durability. The Kryptonite 5" hose from All American Fire Hose weighs 23 lbs. less per 100 foot length than comparable hose, compresses and packs into a smaller space, and is more durable than hose from other suppliers.

### **Purchasing**

It is not possible to secure competitive bids and the bid process is waived because Apollo Fire Equipment of Romeo, MI is the official authorized distributor for All American Fire Hose in the State of Michigan. A bid waiver is requested to purchase 2,775 feet of 5" Kryptonite fire hose and 200 feet of National 8D 1 3/4" attack hose from Apollo Fire Equipment of Romeo, MI for an estimated total cost of \$21,699.75.

### **Financial**

\$20,250 is budgeted in the Fire Department operating equipment account for replacement fire hose. The Fire Department will adjust other purchases in this account to cover the overage.

### **Recommendation**

City management recommends that the bid process be waived and a contract be awarded to Apollo Fire Equipment of Romeo, MI to purchase 2,775 feet of 5" Kryptonite fire hose and 200 feet of National 8D 1 3/4" attack hose for an estimated cost of \$21,699.75.

G:\Bid Award 13-14 New Format\Award Standard Purchasing BidWaiver FireHose\_FD



## CITY COUNCIL AGENDA ITEM

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Date: October 27, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
William Nelson, Fire Chief  
Peter Hullinger, Technician

Subject: Bid Waiver - High and Low Pressure Air Lift Bags

### **History**

As part of the Fire Department's inventory of specialized rescue equipment, the Fire Department maintains high and low pressure lift bags. These bags, range from 6" x 6" to 37" x 37", utilize compressed air and can stabilize and lift extremely heavy loads up to 74 tons. These bags have been utilized in vehicle extrications involving large trucks and industrial incidents where workers were trapped in heavy machinery. These air bags are constructed of rubber and Kevlar composite materials and have a service life of ten years. The City's current air bags are 12 years old.

### **Purchasing**

The Fire Department has been using Paratech Maxiforce air bags for the last 12 years. Due to their performance and the specialized training needed to use these bags it is recommended that the Paratech bags continue to be purchased. Paratech is also providing a trade in allowance of 20% for the existing air bags.

The bid process is waived because First Due Fire Supply Company of Mason, MI is the official authorized distributor for Paratech in the State of Michigan. Also, note that in May, 2013; the City of Royal Oak bid these items via the MITN website and First Due Fire Supply Company was the only company to bid these items.

### **Financial**

The total cost of the replacement air bag set including new air hoses and control valves is \$23,791.60. \$20,000 is budgeted in the Fire Department operating equipment budget for this purchase. Other proposed purchases will be adjusted to stay within the operating equipment budget.

### **Recommendation**

City management recommends that the bid process be waived and a contract be awarded to First Due Fire Supply Company of Mason, MI to purchase Paratech Maxiforce airbags for an estimated cost of \$23,791.60.



## CITY COUNCIL AGENDA ITEM

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Date: October 27, 2014

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager  
 Jeanette E. Menig, Human Resources Director  
 Gary G. Mayer, Chief of Police  
 Thomas Gordon, Professional Standards Lieutenant

Subject: Bid Waiver – Professional Services – Police Department Promotional Testing Services

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### **History**

Police department command officer retirements, as well as anticipated retirements during the next two budget years, necessitate the establishment of a promotional list for the rank of Sergeant. The police department's current command staff strength is below the 23 authorized. In order to maintain the quality and efficiency of the police department in service to the citizens of Troy, the need for additional command staff is apparent.

Act 78 Civil Service requires that a competitive examination be given and that an eligibility list, based on cumulative test score, be established. Upon Act 78 certification, the list is valid for two years. Sergeant candidates participate in a written examination as well as an assessment center.

### **Purchasing**

Since 1990 Empco Inc. has provided promotional testing services for the police department. The department has been part of Empco's Metro Police Testing Consortium since 1996. Empco has provided excellent service and the department is very satisfied with the manner in which they conduct promotional testing. Empco customizes the testing to meet the needs of the organization and comply fully with Act 78 Commission requirements. They have proven to be fair and impartial. Empco purchased the Michigan Municipal League's (MML) police testing service. The MML now refers those desiring testing to Empco. Empco provides promotional and entry level testing for numerous police departments and agencies around the state, and is a local company based here in Troy.

This is the second promotional cycle for Sergeant this calendar year, as the first eligibility list has been exhausted. As such, the development fee for the assessment center portion is being offered by Empco at a reduced rate.

### **Financial**

The total cost for the promotional testing depends upon the number of candidates taking the examinations. The fee structure below is an estimate based on the number of candidates that have applied for the position in the past. The Assessment Center cost is an estimate of candidates



## CITY COUNCIL AGENDA ITEM

passing the written exam and still seeking consideration. See below for EMPCO, Inc. pricing as detailed in the attached proposal for this testing.

\$40,000 is currently available in the Police Department General Fund budget for these services. If the budget is exceeded due to the number of candidates taking the examination; funding is still available in the Police Department budget.

Mileage and travel expenses would also be billed as they occur, at \$0.55 per mile.

<b>Sergeants' Written Examination</b> (based on 12 candidates)	Cost
Development Fee	\$2,200.00
Per Candidate Fee @ \$22.00 (x 12)	264.00
Proctoring Exam Fee	300.00
<b>Total</b>	<b><u>\$2,764.00</u></b>

<b>Sergeants' Assessment Center Examination</b> (based on 12 candidates)	Cost
Preparation and Revision Fee	\$1,500.00
Administration Fee (based 5 per day)	5,400.00
Per Candidate Fee (based on 12)	3,300.00
<b>Total</b>	<b><u>\$12,964.00</u></b>

### Recommendation

It is recommended that City Council APPROVE the bid waiver and contract for Professional Services (Police Department Promotional Testing) from EMPCO, Inc. of Troy, MI for an estimated \$12,964.00.



## CITY COUNCIL AGENDA ITEM

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Date: October 28, 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 Acceptance of a Warranty Deed and Four Permanent Easements for Chatwal Estates Site Condominium - Sidwell #88-20-15-476-037, 038 & 021

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### **History**

As part of the new Chatwal Estates Site Condominium development located on Wattles Road, east of Rochester in the southeast  $\frac{1}{4}$  of Section 15, the Engineering department has received a warranty deed for detention purposes and four permanent easements for public utilities, landscaping and non-access greenbelt, emergency ingress/egress, storm sewer and surface drainage. The conveyances are from Mondrian Properties Chatwal, LLC, owner of the properties having Sidwell #88-20-15-476-037, 038 & 021.

The format and content of the warranty deed and easements is consistent with conveyances previously accepted by City Council.

### **Financial**

The consideration amount on each document is \$1.00

### **Recommendation**

City Management recommends that City Council accept the attached warranty deed and four permanent easements consistent with our policy of accepting warranty deeds and easements for development and improvement purposes.



WARRANTY DEED

Sidwell # 88-20-15-476-037 & 038 (part of)  
Resolution #

The Grantor(s) MONDRIAN PROPERTIES CHATWAL, LLC, a Michigan limited liability company, whose address is: 50125 Schoenherr, Shelby Township, MI 48315 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road., Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

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

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

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

Dated this 21<sup>st</sup> day of October, 2014.

MONDRIAN PROPERTIES CHATWAL, LLC  
a Michigan limited liability company

By [Signature]  
Joseph Maniaci  
Its: Member

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES CHATWAL, LLC, a Michigan limited liability company, on behalf of the company.

[Signature]

JANET M PARSONS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires 10-14-2018  
Acting in the County of Oakland

Notary Public, OAKLAND County, MI  
My commission expires: 10-14-2016  
Acting OAKLAND County, MI

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

Tax Parcel #88-20-15-476-037 & 038 (part of) Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

\*TYPE OR PRINT NAMES UNDER SIGNATURES

## EXHIBIT "A"

DESCRIPTION OF DETENTION POND AREA DEEDED TO THE CITY OF TROY;  
PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4  
OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND  
COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST  
CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE  
OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF  
BEGINNING OF THE COMBINED PARCEL AND DETENTION AREA; THENCE  
WEST 130.03 FEET; THENCE N 00°13'43" E 141.83 FEET; THENCE S 89°46'17" E  
130.03 FEET; THENCE S 00°13'43" W 141.31 FEET TO THE POINT OF BEGINNING;  
CONTAINING 0.423 ACRES OF LAND. SUBJECT TO ANY EASEMENTS AND/OR  
RIGHTS-OF-WAY RECORDED OR OTHERWISE.



**PERMANENT EASEMENT**

Sidwell #88-20-15-476-037, 038 & 021  
Resolution #

MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **public utilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES CHATWAL, LLC,  
a Michigan limited liability company

By [Signature] (I.S.)  
\*Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company on behalf of the company.

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

[Signature]  
\*  
Notary Public, OAKLAND County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of OAKLAND, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

## EXHIBIT "A

### DESCRIPTION OF PUBLIC UTILITY EASEMENT

PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF BEGINNING OF THE COMBINED PARCEL; THENCE WEST 110.03 FEET TO THE POINT OF BEGINNING OF PUBLIC UTILITY EASEMENT ;THENCE N 00°13'43" E 447.75 FEET; THENCE S 89° 46'17" E 53.39 FEET; THENCE 28.82 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 24.00 FEET WITH A CHORD BEARING S 55°22'26" E 27.12 FEET; THENCE 154.23 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 70.00 FEET WITH A CHORD BEARING S 84°05'43" E 124.87 FEET TO THE EAST LINE OF COMBINED PARCEL; THENCE N 00°13'43" E 75.34 FEET ALONG EAST LINE OF COMBINED PARCEL; THENCE 70.18 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 70.00 FEET WITH CHORD BEARING N 61°03'00" W 67.28 FEET; THENCE N 89°46'17" W 94.37 FEET; THENCE 19.71 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 179.00 FEET WITH A CHORD BEARING N 86°36'58" W 19.70 FEET; THENCE 20.87 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 236.00 FEET WITH A CHORD OF N 85°59'40" W 20.86 FEET; THENCE 134.59 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 86.00 FEET WITH A CHORD BEARING S 47°10'09" W 121.27 FEET; THENCE 31.83 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 236.00 FEET WITH A CHORD BEARING S 02°13'03" E 31.81 FEET; THENCE 19.71 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 179.00 FEET WITH A CHORD BEARING S 02°55'35" E 19.70 FEET; THENCE S 00°13'43" W 396.29 FEET; THENCE EAST 20.00 FEET TO THE PRIVATE TO THE RIGHT OF WAY LINE FOR CHATWAL COURT; THENCE N 00°13'43" E 396.21 FEET; THENCE 21.92 FEET ALONG A CURVE TO THE LEFT WITH RADIUS OF 199.00 FEET WITH A CHORD OF N 02°55'35" W 21.90 FEET; THENCE 29.01 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 216.00 FEET WITH CHORD BEARING N 02°14'03" W 28.98 FEET; THENCE 101.17 FEET ON A CURVE TO THE RIGHT WITH RADIUS 66.00 FEET ON A CHORD BEARING N 46°20'53" E 91.55 FEET; THENCE 21.29 FEET ON A CURVE TO THE RIGHT WITH RADIUS 216.00 FEET WITH A CHORD OF S 86°17'06" E 21.28 FEET; THENCE 21.92 FEET ON A CURVE TO THE LEFT WITH RADIUS 199.00 FEET ON A CHORD BEARING S 86°36'58" E 21.91 FEET; THENCE S 89°46'17" E 94.37 FEET; THENCE 217.11 FEET ON A CURVE TO THE RIGHT WITH RADIUS 50.00 FEET ON A CHORD BEARING S 34°37'34" W 82.51 FEET; THENCE 52.83 FEET ON A CURVE TO THE LEFT WITH RADIUS 44.00 FEET WITH A BEARING OF N 55°22'26" W 49.71 FEET; THENCE N 89°46'17" W 41.89 FEET; THENCE 49.48 FEET ON A CURVE TO THE LEFT WITH RADIUS 31.50 FEET WITH A CHORD BEARING S 45°13'43" W 44.55 FEET; THENCE S 00°13'43" W 436.33 FEET; THENCE EAST 20.00 FEET TO THE POINT OF BEGINNING OF THE PUBLIC UTILITY EASEMENT. SUBJECT TO ANY EASEMENTS AND/OR TO THE RIGHT OF WAY RECORDED OR OTHERWISE.



PERMANENT EASEMENT

Sidwell #88-20-15-476-037, 038 & 021  
Resolution #

MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace landscaping & non-access greenbelt, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES CHATWAL, LLC,  
a Michigan limited liability company

By [Signature] (L.S.)  
Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company on behalf of the company.

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

[Signature]  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

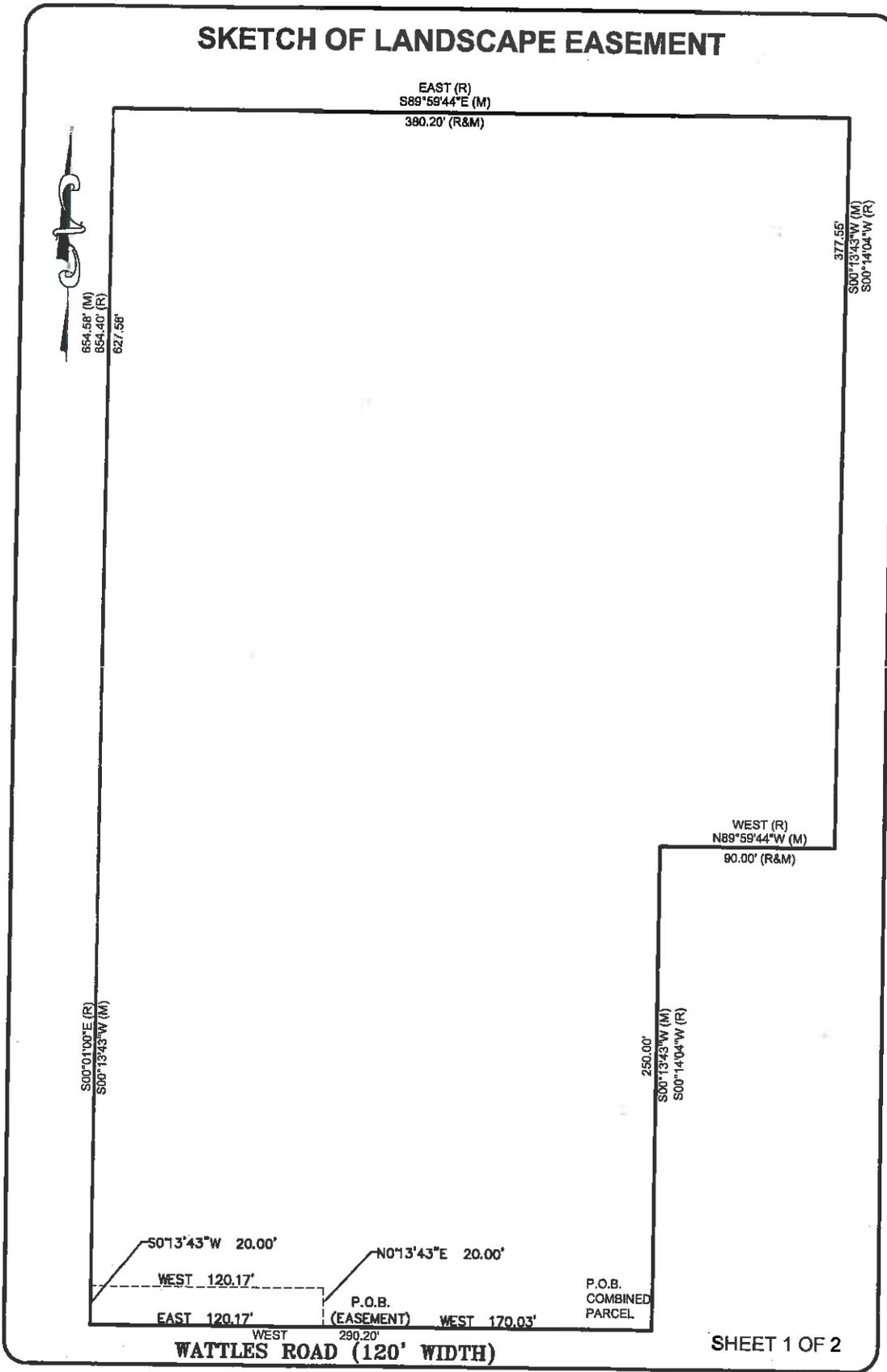
PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

## EXHIBIT "A"

### DESCRIPTION OF LANDSCAPE EASEMENT

PART OF LOT 8 AND PART OF LOT 9 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF BEGINNING OF THE COMBINED PARCEL; THENCE WEST 170.03 FEET TO THE POINT OF BEGINNING OF LANDSCAPE EASEMENT; THENCE N 00° 13' 43" E 20.00 FEET; THENCE WEST 120.17 FEET ; THENCE S 00°13'43" W 20.00 FEET; THENCE EAST 120.17 FEET TO THE POINT OF BEGINNING OF LANDSCAPE EASEMENT. SUBJECT TO ANY EASEMENTS AND/OR RIGHT OF WAY RECORDED OR OTHERWISE.

# SKETCH OF LANDSCAPE EASEMENT



SHEET 1 OF 2

CLIENT MONDRIAN PROPERTIES CHATWAL, LLC	PROJECT NO.	13-013
	DATE	3-20-14
SCALE 1" = 60'	DRAWN BY M.J.M.	CHECKED BY F.K.



**FAZAL KHAN & ASSOCIATES, INC.**  
**CIVIL ENGINEERS & LAND SURVEYORS**  
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313  
 PHONE (586) 739-8007 FAX (586) 739-6994

PERMANENT EASEMENT

Sidwell #83-20-15-476-037 & 038  
Resolution #

MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **public utilities, emergency ingress/egress, and police/fire protection over, under & across the real property**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed ~~21<sup>st</sup>~~ signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES CHATWAL, LLC,  
a Michigan limited liability company

By *Joseph Maniaci* (L.S.)  
Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company on behalf of the company.

**JANET M. PARSONS**  
Notary Public, State of Michigan  
Commission Expires 10-14-2016  
Acting in the County of Oakland

*Janet M. Parsons*  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

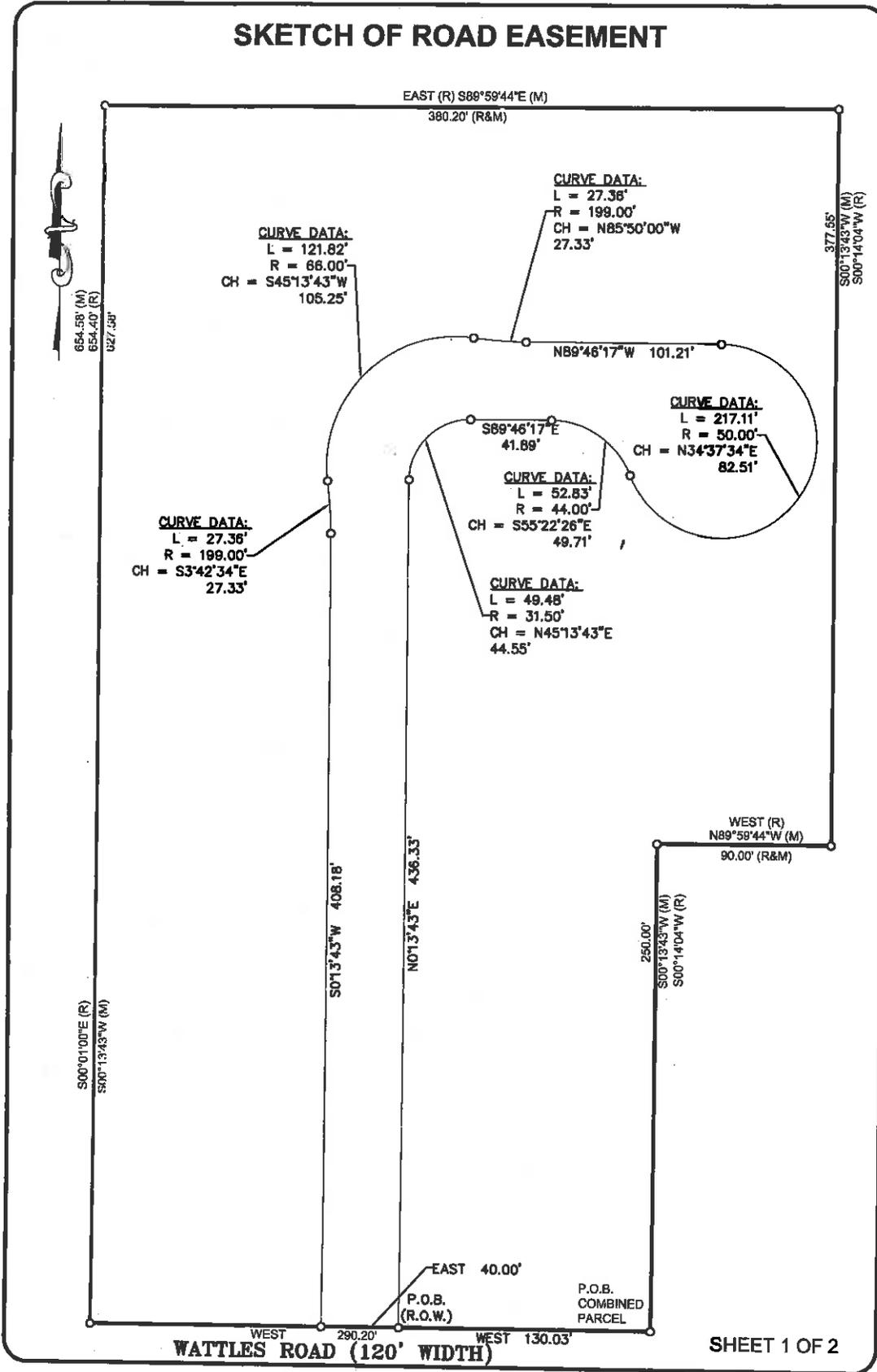
**PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES**

## EXHIBIT "A"

### DESCRIPTION OF RIGHT-OF-WAY:

PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4 OF SECTION 15, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF BEGINNING OF THE COMBINED PARCEL; THENCE WEST 130.03 FEET TO THE POINT OF BEGINNING OF THE RIGHT OF WAY; THENCE N 00°13'43" E 436.33 FEET; THENCE 49.48 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 31.50 FEET AND A CHORD BEARING N 45°13'43" E 44.55 FEET; THENCE S 89°46'17" E 41.89 FEET; THENCE 52.83 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 44.00 FEET WITH A CHORD BEARING S 55°22'26" E 49.71 FEET; THENCE 217.11 FEET ALONG A CURVE TO THE LEFT RADIUS 50.00 FEET WITH A CHORD BEARING N 34°37'34" E 82.51 FEET; THENCE N 89°46'17" W 94.37 FEET; THENCE 21.92 FEET ALONG A CURVE TO THE RIGHT RADIUS 199.00 FEET WITH A CHORD BEARING N 86°36'58" W 21.91 FEET; THENCE 21.29 FEET ALONG A CURVE TO THE LEFT RADIUS 216.00 FEET WITH A CHORD BEARING N 86°17'06" W 21.28 FEET; THENCE 101.17 FEET ALONG A CURVE TO THE LEFT WITH RADIUS 66.00 FEET WITH A CHORD BEARING S 46°20'53" W 91.55 FEET; THENCE 29.01 FEET ALONG A CURVE TO THE LEFT WITH RADIUS OF 216.00 FEET WITH A CHORD OF S 02°14'03" E 28.98 FEET; THENCE 21.92 FEET ALONG A CURVE TO THE RIGHT WITH RADIUS 199.00 FEET WITH A CHORD BEARING S 02°55'35" E 21.90 FEET; THENCE S 00°13'43" W 396.21 FEET; THENCE EAST 40.00 FEET TO THE POINT OF BEGINNING OF THE RIGHT-OF-WAY; SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF WAY RECORDED OR OTHERWISE.

# SKETCH OF ROAD EASEMENT



SHEET 1 OF 2

CLIENT MONDRIAN PROPERTIES CHATWAL, LLC	PROJECT NO.	13-013
	DATE	3-20-14
SCALE	DRAWN BY	CHECKED BY
1" = 60'	M.J.M.	F.K.

**FAZAL KHAN & ASSOCIATES, INC.**  
**CIVIL ENGINEERS & LAND SURVEYORS**  
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313  
 PHONE (586) 739-8007 FAX (586) 739-6994

**PERMANENT EASEMENT**

Sidwell #88-20-15-476-037 & 038  
Resolution #

MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dcllar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **storm sewer and surface drainage**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES CHATWAL, LLC,  
a Michigan limited liability company

By *Joseph Maniaci* (L.S.)  
Joseph Maniaci  
Its Member

STATE OF MICHIGAN     )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES CHATWAL, L.L.C., a Michigan limited liability company on behalf of the company.

**JANET M. PARSONS**  
Notary Public, State of Michigan  
Commission Expires 10-14-2018  
Acting in the County of Oakland

*Janet M Parsons*  
\*  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2018  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figoi  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

## EXHIBIT "A"

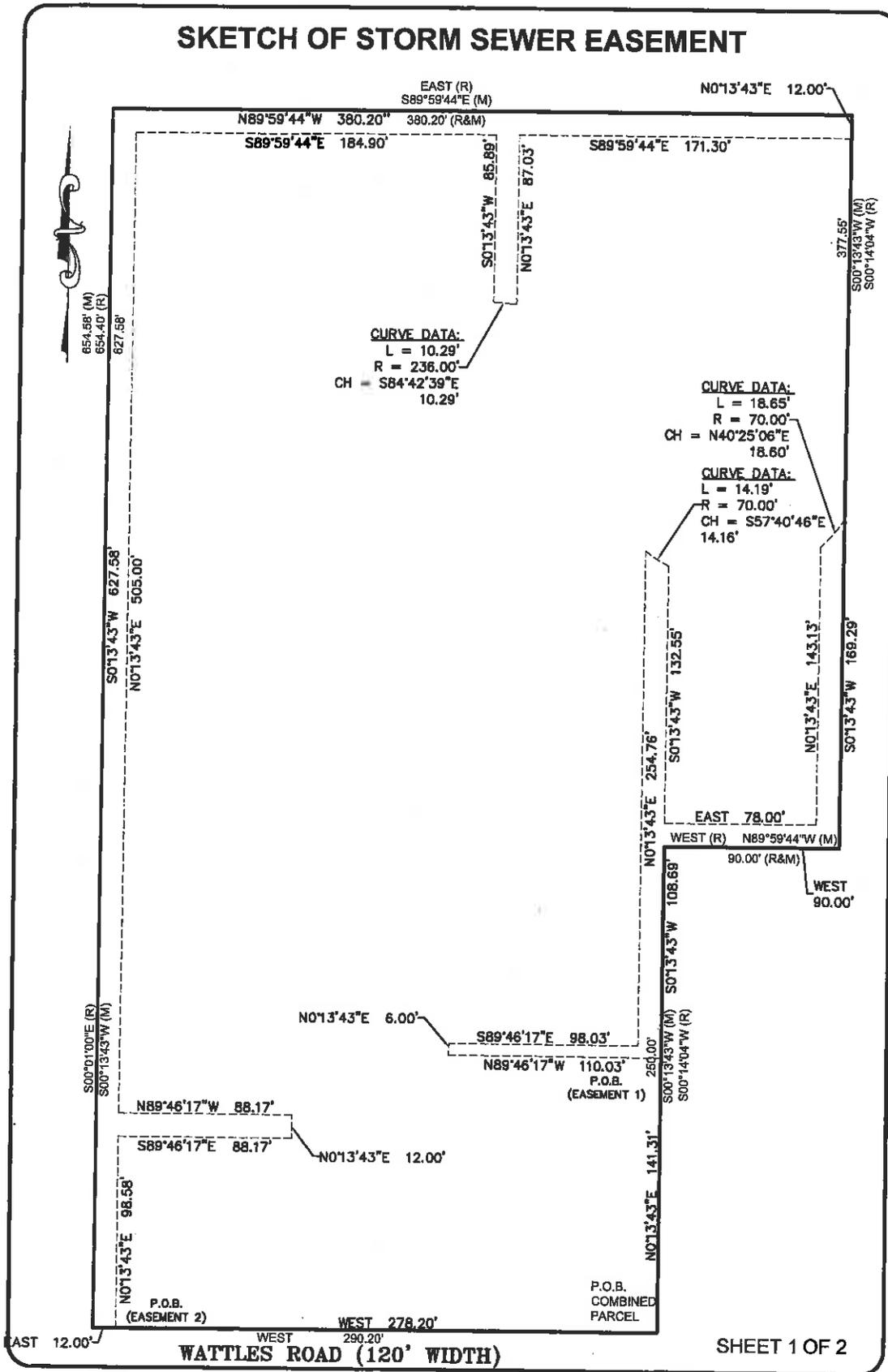
### DESCRIPTION OF REAR YARD DRAINAGE EASEMENT - 1

PART OF LOT 8 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF BEGINNING OF THE COMBINED PARCEL; THENCE N 00°13'43" E 141.31 FEET TO THE POINT OF BEGINNING OF THE REAR YARD DRAINAGE EASEMENT - 1; THENCE N 89°46'17" W 110.03 FEET; THENCE N 00°13'43" E 6.00 FEET; THENCE S 89°46'17" E 98.03 FEET; THENCE N 00°13'43" E 254.76 FEET; THENCE 14.19 FEET ALONG A CURVE TO THE LEFT RADIUS 70.00 FEET WITH A CHORD BEARING S 57°40'46" E 14.16 FEET; THENCE S 00°13'43" W 132.55 FEET; THENCE EAST 78.00 FEET; THENCE N 00°13'43" E 143.13 FEET; THENCE 18.65 FEET ALONG A CURVE TO THE LEFT RADIUS 70.00 FEET WITH A CHORD BEARING N 40°25'06" E 18.60 FEET; THENCE S 00°13'43" W 169.29 FEET ALONG THE EAST LINE OF COMBINED PARCEL; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF THE COMBINED PARCEL; THENCE S 00°13'43" W 108.69 FEET TO THE POINT OF BEGINNING OF THE REAR YARD DRAINAGE EASEMENT - 1. SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY RECORDED OR OTHERWISE.

### DESCRIPTION OF REAR YARD DRAINAGE EASEMENT - 2

PART OF LOT 8 AND PART OF LOT 9 OF "SUPERVISOR'S PLAT NO. 14" PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE WEST 90.00 FEET ALONG THE SOUTH LINE OF LOT 8 AS PLATTED; THENCE N 00°13'43" E 27.00 FEET TO THE POINT OF BEGINNING OF THE COMBINED PARCEL; THENCE WEST 278.20 FEET TO THE POINT OF BEGINNING OF THE REAR YARD DRAINAGE EASEMENT - 2; THENCE N 00°13'43" E 98.58 FEET; THENCE S 89°46'17" E 88.17 FEET; THENCE N 00°13'43" E 12.00 FEET; THENCE N 89°46'17" W 88.17 FEET; THENCE N 00°13'43" E 505.00 FEET; THENCE S 89°59'44" E 184.90 FEET; THENCE S 00°13'43" W 85.89 FEET; THENCE 10.29 FEET ALONG A CURVE TO THE RIGHT RADIUS 236.00 FEET WITH A CHORD BEARING S 84°42'39" E 10.29 FEET; THENCE N 00°13'43" E 87.03 FEET THENCE S 89°59'44" E 171.30 FEET; THENCE N 00°13'43" E 12.00 FEET; THENCE N 89°59'44" W 380.20 FEET; THENCE S 00°13'43" W 627.58 FEET; THENCE EAST 12.00 FEET TO THE POINT OF BEGINNING OF THE REAR YARD DRAINAGE EASEMENT - 2; SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY RECORDED OR OTHERWISE.

# SKETCH OF STORM SEWER EASEMENT



CLIENT MONDRIAN PROPERTIES CHATWAL, LLC	PROJECT NO.	13-013
	DATE	3-20-14
SCALE 1" = 60'	DRAWN BY M.J.M.	CHECKED BY F.K.

**FAZAL KHAN & ASSOCIATES, INC.**  
**CIVIL ENGINEERS & LAND SURVEYORS**  
 43279 SCHOENHERR STERLING HEIGHTS, MI 48313  
 PHONE (586) 739-8007 FAX (586) 739-6994



## CITY COUNCIL AGENDA ITEM

---

Date: October 28, 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 Acceptance of a Warranty Deed and Four Permanent Easements for Alpine Meadows Site Condominium - Sidwell #88-20-20-402-016, 017, 018, 030 & 032

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### **History**

As part of the new Alpine Meadows Site Condominium development located north of Big Beaver at Alpine, in the southeast  $\frac{1}{4}$  of Section 20, the Engineering department has received a warranty deed for right of way and four permanent easements for storm sewers, sanitary sewers, public utilities, and water mains. The deeds and easements were granted by GFA Alpine Meadows, LLC, owner of the properties having Sidwell #88-20-20-402-016, 017, 018, 030 & 032.

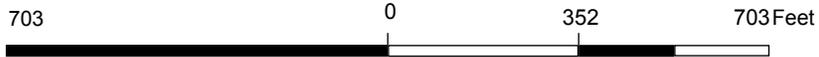
The format and content of the warranty deed and easements is consistent with conveyances previously accepted by City Council.

### **Financial**

The consideration amount on each document is \$1.00

### **Recommendation**

City Management recommends that City Council accept the attached warranty deed and four permanent easements consistent with our policy of accepting warranty deeds and easements for development and improvement purposes.



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.

WARRANTY DEED

Sidwell #88-20-20-402-016, 017, 018, 030, 031 & 032 (pt of)  
Resolution #

The Grantor(s), **GFA ALPINE MEADOWS, LLC**, a Michigan limited liability company whose address 985 Elmsford, Troy, MI 48083 convey(s) and warrant(s) to the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

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

For the sum of One Dollar and 00/100 Dollars (\$1.00)

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

Dated this 10<sup>th</sup> day of August, 2014.

GFA ALPINE MEADOWS, LLC  
a Michigan limited liability company

By: [Signature]  
\*Gary Abitheira  
Member

STATE OF MICHIGAN  
COUNTY OF Oakland }

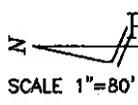
The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of August, 2014, by Gary Abitheira, Member of GFA ALPINE MEADOWS, LLC, a Michigan limited liability company, on behalf of the company.

**LARYSA FIGOL**  
**Notary Public, Oakland County, Michigan**  
**Acting in Oakland County, Michigan**  
**My Commission Expires 03/02/2018**  
[Signature]  
Notary Public, \_\_\_\_\_ County, MI  
commission expires: \_\_\_\_\_  
Acting in \_\_\_\_\_ County, MI

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

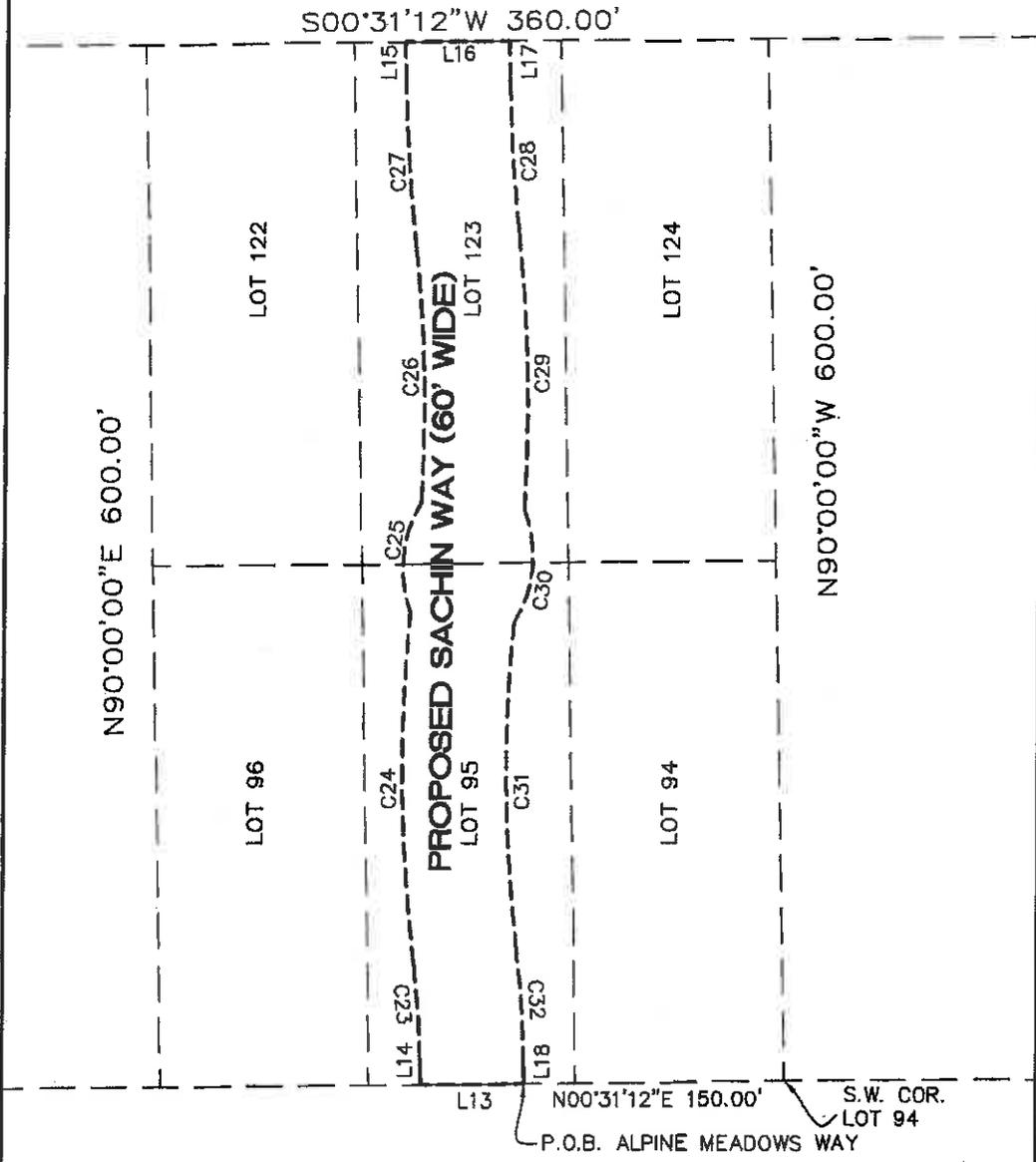
Tax Parcel # \_\_\_\_\_ Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

\*TYPE OR PRINT NAMES UNDER SIGNATURES



# PROPOSED SACHIN WAY RIGHT-OF-WAY DEDICATION

## McCLURE ROAD (60' WIDE-PUBLIC)



JOB #: 13150  
 DATE: 10-25-2013  
 PAGE 1 OF 3

**SURVEY TECH**  
 SURVEYING ENGINEERING  
 3253 LYNHURST CT.  
 OAKLAND, MI 48306  
 TEL. (248) 670-6556  
 FAX. (248) 377-8883

# PROPOSED SACHIN WAY RIGHT-OF-WAY DEDICATION

## LEGAL DESCRIPTION: SACHIN WAY R.O.W. DEDICATION

PART OF LOTS 95 AND 123 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING N.00°31'12"E., 150.00 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE CONTINUING N.00°31'12"E., 60.00 FEET; THENCE S.89°51'45"E., 12.50 FEET; THENCE 59.13 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH, RADIUS OF 570.00 FEET, CENTRAL ANGLE OF 05°56'38", CHORD BEARING AND DISTANCE OF N.87°01'29"E., 59.10 FEET; THENCE 201.00 FEET ALONG THE REVERSE CURVE CONCAVE TO THE SOUTH, RADIUS OF 918.00 FEET, CENTRAL ANGLE OF 12°32'41", CHORD BEARING AND DISTANCE OF S.89°40'29"E., 200.59 FEET; THENCE 65.52 FEET ALONG THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 74.73 FEET, CENTRAL ANGLE OF 50°14'17", CHORD BEARING AND DISTANCE OF S.83°36'10"E., 63.45 FEET; THENCE 148.36 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTH, RADIUS OF 853.26 FEET, CENTRAL ANGLE OF 09°57'45", CHORD BEARING AND DISTANCE OF N.89°41'24"E., 148.18 FEET; THENCE 94.85 FEET ALONG A REVERSE CURVE CONCAVE TO THE SOUTH, RADIUS OF 1030.00 FEET, CENTRAL ANGLE OF 05°16'35", CHORD BEARING AND DISTANCE OF N.87°21'31"E., 94.82 FEET; THENCE N.89°59'48"E., 21.95 FEET; THENCE S.00°32'20"W., 60.00 FEET; THENCE S.89°59'48"W., 21.39 FEET; THENCE 89.33 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, RADIUS OF 970.00 FEET, CENTRAL ANGLE OF 05°16'35", CHORD BEARING AND DISTANCE OF S.87°21'31"W., 89.30 FEET; THENCE 159.23 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 913.26 FEET, CENTRAL ANGLE OF 09°59'23", CHORD BEARING AND DISTANCE OF S.89°42'12"W., 159.03 FEET; THENCE 68.37 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTH, RADIUS OF 72.21 FEET, CENTRAL ANGLE OF 54°15'02", N.83°36'46"W., 65.85 FEET; THENCE 187.04 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 858.00 FEET, CENTRAL ANGLE OF 12°29'26", CHORD BEARING AND DISTANCE OF N.89°42'07"W., 186.67 FEET; THENCE 65.36 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 630.00 FEET, CENTRAL ANGLE OF 05°56'38", CHORD BEARING AND DISTANCE OF S.87°01'29"W., 65.33 FEET; THENCE N.89°51'45"W., 13.05 FEET TO THE POINT OF BEGINNING.

JOB #: 13150  
DATE: 10-25-2013  
PAGE 3 OF 3

**SURVEY TECH**  
SURVEYING ENGINEERING  
3253 LYNHURST CT.  
OAKLAND, MI 48306  
TEL. (248) 670-6556  
FAX. (248) 377-8883

**PERMANENT EASEMENT**

Sidwell #86-20-20-402-016, 017, 018, 030, & 032 (pt of)  
Resolution #

**GFA ALPINE MEADOWS, LLC**, a Michigan limited liability company, Grantor(s), whose address is 985 Elmsford, Troy, MI 48302, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace **storm sewers**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

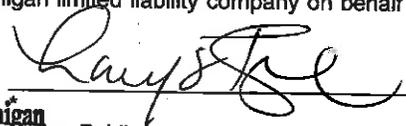
IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 10<sup>th</sup> day of September A.D. 2014.

GFA ALPINE MEADOWS, LLC  
a Michigan limited liability company

By  (L.S.)  
\*Gary Abitheira  
Its Manager

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2014, by Gary Abitheira, Manager of GFA Alpine Meadows, LLC, a Michigan limited liability company on behalf of the company.

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

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

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

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

N  
SCALE 1"=80'

# PROPOSED STORM SEWER EASEMENTS

## McCLURE ROAD (60' WIDE-PUBLIC)

S00°31'12"W  
25.00'

N90°00'00"E  
82.66'

S00°31'12"W  
13.00'

S00°00'00"E  
13.00'

LOT 122

LOT 123

LOT 124

PROPOSED STORM SEWER  
EASEMENT #2

**PROPOSED ALPINE MEADOWS**  
MUR'S GARDEN FARMS  
(LIBER 15, PAGE 45, O.C.R.)

PROPOSED STORM SEWER  
EASEMENT #1

N90°00'00"E 600.00'

S90°00'00"W 588.00'

LOT 96

LOT 95

LOT 94

N90°00'00"E 505.22'

S90°00'00"W 376.28'

N00°00'00"W  
14.00'

S90°00'00"W 211.60'

S00°31'12"W 125.03'

N89°51'42"W 12.00'

S89°51'45"E 12.00'

S00°31'12"W 123.97'

S00°31'12"W 14.00'  
S90°00'00"W 12.00'

N00°31'12"E 150.00'

P.O.B.  
STORM EASEMENT #2

N00°31'12"E 150.00'

N00°31'12"E 210.00'

S.W. COR.  
LOT 94  
P.O.B.  
STORM  
EASEMENT #1

## ALPINE DRIVE (60' WIDE-PUBLIC)

SURVEY TECH

SURVEYING ENGINEERING

3253 LYNHURST CT.  
OAKLAND, MI 48306

TEL. (248) 670-6556

FAX. (248) 377-8883

DATE: 10-22-2013  
PAGE: 1 OF 2

# PROPOSED STORM SEWER EASEMENTS

## **LEGAL DESCRIPTION: STORM EASEMENT #1**

A STORM SEWER EASEMENT BEING A PART OF LOTS 94, 95 AND 124 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 94; THENCE N.00°31'12"E., 150.00 FEET; THENCE S.89°51'45"E., 12.00 FEET; THENCE S.00°31'12"W., 123.97 FEET; THENCE N.90°00'00"E., 505.22 FEET; THENCE S.00°00'00"W., 13.00 FEET; THENCE N.,90°00'00"E., 82.66 FEET; THENCE S.00°31'12"W., 13.00 FEET; THENCE S.90°00'00"W., 376.28 FEET; THENCE N.00°00'00"W., 14.00 FEET; THENCE S.90°00'00"W., 211.60 FEET; THENCE S.00°31'12"W., 14.00 FEET; THENCE S.90°00'00"W., 12.00 FEET TO THE POINT OF BEGINNING.

## **LEGAL DESCRIPTION: STORM EASEMENT #2**

A STORM SEWER EASEMENT BEING A PART OF LOTS 95, 96 AND 122 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT N.00°31'12"E., 210.00 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE CONTINUING N.00°31'12"E., 150.00 FEET; THENCE N.90°00'00"E., 600.00 FEET; THENCE S.00°31'12"W., 25.00 FEET; THENCE S.90°00'00"W., 588.00 FEET; THENCE S.00°31'12"W., 125.03 FEET; THENCE N.89°51'42"W., 12.00 FEET TO THE POINT OF BEGINNING.

JOB # 10150  
DATE 10-25-03  
PAGE 2 OF 2

SURVEY TECH  
SURVEYING ENGINEERING  
3253 LYNHURST CT.  
OAKLAND, MI 48306  
TEL. (248) 670-6556  
FAX. (248) 377-8883

**PERMANENT EASEMENT**

Sidwell #88-20-20-402-016, 017, 018, 030, 031, & 032 (pt of)  
Resolution #

**GFA ALPINE MEADOWS, LLC**, a Michigan limited liability company, Grantor(s), whose address is 985 Elmsford, Troy, MI 48302, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace **sanitary sewers**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 10<sup>th</sup> day of September A.D. 2014.

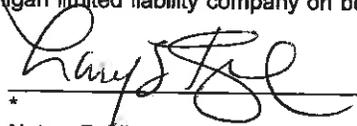
GFA ALPINE MEADOWS, LLC  
a Michigan limited liability company

By  (L.S.)  
\*Gary Abitheira  
Its Manager

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2014, by Gary Abitheira, Manager of GFA Alpine Meadows, LLC, a Michigan limited liability company on behalf of the company.

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

  
\*  
Notary Public, \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_  
Acting in \_\_\_\_\_ County, Michigan

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

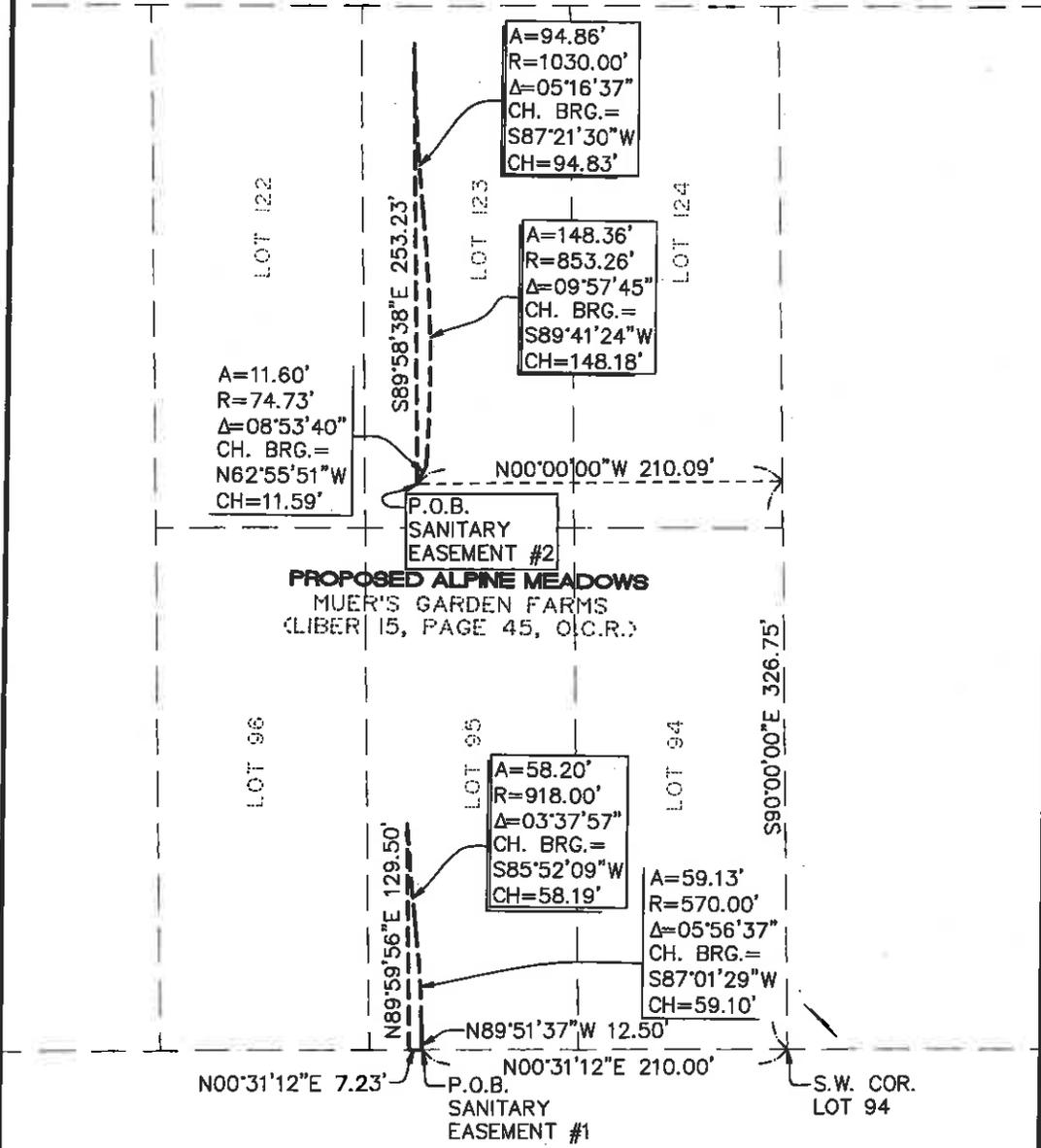
Return to: City Clerk  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

# PROPOSED SANITARY SEWER EASEMENT

SCALE 1"=80'

## McCLURE ROAD (60' WIDE-PUBLIC)



SURVEY TECH

SURVEYING ENGINEERING

3253 LYNHURST CT.

OAKLAND, MI 48306

TEL. (248) 670-6556

FAX. (248) 377-8883

2008 JUN 10 10:51 AM  
 2008 JUN 10 10:51 AM  
 2008 JUN 10 10:51 AM  
 2008 JUN 10 10:51 AM

# PROPOSED SANITARY SEWER EASEMENT

## LEGAL DESCRIPTION: SANITARY EASEMENT #1

A SANITARY SEWER EASEMENT BEING A PART OF LOT 95 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT N.00°31'12"E., 210.00 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE CONTINUING N.00°31'12"E., 7.23 FEET; THENCE N.89°59'56"E., 129.50 FEET; THENCE 58.20 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 918.00 FEET, CENTRAL ANGLE OF 03°37'57", CHORD BEARING AND DISTANCE S.85°52'09"W., 58.19 FEET; THENCE 59.13 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 570.00 FEET, CENTRAL ANGLE OF 05°56'37", CHORD BEARING AND DISTANCE S.87°01'29"W., 59.10 FEET; THENCE N.89°51'37"W., 12.50 FEET TO THE POINT OF BEGINNING.

## LEGAL DESCRIPTION: SANITARY EASEMENT #2

A SANITARY SEWER EASEMENT BEING A PART OF LOT 123 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT S.90°00'00"E., 326.75 FEET AND N.00°00'00"W., 210.09 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE S.89°58'38"E., 253.23 FEET; THENCE 94.86 FEET ALONG A NON-TANGENT CRUVE CONCAVE TO THE SOUTH, RADIUS OF 94.86 FEET, CENTRAL ANGLE OF 05°16'37", CHORD BEARING AND DISTANCE OF S.87°21'30"W., 94.83 FEET; THENCE 148.36 FEET ALONG A REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 853.26 FEET CENTRAL ANGLE OF 09°57'45", CHORD BEARING AND DISTANCE OF S.89°41'24"W., 148.18 FEET; THENCE 11.60 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 74.73 FEET, CENTRAL ANGLE OF 08°53'40", CHORD BEARING AND DISTANCE OF N.62°55'51"W., 11.59 FEET TO THE POINT OF BEGINNING.

### SURVEY TECH

SURVEYING ENGINEERING

3253 LYNHURST CT.  
OAKLAND, MI 48306

TEL. (248) 670-6556  
FAX. (248) 377-8883

**PERMANENT EASEMENT**

Sidwell #88-20-20-402-016, 017, 018, 030, 031, & 032 (pt of)  
Resolution #

**GFA ALPINE MEADOWS, LLC**, a Michigan limited liability company, Grantor(s), whose address is 985 Elmsford, Troy, MI 48302, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace **public utilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

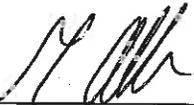
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

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

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

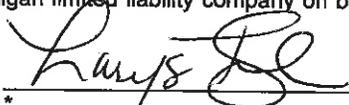
IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 10th day of September A.D. 2014.

GFA ALPINE MEADOWS, LLC  
a Michigan limited liability company

By  (L.S.)  
\*Gary Abitheira  
Its Manager

STATE OF MICHIGAN     )  
COUNTY OF OAKLAND    )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2014, by Gary Abitheira, Manager of GFA Alpine Meadows, LLC, a Michigan limited liability company on behalf of the company.

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

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

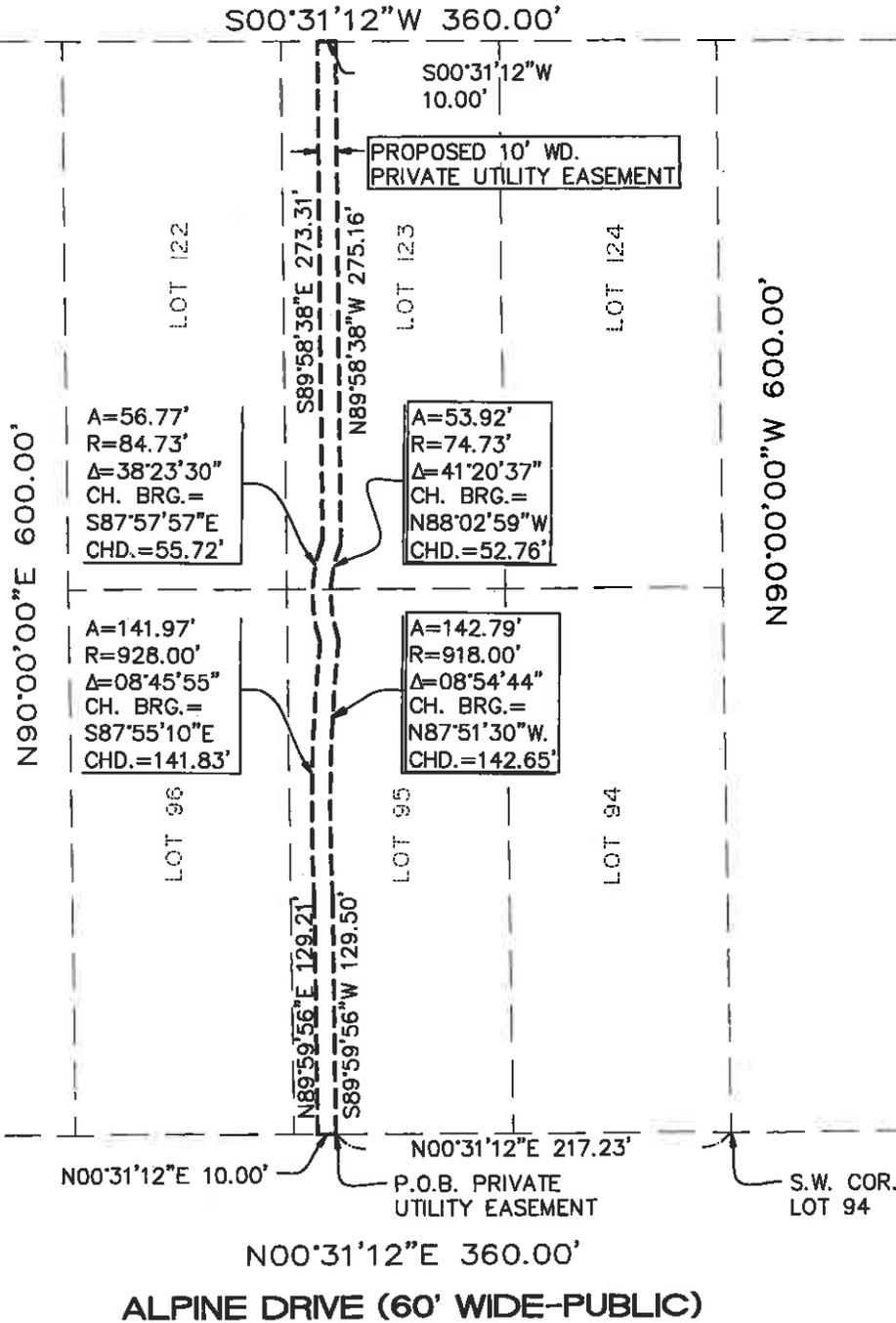
Return to: City Clerk  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

# PROPOSED PRIVATE UTILITY EASEMENT

N  
SCALE 1"=30'

McCLURE ROAD (60' WIDE-PUBLIC)



SURVEY TECH  
SURVEYING ENGINEERING  
3253 LYNHURST CT.  
OAKLAND, MI 48306  
TEL. (248) 670-6556  
FAX. (248) 377-8883

DATE 10-28-2011  
PAGE 1 OF 2

# PROPOSED PRIVATE UTILITY EASEMENT

## LEGAL DESCRIPTION: PRIVATE UTILITY EASEMENT

A 10 FOOT WIDE PRIVATE UTILITY EASEMENT BEING A PART OF LOTS 95 AND 123 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING N.00°31'12"E., 217.23 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE CONTINUING N.00°31'12"E., 10.00 FEET; THENCE N.89°59'56"E., 129.21 FEET; THENCE 141.97 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, RADIUS OF 928.00 FEET, CENTRAL ANGLE OF 08°45'55", CHORD BEARING AND DISTANCE OF S.87°55'10"E., 141.83 FEET; THENCE 56.77 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 84.73 FEET, CENTRAL ANGLE OF 38°23'30", CHORD BEARING AND DISTANCE OF S.87°57'57"E., 55.72 FEET; THENCE S.89°58'38"E., 273.31 FEET; THENCE S.00°31'12"W., 10.00 FEET; THENCE N.89°58'38"W., 275.16 FEET; THENCE 53.92 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 74.73 FEET, CENTRAL ANGLE OF 41°20'37", CHORD BEARING AND DISTANCE OF N.88°02'59"W., 52.76 FEET; THENCE 142.79 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 918.00 FEET, CENTRAL ANGLE OF 08°54'44", CHORD BEARING AND DISTANCE OF N.87°51'30"W., 142.65 FEET; THENCE S.89°59'56"W., 129.50 FEET TO THE POINT OF BEGINNING.

### **SURVEY TECH**

SURVEYING      ENGINEERING

3253 LYNHURST CT.  
OAKLAND, MI 48306

TEL. (248) 670-6556

FAX. (248) 377-8883

**PERMANENT EASEMENT**

Sidwell #88-20-20-402-016, 017, 018, 030, 031, & 032 (pt of)  
Resolution #

**GFA ALPINE MEADOWS, LLC**, a Michigan limited liability company, Grantor(s), whose address is 985 Elmsford, Troy, MI 48302, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the **CITY OF TROY**, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee the right to construct, operate, maintain, repair and/or replace **water mains and public utilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 10<sup>th</sup> day of September A.D. 2014.

GFA ALPINE MEADOWS, LLC  
a Michigan limited liability company

By [Signature] (L.S.)  
\*Gary Abitheira  
Its Manager

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of September, 2014, by Gary Abitheira, Manager of GFA Alpine Meadows, LLC, a Michigan limited liability company on behalf of the company.

**LARYSA FIGOL**  
Notary Public, Oakland County, Michigan  
Acting in Oakland County, Michigan  
My Commission Expires 03/02/2018  
[Signature]  
Notary Public, \_\_\_\_\_ County, Michigan  
My Commission Expires \_\_\_\_\_  
Acting in \_\_\_\_\_ County, Michigan

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

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

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

# PROPOSED WATER MAIN AND PRIVATE UTILITY EASEMENT

## LEGAL DESCRIPTION: WATER MAIN AND PRIVATE UTILITY EASEMENT

A WATER MAIN AND PRIVATE UTILITY EASEMENT BEING A PART OF LOT 95 AND 123 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT N.00°31'12"E., 140.00 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE CONTINUING N.00°31'12"E., 10.00 FEET; THENCE S.89°51'45"E., 13.05 FEET; THENCE 65.36 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH, RADIUS OF 630.00 FEET, CENTRAL ANGLE 05°56'38", CHORD BEARING AND DISTANCE OF N87°01'29"E., 65.33 FEET; THENCE 187.04 FEET ALONG THE REVERSE CURVE CONCAVE TO THE SOUTH, RADIUS OF 858.00 FEET, CENTRAL ANGLE OF 12°29'26", CHORD BEARING AND DISTANCE OF S89°42'07"E., 186.67 FEET; THENCE 68.37 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTH, RADIUS OF 72.21 FEET, CENTRAL ANGLE 54°15'02", CHORD BEARING AND DISTANCE S.83°36'46"E., 65.85 FEET; THENCE 159.23 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTH, RADIUS OF 913.26 FEET, CENTRAL ANGLE OF 09°59'23", CHORD BEARING AND DISTANCE OF N.89°42'12"E., 159.03 FEET; THENCE 89.33 FEET ALONG A REVERSE CURVE CONCAVE TO THE SOUTH, RADIUS OF 970.00 FEET, CENTRAL ANGLE 05°16'35", CHORD BEARING AND DISTANCE OF N.87°21'31"E., 89.30 FEET; THENCE N.89°59'48"E., 21.39 FEET; THENCE S.00°31'12"W., 10.00 FEET; THENCE S.89°59'48"W., 21.29 FEET; THENCE 88.40 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTH, RADIUS OF 960.00 FEET, CENTRAL ANGLE OF 05°16'35", CHORD BEARING AND DIRECTION OF S.87°21'31"W., 88.37 FEET; THENCE 158.79 FEET ALONG THE REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 923.26 FEET, CENTRAL ANGLE 09°51'14", CHORD BEARING AND DIRECTION S.89°38'08"W., 158.59 FEET; THENCE 73.04 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTH, RADIUS OF 82.21 FEET, CENTRAL ANGLE OF 50°54'22", CHORD BEARING AND DISTANCE OF N.83°40'05"W., 70.66 FEET; THENCE 81.57 FEET ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 848.00 FEET, CENTRAL ANGLE OF 05°30'41", CHORD BEARING AND DISTANCE OF N86°22'06"W., 81.54 FEET; THENCE S.00°04'32"E., 8.46 FEET; THENCE S.89°59'56"W., 40.02 FEET; THENCE N.00°02'12"W., 8.13 FEET; THENCE 60.96' ALONG A NON-TANGENT CURVE CONCAVE TO THE SOUTH, RADIUS OF 848.00 FEET, CENTRAL ANGLE OF 04°07'08", CHORD BEARING AND DISTANCE OF S.86°06'45"W., 60.95 FEET; THENCE 66.39 FEET ALONG THE REVERSE CURVE CONCAVE TO THE NORTH, RADIUS OF 640.00 FEET, CENTRAL ANGLE OF 05°56'38", CHORD BEARING AND DISTANCE OF S.87°01'29"W., 66.36 FEET; THENCE N.89°51'45"W., 13.14 FEET TO THE POINT OF BEGINNING.

## LEGAL DESCRIPTION: WATER MAIN EASEMENT

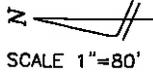
THE CENTERLINE OF A 15 FOOT WATER MAIN EASEMENT BEING A PART OF LOT 94, 95, 123 AND 124 OF MUER'S GARDEN FARMS, A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, ON PAGE 45 OF THE OAKLAND COUNTY RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT S.90°00'00"E., 289.37 FEET FROM THE SOUTHWEST CORNER OF LOT 94 OF SAID MUER'S GARDEN FARMS; THENCE N.00°00'04"W., 11.38 FEET; THENCE N.52°42'45"E., 15.23 FEET; THENCE N.00°00'04"W., 109.90 FEET TO A POINT OF ENDING.

JOB #: 13150  
DATE: 10-25-2013

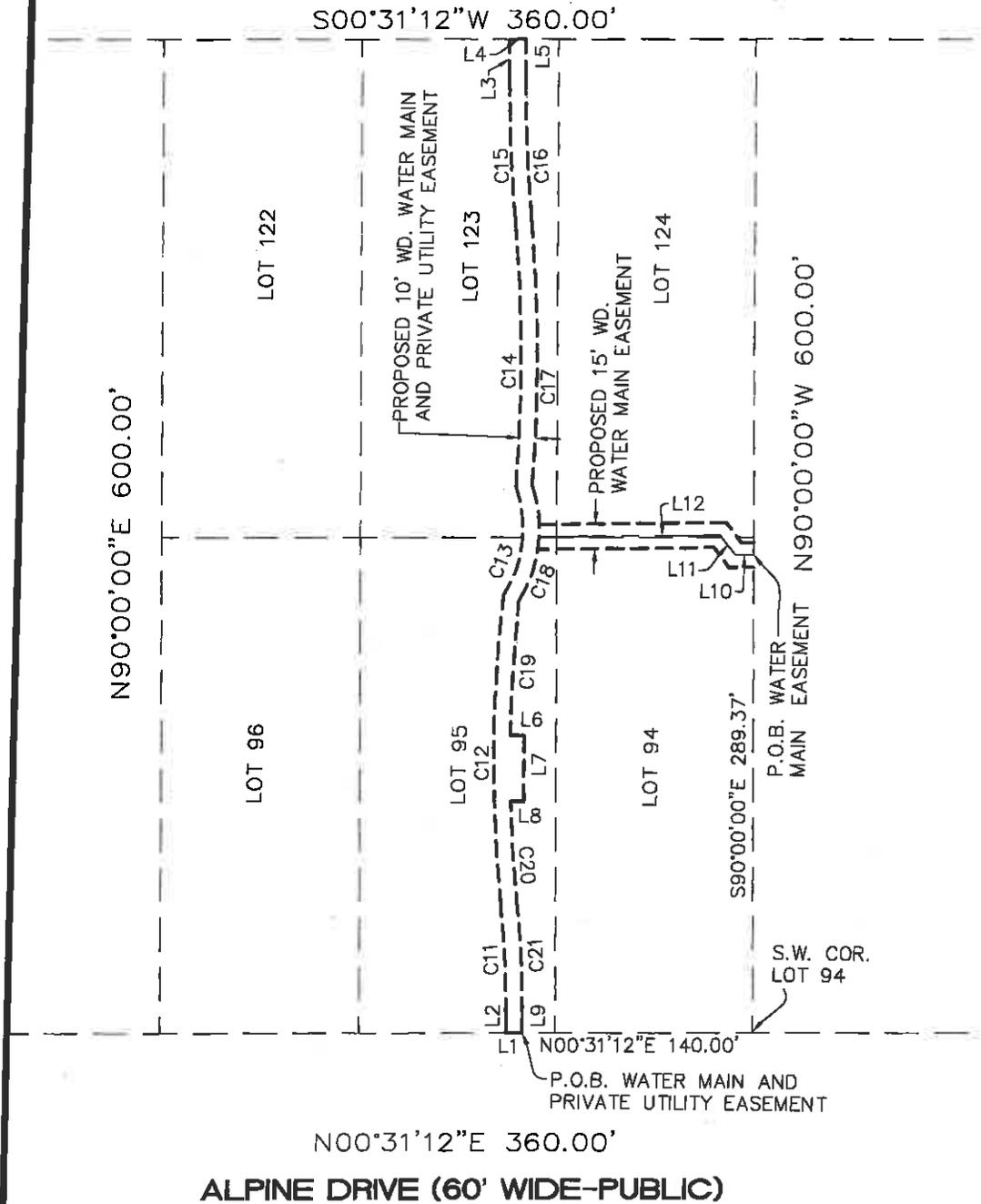
PAGE 3 OF 3

### SURVEY TECH

SURVEYING ENGINEERING  
3253 LYNHURST CT.  
OAKLAND, MI 48306  
TEL. (248) 670-6556  
FAX. (248) 377-8883



PROPOSED WATER MAIN AND PRIVATE  
UTILITY EASEMENT  
McCLURE ROAD (60' WIDE-PUBLIC)



JOB #: 13150  
DATE: 10-25-2013  
REVISED: 11-04-2014 WATER MAIN ESMNT.  
PAGE 1 OF 3

**SURVEY TECH**  
SURVEYING      ENGINEERING  
3253 LYNHURST CT.  
OAKLAND, MI 48306  
TEL. (248) 670-6556  
FAX. (248) 377-8883



## CITY COUNCIL AGENDA ITEM

---

Date: November 3, 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 Acceptance of Two Warranty Deeds and Four Permanent Easements for Hunters Park Site Condominium - Sidwell #88-20-12-301-003

---

### **History**

As part of the new Hunters Park Site Condominium development located on John R, north of Long Lake in the southwest ¼ of Section 12, the Engineering department has received two warranty deeds for a public road and detention purposes, and four permanent easements for public utilities, storm sewers, water mains, and sanitary sewers. The deeds and easements were granted by Mondrian Properties Hunters Park, LLC, owner of the property having Sidwell #88-20-12-301-003.

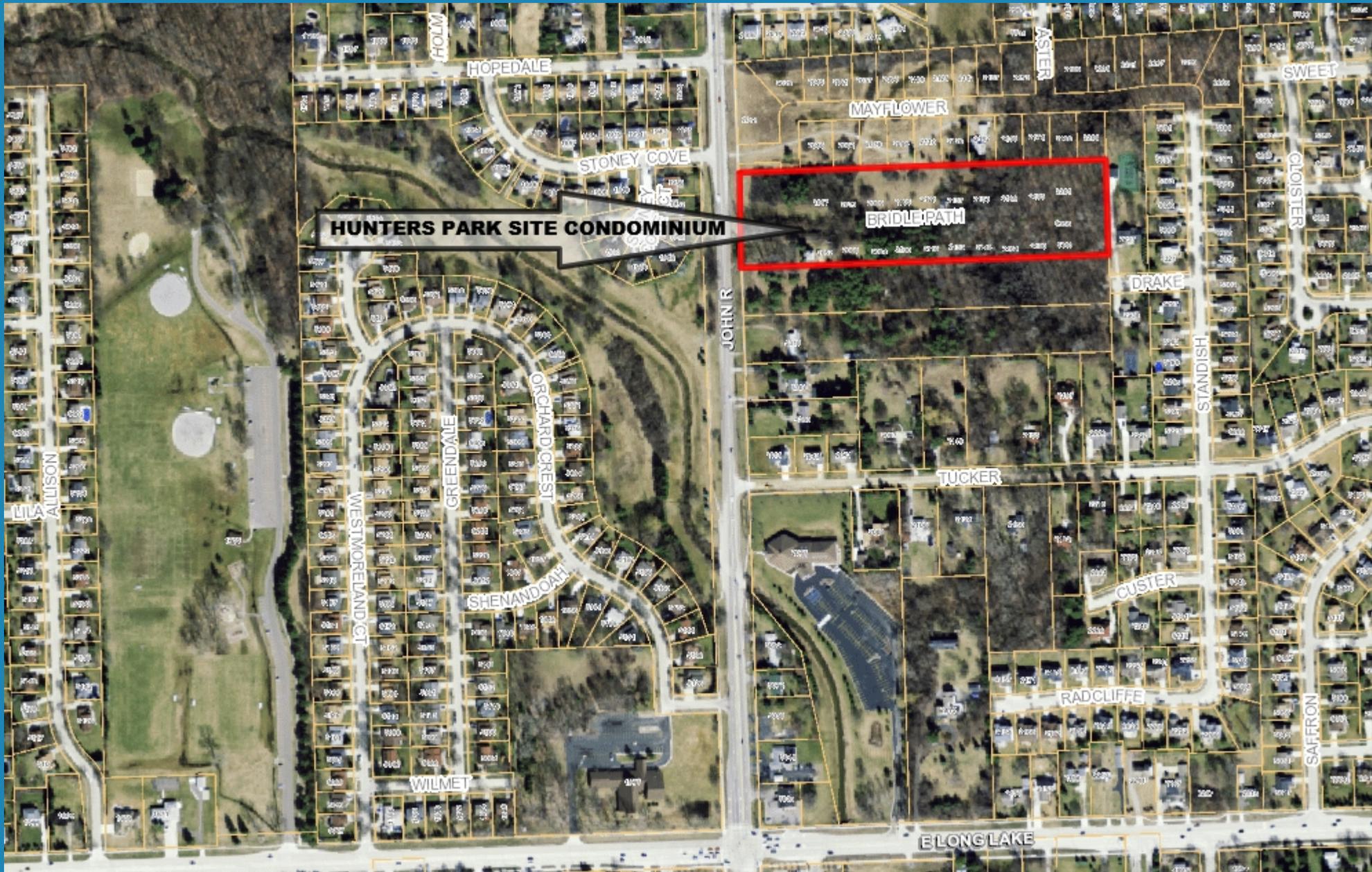
The format and content of the warranty deeds and easements is consistent with conveyances previously accepted by City Council.

### **Financial**

The consideration amount on each document is \$1.00

### **Recommendation**

City Management recommends that City Council accept the attached warranty deeds and permanent easements consistent with our policy of accepting warranty deeds and easements for development and improvement purposes.



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.

WARRANTY DEED

Sidwell # 88-20-12-301-003 (part of)  
Resolution #

The Grantor(s) MONDRIAN PROPERTIES HUNTERS PARK, LLC, a Michigan limited liability company, whose address is: 50125 Schoenherr, Shelby Township, MI 48315 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

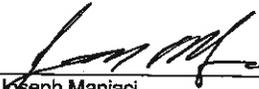
SEE "EXHIBIT A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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

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

Dated this 21<sup>st</sup> day of October, 2014.

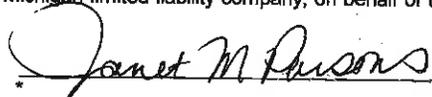
MONDRIAN PROPERTIES HUNTERS PARK, LLC  
a Michigan limited liability company

By   
Joseph Maniaci  
Its: Member

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, LLC, a Michigan limited liability company, on behalf of the company.

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

  
Notary Public, OAKLAND County, MI  
My commission expires: 10-14-2016  
Acting OAKLAND County, MI

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

Tax Parcel # 88-20-12-301-003 (part of) Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

\*TYPE OR PRINT NAMES UNDER SIGNATURES

# EXHIBIT "A"

## SKETCH OF DETENTION BASIN

### LEGAL DESCRIPTION DETENTION BASIN

Land in part of the southwest 1/4 of Section 12, T.2N., R11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R Road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27 and the POINT OF BEGINNING;

thence N89°59'21"E, 132.04 feet;  
thence S00°00'39"E, 138.96 feet;  
thence 64.40 feet along the arc of a curve to the left, having a radius of 41.00 feet, a central angle of 90°00'00", and chord bearing S45°00'39"E, 57.98 feet;  
thence N89°59'21"E, 12.49 feet;  
thence S00°00'39"E, 119.96 feet to the south line of the aforementioned Lot 26;  
thence along said south line S89°59'21"W, 185.76 feet to the aforementioned east line of John R. Road;  
thence along said east line N00°02'00"E, 299.92 feet to the POINT OF BEGINNING, containing ±1.065 acres, more or less.



PROFESSIONAL  
ENGINEERING  
ASSOCIATES

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1"= 150'	JOB No: 2013-168	2430 Rochester Ct. Suite 100 Troy, MI 48083-1872 (248) 689-9090
	DATE: 6-12-14	DWG. No: 2 of 2	

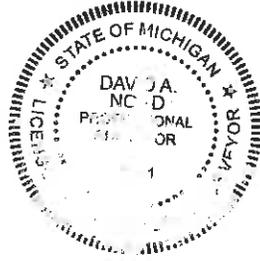
# SKETCH OF DETENTION BASIN

UNPLATTED  
TAX ID#  
88-20-12-301-017  
S00°02'57"W 299.92'

**DRAKE**  
(60' WIDE)

LOT 25  
TAX ID#  
88-20-12-301-003  
"EYSTER'S JOHN R. ACRES  
SUBDIVISION"  
(LIBER 55, PAGE 53 PLATS  
OAKLAND COUNTY RECORDS)

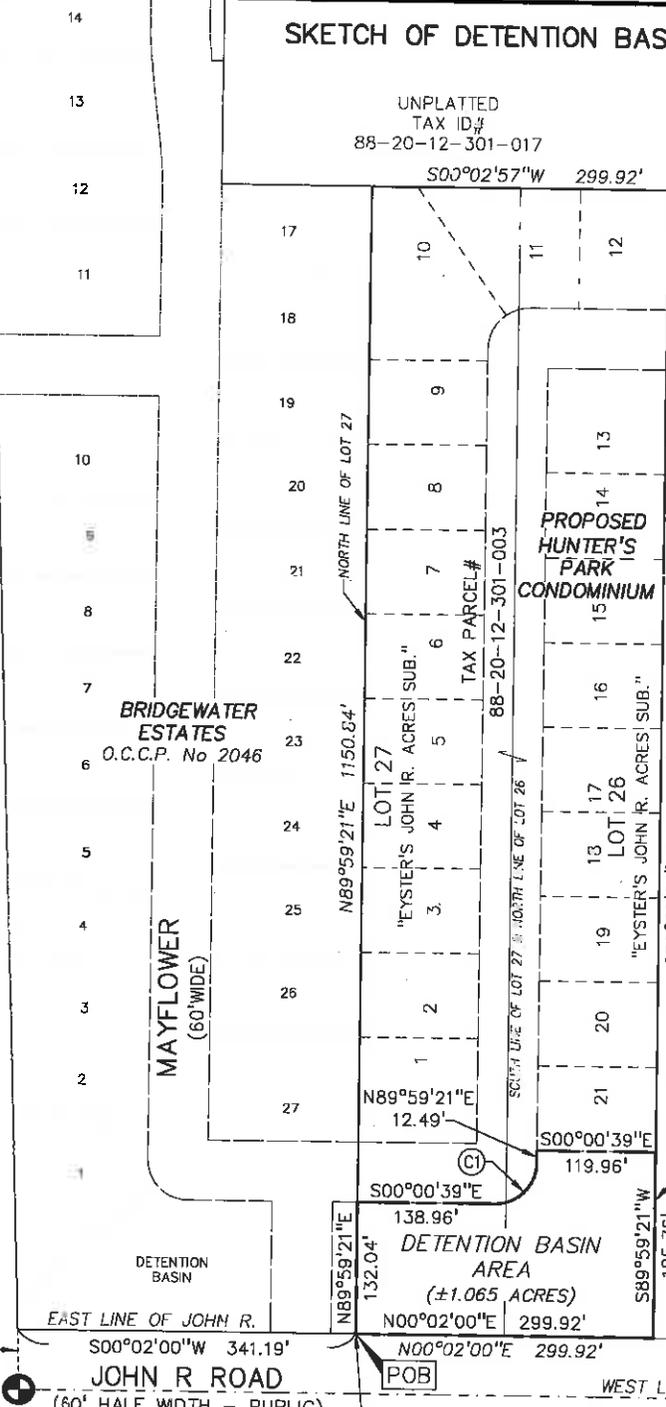
**PROPOSED  
HUNTER'S  
PARK  
CONDOMINIUM**



*David A. Neal*

(C) ARC = 64.40'  
RADIUS = 41.00'  
DELTA = 90°00'00"  
CHORD = 57.98'  
CH. BRG. = S45°00'39"E

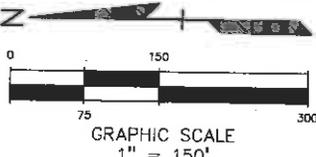
SOUTHWEST  
CORNER  
SECTION 12  
T.2N., R.11E.  
CITY OF TROY,  
OAKLAND  
COUNTY, MI



N88°02'09"E  
60.04'

WEST 1/4 CORNER  
SECTION 12 T.2N.,  
R.11E.  
TROY TWP.,  
OAKLAND COUNTY, MI

NORTHWEST CORNER  
OF LOT 27 OF  
EYSTER'S JOHN R  
ACRES SUBDIVISION



PROFESSIONAL  
ENGINEERING  
ASSOCIATES

2430 Rochester Ct. Suite 100  
Troy, MI 48083-1872  
(248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELEY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168
	DATE: 6-12-14	DWG. No: 1 of 2

WARRANTY DEED

Sidwell # 88-20-12-301-003 (part of)  
Resolution #

The Grantor(s) MONDRIAN PROPERTIES HUNTERS PARK, LLC, a Michigan limited liability company, whose address is: 50125 Schoenherr, Shelby Township, MI 48315 convey(s) and warrant(s) to the City of Troy, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road,, Troy, Michigan 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

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

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

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

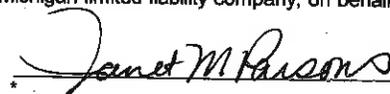
Dated this 21<sup>st</sup> day of October, 2014.

MONDRIAN PROPERTIES HUNTERS PARK, LLC  
a Michigan limited liability company

By   
Joseph Maniaci  
Its Member

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, LLC, a Michigan limited liability company, on behalf of the company.



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

Notary Public, Oakland County, MI  
My commission expires: 10-14-2016  
Acting OAKLAND County, MI

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

Tax Parcel #88-20-12-301-003 (part of) Recording Fee \_\_\_\_\_ Transfer Tax \_\_\_\_\_

\*TYPE OR PRINT NAMES UNDER SIGNATURES

# EXHIBIT "A"

## SKETCH OF PROPOSED RIGHT-OF-WAY

### LEGAL DESCRIPTION PROPOSED ROAD RIGHT-OF-WAY

Land in part of the southwest 1/4 of Section 12, T.2N., R.11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R Road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27; thence N89°59'21"E, 132.04 feet along the north line of said Lot 27 to the POINT OF BEGINNING;

thence continuing along said north line N89°59'21"E, 60.00 feet;  
 thence S00°00'39"E, 119.96 feet;  
 thence N89°59'21"E, 797.63 feet;  
 thence 64.45 feet along the arc of a curve to the right, having a radius of 41.00 feet, a central angle of 90°03'35", and chord bearing S44°58'51"E, 58.01 feet;  
 thence S00°02'57"W, 138.92 feet to the south line of the aforementioned Lot 26;  
 thence along said south line S89°59'21"W, 60.00 feet;  
 thence N00°02'57"E, 119.96 feet;  
 thence S89°59'21"W, 797.61 feet;  
 thence 64.40 feet along the arc of a curve to the right, having a radius of 41.00 feet, a central angle of 90°00'00", and chord bearing N45°00'39"W, 57.98 feet;  
 thence N00°00'39"W, 138.96 feet to the POINT OF BEGINNING, containing ±1.552 acres, more or less.

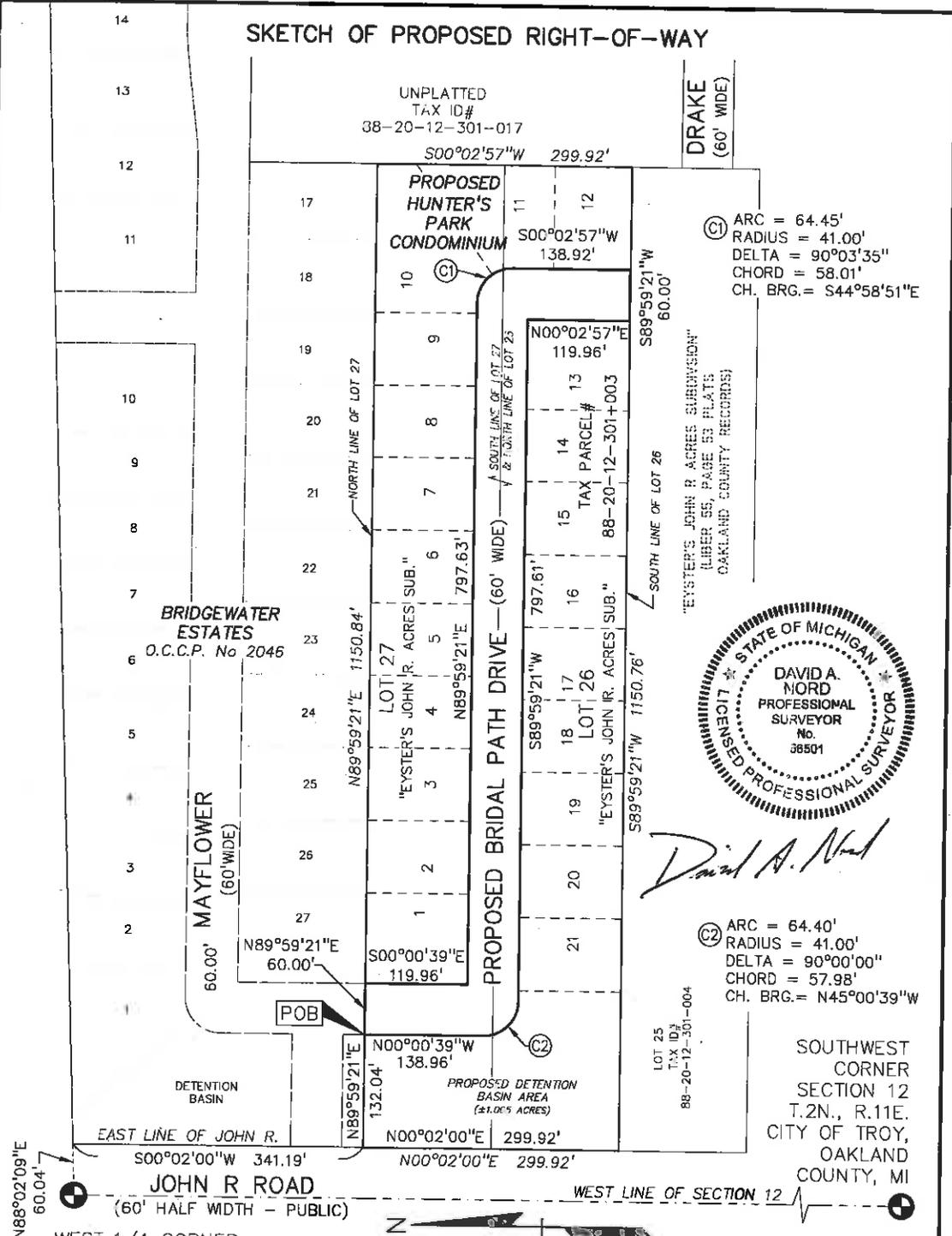
David A. Nord



PROFESSIONAL  
 ENGINEERING  
 ASSOCIATES  
 2430 Rochester Ct. Suite 100  
 Troy, MI 48083-1872  
 (248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168
	DATE: 6-12-14	DWG. No: 2 of 2

SKETCH OF PROPOSED RIGHT-OF-WAY



UNPLATTED  
TAX ID#  
38-20-12-301-017  
S00°02'57"W 299.92'

DRAKE  
(60' WIDE)

PROPOSED  
HUNTER'S  
PARK  
CONDOMINIUM  
S00°02'57"W  
138.92'

(C1) ARC = 64.45'  
RADIUS = 41.00'  
DELTA = 90°03'35"  
CHORD = 58.01'  
CH. BRG. = S44°58'51"E

BRIDGEWATER  
ESTATES  
O.C.C.P. No 2046

MAYFLOWER  
(60' WIDE)  
60.00'

PROPOSED BRIDAL PATH DRIVE - (60' WIDE)

"EYSTER'S JOHN R ACRES SURVEY"  
NUMBER 55, PAGE 53 PLATS  
OAKLAND COUNTY RECORDS



*David A. Nord*

(C2) ARC = 64.40'  
RADIUS = 41.00'  
DELTA = 90°00'00"  
CHORD = 57.98'  
CH. BRG. = N45°00'39"W

SOUTHWEST  
CORNER  
SECTION 12  
T.2N., R.11E.  
CITY OF TROY,  
OAKLAND  
COUNTY, MI

N88°02'09"E  
60.04'  
EAST LINE OF JOHN R.  
S00°02'00"W 341.19'  
JOHN R ROAD  
(60' HALF WIDTH - PUBLIC)



GRAPHIC SCALE  
1" = 150'

WEST 1/4 CORNER  
SECTION 12 T.2N., R.11E.  
TROY TWP.,  
OAKLAND COUNTY, MI

PROFESSIONAL  
ENGINEERING  
ASSOCIATES

CLIENT:  
MONDRIAN PROPERTIES, LLC  
50215 SCHOENHERR ROAD  
SHELBY TOWNSHIP, MI., 48315

SCALE: 1" = 150'  
DATE: 6-12-14  
JOB No: 2013-168  
DWG. No: 1 of 2

2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 689-9090

**PERMANENT EASEMENT**

Sidwell #88-20-12-301-003  
Resolution #

MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **public utilities**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES HUNTERS PARK, LLC,  
a Michigan limited liability company

By *Joseph Maniaci* (L.S.)  
Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company on behalf of the company.

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

*Janet M Parsons*  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48064

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

**EXHIBIT "A"**

**SKETCH OF PRIVATE UTILITY EASEMENT**

**LEGAL DESCRIPTION**

**10' WIDE PRIVATE UTILITY EASEMENT "A"**

An easement over land in the southwest 1/4 of Section 12, T.2N., R11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27, thence along the north line of said Lot 27 N89°59'21"E, 192.04 feet to the POINT OF BEGINNING;

thence continuing along said north line N89°59'21"E, 10.00 feet;  
 thence S00°00'39"E, 109.96 feet;  
 thence N89°59'21"E, 787.63 feet;  
 thence 80.16 feet along the arc of a curve to the right, having a radius of 51.00 feet, a central angle of 90°03'35", and chord bearing S44°58'51"E, 72.16 feet;  
 thence S00°02'57"W, 138.91 feet to the south line of the aforementioned Lot 26;  
 thence along said south line S89°59'21"W, 10.00 feet;  
 thence N00°02'57"E, 138.92 feet;  
 thence 64.45 feet along the arc of a curve to the left, having a radius of 41.00 feet, a central angle of 90°03'35", and chord bearing N44°58'51"W, 58.01 feet;  
 thence S89°59'21"W, 797.63 feet;  
 thence N00°00'39"W, 119.96 feet; to the POINT OF BEGINNING.

**LEGAL DESCRIPTION**

**10' WIDE PRIVATE UTILITY EASEMENT "B"**

An easement over land in the southwest 1/4 of Section 12, T.2N., R11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R road (60 foot half width); thence along said right-of-way, S00°02'00"W, 641.11 feet to the southwest corner of said Lot 26;

thence N89°59'21"E, 945.76 feet along the south line of said Lot 26 to the POINT OF BEGINNING;  
 thence N00°02'57"E, 94.96 feet;  
 thence S39°59'21"W, 770.10 feet;  
 thence N00°00'39"W, 10.00 feet;  
 thence N89°59'21"E, 780.11 feet;  
 thence S00°02'57"W, 104.96 feet to the aforementioned south line of Lot 26;  
 thence along said south line S89°59'21"W, 10.00 feet to the POINT OF BEGINNING.




PROFESSIONAL  
ENGINEERING  
ASSOCIATES

2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1"= 150'	JOB No: 2013-168
	DATE: 6-12-14	DWG. No: 2 of 2

# SKETCH OF PRIVATE UTILITY EASEMENT

UNPLATTED  
TAX ID#  
88-20-12-301-017  
S00°02'57"W 299.92'

DRAKE  
(60' WIDE)

ⓐ  
ARC = 80.16'  
RADIUS = 51.00'  
DELTA = 90°03'35"  
CHORD = 72.16'  
CH. BRG. = S44°58'51"E

ⓑ  
ARC = 64.45'  
RADIUS = 41.00'  
DELTA = 90°03'35"  
CHORD = 58.01'  
CH. BRG. = N44°58'51"W

10' WIDE PRIVATE UTILITY EASEMENT

POB "B"

10' WIDE PRIVATE UTILITY EASEMENT

BRIDGEWATER ESTATES  
O.C.C.P. No 2046

MAYFLOWER  
(60' WIDE)

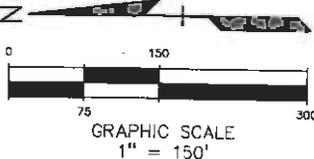
DETENTION BASIN



*David A. Nord*

SOUTHWEST CORNER  
SECTION 12  
T.2N., R.11E.  
CITY OF TROY,  
OAKLAND COUNTY, MI

WEST 1/4 CORNER  
SECTION 12 T.2N., R.11E.  
TROY TWP.,  
OAKLAND COUNTY, MI



PROFESSIONAL  
ENGINEERING  
ASSOCIATES  
2430 Rochester Ct. Suite 100  
Troy, MI 48083-1872  
(248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168
	DATE: 6-12-14	DWG. No: 1 of 2

**PERMANENT EASEMENT**

Sidwell #83-20-12-301-003  
Resolution #

MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **storm sewers**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES HUNTERS PARK, LLC,  
a Michigan limited liability company

By [Signature] (L.S.)  
Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company on behalf of the company.

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

[Signature]  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of OAKLAND, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road.  
Troy, MI 48084

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

# EXHIBIT "A"

## SKETCH OF STORM SEWER EASEMENT

### LEGAL DESCRIPTION

#### STORM SEWER EASEMENT "A"

An easement over land in the southwest 1/4 of Section 12, T.2N., R11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R Road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27, thence along the north line of said Lot 27 N89°59'21"E, 192.04 feet to the POINT OF BEGINNING;

thence continuing along said north line N89°59'21"E, 943.80 feet;  
thence S00°02'57"W, 299.92 feet to the south line of the aforementioned Lot 26;  
thence along said south line S89°59'21"W, 12.00 feet;  
thence N00°02'57"E, 287.92 feet;  
thence S89°59'21"W, 923.96 feet;  
thence S56°11'38"W, 9.41 feet;  
thence N00°00'39"W, 17.24 feet to the POINT OF BEGINNING.

### LEGAL DESCRIPTION

#### STORM SEWER EASEMENT "B"

An easement over land in the southwest 1/4 of Section 12, T.2N., R11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, being more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R road (60 foot half width); thence along said right-of-way, S00°02'00"W, 641.11 feet to the southwest corner of said Lot 26;

thence N89°59'21"E, 185.76 feet to the POINT OF BEGINNING;

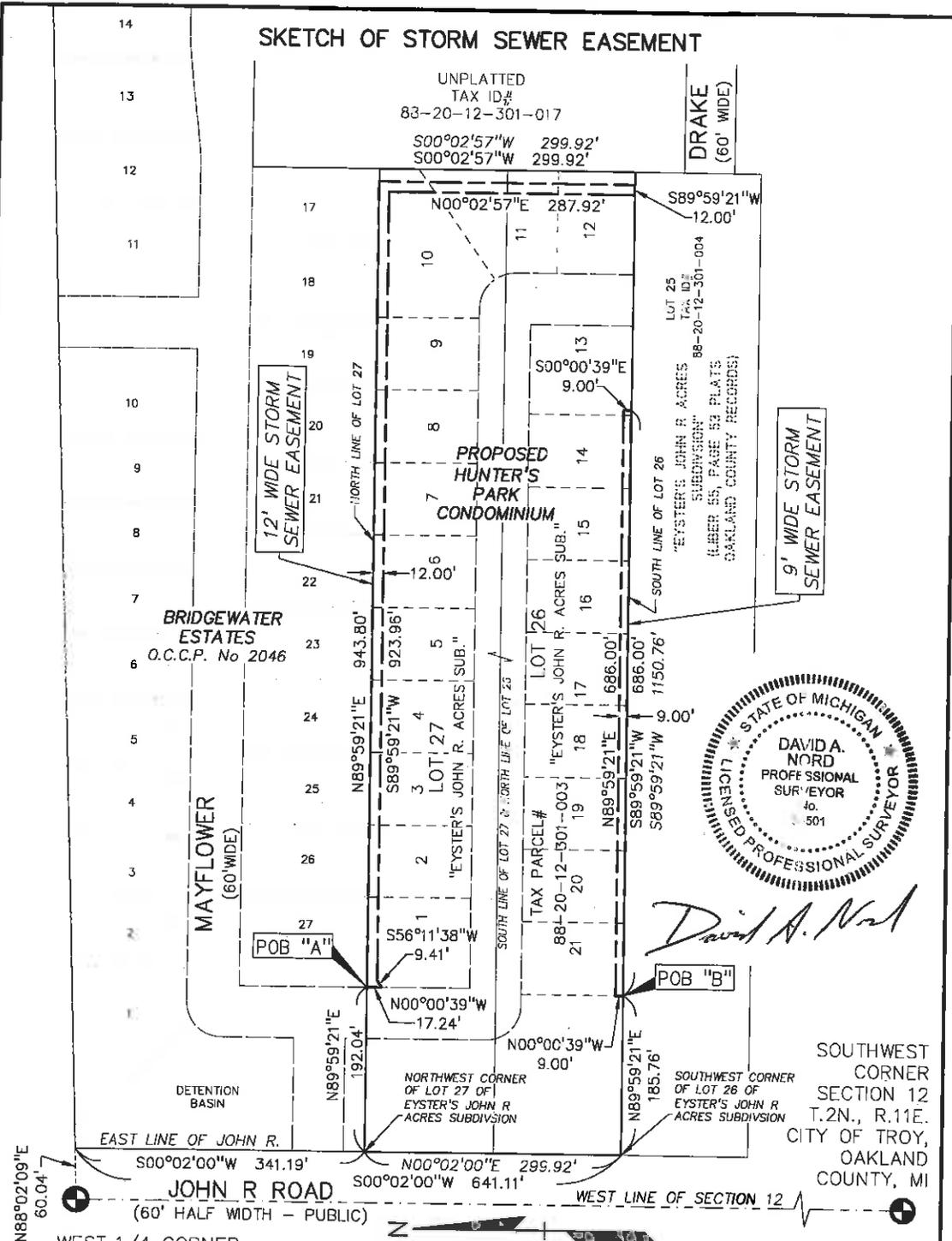
thence N00°00'39"W, 9.00 feet;  
thence N89°59'21"E, 686.00 feet;  
thence S00°00'39"E, 9.00 feet to the aforementioned south line of Lot 26;  
thence along said south line S89°59'21"W, 686.00 feet to the POINT OF BEGINNING.



PROFESSIONAL  
ENGINEERING  
ASSOCIATES

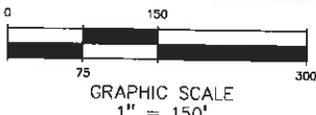
CLIENT: MONDRIAN PROPERTIES, LLC 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168	2430 Rochester Ct. Suite 100 Troy, MI 48063-1872 (248) 689-9090
	DATE: 6-12-14	DWG. No: 2 of 2	

# SKETCH OF STORM SEWER EASEMENT



*David A. Nord*

SOUTHWEST CORNER OF LOT 26 OF EYSTER'S JOHN R ACRES SUBDIVISION T.2N., R.11E. CITY OF TROY, OAKLAND COUNTY, MI



PROFESSIONAL ENGINEERING ASSOCIATES  
 2430 Rochester Ct. Suite 100  
 Troy, MI 48083-1872  
 (248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JCB No: 2013-168
	DATE: 6-12-14	DWG. No: 1 of 2

**PERMANENT EASEMENT**

Sidwell #88-20-12-301-003  
Resolution #

MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **water mains**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>st</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES HUNTERS PARK, LLC,  
a Michigan limited liability company

By Joseph Maniaci (L.S.)  
Its  Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company on behalf of the company.

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

Janet M Parsons  
\*  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figoi  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

# EXHIBIT "A"

## SKETCH OF WATER MAIN EASEMENT

### LEGAL DESCRIPTION WATER MAIN EASEMENT

A 20 foot wide easement over land in the southwest 1/4 of Section 12, T.2N., R.11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, whose centerline is more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R Road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27, thence along the north line of said Lot 27 N89°59'21"E, 184.04 feet to the POINT OF BEGINNING;

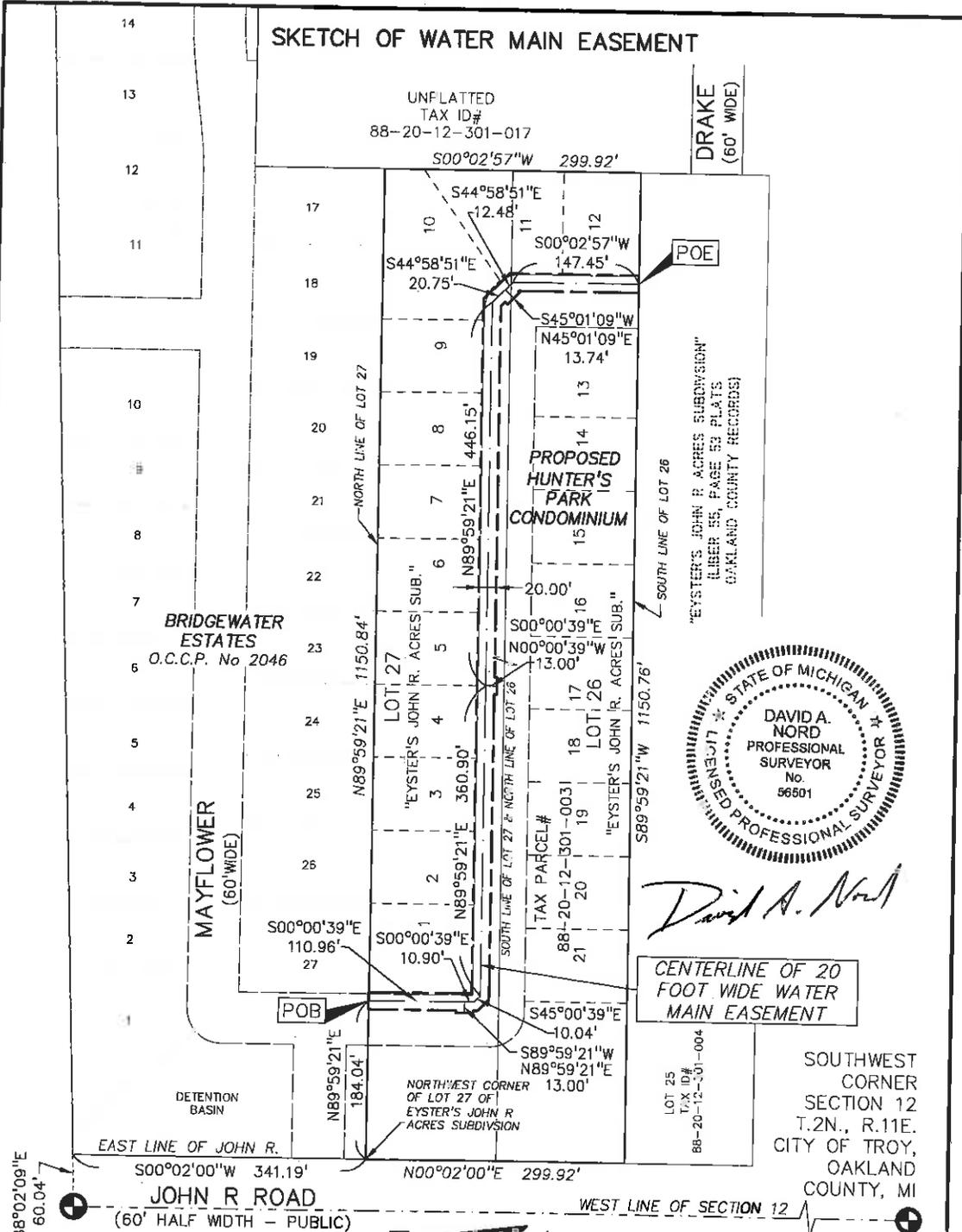
thence S00°00'39"E, 110.96 feet;  
thence S89°59'21"W, 13.00 feet;  
thence N89°59'21"E, 13.00 feet;  
thence S00°00'39"E, 10.90 feet;  
thence S45°00'39"E, 10.04 feet;  
thence N89°59'21"E, 360.90 feet;  
thence S00°00'39"E, 13.00 feet;  
thence N00°00'39"W, 13.00 feet;  
thence N89°59'21"E, 446.15 feet;  
thence S44°58'51"E, 20.75 feet;  
thence S45°01'09"W, 13.74 feet;  
thence N45°01'09"E, 13.74 feet;  
thence S44°58'51"E, 12.48 feet;  
thence S00°02'57"W, 147.45 feet to the south line of the aforementioned Lot 26 and the POINT OF ENDING.



PROFESSIONAL  
ENGINEERING  
ASSOCIATES  
2430 Rochester Ct. Suite 100  
Troy, MI 48063-1872  
(248) 689-9090

CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1"= 150'	JOB No: 2013-168
	DATE: 6-12-14	DWG. No: 2 of 2

**SKETCH OF WATER MAIN EASEMENT**

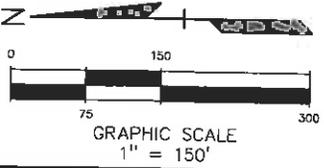


*David A. Nord*

CENTERLINE OF 20 FOOT WIDE WATER MAIN EASEMENT

SOUTHWEST CORNER SECTION 12 T.2N., R.11E. CITY OF TROY, OAKLAND COUNTY, MI

WEST 1/4 CORNER SECTION 12 T.2N., R.11E. TROY TWP., OAKLAND COUNTY, MI



CLIENT: <b>MONDRIAN PROPERTIES, LLC</b> 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168	2430 Rochester Ct. Suite 100 Troy, MI 48083-1872 (248) 689-9090
	DATE: 6-12-14	DWG. No: 1 of 2	

PERMANENT EASEMENT

Sidwell #88-20-12-301-003  
Resolution #

MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company, Grantor(s), whose address is 50215 Schoenherr Road, Shelby Twp, MI 48315 for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan municipal corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, 48084 grants to the Grantee, the right to construct, operate, maintain, repair and/or replace **sanitary sewers**, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

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

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

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

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

IN WITNESS WHEREOF, the undersigned hereunto affixed 1 signature(s) this 21<sup>ST</sup> day of October A.D. 2014.

MONDRIAN PROPERTIES HUNTERS PARK, LLC,  
a Michigan limited liability company

By [Signature] (L.S.)  
\* Joseph Maniaci  
Its Member

STATE OF MICHIGAN )  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 21<sup>ST</sup> day October, 2014, by Joseph Maniaci, Member, of MONDRIAN PROPERTIES HUNTERS PARK, L.L.C., a Michigan limited liability company on behalf of the company.

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

[Signature]  
\*  
Notary Public, Oakland County, Michigan

My Commission Expires on 10-14-2016  
Acting in the County of Oakland, Michigan

Prepared by and when recorded return to:  
Larysa Figol  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

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

# EXHIBIT "A"

## SKETCH OF SANITARY SEWER EASEMENT

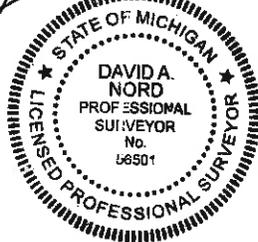
### LEGAL DESCRIPTION SANITARY SEWER EASEMENT

A 20 foot wide easement over land in the southwest 1/4 of Section 12, T.2N., R.11E., City of Troy, Oakland County, Michigan, over part of Lots 26 & 27 of "Eyster's John R. Acres Subdivision", as recorded in Liber 55 of Plats, Page 53, Oakland County Records, whose centerline is more particularly described as;

Commencing at the West quarter corner of said Section 12, thence N88°02'09"E, 60.04 feet to the east right-of-way line of John R Road (60 foot half width); thence along said right-of-way, S00°02'00"W, 341.19 feet to the northwest corner of said Lot 27, thence along the north line of said Lot 27 N89°59'21"E, 125.75 feet to the POINT OF BEGINNING;

thence S55°01'37"E, 17.44 feet;  
thence S00°00'39"E, 174.96 feet;  
thence N89°59'21"E, 825.61 feet;  
thence S00°02'57"W, 114.96 feet to the south line of the aforementioned Lot 26 and the POINT OF ENDING.

*David A. Nord*



PROFESSIONAL  
ENGINEERING  
ASSOCIATES

CLIENT: MONDRIAN PROPERTIES, LLC 50215 SCHOENHERR ROAD SHELBY TOWNSHIP, MI., 48315	SCALE: 1" = 150'	JOB No: 2013-168	2430 Rochester Ct. Suite 100 Troy, MI 48063-1872 (248) 689-9090
	DATE: 5-29-14	DWG. No: 2 of 2	





# CITY COUNCIL AGENDA ITEM

**Date:** October 17, 2014

**To:** Brian Kischnick, City Manager

**From:** Gary Mayer, Police Chief  
Keith Frye, Police Captain

**Subject:** Interlocal Agreement for the Special Investigations Unit (SIU)

### History

- The Troy Police Department Special Investigations Unit (SIU) is a highly effective group of undercover investigators whose primary function is to develop sufficient evidence to prosecute criminal offenders that have eluded conventional police efforts to apprehend them.
- SIU was formed in the 1970's and comprised solely of Troy officers.
- On June 21, 2010, City Council approved an Interlocal Agreement (Resolution # 2010-06-143) improving the efficiency of SIU by allowing for SIU to become a cooperative concept through the addition of a police officer from the Auburn Hills Police Department and a police officer from the Bloomfield Township Police Department.
- Recently, the Birmingham Police Department has also expressed an interest in committing a police officer to the Troy Police Department Special Investigations Unit.
- A resolution by the City Council exercising approval of the Amended Interlocal Agreement and Binder between the City of Troy, the City of Auburn Hills, the Township of Bloomfield, and the City of Birmingham is required.

### Financial

There is no anticipated negative financial impact on the city.

### City Attorney's Review as to Form and Legality

\_\_\_\_\_  
Lori Grigg Bluhm, City Attorney

\_\_\_\_\_  
Date

### Recommendation

City management recommends approval of the Amended Interlocal Agreement and Binder for outside agency participation in the Troy Police Department Special Investigations Unit.

**AMENDMENT TO INTERLOCAL AGREEMENT  
FOR PARTICIPATION IN THE TROY POLICE DEPARTMENT  
SPECIAL INVESTIGATIONS UNIT**

---

**THIS AMENDMENT TO INTERLOCAL AGREEMENT FOR PARTICIPATION IN THE TROY POLICE DEPARTMENT SPECIAL INVESTIGATIONS UNIT** entered into by and between the City of Troy, the City of Auburn Hills, and the Charter Township of Bloomfield, and the City of Birmingham, all located in the County of Oakland, State of Michigan, hereafter referred to individually as “Participating Agency” or collectively as “Participating Agencies”, also referred to as “party” or “parties”. The Troy Special Investigations unit shall be referred to as “TPDSIU” and any reference to “officer(s) of the TPDSIU” shall refer to all police officer assigned to TPDSIU under this Agreement.

**RECITALS**

Article VII, Section 28 of the Michigan Constitution of 1963 provides, in part, that two or more counties, townships, cities, villages, or districts, or any combination thereof, may, among other things, enter into contractual undertakings or agreements with one another for the joint administration of any of the functions or powers which each would have the power to perform separately; and,

The Urban Cooperation Act of 1967, MCLA §124.501 et seq.; MSA §5.4088 et seq. provides that a public agency (defined to mean a political subdivision of this state including, but not limited to, a county, city, village, township, or charter township) may exercise jointly with any other public agency of the state any power, privilege or authority which such agencies share in common and which each might exercise separately; and,

Each local governmental unit has decided that it is in the best interests of such local governmental unit to participate in the Troy Police Department Special Investigations Unit, to exercise such additional powers, functions, duties, and responsibilities granted to the TPDSIU and imposed upon it by this Agreement; and,

The Agency’s endeavor to realize and benefit from each officer’s accumulated expertise and recognize substantial savings in time, effort, and expenses to each individual Agency by participating in the TPDSIU; and,

In consideration of the foregoing, the parties agree to the Interposal Agreement as set forth below.

### **SECTION 1: PURPOSE OF AGREEMENT**

- A. WHEREAS there is evidence that the nature of some criminal occurrences and the skill of some criminal perpetrators make apprehension through overt police tactics difficult, and such persons conducting illegal activities have a substantial and detrimental effect on the health and general welfare of the people of City of Troy, the City of Auburn Hills, the Charter Township of Bloomfield, and the City of Birmingham agree to the following:
- B. The Participating Agencies will perform the activities and duties described below:
  - a. Target and investigate those criminals who, by the nature of their criminal activity or their manner of operation, are able to avoid apprehension.
  - b. Gather and provide intelligence information on individuals suspected of criminal involvement and/or locations believed to be the sites of criminal activity.
  - c. Conduct covert or undercover investigations where appropriate and engage in other traditional methods of investigation that will result in effective prosecution before the courts of the United States and/or the State of Michigan.
- C. To accomplish the objectives of the TPDSIU, the Participating Agencies agree to detail at least one (1) experienced officer to the TPDSIU for a period of time to be determined by each respective agency. During this period of assignment, the AHPD, BTPD, and BPD officers will be under the direct supervision and control of Troy Police Department supervisory personnel assigned to the TPDSIU.
- D. The AHPD, BTPD, and BPD officers assigned to the TPDSIU shall adhere to Troy Police Department policies and procedures in addition to their respective agency's policies and procedures. Failure to adhere to Troy Police Department policies and procedures, as determined by the Troy Police Department in its sole discretion, shall be grounds for dismissal from the TPDSIU and termination of this Agreement with that Participating Agency.
  - a. Troy Police Department policies and procedures require all officers and/or personnel to provide full and truthful responses to questions when directed to do so by appropriate authority or during the scope of their official duties. This duty applies during administrative interviews and any other official TPDSIU

business and is applicable whether the TPDSIU officer and/or personnel are providing a statement about his or her own alleged misconduct, the misconduct of others, observed facts, past recollections, opinions, or is providing a written or oral communication. Any compelled statement made by a TPDSIU officer and/or personnel and any information derived from that involuntary statement may not be used against the TPDSIU officer in a criminal proceeding.

- b. The Troy Police Department will conduct investigations of misconduct by TPDSIU officers and/or personnel and will assist each Participating Agency by investigating any allegations of misconduct by a TPDSIU officer and/or personnel relating to his or her TPDSIU activities. Any finding of misconduct by a TPDSIU officer and/or personnel will be referred to the respective Participating Agency for appropriate administrative action.
- E. The Troy Police Department will support the activities of TPDSIU officers and/or personnel by providing available office space, office supplies, investigative electronic equipment, and other support items.
- F. In no event will the AHPD, BTPD or BPD charge any direct cost rate to the Troy Police Department for the administration or implementation of this agreement.

## **SECTION 2: RESPONSIBILITIES AND LIABILITY**

- A. Each Participating Agency shall assume the responsibility for the actions of its own employees, personnel and/or agents acting pursuant to this Agreement both as to liability and as to the payment of benefits to such employees, personnel and/or agents all to the same extent as such employees, personnel and/or agents are insured, indemnified and otherwise protected when acting within the Participating Agencies' respective corporate limits.
- B. Each Participating Agency shall be responsible for the payment of all benefits to all of its employees, personnel and/or agents acting pursuant to this Agreement, including, but not limited to the payment of wages, salaries, disability payments, pension benefits, workers' compensation claims, and claims for injuries, damage to or destruction of equipment and clothing, claims for medical expenses and claims for other damages of whatever nature.
- C. The parties agree to be responsible for the negligent or wrongful acts or omissions of their respective employees, personnel, and/or agents. Nothing in this Agreement shall be construed as creating an obligation to indemnify or defend any other party or parties

for any claim, damage or liability arising out of or stemming from an act or action of a party.

### **SECTION 3. ADDITION OF OTHER POLICE AGENCIES AS PARTICIPANTS**

- A. Participating Agencies shall have the authority to determine if a non-Participating Agency police department ("Petitioning Agency") should be allowed to join TPDSIU as a participant but only if that police department is a governmental unit of Oakland County, Michigan and only if all Participating Agencies have agreed in writing directed to the Chief of Police of the Troy Police Department to allow that Petitioning Agency to join TPDSIU. If a Petitioning Agency is unanimous approve as a Participating Agency, each current Participating Agency shall sign a Binder Agreement in the format and with the language indicated on the attached Exhibit 2. After that Binder Agreement is signed by each of the Participating Agencies, the Petitioning Agency shall present the Binder Agreement to its City Council or legislative body for approval. A signed Binder Agreement and a certified resolution indicating approval of the Binder Agreement and allowing the appropriate Petitioning Agency official(s) to execute the Binder Agreement, shall be given to the Chief of Police of the City of Troy. The Chief of Police of the Troy Police Department or his/her designee shall review the Binder Agreement and Certified Resolution to determine that the Petitioning Agency has complied with the requirements of this Section 3. If in the opinion of the Troy Police Department, all necessary paperwork is in order, the Troy Police Department will distribute a copy of the Binder Agreement containing each Participating Agencies signature and the authorized signature of the Petitioning Agency and a copy of the Certified Resolution.

### **SECTION 4: GENERAL PROVISIONS**

- A. This Agreement shall be in full force and effect and is legally binding upon each Participating Agency at such time as it is signed and certified by that Participating Agency.
- B. This Agreement may be amended from time to time in writing and approved by resolution of the appropriate governing body of the Participating Agencies. The effective date of any amendment shall be the date as of which the last of the necessary Participating Agencies has approved the amendment.
- C. This Amendment to Interlocal Agreement for Participation in the Troy Police Department Special Investigations Unit supersedes the original Interlocal Agreement for Participation in the Troy Police Department Special Investigations Unit. This Agreement shall remain in full force and effect and shall bind the Participating Agency, and any

Petitioning Agencies which become Participating Agencies, that have executed the Agreement or a Binder Agreement as set out in Section 3, and presented a Certified Resolution from its City Council or legislative body approving the Agreement or Binder Agreement and authorizing the appropriate individual(s) to sign the Agreement or Binder Agreement. Copies of any signed Agreement or Binder Agreement and Certified Resolutions shall be filed with the other appropriate offices of all other Participating Agencies within thirty (30) days of the passage of the Resolution and execution of the Agreement or Binder Agreement.

- D. Nothing in this Agreement shall be construed as creating an employer-employee relationship between any party (including any of its agents) and any other party (including any of its agents).
- E. The parties shall not discriminate against their employees, agents, applicants for employment or other person or entities with respect to hire, tenure, terms, conditions and privileges of employment or any matter directly or indirectly related to employment in violation of any federal, state or local law.
- F. This Agreement or a Binder Agreement may be executed in several counterparts each of which shall be an original and all of which shall constitute but one and the same instrument.

**IN WITNESS WHEREOF**, this Agreement will become effective on the date of the last signature on the Agreement.

CITY OF AUBURN HILLS

TOWNSHIP OF BLOOMFIELD

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

CITY OF BIRMINGHAM

CITY OF TROY

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**Exhibit 2**

**BINDER AGREEMENT FOR INTERLOCAL AGREEMENT FOR PARTICIPATION  
IN THE TROY POLICE DEPARTMENT SPECIAL INVESTIGATIONS UNIT**

**THIS BINDER AGREEMENT TO INTERLOCAL AGREEMENT FOR PARTICIPATION IN THE TROY POLICE DEPARTMENT SPECIAL INVESTIGATIONS UNIT** is entered into by and between the City of Troy, the City of Auburn Hills the Charter Township of Bloomfield, and the City of Birmingham, all located in the County of Oakland, State of Michigan, hereafter referred to individually as "Participating Agency" or collectively as "Participating Agencies", and the City of \_\_\_\_\_ hereafter referred to a "Petitioning Agency", also referred to as "party" or "parties" and the Troy Special Investigations unit shall be referred to as "TPDSIU" and any reference to "officer(s) of the TPDSIU" shall refer to all police officer assigned to TPDSIU under this Agreement.

**RECITALS**

WHEREAS, there currently exist an Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit ("TPDSIU") which was entered into by a number of governmental entities ("Participating Agencies") in Oakland County, Michigan. That Agreement is authorized under the Urban Cooperation Act of 1967 and is attached hereto as Exhibit 1;

WHEREAS, the Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501, et. seq. (the "Act"), permit governmental units to exercise jointly with other governmental units any power, privilege or authority which such governmental units share in common which each might exercise separately; and

WHEREAS, for a Petitioning Agency consisting of an Oakland County governmental entity to become a Participating Agency of TPDSIU it is necessary to enter into an Agreement accepting all terms and conditions set out in the existing Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit ("TPDSIU");; and

WHEREAS, pursuant to a resolution of the Petitioning Agency's legislative body, giving the signatories on this Binder Agreement the authority to bind the Petitioning

Agency to the terms and conditions set out in the Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit ("TPDSIU") as though the Petitioning Agency had signed the original Agreement; and

**NOW, THEREFORE**, in consideration of the mutual covenants, undertakings, understandings and agreements set forth above and in this Agreement, the Petitioning Agency agrees to the following terms, conditions, representations, consideration and acknowledgements and mutually agree as follows:

1. Certified Resolution and Execution of Binder Agreement. Prior to the execution of this Binder Agreement, Petitioning Agency has petitioned TPDSIU for participation in TPDSIU. Each Chief of Police of the Participating Agencies of TPDSIU has approved the participation of Petitioning Agency as a Participating Agency in TPDSIU as signified by their signatures on this Binder Agreement for Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit. To make participation effective, the Petitioning Agency shall obtain a Certified Resolution of the Petitioning Agency's City Council or legislative body approving this Binder Agreement and authorizing the appropriate signatories to execute this Binder Agreement. Petitioning Agency agrees to submit a signed executed copy of this Binder Agreement to the Chief of Police of the Troy Police Department. The Troy Police Department shall distribute a copy of a fully executed Binder Agreement and a copy of the Certified Resolution of the Petitioning Agency to each Participating Agency within a reasonable time after receipt of those documents. Failure to execute the Binder Agreement and provide a Certified Resolution the Chief of Police of the Troy Police Department within ten (10) days of execution of the Binder Agreement and passage of the resolution shall revoke any offer to allow participation in the TPDSIU as set out in this Agreement.

2. Agreement to be Bound by Terms and Conditions in Existing Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit. Petitioning Agency acknowledges that it has been given a copy of the existing Interlocal Agreement For Participation in the Troy Police Department Special Investigation Unit which is attached hereto as though fully set out herein as Exhibit 1 and that it has read and agrees to be bound by each and every terms and conditions contained therein.

3. Counterpart Signatures. This Agreement may be signed in counterpart. The counterpart taken together shall constitute one (1) agreement

IN WITNESS WHEREOF, this Agreement is executed by the Petitioning Agency.

WITNESSES:

CITY OF \_\_\_\_\_,  
PETITIONING AGENCY

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

CITY OF AUBURN HILLS

TOWNSHIP OF BLOOMFIELD

By: \_\_\_\_\_

Its: Chief of Police

By: \_\_\_\_\_

Its: Chief of Police

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

CITY OF BIRMINGHAM

CITY OF TROY

By: \_\_\_\_\_

Its: Chief of Police

By: \_\_\_\_\_

Its: Chief of Police

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_



## CITY COUNCIL AGENDA ITEM

November 5, 2014

TO: The Honorable Mayor and City Council Members

FROM: Brian Kischnick, City Manager  
Thomas Darling, Director of Financial Services

SUBJECT: 2014/15 Budget Amendment No. 3 – Customer Friendly City Hall Initiative (City Manager' Office)

### **History**

This budget request stems from the “Interaction Troy” initiative and is focused on initial steps in developing the City Manager Office into a customer friendly environment.

This request is to make renovations in the City Manager’s suite offices. The renovations will be done in phases. The first wall has already been removed and soon Building Operations will remove additional walls which will create an open atmosphere within the City Manger’s offices.

The current work stations in the front office will be removed and re-used in another department. They will be replaced by 4 air-touch desks with mobile file cabinets creating 2 additional open work spaces and eliminating the partition between our visitors and our office staff. A reception area is planned to be created by the front door with the addition of a couch and 2 chairs.

The rest of the offices in the Manager’s suite will be renovated in an effort to create an open, welcoming, technologically advanced team atmosphere.

### **Purchasing**

A Troy company compliant with government cooperative pricing will be used to supply office furniture and provide design and layout options.

## **Financial Considerations**

Funding for the request has been deemed appropriate in the capital projects fund. The current and requested budget adjustment to the fund is as follows:

	<b>Current Budget</b>	<b>Budget Request</b>	<b>Ending Budget</b>
Expenditures	\$19,937,900	\$35,000	\$19,972,900
Ending Fund Balance (Est. based on 6/30/2014 ending)	11,282,163	11,247,163	11,247,163

## **Legal Considerations:**

The budget amendments will keep us in compliance with P.A. 621 of 1978 Uniform Budgeting Act, which calls for budgets to be amended when necessary.

A regular meeting of the Troy Traffic Committee was held Wednesday, September 17, 2014 in the Lower Level Conference Room at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

### **1. Roll Call**

PRESENT: Ollie Apahidean  
Tim Brandstetter  
David Easterbrook  
Ted Halsey  
Al Petrusis  
Pete Ziegenfelder

ABSENT: Richard Kilmer

Also present: Victor DeFlorio, 3609 Cedar Brook  
Rashaana Bleumar, 36533 Ryan  
Sgt. Mike Szuminski, Police Department  
Bill Huotari, Deputy City Engineer/Traffic Engineer

### **2. Minutes – July 16, 2014**

#### **RESOLUTION # 2014-09-24**

Moved by Kilmer  
Seconded by Brandstetter

To approve the July 16, 2014 minutes as printed.

YES: All 6 (Apahidean, Brandstetter, Easterbrook, Halsey, Petrusis, Ziegenfelder)  
NO: None  
ABSENT: 1 (Kilmer)

MOTION CARRIED

#### **PUBLIC HEARINGS**

### **3. Request for Sidewalk Waiver – 3234 Louis – Sidwell #88-20-22-352-028**

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 3234 Louis Street (Sidwell #88-20-22-352-028). Mr. DeFlorio states that there are no sidewalks on the street.

The two (2) waiver requests on Louis were addressed and discussed at the same time.

Mr. DeFlorio was in attendance at the meeting and stated that both homes on Louis are occupied. The homes were built at the same time. Closings occurred in May/June. Louis

is a street with no sidewalk. There are eight (8) homes on this section of Louis. There is no curb or gutter on the street. Existing grade of the land takes overland flow to the rear of the homes. Mr. DeFlorio said that approving the waiver would make these two lots consistent with the other homes on Louis.

Mr. Ziegenfelder stated that there is existing sidewalk at 3258 and 3270 Louis. Mr. DeFlorio explained that this was not required at the time that those homes were built but it was constructed as part of the construction of the homes. Mr. Ziegenfelder stated that he is in favor of sidewalks at all locations.

Mr. Halsey asked how far back the homes were from the road. Mr. DeFlorio responded that the distance is 25.5 feet from the property line to the front of the house. Mr. DeFlorio further stated that the property owners purchased these homes with the idea that sidewalk would not be installed.

Mr. Easterbrook asked about drainage in the front yard. Mr. DeFlorio explained that the storm sewers in the front yard were existing and built prior to the home construction.

Mr. Apahidean asked for clarification on how the natural flow or what was the lay of the land prior to construction. Mr. DeFlorio stated that this area did have some floodplain and there was compensated cut/fill done.

Mr. Petrulis was concerned about drainage issues. The sidewalk would ruin aesthetics in the area.

Mr. Apahidean agreed that property value would increase with sidewalk but was concerned that we are forcing sidewalk on the property owners.

**RESOLUTION # 2014-09-25**

Moved by Petrulis  
Seconded by Kilmer

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

**WHEREAS**, Victor DeFlorio has requested a waiver of the requirement to construct sidewalk based on no other existing sidewalk on Louis Street; and

**WHEREAS**, the Traffic Committee has determined the following:

- a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and

- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

**NOW THEREFORE, BE IT RESOLVED**, that the Traffic Committee grants a waiver of the sidewalk requirement for 3234 Louis – Sidwell #88-20-22-352-028.

YES: 3 (Apahidean, Halsey, Petrusis)  
NO: 2 (Easterbrook, Ziegenfelder)  
ABSENT: 1 (Kilmer)  
ABSTAIN: 1 (Brandstetter) – Mr. Brandstetter had to leave the room during part of the discussion to care for his child

MOTION CARRIED

**4. Request for Sidewalk Waiver – 3246 Louis – Sidwell #88-20-22-352-027**

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 3246 Louis Street (Sidwell #88-20-22-352-027). Mr. DeFlorio states that there are no sidewalks on the street.

The two (2) waiver requests on Louis were addressed and discussed at the same time.

Mr. DeFlorio was in attendance at the meeting and stated that both homes on Louis are occupied. The homes were built at the same time. Closings occurred in May/June. Louis is a street with no sidewalk. There are eight (8) homes on this section of Louis. There is no curb or gutter on the street. Existing grade of the land takes overland flow to the rear of the homes. Mr. DeFlorio said that approving the waiver would make these two lots consistent with the other homes on Louis.

Mr. Ziegenfelder stated that there is existing sidewalk at 3258 and 3270 Louis. Mr. DeFlorio explained that this was not required at the time that those homes were built but it was constructed as part of the construction of the homes. Mr. Ziegenfelder stated that he is in favor of sidewalks at all locations.

Mr. Halsey asked how far back the homes were from the road. Mr. DeFlorio responded that the distance is 25.5 feet from the property line to the front of the house. Mr. DeFlorio further stated that the property owners purchased these homes with the idea that sidewalk would not be installed.

Mr. Easterbrook asked about drainage in the front yard. Mr. DeFlorio explained that the storm sewers in the front yard were existing and built prior to the home construction.

Mr. Apahidean asked for clarification on how the natural flow or what was the lay of the land prior to construction. Mr. DeFlorio stated that this area did have some floodplain and there

was compensated cut/fill done.

Mr. Petrulis was concerned about drainage issues. The sidewalk would ruin aesthetics in the area.

Mr. Apahidean agreed that property value would increase with sidewalk but was concerned that we are forcing sidewalk on the property owners.

**RESOLUTION # 2014-09-26**

Moved by Petrulis  
Seconded by Kilmer

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

**WHEREAS**, Victor DeFlorio has requested a waiver of the requirement to construct sidewalk based on no other existing sidewalk on Louis Street; and

**WHEREAS**, the Traffic Committee has determined the following:

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

**NOW THEREFORE, BE IT RESOLVED**, that the Traffic Committee grants a waiver of the sidewalk requirement for 3246 Louis – Sidwell #88-20-22-352-027.

YES: 3 (Apahidean, Halsey, Petrulis)

NO: 2 (Easterbrook, Ziegenfelder)

ABSENT: 1 (Kilmer)

ABSTAIN: 1 (Brandstetter) – Mr. Brandstetter had to leave the room during part of the discussion to care for his child

MOTION CARRIED

**5. Request for Sidewalk Waiver – 5961 Niles – Sidwell #88-20-09-227-018**

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter left the meeting at approximately 7:50 PM to address a family issue and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5961 Niles Street (Sidwell #88-20-09-227-018). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrusis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver).

Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

**RESOLUTION # 2014-09-27**

Moved by Halsey

Seconded by Easterbrook

**WHEREAS**, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

**NOW THEREFORE, BE IT RESOLVED**, that the Traffic Committee denies a waiver of the sidewalk requirement for 5961 Niles Street (Sidwell #88-20-09-227-018).

YES: 3 (Apahidean, Easterbrook, Petrusis)  
NO: 2 (Halsey, Petrusis)  
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

**6. Request for Sidewalk Waiver – 5977 Niles – Sidwell #88-20-09-227-017**

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter left the meeting at approximately 7:50 PM to address a family issue and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5977 Niles Street (Sidwell #88-20-09-227-017). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrusis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver).

Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

**RESOLUTION # 2014-09-28**

Moved by Halsey  
Seconded by Easterbrook

**WHEREAS**, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

**NOW THEREFORE, BE IT RESOLVED**, that the Traffic Committee denies a waiver of the sidewalk requirement for 5977 Niles (Sidwell #88-20-09-227-017).

YES: 3 (Apahidean, Easterbrook, Petrulis)  
NO: 2 (Halsey, Petrulis)  
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

**7. Request for Sidewalk Waiver – 5993 Niles – Sidwell #88-20-09-227-016**

The three (3) waiver requests on Niles were addressed and discussed at the same time.

Mr. Brandstetter left the meeting at approximately 7:50 PM to address a family issue and did not participate in the discussion or action on this item.

Victor DeFlorio requests a sidewalk waiver for the sidewalk at 5993 Niles Street (Sidwell #88-20-09-227-016). Mr. DeFlorio states that there are no sidewalks on the street.

Mr. DeFlorio was in attendance at the meeting and stated that he is the builder of record of the three (3) homes on Niles. There are a lot of duplexes on the street while these homes are single family residential. The homes were marketed and sold with no sidewalk included as part of the construction. The lots have conventional drainage from front to back. If sidewalk were to be installed grading of the site would have to be modified. The existing road is an asphalt pavement with no curb and gutter.

Mr. Halsey stated that the sidewalk would connect to something and lead to somewhere as the northerly lot is directly adjacent to the existing sidewalk along the south side of Square Lake Road.

Mr. Ziegenfelder reiterated that he supports the installation of sidewalks at all locations.

Mr. Apahidean asked if this sidewalk would be the only sidewalk on Niles. Mr. DeFlorio responded in the affirmative.

Mr. Petrulis thinks that sidewalk at these three lots would look odd since there is no other sidewalk on the street.

Mr. Apaidean asked about the history of sidewalk waivers. A discussion ensued about sidewalk waiver requests on Major and Local roads.

Mr. Halsey stated that there has been a history of requiring sidewalk when the lot is adjacent to a major road.

Mr. DeFlorio discussed his development at Rhode Island Estates (off of Big Beaver). Mr. Apaidean asked whether the houses have been closed. Mr. DeFlorio stated that two (2) lots have been closed on and one is waiting to close.

Traffic Engineering received one (1) email in favor of granting the waiver as the property owner did not support sidewalks on Niles.

**RESOLUTION # 2014-09-29**

Moved by Halsey  
Seconded by Easterbrook

**WHEREAS**, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver,

**NOW THEREFORE, BE IT RESOLVED**, that the Traffic Committee denies a waiver of the sidewalk requirement for 5993 Niles Street (Sidwell #88-20-09-227-016).

YES: 3 (Apahidean, Easterbrook, Petrulis)  
NO: 2 (Halsey, Petrulis)  
ABSENT: 2 (Brandstetter, Kilmer)

MOTION CARRIED

**REGULAR BUSINESS**

**8. Public Comment**

No members of the public provided comment.

**9. Other Business**

No other business was brought forward by the Committee.

Move Across Troy was discussed and Traffic Committee members were invited to attend the public meeting on October 1.

**10. Adjourn**

The meeting adjourned at 8:30 p.m.

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Pete Ziegenfelder, Chairperson

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Bill Huotari, Deputy City Engineer/Traffic Engineer

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Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on October 14, 2014 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse  
 Donald Edmunds  
 Steve Gottlieb  
 Michael W. Hutson  
 Tom Krent  
 Philip Sanzica  
 Gordon Schepke  
 John J. Tagle

Absent:

Thomas Strat

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-2014-10-052**

Moved by: Tagle  
 Seconded by: Krent

**RESOLVED**, To approve the Agenda as printed.

Yes: All present (8)  
 Absent: Strat

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2014-10-053**

Moved by: Gottlieb  
 Seconded by: Hutson

**RESOLVED**, To approve the minutes of the September 23, 2014 Special/Study meeting and October 1, 2014 Special meeting as published.

Yes: All present (8)  
 Absent: Strat

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**PRELIMINARY SITE PLAN REVIEW**

5. PRELIMINARY SITE PLAN REVIEW (File Number SP 1000) – Proposed Penske Automotive Group Parking Lot Expansion, North side of Maple, West of Stephenson (1225 East Maple), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reviewed the Preliminary Site Plan application. He specifically addressed stormwater management, landscaping and the photometric plan. Mr. Carlisle recommended approval of the application with the conditions as identified in his report dated September 26, 2014.

Present were Jason Longhurst, project engineer, and Gary Baise, representative of Penske Automotive Group.

Mr. Longhurst addressed the following:

- Stormwater management with respect to the existing Sunoco pipeline that bisects the parking lot expansion.
- Landscaping and buffer along the westerly portion of property abutting residential.
  - Six foot high wood obscuring fence to run along the entire westerly property line that would replace existing chain link fence (circulated photograph).
  - Removal of a number of existing mature trees; replace with parking lot trees.
- Submission of revised Photometric plan that meets Zoning Ordinance requirements.

Mr. Baise gave an explanation of the facility operations on site indicating the majority of the work would be related to new vehicle retrofit and some custom work. Mr. Baise said the number of vehicles on site is indeterminate; possibly 20 haulers a day bringing in 300 vehicles with 20 vehicles in the shop. He said the turnover of vehicles would be fast.

There was discussion on:

- Stormwater management; creativity.
- Number of parking spaces; validation.
- Landscaping buffer to west (residential); maintenance of fence, ownership of trees, existing fence.

**Resolution # PC-2014-10-054**

Moved by: Sanzica  
 Seconded by: Gottlieb

**RESOLVED**, To table the proposed site plan for the reasons of asking the applicant to:

1. Provide validation of the number of parking spaces proposed for the development.
2. Provide an explanation of sustainable stormwater management and look at alternatives for the site plan.
3. Look at alternative screening of the fence along the westerly property line.
4. Confirm that pole height does not exceed 25 feet.
5. Provide lighting cut sheets to confirm that the fixtures are fully shielded or full cut off.
6. Provide a tree buffer of 1 large evergreen per 10 lineal feet, or 1 narrow evergreen per 5 lineal feet on the outside of the detention pond fence, or alternative if so applicable.
7. Supplement the existing landscape buffer along the western property line with additional trees where there are existing gaps.

Yes: Crusse, Edmunds, Gottlieb, Krent, Sanzica, Tagle  
 No: Hutson, Schepke  
 Absent: Strat

**MOTION CARRIED**

**OTHER BUSINESS**

6. POTENTIAL PRELIMINARY SITE PLAN APPLICATION – Potential Multifamily Residential Development, Southeast corner of Maple Road and Axtell (2785 West Maple), Section 32, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle introduced a potential Preliminary Site Plan application for the redevelopment of a 9-acre site at the southeast corner of Maple and Axtell. Mr. Carlisle specifically addressed two points identified in his report dated October 3, 2014; orientation/layout of the site and the proposed development's image and presentation on Maple.

Present were Steven Schafer of Schafer Development and Mark Abanatha of Alexander Bogaerts and Associates.

There was discussion on:

- Site layout.
- Building orientation.
- Retail and/or mixed use.
- Pedestrian, walkable design.
- Urban streetscape.
- Courtyard.
- Naturalized stormwater management.

7. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

8. PLANNING COMMISSION COMMENT

General Planning Commission comments followed.

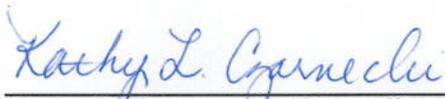
The Regular meeting of the Planning Commission adjourned at 8:45 p.m.

Respectfully submitted,



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Donald Edmunds, Chair



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Kathy L. Czarnecki, Recording Secretary

## Draft Minutes Brownfield Redevelopment Authority Meeting October 21, 2014

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The meeting was called to order at 3:01 p.m. in the Council Boardroom, Troy City Hall by Chairman Joseph Vassallo.

Members Present: Joseph Vassallo  
Dan Brake  
Theodore Dziurman  
Rosemary Kornacki  
Robert Swartz

Members Absent: None

Also Present: Lori Bluhm, City Attorney  
Glenn Lapin, Economic Development Specialist  
Nino Licari, City Assessor  
Mark F. Miller, Director of Economic & Community Development

### **APPROVAL OF MINUTES – APRIL 15, 2014 REGULAR MEETING**

Resolution # BRA 2014-10-01  
Moved by Dziurman  
Seconded by Kornacki

RESOLVED, that the BRA approve the minutes of April 15, 2014 regular meeting.

Yeas: 5  
Nays: 0  
Absent: 0

### **OLD BUSINESS**

#### A. MJR Theatre Brownfield Redevelopment Plan #6 Update

Mark F. Miller provided an update on Brownfield Redevelopment Plan #6. Mr. Miller indicated that an appeal to the Tax Tribunal regarding the property's value is pending. This could potentially reduce the taxable value of the property and lessen the tax capture for the project. Nino Licari provided additional information.

### **NEW BUSINESS**

#### A. 2015 Regular Meeting Schedule

Resolution # BRA 2014-10-02  
Moved by Dziurman  
Seconded by Brake

Draft Minutes Brownfield Redevelopment Authority Meeting  
October 21, 2014

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RESOLVED, that the BRA adopts the 2015 Regular Meeting Schedule.

Yeas: 5  
Nays: 0  
Absent: 0

**BOARD MEMBER COMMENT**

General discussion took place.

**PUBLIC COMMENT**

None

Meeting was adjourned at 3:20 p.m.

**The next scheduled meeting is April 21, 2015 – 3:00 p.m.**

**Draft Minutes Joint Local Development Finance Authority Troy Subcommittee  
Regular Meeting of October 27, 2014**

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The meeting was called to order at 3:44 p.m. in the Council Boardroom, Troy City Hall by John Sharp.

Members Present: Ellen Hodorek (alternate)  
John Sharp  
David Shields  
Irene Spanos (County representative, non-voting)  
Nickolas Vitale

Members Absent: Chairperson Robin Beltramini  
Paul Hoef  
Michael Kidder  
Dane Slater (alternate)

Also Present: Lori Bluhm, City Attorney  
Richard Carlisle, Carlisle/Wortman Associates  
Glenn Lapin, Economic Development Specialist  
Mark F. Miller, Secretary/Treasurer

**APPROVAL OF MINUTES**

Resolution # LDFA 2014-10-01  
Moved by Hodorek  
Seconded by Shields

RESOLVED, that the LDFA approve the minutes of the April 28, 2014 regular meeting.

Yeas: 3  
Nays: 0  
Abstain: 1 (Vitale)

Resolution # LDFA 2014-10-02  
Moved by Vitale  
Seconded by Shields

RESOLVED, that the LDFA approve the minutes of the September 3, 2014 special meeting.

Yeas: 3  
Nays: 0  
Abstain: 1 (Sharp)

**Draft Minutes Joint Local Development Finance Authority Troy Subcommittee  
Regular Meeting of October 27, 2014**

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**OLD BUSINESS**

A. Joint LDFA Automation Alley SmartZone Update & Next Steps

Mark F. Miller and Richard Carlisle provided an update on the initiative. The next steps required to pursue a 15-year extension of the Joint LDFA Automation Alley SmartZone will be the drafting and submittal of a revised development and tax increment financing plan by the Joint LDFA. The deadline for submittal is June 30, 2015. A special meeting of the joint LDFA will need to be scheduled in early 2015 in order to review and act on the amended plans.

**NEW BUSINESS**

A. 2015 Regular Meeting Schedule

Resolution # LDFA 2014-10-03

Moved by Vitale

Seconded by Hodorek

RESOLVED, that the attached meeting schedule for 2014 be adopted.

Yeas: 4

Nays: 0

**BOARD MEMBER COMMENT**

The Joint LDFA Troy Subcommittee thanked the staff and consulting team for its excellent work in being proactive and pursuing the 15-year SmartZone extension.

**PUBLIC COMMENT**

None

Meeting was adjourned at 4:09 p.m.

**The next scheduled meeting is April 27, 2015 – 3:30 p.m.**

Chair Edmunds called the Special/Study meeting of the Troy City Planning Commission to order at 7:00 p.m. on October 28, 2014 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse  
Donald Edmunds  
Steve Gottlieb  
Michael W. Hutson  
Tom Krent  
Philip Sanzica  
Thomas Strat  
John J. Tagle

Absent:

Gordon Schepke

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-2014-10-055**

Moved by: Sanzica  
Seconded by: Krent

**RESOLVED**, To approve the Agenda as prepared.

Yes: All present (8)  
Absent: Schepke

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2014-10-056**

Moved by: Krent  
Seconded by: Gottlieb

**RESOLVED**, To approve the minutes of the October 14, 2014 Regular meeting as published.

Yes: All present (8)  
Absent: Schepke

**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 reported the regularly scheduled October meeting for the Zoning Board of Appeals was canceled because there were no cases to be heard.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant gave a report on the October 15, 2014 Downtown Development Authority meeting.

7. PLANNING AND ZONING REPORT

Mr. Savidant reported on potential development applications.

**POSTPONED ITEM**

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 1000) – Proposed Penske Automotive Group Parking Lot Expansion, North side of Maple, West of Stephenson (1225 East Maple), Section 26, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reported on the revised preliminary site plan application. He specifically addressed:

- Applicant letter outlining site operations.
- Stormwater management.
- Landscaping.
- Photometrics.

Mr. Carlisle recommended approval of the preliminary site plan application as submitted with the conditions as outlined in his report dated October 20, 2014.

Present were Jill Lajdziak, President and Chief Executive Officer, QEK; Jeff Anderson, Director Corporate Construction, Penske Automotive Group; and Jason Longhurst, Project Engineer, Nowak & Fraus.

Ms. Lajdziak addressed their interest in the site because of its expansion capabilities for their growing business and the intent to relocate their corporate office to the Maple Road site. Ms. Lajdziak thanked Board members and City administration in getting the application back on the agenda in a timely manner.

Mr. Anderson addressed the anticipated timeline for the corporate office relocation.

Board members commended the applicant for the significant site plan improvements specifically relating to innovative stormwater management.

**Resolution # PC-2014-10-057**

Moved by: Krent  
Seconded by: Strat

**RESOLVED**, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Penske Automotive Group Parking Lot Expansion, located on the north side of Maple, west of Stephenson (1225 East Maple), Section 26, within the IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. All repair and maintenance activities shall be performed entirely within the enclosed building.
2. Dismantled, wrecked, or inoperable vehicles or any vehicle parts or scrap of any kind shall not be stored outdoors.

Yes: All present (8)  
Absent: Schepke

**MOTION CARRIED**

**OTHER BUSINESS**

9. **POTENTIAL ZONING ORDINANCE TEXT AMENDMENT** – Mineral Extraction

There was discussion on a potential zoning ordinance text amendment relating to mineral extraction. The Board directed the Planning Consultant and City administration to prepare proposed draft language that would permit oil and mineral extraction by special use with conditions to mitigate negative impacts on surrounding uses and to protect the health, safety and welfare of the public.

10. **PUBLIC COMMENT** – Items on Current Agenda

There was no one present who wished to speak.

11. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

The Special/Study meeting of the Planning Commission adjourned at 7:50 p.m.

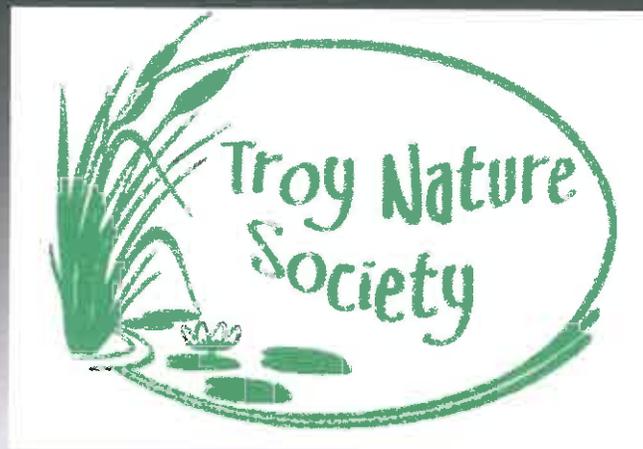
Respectfully submitted,

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Donald Edmunds, Chair

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Kathy L. Czarnecki, Recording Secretary



*Where People And  
Nature Meet*



June 2014  
Annual Report

*Supporting the Educational Nature Programs and Activities Of  
The Lloyd A. Stage Nature Center  
6685 Coolidge Hwy.  
Troy, MI 48098*



## A Message From The President Of The Troy Nature Society

Since the founding of Troy Nature Society (TNS) in 2010, the vision, generosity and determination of many devoted TNS stakeholders has allowed the organization to serve the community. While I have the pleasure of serving as the President of the TNS Board of Directors for 2014, the success of the organization would be impossible without the active support and participation of our Board Members, and I would like to recognize them for their service. We are proud of the Board's hard work and further recognize the outstanding support and dedicated efforts of our volunteers, members, supporters and staff.

Today, TNS eagerly embraces its role as the educational program provider at the City of Troy's Lloyd A. Stage Nature Center. TNS is excited to have the city's partnership and financial commitment as we move forward with important initiatives that benefit learning for individuals of all ages while supporting the nurturing of our natural environment.

The Board of Directors has begun developing the organization's Strategic Plan with broad involvement and guidance from the TNS staff, volunteers and members, and facilitated by team members from Consumer Insights, Inc. (CSI) a Troy-based marketing research and strategic planning consultancy that boasts a Fortune 500 client base. Through CSI's generous pro bono services and expertise, TNS is completing a 3-year road map for financial viability, organizational development and innovative programming to best serve our community as we go forward.

Many exciting programs and events await us in 2015 as TNS and other local organizations participate in the City of Troy's 60<sup>th</sup> Anniversary celebration. We look forward to offering the community such programs as our fun-filled Maple Syrup event in March, the DNR award –winning Junior Naturalist Club for youngsters and our annual Wine & Beer Tasting fundraiser in November.

You will notice as you review the 2014 Troy Nature Society Annual Report that we continue moving forward with programs for individuals of all ages, including vital school offerings that provide both educational benefits and healthy outdoor experiences. During the fiscal year ended June 30, 2014, over 16,454 program participants and visitors enjoyed the beauty of the Nature Center and participated in TNS activities. We offered the public a choice of 71 different age appropriate educational programs targeting individuals 2 years of age to senior adult. Additionally, we offered K-12 educators a choice of 22 different environmental, nature and science programs and provided educational programs for more than 4,000 local students.

The strength of our organization is founded on the level of involvement by our community, members, volunteers and supporters. We hope you will join TNS as we participate in the celebration of our city's rich heritage - past, present and future during the 2015 Troy 60<sup>th</sup> Anniversary celebration events.

A handwritten signature in black ink, appearing to read "Tom Lakocy".

Tom Lakocy  
President  
Troy Nature Society



## In The Beginning

Land for the Lloyd A. Stage Nature Center (SNC) was originally purchased by the City of Troy in the 1970s and is located at 6685 Coolidge Hwy. in Troy, just south of South Blvd. At the time of purchase, there was an older home on the property that was initially used as the nature center building. In 2002, the old structure was demolished and the current 8,200 square foot interpretive nature center building was constructed using funds received from a government grant to the City of Troy. This center for learning contains classrooms, a public research library, an observation honeybee hive, a wildlife viewing area and an exhibition lobby. The headwaters of the Rouge River flow through this unique 100-acre preserve. More than 145 plant and animal species may be viewed throughout the grounds. An outdoor play area features climbing boulders, and a paved path provides wheelchair access to the streamside forest. Within the nature center boundaries are two miles of trails, which pass through upland forest, meadows, streamside wetlands, and a cattail marsh.

In 2010, in response to the planned closure of the Lloyd A. Stage Nature Center by the City of Troy, a small but devoted group of citizens came together to create the Troy Nature Society, a 501(c)(3) non-profit organization. The Board of Directors immediately began raising funds to support operations. The society assumed operational management of the nature center on July 1, 2011 and began offering educational nature and science programs.

This was a critical time in the transition of this valued community resource from City government to non-profit management and funding. The Troy Nature Society sought members, volunteers and financial supporters to ensure that the community may continue to enjoy the benefits of time spent in the out-of-doors. In July 2011, the society hired Debbie Williams as its Lead Naturalist to organize and conduct educational nature and science programs along with several program instructors engaged as needed for scheduled programs and school groups. In March 2012, a Volunteer Coordinator was contracted to help recruit, organize and schedule the many volunteers who support the various TNS activities. During the first fiscal year of operations, TNS provided services for 8,253 visitors, students and program participants.

## TNS Now

Activities at the nature center include public programs geared toward families, toddlers and senior adults. Additionally we conduct programming for school and community groups along with guided nature walks and targeted school outreach nature studies. The preserve is a valuable community asset offering quiet retreat to solitary observers, couples, Scout groups, families, and school children who come to enjoy the natural beauty of the preserve. Some people come to sit on a bench, some to count nesting bluebirds - others to test water quality, monitor pond life, or tap the sugar maples. Many take the opportunity to capture photos of the wildlife for their own use and to enhance the society's publicity materials.

In the fiscal year ended June 30, 2014:

- TNS provided services for 16,454 visitors, students and program participants, a 21% increase over the previous year
- TNS volunteers donated an amazing total of 3,400 hours in support of educational programs, trail maintenance, administrative support and other areas of need, an increase of 33% over the previous year
- TNS Membership rose from 65 Charter Members in FY11 to 200 Members in the fiscal year ending June 30, 2014, more than a 300% increase
- Multiple Clean-Up days are held annually throughout the year to maintain and beautify the trails and grounds



The trails of the nature center are open daily dawn to dusk. The nature center building is open Tuesday through Friday from 9:00 am. to 3:00 pm and Saturday 10:00 am to 4:00 pm. The building is also open whenever special programs are offered.

## Leadership

### Board Members

The Troy Nature Society is supported by a volunteer board comprised of educators, administrators, a geologist and those with backgrounds in wildlife preservation, law and finance. Financial support is a board requirement with which 100% of the society's board members comply. Board members serve on at least one of five board committees; financial oversight, educational programming, fundraising, personnel management and board development. All members are involved in strategic planning, fundraising, program development and program evaluation.



#### FY2015 Board Members

Tom Lakocy — President	Dr. Barbara Fowler
Dr. Mary Creager — Vice President	Roger Kowalski
Keith Lenderman — Secretary	Susie Kowalski
Cindy Wymer — Treasurer	Christal Lewandowski
John Ragan — Assistant Bookkeeper	Ann Neuser
William W. Blachford	Harvey Whitehead

### Program Staff

The administration of the society includes an Executive Director responsible for oversight and fundraising activities. Carla Reeb was hired in July 2012 with over twenty years nonprofit management experience. The society has two Naturalists employed full time with extensive backgrounds in nature education: organizing, executing and evaluating educational nature and science programs. Additionally, three to five program instructors are employed "as needed" to help support the many TNS educational programs as they are offered throughout the year. Additionally, we have two part-time employees; a Program Assistant provides administrative support for the Naturalists and a Volunteer Coordinator recruits, schedules and trains individuals in all areas of organizational and program support.

Carla Reeb — Executive Director	Lori Brown — Instructor
Debbie Williams — Naturalist I	Lisa Ferdubinski — Instructor
Layne Brown — Naturalist II	Linda Friedman — Instructor
Chelsea Schmidt — Volunteer Coordinator	Stacy Fisher — Instructor
Sherrill Jackson — Program Assistant	Nancy Youngerman — Instructor

### Volunteer Corps

The society has a dedicated corps of 200 volunteers, comprising 98% of our work force, devoted to supporting TNS in various areas. Volunteer activities include educational program assistance, trail maintenance, Spring Clean-up projects, the annual Maple Syrup event, fundraising events, blue bird monitoring, front desk reception and administrative support.

### Members

During the FY14 fiscal year, TNS membership grew to 200 members. All membership revenue supports the programs and activities of the society. Membership benefits includes voting rights at the annual meeting and discounted fees when participating in certain TNS programs.

## Mission

Our overarching mission is to provide resources and education to inspire the appreciation and preservation of nature. Specifically, the objectives of the society are to:

- Provide healthy outdoor experiences and educational activities for individuals of all ages
- Create an understanding of the value and necessity of stewardship of our natural environment
- Preserve and protect the Lloyd A. Stage Nature Center for future generations



## Our Vision

The Troy Nature Society will become the exemplary community resource for nature education and preservation in the Troy area. We believe in making learning fun! While striving to achieve our vision, the Society will continue to assess our performance in the following areas:

### - Education

- Offer innovative programs developed from current research, national trends and community needs
- Provide a wide range of program offerings for people to view and interact with the natural environment
- Act as a resource to the community for nature related questions

### - Preservation

- Maintain and improve the Lloyd A. Stage Nature Center
- Provide a physically safe, peaceful and well-maintained environment for visitors of the Lloyd A. Stage Nature Center

### - Collaborative Relationships

- Cultivate relationships with community organizations
- Participate in the community as a forward thinking and challenging leader
- Develop a vibrant and involved support base
- Cultivate relationships with organizations having similar purposes

## Program Benefits

Along with providing educational programming, our nature center and its activities provide numerous benefits including:

- Natural features and spaces important to defining community image and distinctive character
- A facility that contributes to educational and cultural benefits
- Protection for important natural systems
- Active and passive recreational opportunities
- Healthy lifestyles enhancement by facilitating improvements in physical fitness through exercise, and also by facilitating positive emotional, intellectual and social experiences

## Making a Positive Difference In Our Community

### *Public Programs*

TNS offers the public a variety of educational nature and science programs geared for all ages - toddlers to senior adults - on a year round basis. These programs help children and adults increase their understanding and stewardship of our natural environment. We accomplish this by interpreting the natural world around us and acting as an educational resource in biology, ecology and natural history for all our students, young and old. One of our most popular public programs is our week-long Summer Day Camp sessions offered to reinforce children's learning experience during the summer months. Additionally we partner with such groups as Michigan DNR to provide classroom facilities for public outdoor education programs.

### *School Programming*

TNS offers educators a variety of programs at the nature center that meet public, private and home-schooled students' academic needs. Each program provides students with hands-on experience in nature and is designed to enhance the school's core curriculum. We utilize animal mounts, pelts, skulls, shells and other materials to ensure a first-class view of the world around us. Every program is designed for participants to learn about nature and science and includes indoor classroom instruction followed by outdoor activities and/or a guided hike through the preserve.

### *School Outreach*

Our naturalists bring TNS programs right into the classrooms of local schools. We offer a variety of outreach programs that fulfill the instructional and educational needs of the school. Like the programs held at the nature center, all outreach programs are designed to enhance the school's core curriculum and include hands-on interaction with mounts, pelts and other biofacts.

### *Scouts/Groups*

As a support to organized troops and groups, we offer programs that meet requirements for members to come and complete their nature related badge or achievement. Current programs include those geared toward Boy Scouts, Cub Scouts and Junior Girl Scouts.

### *Junior Naturalist Club*

This very popular award-winning program is dedicated to teaching children from 4 years of age to the fifth grade about nature with members meeting monthly from September to July. Club members receive educational instruction along with a naturalist kit and participate in hands-on activities and crafts at every session. The eleven month program concludes with a week long day-camp. On the final day of the camp, club members and their families gather to enjoy games and are treated to a barbecue followed by an awards ceremony. Club members receive awards for completing projects, doing work at home, submitting book reports and program attendance.

### *Maple Syrup Event*

March is a special time for TNS and the families of our community. TNS holds its annual Maple Syrup Event for three consecutive Saturdays every March. This educational family event is typically attended by 1,000 guests who venture into the woods on a guided tour, visit an historic sugar camp to learn how maple trees are tapped and see for themselves how the sap is harvested. Participants sample sap, learn more about syrup making and visit our sugar shed to see a wood-stoked sap evaporator in action. After the tour, everyone is treated to mini waffles topped with delicious maple syrup. To conclude this sweet month, on the last Sunday in March 2014, TNS held its first Pancake Breakfast fundraiser.

### *Public Awareness*

TNS reaches out to our community through direct mailings, local distribution of brochures, public service announcements (PSAs), media events, the TNS website, Facebook page and participation in local events such as Troy Daze. We also partner with the Troy Historical Village and other organizations serving similar populations.

Public program announcements are placed in the city's premiere magazine "Troy Today" which is distributed to approximately 32,000 households and businesses quarterly.

Information packets on School and School Outreach programs are mailed annually to school districts across the tri-county area.

PSA's are distributed monthly to local papers to create community awareness of TNS programs, activities and volunteer opportunities which are also advertised on the TNS website.

Additionally, the Executive Director speaks at local community groups throughout the tri-county area making them aware of fund raising opportunities along with educational programs and activities offered at the nature center.

In August 2013, TNS held its third annual Ice Cream Social Open House Event. Nearly 300 people attended this free community event where they were introduced to TNS, toured the exhibit hall, enjoyed ice cream sundaes and participated in family activities, crafts, scavenger hunts and guided trail walks.

### *Program Attendance*

<b>ATTENDANCE TOTALS FOR FISCAL YEAR ENDED JUNE 30, 2014</b>	
Group Visitations (Schools/Scouts/Senior Groups)	4,010
Outreach Programs & Lectures	719
Public Programs & Special Events	4,008
Birthday Parties	300
Walk-In Visitations	7,417
<b>Grand Total</b>	<b>16,454</b>

### *Program Evaluation*

Program evaluations from each student participating in the program are collected and tabulated. Educators and parents helping with programs evaluate the program for academic effectiveness. Teacher comments provide both quantitative and qualitative information regarding the overall impact of programs along with providing direction for future programs that promote education, healthy lifestyles and good stewardship of our environment.

## Funding

Funding for TNS programs and activities comes from individuals, foundations, the City of Troy, corporations, membership fees, program fees, fundraising events and facility room rental fees. Contributors currently providing financial and/or in-kind support for TNS programs and activities include:



Alpha Delta Kappa  
 Anonymous Foundation  
 Battle Creek Community Foundation  
 CWL & Associates, Inc.  
 Jim and Shelly Green  
 Hubbell, Roth & Clark, Inc.  
 Kelly Services Foundation  
 Christal Lewandowski  
 Miller Vein of Troy

Larry and Nancy Piotrowski  
 REI  
 Starbucks Foundation  
 Tringali Sanitation  
 Trion Solutions  
 Troy Garden Club  
 Walmart Foundation  
 Whole Foods of Troy

In addition, we have an established annual Wine and Beer Tasting fundraiser with nearly 300 guests who attend. There are approximately 200 TNS Members supporting our programs and activities.

## Financials

In 2011, the society began operating the nature center under a two year agreement with the City of Troy. The agreement called for approximately \$35,000 annually in city support of services, building maintenance and supplies for the nature center. In the spring of 2013, the City of Troy renewed its operating agreement with the society through 2017. In addition to the city support shown below, a \$75,000 financial investment was made to TNS in the 2015 fiscal year.

Revenue & Expenses	FYE 6/30/2014	FYE 6/30/2013
Donations & Grants	\$ 24,719	\$ 37,793
Fundraising	17,757	18,030
Membership Dues	7,655	9,720
Program Fees	44,662	36,517
Retail Sales	1,118	2,477
Interest Income	7	-
City Investment*	<u>50,000</u>	<u>2,154**</u>
<b>Total Revenue</b>	<b>\$ 145,918</b>	<b>\$ 106,691</b>
Wages & Payroll Taxes	79,911	81,069
Contract Services	2,910	4,904
Program Expenses	15,649	13,757
Administrative Expenses	<u>56,301</u>	<u>14,915</u>
<b>Total Expenses</b>	<b>\$ 154,771</b>	<b>\$ 114,645</b>

\*Does not include \$35,000 for other City services charged and supplies.

\*\*Seed Money

## FREQUENTLY ASKED QUESTIONS



***How is the Society funded?*** TNS operates on the contributions it receives from members, foundations, City of Troy, corporations, individuals, community organizations and fund-raising events.

***What kinds of programs does TNS offer at the nature center?*** High quality nature and science programs are offered year round to the public, local schools and community groups. We also offer our award-winning Junior Naturalist Club program for children ages 4 through the fifth grade along with programs for Brownies, Scouts, Cubs, Webelos and other organized groups. All programs are offered for a minimal fee.

***How is the organization staffed?*** Currently, the organization employs an Executive Director who oversees operations and fund-raising activities; two Naturalists oversee all educational programming; five program instructors assist with programs as they are scheduled. A Volunteer Coordinator oversees the recruiting, training and scheduling of volunteers.

***What types of volunteer help do you need?*** Individuals offer support in areas such as educational program assistance, various support committees, trail maintenance, park clean-up projects, our annual maple syrup event, fund-raising, blue bird monitoring, photography club, front desk help and administrative support.

***Is there a fee to visit the center?*** There is no fee to walk the trails or visit the nature center building. Donations are accepted and greatly appreciated.

***What are the hours of operation?*** Trails are open to the public year round daily from dawn to dusk. The nature center building is open Tuesday through Friday from 9:00 a.m. to 3:00 p.m. and Saturday 10:00 a.m. to 4:00 p.m. with the exception of holidays. Additionally, the center is also open to the public when special programs and classes are offered.



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[www.troynaturesociety.org](http://www.troynaturesociety.org)

*Supporting the Educational Nature Programs  
and Activities At  
The Lloyd A. Stage Nature Center  
6685 Coolidge Hwy.  
Troy, MI 48098*

All photos contained in report were taken at the  
Lloyd A. Stage Nature Center.



**TROY NATURE SOCIETY  
(a non-profit corporation)**

**FINANCIAL STATEMENTS**

**For the year ended June 30, 2014**

# TROY NATURE SOCIETY

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# Lazzara & Company, P.C.

Certified Public Accountants  
Certified Valuation Analysts  
Business Advisors & Consultants

"We're in the business of caring"

Michael J. Lazzara, CPA, MBA, CVA  
Mary Ellen Taylor, CPA  
David A. Lazzara, CPA

David H. Martin, CPA  
Randall C. DiFalco, CPA

## INDEPENDENT AUDITORS' REPORT

To the Board of Directors  
Troy Nature Society  
Troy, Michigan

We have audited the accompanying financial statements of Troy Nature Society, a Michigan non-profit corporation, which comprise the statement of financial position as of June 30, 2014, and the related statements of activities, changes in net assets, cash flows and functional expenses for the year then ended, and the related notes to the financial statements.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

16010 Nineteen Mile Road, Suite 102, Clinton Township, MI 48038

Phone 586.263.1000 Fax 586.263.1005

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## Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Troy Nature Society as of June 30, 2014, and the changes in its net assets and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

*Lazzara & Company, P.C.*

LAZZARA & COMPANY, P.C.

July 30, 2014

**TROY NATURE SOCIETY**  
**STATEMENT OF FINANCIAL POSITION**  
**JUNE 30, 2014**

**ASSETS**

<b>Current Assets</b>	
Cash	\$ 34,585
Prepaid expenses	699
Pledges receivable	<u>1,500</u>
<b>Total Current Assets</b>	<u><b>36,784</b></u>
<b>Equipment</b>	
Office equipment	3,920
Outdoor equipment	<u>1,556</u>
	5,476
Less: accumulated depreciation	<u>(1,753)</u>
<b>Total Equipment, Net</b>	<u><b>3,723</b></u>
<b>Total Assets</b>	<u><b>\$ 40,507</b></u>

**LIABILITIES AND NET ASSETS**

<b>Current Liabilities</b>	
Accounts payable	\$ 2,601
Accrued payroll and payroll taxes	7,140
Deferred revenue, program fees	<u>1,924</u>
<b>Total Current Liabilities</b>	<u><b>11,665</b></u>
<b>Net Assets</b>	
Unrestricted	27,709
Temporarily restricted	<u>1,133</u>
<b>Total Net Assets</b>	<u><b>28,842</b></u>
<b>Total Liabilities and Net Assets</b>	<u><b>\$ 40,507</b></u>

The accompanying notes are an integral part of these financial statements

**Lazzara & Company, P.C.**

**TROY NATURE SOCIETY**  
**STATEMENT OF ACTIVITIES**  
**FOR THE YEAR ENDED JUNE 30, 2014**

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
Support and Revenue			
Program fees	\$ 44,662	\$ -	\$ 44,662
Donations	15,542	9,177	24,719
Local government support	50,000	-	50,000
Fundraising events	17,757	-	17,757
Member dues	7,655	-	7,655
Retail sales	1,118	-	1,118
Interest income	7	-	7
Net assets released from restrictions	<u>12,132</u>	<u>(12,132)</u>	<u>-</u>
Total Support and Revenue	<u>148,873</u>	<u>(2,955)</u>	<u>145,918</u>
Expenses			
Program services	95,692	-	95,692
Fundraising	33,028	-	33,028
Management and general	<u>26,051</u>	<u>-</u>	<u>26,051</u>
Total Expenses	<u>154,771</u>	<u>-</u>	<u>154,771</u>
Decrease in Net Assets	<u>\$ (5,898)</u>	<u>\$ (2,955)</u>	<u>\$ (8,853)</u>

The accompanying notes are an integral part of these financial statements

Lazzara & Company, P.C.

**TROY NATURE SOCIETY**  
**STATEMENT OF CHANGES IN NET ASSETS**  
**JUNE 30, 2014**

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
Net Assets, June 30, 2013	\$ 33,607	\$ 4,088	\$ 37,695
Decrease in net assets for the year ended June 30, 2014	<u>(5,898)</u>	<u>(2,955)</u>	<u>(8,853)</u>
Net Assets, June 30, 2014	<u>\$ 27,709</u>	<u>\$ 1,133</u>	<u>\$ 28,842</u>

The accompanying notes are an integral part of these financial statements

**Lazzara & Company, P.C.**

**TROY NATURE SOCIETY**  
**STATEMENT OF FUNCTIONAL EXPENSES**  
**FOR THE YEAR ENDED JUNE 30, 2014**

	<u>Program Services</u>	<u>Supporting Services</u>		<u>Total</u>
		<u>Fundraising</u>	<u>Management and General</u>	
<b>Direct Expenses</b>				
Wages	\$ 74,288	\$ -	\$ -	\$ 74,288
Payroll taxes	5,623	-	-	5,623
Contract services	2,910	-	-	2,910
Program supplies	7,868	-	-	7,868
Retail materials	562	-	-	562
Transportation	872	-	-	872
Volunteer and member events	146	548	-	694
Fundraising event expenses	-	5,653	-	5,653
<b>Total Direct Expenses</b>	<u>92,269</u>	<u>6,201</u>	<u>-</u>	<u>98,470</u>
<b>Indirect and General Expenses</b>				
General wages	-	23,856	11,008	34,864
General payroll taxes	-	1,785	857	2,642
Promotion	2,407	1,186	-	3,593
Office and postage	-	-	2,718	2,718
Professional fees	-	-	4,300	4,300
Insurance	-	-	2,608	2,608
Miscellaneous	-	-	1,996	1,996
Telephone and internet	-	-	1,482	1,482
Depreciation	311	-	716	1,027
Bank service charges	705	-	366	1,071
<b>Total Indirect and General Expenses</b>	<u>3,423</u>	<u>26,827</u>	<u>26,051</u>	<u>56,301</u>
<b>Total Functional Expenses</b>	<u>\$ 95,692</u>	<u>\$ 33,028</u>	<u>\$ 26,051</u>	<u>\$ 154,771</u>

The accompanying notes are an integral part of these financial statements

**TROY NATURE SOCIETY**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED JUNE 30, 2014**

<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>	
Decrease in net assets	\$ (8,853)
Adjustments to reconcile change in net assets to net cash provided in operating activities	
Depreciation expense	1,027
(Increase) decrease in operating assets	
Accounts receivable	621
Prepaid expenses	(86)
Pledges receivable	7,700
Increase (decrease) in operating liabilities	
Accounts payable	1,079
Accrued payroll and taxes	1,355
Deferred revenue	<u>687</u>
<b>NET CASH PROVIDED BY OPERATING ACTIVITIES</b>	<b>3,530</b>
 <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>	
Acquisition of equipment	<u>(1,628)</u>
<b>NET INCREASE IN CASH</b>	<b>1,902</b>
<b>CASH, JULY 1, 2013</b>	<u><b>32,683</b></u>
<b>CASH, JUNE 30, 2014</b>	<u><b>\$ 34,585</b></u>

The accompanying notes are an integral part of these financial statements

# TROY NATURE SOCIETY

## Notes to Financial Statements

### Note 1 - Nature of Organization

Troy Nature Society (the Organization) is a non-profit corporation located in Troy, Michigan, that promotes the knowledge and appreciation of nature areas and wildlife among its citizens and school children. The Organization was formed to assume operational control of the Lloyd A. Stage Nature Center and surrounding reserve, which is owned by the City of Troy. The Organization develops and offers nature related educational and school/group programs to children and families, school fieldtrip groups, scout troops, and senior citizen centers. The Organization also operates the Center, opening the building to the public on selected days and maintaining reserve trails. A nominal fee is charged for most of the educational and school/group programs. Other sources of income include local government support, donations, and fundraising events.

The City of Troy has entered into a contact with the Troy Nature Society that allows the Organization non-exclusive use of the Lloyd A. Stage Nature Center (See Note 6 – Contracts). The City of Troy still maintains oversight of the facility, including building maintenance, security, utilities, and custodial services.

### Note 2 - Summary of Significant Accounting Policies

#### Basis of Accounting

The accompanying financial statements have been prepared using the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

#### Cash

The Organization maintains its cash investments with high credit quality financial institutions. The Organization maintains its cash balances in regular checking accounts.

#### Accounts Receivable – Program Fees

Accounts receivable are stated at the amount management expects to collect from outstanding balances. The Organization uses the allowance method to determine uncollectible accounts receivable. The allowance is based on past experience and management's assessment of specific balances. At June 30, 2014 there was no allowance for doubtful accounts.

# TROY NATURE SOCIETY

## Notes to Financial Statements

### Note 2 - Summary of Significant Accounting Policies - Continued

#### Pledges Receivable

Contributions are recognized when the donor makes a promise to give to the Organization that is, in substance, unconditional. Conditional promises to give are not included as revenue until such time as the conditions have been substantially met. The Organization uses the allowance method to determine uncollectible pledges receivable. The allowance is based on past experience and management's analysis of specific promises made.

#### Equipment

The Organization capitalizes property and equipment over \$350 and lesser amounts are expensed when incurred. Purchases of property and equipment are capitalized at cost. Donations of property and equipment are recorded at their estimated fair value. Such donations are reported as unrestricted contributions unless the donor has restricted the donated asset to a specific purpose. Assets donated with explicit restrictions regarding their use and contributions of cash that must be used to acquire property and equipment are reported as restricted contributions. Absent of donor stipulations regarding how long these donated assets must be maintained, the Organization reports expirations of donor restrictions when the donated or acquired assets are placed in service. The Organization reclassifies temporarily restricted net assets to unrestricted net assets at that time. Property and equipment are depreciated using the straight-line method and all have useful lives of five years.

#### Inventory

As of June 30, 2014 the Nature Center gift shop was not open and had no inventory.

#### Functional Expenses

The costs of providing program and supporting services have been reported on a functional basis in the statement of activities. Direct and indirect costs have been allocated between programs and general and administrative based on estimates from management. Although the methods of allocation used are considered appropriate, other methods could be used that would produce different amounts.

#### Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

# TROY NATURE SOCIETY

## Notes to Financial Statements

### Note 2 - Summary of Significant Accounting Policies - Continued

#### Classification of Net Assets

Net assets and revenues and expenses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets are classified as temporarily restricted, permanently restricted or unrestricted. Donor-imposed restrictions that expire with the passage of time and that can be removed by meeting certain requirements, results in temporarily restricted net assets.

*Unrestricted Net Assets* - This portion of the Organization's net assets is available for general obligations and is not subject to any donor-imposed restrictions. Revenues earned, program services provided, unrestricted contributions and all operating expenses are reported in this category.

*Temporarily Restricted Net Assets* - This portion of the Organization's net assets is limited to use specified by donor-imposed restrictions. When donor restrictions expire, or the nature and purpose of the restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the accompanying statement of activities and changes in net assets as net assets are released from restrictions.

#### Income Taxes

The Organization is a private, non-profit corporation operating in accordance with Section 501(c)(3) of the Internal Revenue Code. The Organization has no uncertain tax positions that qualify for either recognition or disclosure in these financial statements.

#### Contributed Services

The Organization generally pays for services requiring specific expertise and employs a combination of part-time and full time employees. However, many individuals volunteer their time and perform a variety of tasks that assist the Organization, hence; no amounts have been reflected in the financial statements for donated services.

### Note 3 – Concentration of Credit Risk

For the year ended June 30, 2014, 34% of the Organization's support was from one local government.

# TROY NATURE SOCIETY

## Notes to Financial Statements

### Note 4 – In Kind Contributions

In kind contributions of property are valued at the fair market value of the contribution provided. For the year ended June 30, 2014 in kind contributions of property totaled \$2,820.

### Note 5 – Pledges Receivable

Outstanding pledges are expected to be collected as follows:

Years ending June 30:

2015	<u>\$1,500</u>
------	----------------

For the year ended June 30, 2014, no allowance was deemed necessary.

### Note 6 – Contracts

In June 2013, the City of Troy approved an operational agreement with the Troy Nature Society to operate the Lloyd A. Stage Nature Center, located in Troy, Michigan, effective July 1, 2013, which allowed the Organization non-exclusive use of the property. The agreement expires on June 30, 2017.

In conjunction with this agreement, the City of Troy provided an appropriation for organizational operations of \$50,000 for the 2013-2014 fiscal year and will consider annual appropriations each year thereafter as part of the City of Troy's annual budget process. For the 2014-2015 fiscal year, the City of Troy approved an appropriation of \$75,000. For the 2015-2016 and 2016-2017 fiscal years, the City of Troy has tentatively approved appropriations of \$50,000 and \$50,000, respectively.

### Note 7 – Restricted Net Assets

There was \$1,133 of temporarily restricted net assets to be used for future programs, but no permanently restricted net assets at June 30, 2014.

### Note 8 – Fair Value of Financial Instruments

The carrying amounts of financial instruments, including cash and cash equivalents, accounts receivable, pledges receivable and accounts payable, approximated fair value at June 30, 2014 because of the relatively short maturity of these instruments.

**TROY NATURE SOCIETY**

**Notes to Financial Statements**

**Note 9 – Functional Classification of Expenses**

The following program and supporting services are reflected in the statement of activities for the year ended June 30, 2014:

Program services:	
Public educational programs	\$ 30,013
School and group programs	14,749
Retail calendar sales	637
Building staffing and trail maintenance	<u>50,293</u>
Total program services	<u>95,692</u>
Supporting services:	
Fundraising	33,028
Management and general	<u>26,051</u>
Total supporting services	<u>59,079</u>
Total expenses	<u>\$154,771</u>

**Note 10 – Subsequent Events**

Subsequent events have been evaluated through July 30, 2014 which is the date the financial statements were available to be issued.

2014/2015

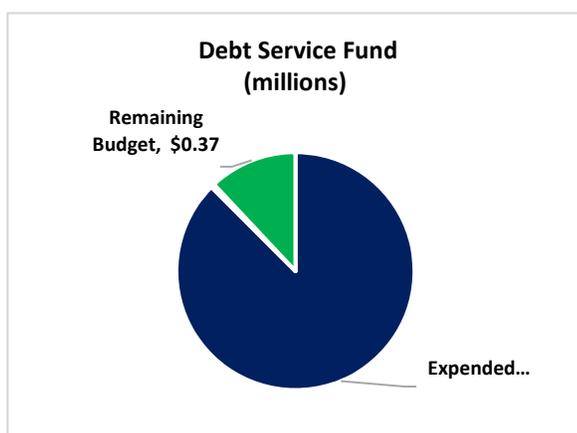
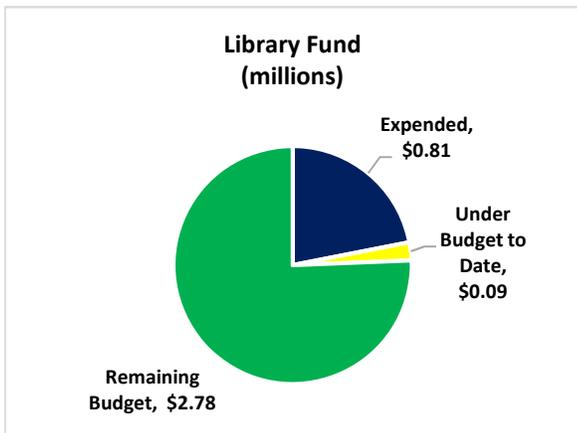
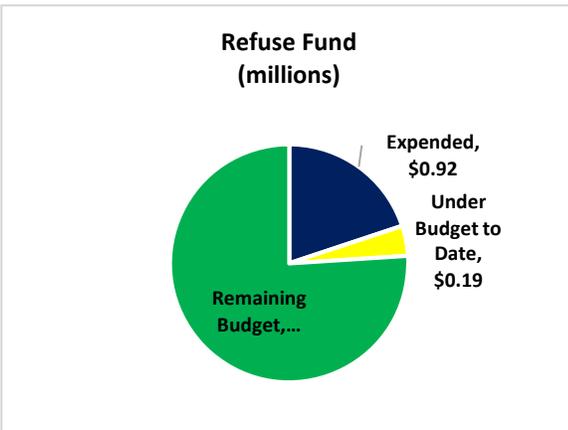
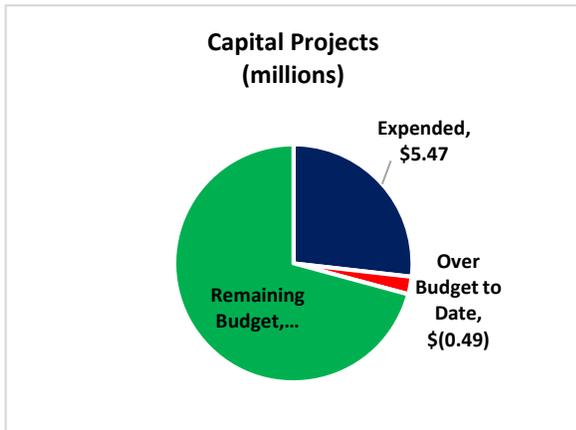
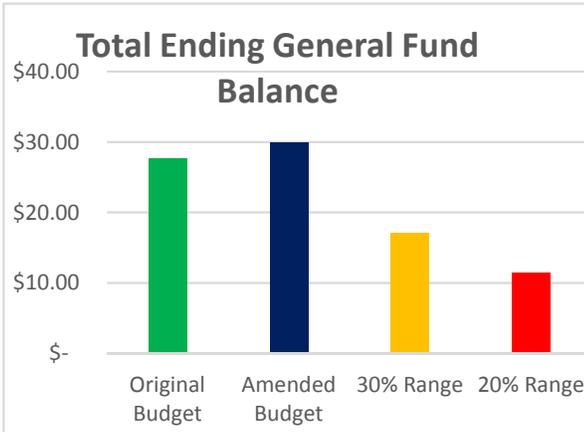
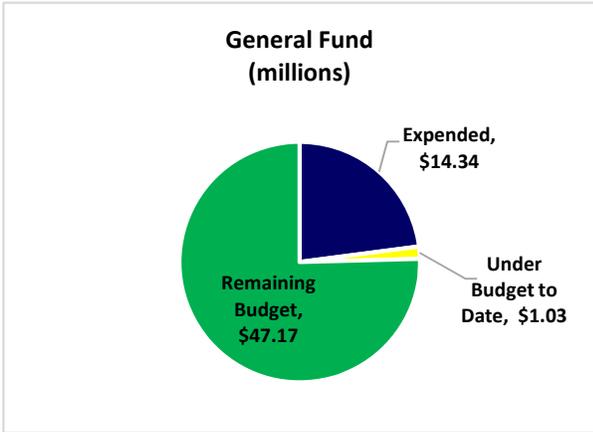
# CITY OF TROY INTERIM FINANCIAL STATEMENTS

for the Quarter Ended September 30, 2014



**CITY OF TROY**  
**FIRST QUARTER ENDING SEPTEMBER 30, 2014**  
**SNAP SHOT**

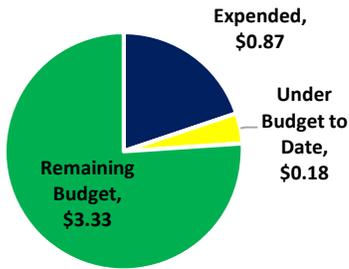
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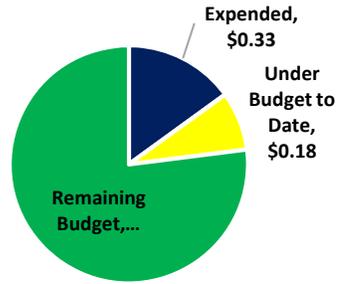
**CITY OF TROY**  
**FIRST QUARTER ENDING SEPTEMBER 30, 2014**  
**SNAP SHOT**

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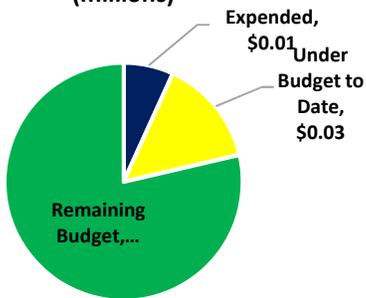
**Major Streets Fund  
(millions)**



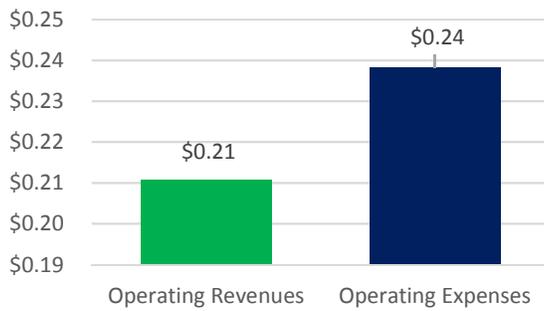
**Local Streets Fund  
(millions)**



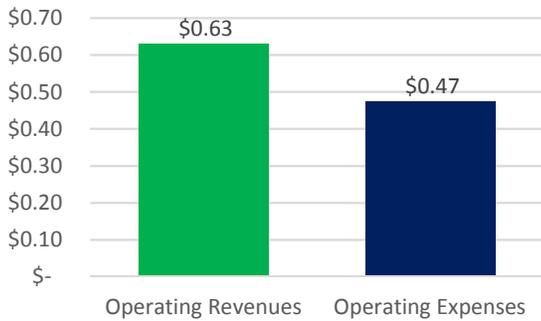
**Drug Forfeiture Fund  
(millions)**



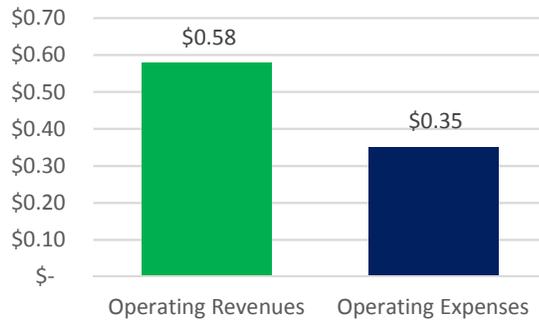
**Aquatic Center  
(millions)**



**Sanctuary Lake G.C.  
(millions)**

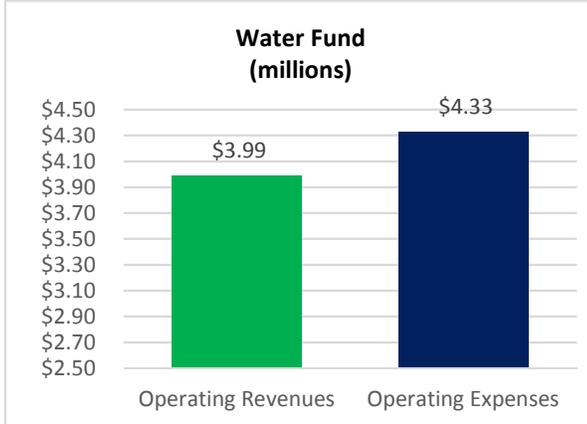
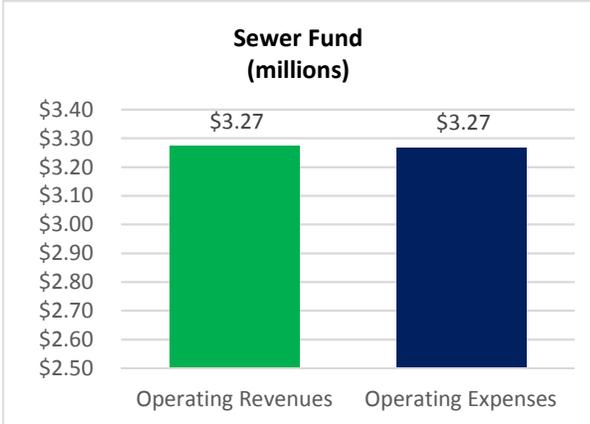


**Sylvan Glen G.C.  
(millions)**



**CITY OF TROY**  
**FIRST QUARTER ENDING SEPTEMBER 30, 2014**  
**SNAP SHOT**

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**CITY OF TROY**  
**QUARTERLY REPORT**  
**THREE MONTHS ENDED SEPTEMBER 30, 2014**  
**HIGHLIGHTS**

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**General Fund**

**Revenues**

Total revenues are \$34.5 million to date. This includes recognition of total annual tax revenues of \$29.4 million. Total revenues down \$288 thousand in total from prior year however prior year has timing difference in receipt of state shared revenues totaling \$1,013,060.

**Expenditures**

Total General Fund expenditures to date are \$14.3 million or 23.32% of the annual budget. This is up \$3.7 million to the prior year primarily due to 1.) Council/Executive administration up \$172K primarily for City Manager's office (\$66K) for personal service, community promotion and equipment costs, Human Resource department (\$25K) for personal costs, Clerk's office (\$62K) for clerk election inspector costs and health insurance costs, 2.) Police department (\$332K) primarily related to increases to personal services in investigative and operation divisions, 3.) Fire department (\$2.024 million) for additional VFIP contributions of \$2 million 4.) Transfers out to fund capital projects including "Troy Roads Rock" \$825 thousand.

**Capital Fund**

**Expenditures**

Expenditures for capital projects of \$5.5 million represent 27.45 percent of budgeted expenditures. Major initiative include street renovations of \$4 million

including “Troy Roads Rock” and purchase of Transit Center property (federally funded) of \$1.050 million.

### **Aquatic Center**

#### **Revenues**

Revenues of \$211 thousand represent 35.5% of the fund’s annual budgeted financial resources. This is down \$70K or 25% compared to the prior year during the same time period. The reduction is attributable to a decline in both season and daily passes along with pool rental income.

### **Sanctuary Lake Golf Course**

#### **Revenues**

Revenues of \$631 thousand are up \$32 thousand compared to the prior year for the same time period. This represents an increase of approximately 753 rounds.

#### **Expenditures**

Expenditures for operations (“Billy Casper”) are up \$9 thousand or 1.8%. In total, expenses are down \$114 thousand due primarily to capital outlay expenditures in the prior year of \$106 thousand.

### **Sylvan Glen Golf Course**

#### **Revenues**

Revenues of \$579 thousand are down \$52 thousand compared to the prior year for the same time period. This represents a decrease of approximately 1,076 rounds.

#### **Expenditures**

Expenditures for operations (“Billy Casper”) are up \$14 thousand or 3.4%. In total, expenses are down \$104 thousand due primarily to capital outlay expenditures in the prior year of \$103 thousand.

## **Sewer Fund**

### **Revenues**

Sewer fund revenues of \$3.3 million are down \$215 thousand or 6% due primarily from consumption (down 5,479 mcf(s) or 4%) compared to the prior year period. This is currently an area of concern as the prior was down 15% in total volume compared to fiscal 2013.

### **Expenditures**

Sewer fund expenses of \$3.3 million are down \$149 thousand or 4.3% compared to the prior year period. Beginning with the 2015 fiscal year, Oakland County is charging a fixed rate for sewer services. Accordingly, increased and/or decreases in consumption will not have a direct effect on sewer costs.

## **Water Fund**

### **Revenues**

Water fund revenues of \$4.0 million are down \$239 or thousand 5.6% due primarily from a decrease in consumption levels as noted in the sewer revenue section.

### **Expenditures**

Water fund expenses of \$4.9 million are up \$570 thousand due to capital purchases of \$537 thousand. The cost of sales amount does has a significant fixed cost aspect and accordingly, does not decrease (or increase) proportionately with sale volumes.

**Quarterly Financial Report  
General Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>General Fund Revenues</b>							
TAXES	29,591,709	29,663,000	29,461,740	99.32	29,840,500	29,397,951	98.52
LICENSES AND PERMITS	2,429,459	2,534,900	648,248	25.57	2,230,350	832,841	37.34
GRANTS	6,557,589	6,434,500	2,129,203	33.09	6,769,000	1,167,051	17.24
CONTRIBUTIONS FROM LOCAL UNITS	26,209	20,000	13,844	69.22	28,000	22,257	79.49
CHARGES FOR SERVICES	7,767,090	6,992,300	1,347,116	19.27	7,950,000	1,535,853	19.32
FINES AND FORFEITURES	864,081	797,800	156,189	19.58	756,300	222,666	29.44
INTEREST & RENT	1,140,999	994,000	276,373	27.80	1,019,000	309,707	30.39
OTHER REVENUE	845,316	891,100	224,884	25.24	1,096,500	263,144	24.00
OTHER FINANCING SOURCES	3,821,240	4,390,900	505,658	11.52	4,203,300	723,687	17.22
	<b>53,043,692</b>	<b>52,718,500</b>	<b>34,763,256</b>	<b>65.94</b>	<b>53,892,950</b>	<b>34,475,156</b>	<b>63.97</b>
<b>General Fund Expenditures</b>							
<b>General Government</b>							
Council and Executive Administration	3,289,962	3,547,450	678,651	19.13	3,863,420	850,406	22.01
Finance	2,299,762	2,600,960	483,133	18.58	2,506,280	508,813	20.30
Other General Government	943,782	1,098,900	185,208	16.85	1,170,560	165,990	14.18
<b>Public Safety</b>							
Police	20,989,945	24,307,110	4,212,962	17.33	24,573,943	4,544,683	18.49
Fire	4,580,527	4,770,160	1,729,672	36.26	6,901,685	3,753,820	54.39
Building Inspection	2,154,631	1,944,260	238,073	12.24	1,843,410	197,242	10.70
<b>Public Works</b>							
Streets	5,630,864	5,978,350	804,331	13.45	6,273,600	979,619	15.61
<b>Community Development</b>							
Engineering	2,032,257	2,168,070	407,393	18.79	2,307,060	470,571	20.40
Planning	765,799	811,930	147,241	18.13	853,970	197,575	23.14
<b>Recreation and Culture</b>							
Parks	2,199,192	2,400,270	495,276	20.63	2,588,670	512,663	19.80
Recreation	3,660,936	3,957,940	840,856	21.24	4,078,030	907,699	22.26
Nature Center	90,649	91,200	54,794	60.08	105,290	79,507	75.51
Historic Village	150,063	149,300	86,640	58.03	150,000	101,262	67.51
<b>Transfers Out &amp; Other Uses</b>	<b>3,550,000</b>	<b>3,670,200</b>	<b>250,000</b>	<b>6.81</b>	<b>4,300,000</b>	<b>1,075,000</b>	<b>25.00</b>
	<b>52,338,370</b>	<b>57,496,100</b>	<b>10,614,228</b>	<b>18.46</b>	<b>61,515,918</b>	<b>14,344,850</b>	<b>23.32</b>

**Quarterly Financial Report  
Capital Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Capital Fund Revenues</b>							
TAXES	6,526,304	6,480,000	6,594,551	101.77	6,546,000	6,588,091	100.64
GRANTS	3,120,024	2,625,000	1,911,272	72.81	2,311,000	263	0.01
CONTRIBUTIONS FROM LOCAL UNITS	0	312,700	0	0.00	400,000	0	0.00
CHARGES FOR SERVICES	528,949	404,000	163,571	40.49	454,000	35,246	7.76
INTEREST & RENT	88,430	67,200	12,272	18.26	67,200	26,525	39.47
OTHER REVENUE	464,990	0	47,854	0.00	0	0	0.00
OTHER FINANCING SOURCES	6,008,575	6,002,500	925,040	15.41	6,947,000	1,693,079	24.37
	<b>16,737,273</b>	<b>15,891,400</b>	<b>9,654,559</b>	<b>60.75</b>	<b>16,725,200</b>	<b>8,343,203</b>	<b>49.88</b>
<b>Capital Fund Expenditures</b>							
Finance	37,754	129,000	9,631	7.47	17,000	672	3.96
City Buildings	1,880,214	1,840,000	1,169,382	63.55	340,000	1,057,925	311.15
Police	515,565	520,000	116,147	22.34	235,000	0	0.00
Fire	564,502	580,000	0	0.00	1,960,000	8,147	0.42
Streets	10,358,269	13,053,600	680,773	5.22	14,302,400	4,000,138	27.97
Public Works	226,236	486,800	0	0.00	963,000	2,404	0.25
Parks	0	0	0	0.00	410,000	0	0.00
Recreation	60,607	221,000	0	0.00	403,500	124,735	30.91
Nature Center	0	0	0	0.00	50,000	0	0.00
Library	638,751	622,000	219,345	35.26	788,000	201,537	25.58
Historic Village	0	46,500	0	0.00	248,000	77,600	31.29
Other	0	46,000	0	0.00	221,000	0	0.00
	<b>14,281,898</b>	<b>17,544,900</b>	<b>2,195,277</b>	<b>12.51</b>	<b>19,937,900</b>	<b>5,473,158</b>	<b>27.45</b>

**Quarterly Financial Report  
Refuse Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Refuse Fund Revenues</b>							
TAXES	4,647,626	4,600,000	4,696,246	102.09	4,576,000	4,607,358	100.69
CHARGES FOR SERVICES	6,358	6,000	1,690	28.17	6,000	1,660	27.67
INTEREST & RENT	11,629	8,000	2,447	30.59	14,000	5,303	37.88
	<b>4,665,613</b>	<b>4,614,000</b>	<b>4,700,383</b>	<b>101.87</b>	<b>4,596,000</b>	<b>4,614,321</b>	<b>100.40</b>
<b>Refuse Fund Expenditures</b>							
Sanitation	4,267,067	4,491,240	896,259	19.96	4,446,000	922,572	20.75
	<b>4,267,067</b>	<b>4,491,240</b>	<b>896,259</b>	<b>19.96</b>	<b>4,446,000</b>	<b>922,572</b>	<b>20.75</b>

**Quarterly Financial Report  
Library Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Library Fund Revenues</b>							
TAXES	2,982,973	2,956,000	3,014,584	101.98	2,992,000	3,014,363	100.75
GRANTS	47,728	15,000	20,232	134.88	20,000	24,081	120.40
CONTRIBUTIONS FROM LOCAL UNITS	122,181	100,000	107,546	107.55	109,000	121,681	111.63
CHARGES FOR SERVICES	24,030	24,250	6,102	25.16	22,000	17,221	78.28
FINES AND FORFEITURES	114,405	100,000	32,467	32.47	100,000	30,763	30.76
INTEREST & RENT	20,043	13,750	5,090	37.02	17,800	4,055	22.78
OTHER REVENUE	27,637	27,000	298	1.10	5,000	626	12.53
	<b>3,338,998</b>	<b>3,236,000</b>	<b>3,186,319</b>	<b>98.46</b>	<b>3,265,800</b>	<b>3,212,789</b>	<b>98.38</b>
<b>Library Fund Expenditures</b>							
Recreation and culture-OLD	3,079,994	3,261,990	755,080	23.15	3,582,200	805,554	22.49
	<b>3,079,994</b>	<b>3,261,990</b>	<b>755,080</b>	<b>23.15</b>	<b>3,582,200</b>	<b>805,554</b>	<b>22.49</b>

**Quarterly Financial Report  
General Debt Service Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>General Debt Service Fund Revenues</b>							
TAXES	2,990,552	2,965,000	3,020,478	101.87	2,995,700	3,018,789	100.77
INTEREST & RENT	9,029	14,000	1,837	13.12	8,000	3,779	47.24
	<b>2,999,582</b>	<b>2,979,000</b>	<b>3,022,316</b>	<b>101.45</b>	<b>3,003,700</b>	<b>3,022,569</b>	<b>100.63</b>
<b>General Debt Service Fund Expenditures</b>							
Debt Service	3,064,764	3,107,043	2,655,436	85.47	3,105,600	2,731,595	87.96
	<b>3,064,764</b>	<b>3,107,043</b>	<b>2,655,436</b>	<b>85.47</b>	<b>3,105,600</b>	<b>2,731,595</b>	<b>87.96</b>

**Quarterly Financial Report  
Local Street Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Local Street Fund Revenues</b>							
GRANTS	1,555,266	1,380,000	379,818	27.52	1,542,000	385,443	25.00
INTEREST & RENT	15,744	8,000	1,820	22.75	8,000	3,687	46.09
OTHER FINANCING SOURCES	300,000	300,000	75,000	25.00	500,000	125,000	25.00
	<b>1,871,010</b>	<b>1,688,000</b>	<b>456,639</b>	<b>27.05</b>	<b>2,050,000</b>	<b>514,130</b>	<b>25.08</b>
<b>Local Street Fund Expenditures</b>							
Transfers Out & Other Uses	1,714,515	1,905,900	284,944	14.95	2,032,000	331,426	16.31
	<b>1,714,515</b>	<b>1,905,900</b>	<b>284,944</b>	<b>14.95</b>	<b>2,032,000</b>	<b>331,426</b>	<b>16.31</b>

**Quarterly Financial Report  
Major Street Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Major Street Fund Revenues</b>							
GRANTS	3,963,956	3,500,000	969,051	27.69	3,923,000	981,262	25.01
INTEREST & RENT	18,804	9,000	2,212	24.58	9,000	3,955	43.95
	<b>3,982,760</b>	<b>3,509,000</b>	<b>971,263</b>	<b>27.68</b>	<b>3,932,000</b>	<b>985,218</b>	<b>25.06</b>
<b>Major Street Fund Expenditures</b>							
Transfers Out & Other Uses	4,199,225	4,046,600	743,839	18.38	4,198,000	868,579	20.69
	<b>4,199,225</b>	<b>4,046,600</b>	<b>743,839</b>	<b>18.38</b>	<b>4,198,000</b>	<b>868,579</b>	<b>20.69</b>

**Quarterly Financial Report  
Forfeiture Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Forfeiture Fund Revenues</b>							
FINES AND FORFEITURES	421,754	355,500	44,895	12.63	130,000	39,135	30.10
	<b>421,754</b>	<b>355,500</b>	<b>44,895</b>	<b>12.63</b>	<b>130,000</b>	<b>39,135</b>	<b>30.10</b>
<b>Forfeiture Fund Expenditures</b>							
Police	87,928	87,000	37,307	42.88	182,000	14,464	7.95
	<b>87,928</b>	<b>87,000</b>	<b>37,307</b>	<b>42.88</b>	<b>182,000</b>	<b>14,464</b>	<b>7.95</b>

**Quarterly Financial Report  
Aquatic Center Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Aquatic Center Fund Revenues</b>							
CHARGES FOR SERVICES	469,035	542,000	238,115	43.93	545,000	196,774	36.11
INTEREST & RENT	54,420	38,400	42,513	110.71	48,400	13,964	28.85
OTHER REVENUE	1	100	1	0.50	100	0	0.00
	<b>523,455</b>	<b>580,500</b>	<b>280,629</b>	<b>48.34</b>	<b>593,500</b>	<b>210,738</b>	<b>35.51</b>
<b>Aquatic Center Fund Expenditures</b>							
Operations	526,237	570,800	236,609	41.45	388,500	238,253	61.33
Capital	0	58,000	0	0.00	88,000	0	0.00
	<b>526,237</b>	<b>628,800</b>	<b>236,609</b>	<b>37.63</b>	<b>476,500</b>	<b>238,253</b>	<b>50.00</b>

**Quarterly Financial Report  
Sanctuary Lake Golf Course  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sanctuary Lake Golf Course Revenues</b>							
CHARGES FOR SERVICES	1,335,432	1,478,300	598,517	40.49	1,500,500	630,875	42.04
OTHER REVENUE	3,900	0	0	0.00	0	0	0.00
	<b>1,339,332</b>	<b>1,478,300</b>	<b>598,517</b>	<b>40.49</b>	<b>1,500,500</b>	<b>630,875</b>	<b>42.04</b>
<b>Sanctuary Lake Golf Course Expenditures</b>							
Billy Casper	1,429,827	1,172,700	488,135	41.62	1,125,676	497,060	44.16
City Expenses	306,093	687,800	-6,410	-0.93	715,475	-22,852	-3.19
Capital	0	0	106,122	0.00	0	0	0.00
	<b>1,735,921</b>	<b>1,860,500</b>	<b>587,847</b>	<b>31.60</b>	<b>1,841,151</b>	<b>474,208</b>	<b>25.76</b>

**Quarterly Financial Report  
Sylvan Glen Golf Course  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sylvan Glen Golf Course Revenues</b>							
CHARGES FOR SERVICES	826,507	1,097,200	522,534	47.62	1,115,003	479,774	43.03
INTEREST & RENT	162,700	163,400	108,685	66.51	163,400	99,420	60.84
OTHER REVENUE	6,600	0	0	0.00	0	0	0.00
	<b>995,807</b>	<b>1,260,600</b>	<b>631,219</b>	<b>50.07</b>	<b>1,278,403</b>	<b>579,194</b>	<b>45.31</b>
<b>Sylvan Glen Golf Course Expenditures</b>							
Billy Casper	1,102,753	984,700	359,402	36.50	1,062,219	373,057	35.12
City Expenses	-5,781	78,900	-7,300	-9.25	44,000	-21,296	-48.40
Capital	0	224,400	103,422	46.09	0	0	0.00
	<b>1,096,973</b>	<b>1,288,000</b>	<b>455,524</b>	<b>35.37</b>	<b>1,106,219</b>	<b>351,762</b>	<b>31.80</b>

**Quarterly Financial Report  
Sewer Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Sewer Fund Revenues</b>							
GRANTS	0	0	0	0.00	333,000	0	0.00
CHARGES FOR SERVICES	12,548,706	14,424,000	3,462,229	24.00	14,394,000	3,229,288	22.43
INTEREST & RENT	183,814	115,000	24,101	20.96	115,000	42,432	36.90
OTHER REVENUE	86,425	0	0	0.00	0	0	0.00
	<b>12,818,945</b>	<b>14,539,000</b>	<b>3,486,330</b>	<b>23.98</b>	<b>14,842,000</b>	<b>3,271,720</b>	<b>22.04</b>
<b>Sewer Fund Expenditures</b>							
Administration & Cost of Sales	10,729,381	10,829,720	3,238,052	29.90	11,411,001	2,987,031	26.18
Maintenance	602,857	1,623,300	174,633	10.76	1,097,130	278,444	25.38
Capital	57,417	1,800,000	15,086	0.84	2,237,000	13,778	0.62
	<b>11,389,656</b>	<b>14,253,020</b>	<b>3,427,771</b>	<b>24.05</b>	<b>14,745,131</b>	<b>3,279,254</b>	<b>22.24</b>

**Quarterly Financial Report  
Water Fund  
For the Period Ending September 30, 2014**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
<b>Water Fund Revenues</b>							
CHARGES FOR SERVICES	15,147,339	17,165,000	4,211,064	24.53	17,805,000	3,969,219	22.29
INTEREST & RENT	120,112	79,000	19,156	24.25	108,000	22,261	20.61
OTHER REVENUE	83,997	0	0	0.00	0	0	0.00
	<b>15,351,448</b>	<b>17,244,000</b>	<b>4,230,220</b>	<b>24.53</b>	<b>17,913,000</b>	<b>3,991,480</b>	<b>22.28</b>
<b>Water Fund Expenditures</b>							
Administration & Cost of Sales	12,823,401	11,403,610	3,722,911	32.65	11,931,261	3,670,188	30.76
Transmission & Distribution	862,670	1,135,740	178,173	15.69	1,086,330	276,265	25.43
Maintenance	1,569,592	1,897,120	305,523	16.10	1,956,460	326,020	16.66
Reading & Accounting	204,034	270,860	50,920	18.80	274,410	53,507	19.50
Capital	501,096	4,300,000	35,563	0.83	5,000,000	537,208	10.74
	<b>15,960,793</b>	<b>19,007,330</b>	<b>4,293,091</b>	<b>22.59</b>	<b>20,248,461</b>	<b>4,863,187</b>	<b>24.02</b>

City of Troy  
Schedule of Cash and Investments  
9/30/2014

Fund	Financial Institution	Acct #	G/L Account	Balance per Bank (cost)	Outstanding Checks	Deposits in Transit	Transfers	Other Items	Balance per Books
Trust & Agency Fund	Comerica	1852985173	701.1001.001	\$ 3,809,555.81	\$ (61,616.55)	\$ 100,704.82	\$ 853.10	\$ -	\$ 3,849,497.18
Sewer	Huntington Bank	07382450957	590.1003	\$ 712,447.31					\$ 712,447.31
Budget Stabilization	Huntington Bank	07382450944	257.1120	\$ -					\$ -
Water	Fifth Third Securities	069-038407	591.1001.100	\$ 578,000.18					\$ 578,000.18
Water	Fifth Third Securities	069-038407	591.1120	\$ 3,572,717.64					\$ 3,572,717.64
Water	Comerica	1852675147	591.1017.110	\$ 5,534,186.18					\$ 5,534,186.18
Water	Huntington Bank	07382468758	591.1003	\$ 183,768.07					\$ 183,768.07
Sanctuary Lake Golf Course - Operating	Fifth Third Bank	7913275280	583.1001.100	\$ 680,359.84	\$ (1,886.63)	\$ 8,758.52			\$ 687,231.73
Sanctuary Lake Golf Course - Onsite	Fifth Third Bank	7913275272	583.1001.130	\$ 10,945.16	\$ (88.71)			\$ (1,580.08)	\$ 9,276.37
Sylvan Glen Golf Course - Operating	Fifth Third Bank	7913275306	584.1001.100	\$ 149,226.83	\$ (6,232.04)	\$ 3,574.12			\$ 146,568.91
Sylvan Glen Golf Course - Onsite	Fifth Third Bank	7913275264	584.1001.130	\$ 1,205.50					\$ 1,205.50
Pooled Fund	Comerica	1852985181	751.1001.001	\$ 65,275,481.17	\$ (2,276,832.95)	\$ 32,585.44	\$ (853.10)	\$ (64,357.94)	\$ 62,966,022.62
Pooled Fund	MBIA-Class	MI-01-0290-0001	751.1120	\$ 1,695,999.10					\$ 1,695,999.10
Pooled Fund	Huntington Bank	01381713471	751.1001.140	\$ 605,866.42					\$ 605,866.42
Pooled Fund	The Private Bank	501003	751.1003	\$ 1,093,220.65					\$ 1,093,220.65
Pooled Fund	The Private Bank	568100	751.1003	\$ 2,166,103.15					\$ 2,166,103.15
Pooled Fund	Flagstar	1016345012	751.1003	\$ 3,733,149.03					\$ 3,733,149.03
Pooled Fund	Bank of Michigan	110000654	751.1003	\$ 206,242.78					\$ 206,242.78
Pooled Fund	Comerica	1852675154	751.1120	\$ 1,201,184.74					\$ 1,201,184.74
Pooled Fund	Comerica	P1R-131229	751.1001.230	\$ 6,272.21					\$ 6,272.21
Pooled Fund	Comerica	P1R-131229	751.1120	\$ 10,113,916.11					\$ 10,113,916.11
Pooled Fund	The Private Bank	503615	751.1003	\$ 1,761,080.23					\$ 1,761,080.23
Pooled Fund	Huntington Bank	07382468431	751.1003	\$ 1,123,986.39					\$ 1,123,986.39
Pooled Fund	Morgan Stanley Smith Barney	310-144417-526-1-0	751.1001.230	\$ 2,034,926.42					\$ 2,034,926.42
Pooled Fund	Morgan Stanley Smith Barney	089-128204-227-1-0	751.1001.230	\$ 7,830,999.32					\$ 7,830,999.32
Pooled Fund	Morgan Stanley Smith Barney	089-128204-227-1-0	751.1120	\$ 5,986,570.18					\$ 5,986,570.18
Pooled Fund	Fifth Third Securities	069-005851	751.1001.230	\$ 3,185,833.28					\$ 3,185,833.28
Pooled Fund	Fifth Third Securities	069-005851	751.1120	\$ 35,053,379.69					\$ 35,053,379.69
<b>Total</b>				<b>\$ 158,306,623.39</b>	<b>\$ (2,346,656.88)</b>	<b>\$ 145,622.90</b>	<b>\$ -</b>	<b>\$ (65,938.02)</b>	<b>\$ 156,039,651.39</b>



## CITY COUNCIL AGENDA ITEM

Date: October 22, 2014

To: Brian Kischnick, City Manager

From: Gary G. Mayer, Chief of Police 

Subject: 2014 Year-To-Date Calls for Police Service Report

### Background

Each quarter the police department publishes a year-to-date report comparing the current year's data to the previous year. This data includes calls for police service, criminal offenses, arrests, clearance rates, traffic crashes, and citations issued. When reviewing this data it is important to note that because of the low number of incidents in many categories even minor changes can appear to be significant. The police department data reporting format complies with the National Incident Based Reporting System (NIBRS).

In the third quarter of 2014 there was a decrease in overall incidents or calls for service, both criminal and non-criminal, of 0.8% (206 fewer incidents/calls for service overall). Non-criminal calls for police service increased by 0.6% (127 more incidents).

The third quarter statistics show a decrease of 12.5% with 273 fewer incidents in Group A crimes, which are typically the most serious offenses and closely correspond to the categories the FBI uses to determine serious crime rates for a community. Group B Crime decreased by 7.9% with 72 fewer incidents. Total incidents of crime, both Group A & B combined, decreased by 11.2%.

Clearance rates, the percentage of offenses for which the perpetrator has been prosecuted or positively identified, continue to be high with 56.5% of all reported crime cleared. Total arrests decreased 7.7% with 132 fewer arrests in 2014.

Changes in the following categories are of particular significance:

- Breaking and Entering incidents decreased 29.7% when compared to the third quarter report of 2013. This is the third quarterly report with a decrease in Breaking and Entering incidents. Despite the decrease in incidents, there is an 8.6% increase in the clearance rate. The increase in clearance rate is a reflection of the diligent efforts of department personnel in placing a high priority on these types of crimes.
- Counterfeiting/Forgery incidents increased 29.4% during this reporting quarter. While the percentage increase may be high, the overall number of incidents is low. Any notable change is going to indicate a significant percentage change. A group of individuals were passing counterfeit currency throughout the Detroit metropolitan area. The counterfeit currency is usually discovered at the end of the business day. These cases are turned over to the U.S.



## CITY COUNCIL AGENDA ITEM

Secret Service and if suspects are identified, prosecution is initiated within the federal judicial system.

- Robbery incidents have increased 50% through the third quarter of this year, compared to the same period last year. While the percentage increase may be high, the overall number of incidents (9) remains low. The overall number of offenses is consistent with those incidents reported during the same period in 2012 and 2011. It should be noted that arrests associated with Robbery Offenses indicate a 333.3% increase (from 3 arrests in 2013, to 13 arrests in 2014), and the clearance rate is 66.7%.
- Family Offenses, Nonviolent incidents decreased by 92.9% in the third quarter of 2014 from 14 in 2013 to only one incident in 2014. Last year there were a number of incidents of children being left in cars by their parents. There has been a very significant decrease in these incidents this year. The decrease could be attributed CSS and the school resource officer educating parents in the dangers of leaving children unattended, both in vehicles and out in public. Also, there has been a lot media attention emphasizing the dangers of leaving children in cars. The combination of these factors caused our incidents to decrease.
- Trespass of Real Property incidents increased by 183.3% in the third quarter of 2014 from 6 in 2013 to 17 in 2014. The increase in violations has occurred, almost exclusively, at the Somerset Collection. This increase is because we have an officer assigned to the Somerset Collection full time. The Officer works closely with the stores to provide direct service such as guiding them in banning known retail fraud crews from their private property. This prevents crime from occurring.
- Group E Fire incidents increased 27.9%, from 43 reported in 2013 to 55 reported in 2014. Actual fire runs have decreased and this increase is primarily in false fire alarms.

# Troy Police Department

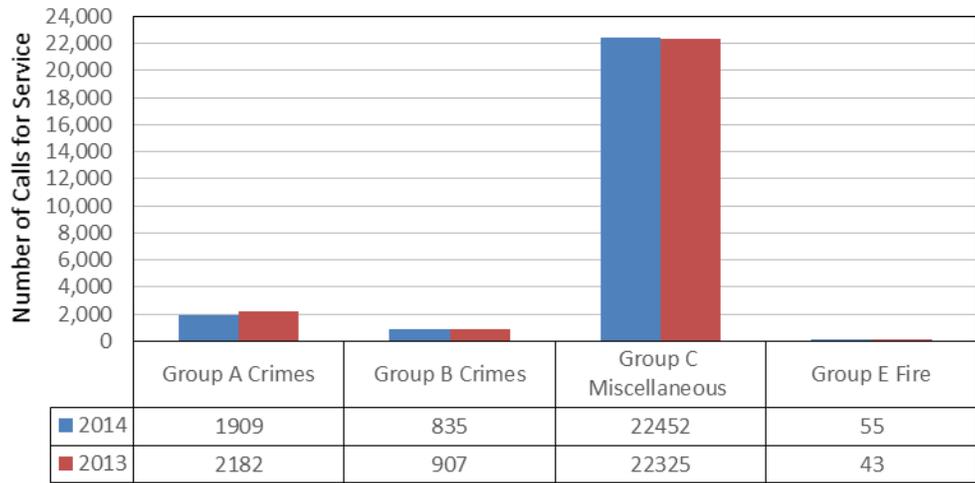
## January through September 2014/2013 Comparison

	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	Y-T-D		Percent Change	Y-T-D		Percent Change	Y-T-D		Percent Change	Y-T-D	
	2014	2013		2014	2013		2014	2013		2014	Percent
<b>Group A Crime Categories</b>											
Arson	1	2	-50.0%	1	2	-50.0%	0	2	-	0	0.0%
Assault Offenses	309	361	-14.4%	379	442	-14.3%	100	107	-6.5%	166	43.8%
Bribery	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Breaking and Entering	116	165	-29.7%	116	167	-30.5%	9	15	-40.0%	10	8.6%
Counterfeiting/Forgery	22	17	29.4%	24	18	33.3%	4	3	33.3%	4	16.7%
Destruction/Damage/Vandalism	138	184	-25.0%	155	193	-19.7%	8	7	14.3%	19	12.3%
Drug/Narcotic Offenses	216	243	-11.1%	341	358	-4.7%	245	278	-11.9%	321	94.1%
Embezzlement	45	48	-6.3%	48	50	-4.0%	26	32	-18.8%	18	37.5%
Extortion/Blackmail	1	1	NC	1	1	NC	0	0	NC	1	0.0%
Fraud Offenses	103	120	-14.2%	121	127	-4.7%	35	29	20.7%	36	29.8%
Gambling Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Homicide Offenses	1	0	+	1	0	+	0	0	NC	0	0.0%
Human Trafficking Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Kidnapping/Abduction	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Larceny/Theft Offenses	860	936	-8.1%	876	958	-8.6%	336	375	-10.4%	287	32.8%
Motor Vehicle Theft	48	52	-7.7%	58	57	1.8%	1	4	-75.0%	2	3.4%
Pornography/Obscene Material	1	1	NC	1	2	-50.0%	0	0	NC	0	0.0%
Prostitution Offenses	1	1	NC	2	1	100.0%	2	1	100.0%	2	100.0%
Robbery	9	6	50.0%	9	6	50.0%	13	3	333.3%	6	66.7%
Sex Offenses, Forcible	19	17	11.8%	20	21	-4.8%	4	5	-20.0%	17	85.0%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	4	8	-50.0%	13	9	44.4%	8	8	NC	11	84.6%
Weapon Law Violations	15	20	-25.0%	18	25	-28.0%	15	17	-11.8%	16	88.9%
<b>Group A Total</b>	<b>1,909</b>	<b>2,182</b>	<b>-12.5%</b>	<b>2,184</b>	<b>2,437</b>	<b>-10.4%</b>	<b>806</b>	<b>886</b>	<b>-9.0%</b>	<b>916</b>	<b>41.9%</b>
<b>Group B Crime Categories</b>											
Bad Checks	21	26	-19.2%	24	27	-11.1%	11	12	-8.3%	12	50.0%
Curfew/Loitering/Vagrancy	1	0	+	1	0	+	0	0	NC	0	0.0%
Disorderly Conduct	12	11	9.1%	13	15	-13.3%	6	6	NC	6	46.2%
Driving Under the Influence	302	294	2.7%	371	353	5.1%	307	295	4.1%	366	98.7%
Drunkenness	1	1	NC	1	1	NC	0	0	NC	0	0.0%
Family Offenses, Nonviolent	1	14	-92.9%	2	15	-86.7%	3	2	50.0%	2	100.0%
Liquor Law Violations	24	35	-31.4%	68	82	-17.1%	38	75	-49.3%	67	98.5%
Peeping Tom	0	2	-	0	2	-	0	0	NC	0	#DIV/0!
Runaway (Under 18)	1	7	-85.7%	1	7	-85.7%	0	0	NC	0	0.0%
Trespass of Real Property	17	6	183.3%	21	6	250.0%	6	4	50.0%	6	28.6%
All Other	455	511	-11.0%	540	602	-10.3%	398	427	-6.8%	449	83.1%
<b>Group B Total</b>	<b>835</b>	<b>907</b>	<b>-7.9%</b>	<b>1,042</b>	<b>1,110</b>	<b>-6.1%</b>	<b>769</b>	<b>821</b>	<b>-6.3%</b>	<b>908</b>	<b>87.1%</b>
<b>Group A and B Total</b>	<b>2,744</b>	<b>3,089</b>	<b>-11.2%</b>	<b>3,226</b>	<b>3,547</b>	<b>-9.0%</b>	<b>1,575</b>	<b>1,707</b>	<b>-7.7%</b>	<b>1,824</b>	<b>56.5%</b>
<b>Group C Miscellaneous Categories</b>											
Alarms	2,225	2,062	7.9%	2,225	2,062	7.9%	NA	NA	NA	NA	NA
All Other	20,227	20,263	-0.2%	20,499	20,548	-0.2%	340	338	0.6%	NA	NA
<b>Group C Miscellaneous Total</b>	<b>22,452</b>	<b>22,325</b>	<b>0.6%</b>	<b>22,724</b>	<b>22,610</b>	<b>0.5%</b>	<b>340</b>	<b>338</b>	<b>0.6%</b>	<b>NA</b>	<b>NA</b>
<b>Group E Fire Total</b>	<b>55</b>	<b>43</b>	<b>27.9%</b>	<b>55</b>	<b>43</b>	<b>27.9%</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>
<b>Grand Totals</b>	<b>25,251</b>	<b>25,457</b>	<b>-0.8%</b>	<b>26,005</b>	<b>26,200</b>	<b>-0.7%</b>	<b>1,915</b>	<b>2,045</b>	<b>-6.4%</b>	<b>1,824</b>	<b>56.5%</b>

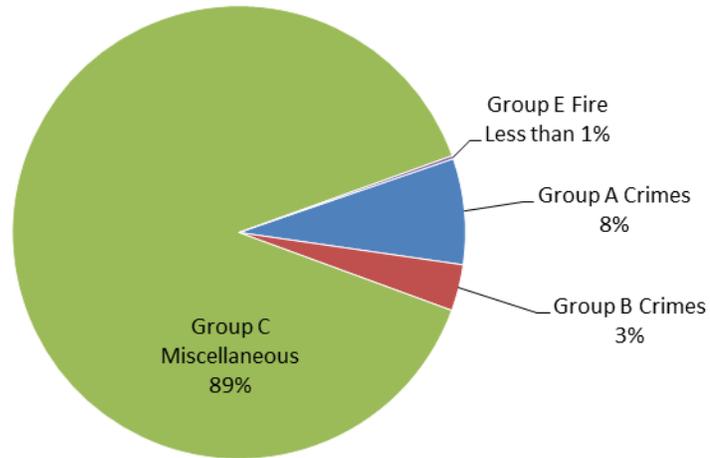
Above data includes both completed and attempted offenses.

	INCIDENTS				INCIDENTS		
	Y-T-D		Percent Change		Y-T-D		Percent Change
	2014	2013			2014	2013	
<b>Reportable Traffic Crashes</b>				<b>Traffic Citations</b>			
Personal Injury	352	308	14.3%	Hazardous	4,121	4,589	-10.2%
Property Damage	2,143	1,908	12.3%	Non-hazardous	674	625	7.8%
Fatal	2	3	-33.3%	License, Title, Registration	1,874	1,873	0.1%
<b>Total Reportable</b>	<b>2,497</b>	<b>2,219</b>	<b>12.5%</b>	Parking	226	322	-29.8%
				<b>Traffic Citations Total</b>	<b>6,895</b>	<b>7,409</b>	<b>-6.9%</b>
Private Property Crashes	602	546	10.3%				
<b>Crashes Grand Total</b>	<b>3,099</b>	<b>2,765</b>	<b>12.1%</b>				

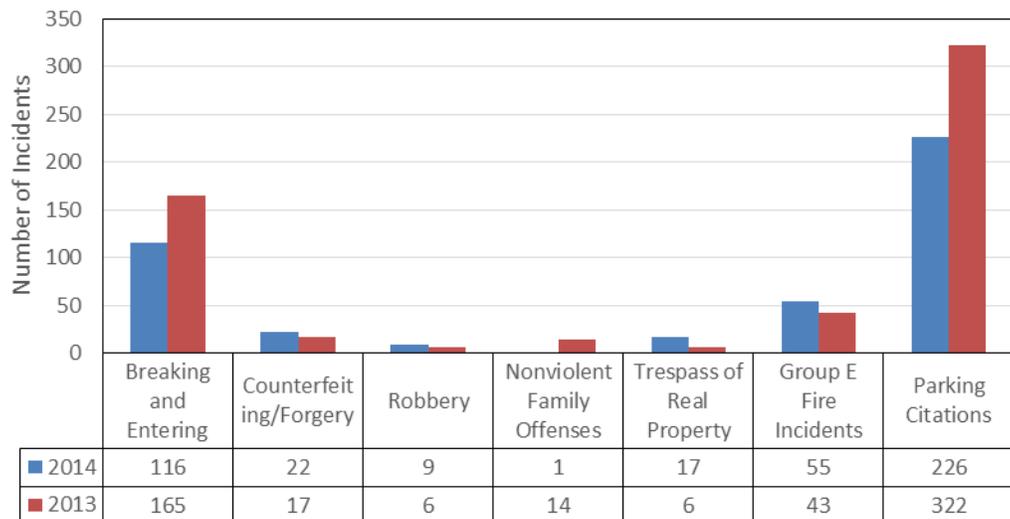
### 3rd Quarter 2014/2013 Calls for Service Comparison



### 3rd Quarter Calls for Service 2014



### 3rd Quarter 2014/2013 Incident Comparison





**TO:** Members of the Troy City Council

**FROM:** Lori Grigg Bluhm, City Attorney *LeB*  
 Allan T. Motzny, Assistant City Attorney *ATM*  
 Susan M. Lancaster, Assistant City Attorney *SM2*  
 Julie Quinlan Dufrane, Assistant City Attorney *JQD*

**DATE:** October 21, 2014

**SUBJECT:** 2014 Third Quarter Litigation Report

The following is the quarterly report of pending litigation and other matters of interest. **Developments during the THIRD quarter of 2014 are in bold.**

A. ANATOMY OF THE CASE

Once a lawsuit has been filed against the City or City employees, the City Attorney's office prepares a memo regarding the allegations in the complaint. At that time, our office requests authority from Council to represent the City and/or the employees. Our office then engages in the discovery process, which generally lasts for several months, and involves interrogatories, requests for documents, and depositions. After discovery, almost all cases are required to go through case evaluation (also called mediation). In this process, three attorneys evaluate the potential damages, and render an award. This award can be accepted by both parties, and will conclude the case. However, if either party rejects a case evaluation award, there are potential sanctions if the trial result is not as favorable as the mediation award. In many cases, a motion for summary disposition will be filed at the conclusion of discovery. In all motions for summary disposition, the Plaintiff's version of the facts are accepted as true, and if the Plaintiff still has failed to set forth a viable claim against the City, then dismissal will be granted. It generally takes at least a year before a case will be presented to a jury. It also takes approximately two years before a case will be finalized in the Michigan Court of Appeals and/or the Michigan Supreme Court.

B. ZONING CASES

These are **cases** where the property owner has sued for a use other than that for which the land is currently zoned and/or the City is suing a property owner to require compliance with the existing zoning provisions.

**There are no pending zoning cases for this quarter.**

C. EMINENT DOMAIN CASES

These are **cases** in which the City wishes to acquire property for a public improvement and the property owner wishes to contest either the necessity or the compensation offered. In **cases** where only the compensation is challenged, the City

obtains possession of the property almost immediately, which allows for major projects to be completed.

1. Troy v. Grand Sakwa et. al.- This condemnation case was initiated on December 16, 2013, to re-acquire the 2.7 acre transit center parcel from Grand Sakwa after the Michigan Supreme Court denied Troy's application for leave to appeal. Although the City was deeded the property in 2000, and initially prevailed against developer Grand Sakwa's motion seeking a reversion of the property, this decision was reversed by the Michigan Court of Appeals on the basis that the transit center was allegedly not funded by the June 2, 2010 reversion date in the consent judgment. Since the Court of Appeals decision became final upon the Michigan Supreme Court's refusal to hear the case, the condemnation complaint requests possession dating back to June 2, 2010. The independently appraised value for the property is \$550,000, which is well below the federal appropriation set aside for the project under the Federal Transit Administration. The City filed a Motion seeking an order confirming title and possession, based on the fact that the Defendants waived the ability to challenge necessity. Defendants filed a response to this motion, seeking a dismissal of the case based on the fact that the property appraisal date was for 2010 (the date of reversion as declared by the Court of Appeals opinion). The Court entered a dismissal order on February 21, 2014, based on his conclusion that there needed to be an appraisal of the improved property as of 2014 (the date of filing the condemnation case). The City immediately requested an amended appraisal. A new purchase offer was extended, based on the amended appraisal. **The Court granted the City's request for an order of possession of the property on August 15, 2014. The parties are now conducting discovery.**

#### D. CIVIL RIGHTS CASES

These are cases that are generally filed in the federal courts, under 42 U.S.C. Section 1983. In these cases, the Plaintiffs argue that the City and/or police officers of the City of Troy somehow violated their civil rights.

2. Burley v. Gagacki. This is an excessive force case filed against a Troy police officer who was participating on a federal task force executing search warrants. The task force divided up and simultaneously executed search warrants on two houses located some distance from each other. Plaintiffs argue that they were injured by unidentified task force members at one of the houses. The incident report fails to specify which task force members were at Plaintiff's house and which task force members were simultaneously executing the search warrant at the other house. The Troy police officer and other task force members were initially represented by an Assistant U.S. Attorney, who obtained a dismissal of the case. Plaintiffs then successfully appealed to the Sixth Circuit Court of Appeals, which reinstated the case. The second trial is scheduled for February 2014. Due to a retirement of the Assistant U.S. Attorney and the possibility of conflicts between the task force

team members, our office has assumed a more active role in the litigation, and will defend the Troy police officer task force member. The Court granted the request of one of the co-defendants to adjourn the trial, which is now scheduled to start on June 16, 2014. The parties have been addressing procedural items and preparing for trial. After picking a jury on June 10, 2014 and intense preparation for trial to begin on June 16, 2014, one of the Plaintiffs was hospitalized four days before the scheduled trial date. Trial has been rescheduled for October 6, 2014. **The parties are preparing for the jury trial to begin on October 6, 2014.**

#### E. PERSONAL INJURY AND DAMAGE CASES

These are cases in which the Plaintiff claims that the City or City employees were negligent in some manner that caused injuries and/or property damage. The City enjoys governmental immunity from ordinary negligence, unless the case falls within one of four exceptions to governmental immunity: a) defective highway exception, which includes sidewalks and road way claims; b) public building exception, which imposes liability only when injuries are caused by a defect in a public building; c) motor vehicle exception, which imposes liability when an employee is negligent when operating their vehicle; d) proprietary exception, where liability is imposed when an activity is conducted primarily to create a profit, and the activity somehow causes injury or damage to another; e) trespass nuisance exception, which imposes liability for the flooding cases.

1. *Allstate Insurance Company v. City of Troy and Troy Fire Department*. This is a subrogation case, filed by Allstate Insurance Company against the City of Troy Fire Department, seeking reimbursement of Allstate's payment to its insured Rajkiran Panesar. Mr. Panesar's vehicle was damaged when he unexpectedly drove onto a fire hose that had fallen from a Troy Fire truck after dark on October 21, 2013. The Answer and Affirmative Defenses to the Complaint were due on July 17, 2014. **The City filed a Motion for Summary Disposition on July 31, 2014 arguing that governmental immunity shielded the City from liability, and therefore the City was entitled to a dismissal of this case. Prior to entertaining this motion, Judge Asadoorian scheduled case evaluation for October 14, 2014. The City is waiting for the Court to schedule oral arguments on its Motion for Summary Disposition.**

#### F. MISCELLANEOUS CASES

1. *Michigan Association of Home Builders; Associated Builders and Contractors of Michigan; and Michigan Plumbing and Mechanical Contractors Association v. City of Troy* – The Plaintiffs filed a complaint for Declaratory and Injunctive Relief in the Oakland County Circuit. On the date of filing the Plaintiffs also filed a Motion for Preliminary Injunction and Order to Show Cause. The Plaintiffs allege

that the City of Troy has violated Section 22 of Michigan's Stille-DeRossett Hale Single State Construction Code Act by collecting fees for building department services that are not reasonably related to the cost of providing building department services. They are alleging that the City of Troy has illegally entered into a contract with Safe Built of Michigan, Inc. for building services that provides that 20% of each building permit fee be returned to the City to cover services that are not "reasonably related to the cost of building department services," as required by state statute. The Plaintiffs also assert a violation of the Headlee Amendment, arguing that the 20% returned to the City is a disguised tax that was not approved by voters. The Plaintiffs are asking for a declaratory judgment, as well as a return of any "surplus" building department service funds collected to date. Plaintiffs also request an order requiring the City to reduce its building department fees. The City of Troy was served with the Complaint and the Motion for Preliminary Injunction and Order for Show Cause on Wednesday, December 15, 2010. The parties were required to appear at Court on Wednesday, December 22, 2010, but the Court did not take any action at that time. Instead, the Court adjourned the matter to January 19, 2011. In the interim, the parties may engage in preliminary discovery in an attempt to resolve this matter. The parties are conducting discovery. The parties have completed discovery. Trial in this matter is scheduled for January 30, 2012. After being presented with motions for summary disposition, the Court ordered the parties to engage in mediation with a neutral municipal audit professional. Financial documents concerning this case are now being reviewed by an independent CPA. It is expected that the April 19, 2012 trial date will be postponed until after this review is complete. Mediation was unsuccessful in resolving this case, and therefore the Court is expected to issue an order on the pending Summary Disposition Motions. The trial date has been adjourned. On November 13, 2012, Oakland County Circuit Court Judge Shalina Kumar issued her order in favor of the City, and dismissed this case. Plaintiffs filed an appeal, which is now pending in the Michigan Court of Appeals. Appellant's brief is expected to be filed soon. The parties timely filed their appellate briefs, and are now waiting for the Court of Appeals to schedule a date for oral argument. The Court of Appeals has not yet scheduled oral argument for this case. The parties are still waiting for a date for oral argument. Oral argument was held on March 4, 2014. On March 13, 2014, the Court of Appeals issued its opinion ruling in the City's favor and affirming the Circuit Court's decision dismissing the case. On April 23, 2014, Plaintiff Home Builders filed an Application for Leave to Appeal with the Michigan Supreme Court. Troy's response was filed on May 19, 2014. **The Michigan Supreme Court considered the application for leave to appeal and ordered that the matter be scheduled for oral argument. The Court also permitted the parties to submit supplemental briefs, which are due October 29, 2014.**

2. *T.R. Pieprzak v. City of Troy.* This case has been filed by the successful bidder for the Section 9 water main replacement contract, seeking approximately \$900,000 over the contract bid for alleged additional work, unanticipated conditions and delays that Plaintiff attributes to the City of Troy. Plaintiff filed a

Motion for Partial Summary Disposition, which the City responded to. Argument on this Motion is scheduled for July 6, 2011. The Court denied Plaintiff's Motion for Partial Summary Disposition. The case is now in discovery. Case evaluation for the case took place on November 17, 2011. The City and the Plaintiff each filed Motions for Summary Disposition at the close of discovery. The Court agreed with the amount the City claimed was due on the contract and entered an Order on March 9, 2012 that dismissed Plaintiff's claims seeking damages in excess of that amount. The Order is a final order and closes the case. T.R. Pieprzak filed a Motion for Reconsideration on March 29, 2012. The Court has not yet issued an opinion on Pieprzak's Motion for Reconsideration. On January 17, 2013, Judge Nichols entered his Opinion and Order denying the Plaintiff's Motion for Reconsideration. The Plaintiff has now filed a Claim of Appeal with the Michigan Court of Appeals. Plaintiff filed its appellate brief, and the City's brief is due July 18<sup>th</sup>. The City has filed its responsive brief and Plaintiff filed a reply brief. The case will now be scheduled for oral argument. The parties are still waiting for a date for oral argument, which could be scheduled as early as June 2014. Oral argument was held on June 10, 2014. On June 24, 2014, the Court of Appeals issued its Opinion ruling in favor of the City and affirming the decision of the Circuit Court. **The Plaintiff filed a motion for reconsideration with the Court of Appeals. The City filed an answer to the motion. On August 12, 2014, the Court of Appeals entered its order denying the motion for reconsideration. Plaintiff then filed an application for leave to appeal with the Michigan Supreme Court.**

3. *Troy Police Officers Association v. City of Troy and Act 78 Civil Service Commission.* Plaintiff TPOA Union has filed this lawsuit against the City and also the Act 78 Civil Service Commission, seeking a hearing on behalf of one of its members, Todd Michael. Mr. Michael seeks a hearing before the Civil Service Commission, where he can have the chance to establish that he was constructively discharged from the City; or in the alternative that he was improperly disciplined by the City. In addition to seeking a court order mandating a hearing for Todd Michael, Plaintiff is also seeking an order requiring the City to amend its rules to allow for hearings in similar circumstances. The Amended Complaint was filed on May 21, 2012. On September 18, 2012, Plaintiff filed a Motion for Summary Disposition, which is scheduled for hearing on November 21, 2012. On December 5, 2012, the Court granted in part, denied in part the cross motions for summary disposition. This case is now pending in the Michigan Court of Appeals. Appellant's brief has been filed with the Court of Appeals. Appellee timely filed its brief, and the City filed a reply brief in response. The parties are now waiting for the Court of Appeals to schedule a date for oral argument. The Court of Appeals has not yet scheduled oral argument on this case. The parties are still waiting for a date for oral argument, which could be scheduled as early as June 2014. Oral argument was held on June 4, 2014. On June 12, 2014, the Michigan Court of Appeals issued an unpublished opinion, reversing the Oakland County Circuit Court and remanding

the case for entry of an order granting summary disposition in favor of the City. **The parties are negotiating an order for the Court's consideration.**

4. Todd Michael v. City of Troy et. al. Todd Michael has filed this lawsuit against the City, the Troy Police Department and the Troy Police Chief. Through this lawsuit, Plaintiff alleges that he was discriminated against in his employment with the City, in violation of the Americans With Disabilities Act. He also alleges that he suffered retaliation for his alleged disability. He is asking to be reinstated as a Troy Police Officer. He is also asking for additional compensation, punitive damages, costs and attorney fees. The answer to the complaint and affirmative defenses were filed on September 27, 2012. The Court has issued a scheduling order in this case, and discovery is on-going. The parties are continuing in the discovery phase. The Court has extended the discovery cut off in this matter, and the parties continue to take depositions in this case. The City will be filing a Motion for Summary Judgment. A Motion for Summary Judgment was filed on October 14, 2013. Plaintiff filed its Response on November 21, 2013, and the City's reply brief was filed on December 12, 2013. The parties are still waiting for the Court to either issue an opinion or schedule a date for oral argument on the Motion. The Court transferred the case to newly appointed U.S. District Court Judge Judith Levy, who has scheduled oral argument on the motion for summary judgment for July 10, 2014. **Subsequent to oral argument, the Court entered an order on July 23, 2014 dismissing Police Chief Gary Mayer and Count II as to all parties. The Court is expected to issue an order as to the first Count of Plaintiff's Complaint.**
  
5. Citizens United Against Corrupt Government v. Troy City Council- This is a lawsuit filed by the Citizens Against Corrupt Government, which is a Michigan Non-Profit Corporation formed by Robert Davis. In this lawsuit, Plaintiff alleges that the City violated the Open Meetings Act in holding a closed session on August 15, 2012, as part of the City Manager Search process. Through this lawsuit, Plaintiff is seeking a declaration that the City Council violated the Open Meetings Act. Plaintiff also asked for injunctive relief, and asked for an immediate hearing. The Court, after hearing arguments from the parties, denied the request for Injunctive relief with an order dated September 13, 2012. Immediately thereafter, Plaintiff attempted to schedule depositions of individual City Council members and other members of City Administration and the search consultant. The City filed a Motion for a Protective Order on September 28, 2012. On that day, the City also filed a Motion for Summary Disposition, arguing that Plaintiff does not have a viable case against the Troy City Council. On November 21, 2012, Judge O'Brien issued her order granting the City's Motion for Summary Disposition and dismissing this case. Plaintiff appealed this decision, which is now pending in the Michigan Court of Appeals. It is anticipated that Appellant will file its legal brief in the immediate future. Plaintiff missed the deadline for filing its appellate brief, but the Court of Appeals may allow a late brief. The Court allowed Plaintiff to file a late brief, but ordered that due to the late filing Plaintiff would not be allowed to present oral argument. The City timely filed its

responsive brief. The Court will schedule the case for oral argument. The parties are still waiting for a date for oral argument. Oral argument was held on February 7, 2014. The Court of Appeals has not yet issued an opinion in this case. **We are still waiting for the Court of Appeals to issue an order in this matter.**

6. *Daniel E. Katayama v City of Troy.* Plaintiff filed this lawsuit under the Freedom of Information Act (FOIA) claiming that the City did not fully comply with a FOIA request he submitted on March 26, 2013. Plaintiff's FOIA request sought particular documents related to his arrest on suspicion of driving while intoxicated. The City filed an Answer to the Complaint, and the parties are conducting discovery. Discovery continues. The Court scheduled a mandatory settlement conference for March 10, 2014. The City filed a Motion for Summary Disposition on February 14, 2014. The Court scheduled oral argument on this Motion for June 5, 2014. The Court granted in part and denied in part the City's Motion for Summary Disposition. **Plaintiff filed a Claim of Appeal in the Michigan Court of Appeals on September 3, 2014. A briefing schedule has not been issued by the Court of Appeals. A timely response brief will be filed once the date is set by the Court.**
7. *Helen Keats v Troy Police Department.* Plaintiff filed this claim and delivery action in the 52-4 District Court seeking the return of several firearms that were confiscated from her home when her husband was arrested for attempted murder. Her husband David Keats was convicted of Assault with Intent to Murder and sentenced to a minimum of 51 months in prison and a maximum of 20 years. Mr. Keats has appealed his conviction. Because of this conviction, the weapon used in the commission of the crime cannot be returned. Mrs. Keats is asking for a return of the gun her husband used in the crime, as well as all other confiscated firearms. The City filed an answer to the complaint and a response to Plaintiff's interim motion for possession. On December 2, 2013, Judge Hartig agreed with the City's position, and denied Plaintiff's motion. At that time, the Court indicated that she would reconsider the motion if Mr. Keats were successful in his appeal and if Mrs. Keats could provide proof that she owns the firearms in question. The Court scheduled a pre-trial for February 3, 2014, and on that date, Plaintiff was granted a stay of the district court case so that she could pursue an appeal. Plaintiff has not yet filed an appeal. **Plaintiff's husband filed an appeal of his criminal conviction with the Michigan Court of Appeals. The Court affirmed the conviction on September 30, 2014.**
8. *Mondrain Properties (Belleclair) v. City of Troy et. al.-* This is a case filed on February 26, 2014. Plaintiff is seeking a revision to the plat recorded with the Oakland County Register of Deeds. This plat revision is necessary for Plaintiffs to complete the proposed Belleclair Development at Wattles/ Rochester Road. Plat revisions are required to be filed against all public entities and utilities having an easement or other property interest, as well as any other property owner within 500 feet of the property that is proposed for redeveloped. We timely filed our answer to the complaint. Plaintiff has been working to obtain consent to the plat revision from all property owners. **The Plaintiff has submitted a proposed Consent Judgment allowing the plat revision.**

9. *Alfred Beskangy, Sr. and Susan Beskangy v City of Troy.* Plaintiffs filed this claim and delivery action in the 52-4 District Court seeking the return of several firearms that were confiscated when police responded to a report of an assault with a weapon and possible suicide involving the Plaintiffs' son. Plaintiff's son was convicted of felonious assault and domestic assault as a result of the incident. Because of these convictions, Plaintiff's son is prohibited from possessing the weapons. According to the police report, the Plaintiff's son is the owner of most of the firearms that were confiscated. The City filed an answer to the complaint and a response to Plaintiff's interim motion for possession. A hearing on the motion for possession was scheduled for June 19, 2014 before Judge Bolle. In order to allow time to explore a possible resolution of this case, the hearing on the motion for possession was adjourned to July 31, 2014. **On August 1, 2014, a consent judgment was entered allowing the firearms that were verified as being owned by Plaintiffs to be returned to Plaintiffs subject to the conditions set forth in the consent judgment. As to the remaining six firearms, the consent judgment allows the police to turn them over to a specific federally licensed firearms dealer subject to conditions in the consent judgment.**
  
10. *Stanley John Belczak v Troy Police Department.* Plaintiff filed this claim and delivery action in the 52-4 District Court seeking the return of a handgun that was confiscated when police were dispatched to an office building, based on Plaintiff's threat to use the gun to harm his commercial landlord. The City filed an answer to the complaint and a response to Plaintiff's interim motion for possession. A hearing is scheduled on the motion for possession on July 7, 2014, before Judge Hartig. **The motion for possession was adjourned to July 21, 2014. On July 21, 2014, a consent judgment was entered allowing for the return of the gun to Plaintiff, subject to conditions in the consent judgment.**
  
11. *Kenneth Edward Woodmore II v City of Troy.* Plaintiff filed this claim and delivery action in the 52-4 District Court seeking the return of a handgun that was confiscated when police were dispatched to a residence, based on threats made by Plaintiff to harm another individual who lived in the same home. The City filed an answer to the complaint and a response to Plaintiff's interim motion for possession. A hearing is scheduled on the motion for possession on September 22, 2014, before Judge Hartig. **On September 22, 2014, Judge Hartig denied Plaintiff's motion for possession.**

#### G. CRIMINAL APPEALS/ DISTRICT COURT APPEALS

These are cases involving an appeal from a decision of the 52-4 District Court in an ordinance prosecution case.

1. *People of the City of Troy v Crawford.* In this case, Troy police initiated a traffic stop when they observed the Defendant almost cause a rear end collision while talking on a cell phone. The Defendant was ultimately arrested for operating while intoxicated. The Defendant filed a motion to dismiss and/or suppress all the testimony of the arresting officer because none of the discussion that took place

between the officer and the Defendant was recorded on the in car video due to a problem with the officer's microphone. Judge Hartig of the 52/4 District Court ruled that the failure to record the conversation between the Defendant and the officer denied the Defendant his right to procedural due process. Although the Court did not dismiss the case or suppress the officer's testimony, the Court did rule the Defendant was entitled a limiting jury instruction. A limiting jury instruction would advise the jury that they may infer that had the conversation been recorded, it would have provided evidence favorable to the Defendant. The effect of such an instruction is to allow the jury to infer that the officer's testimony is not credible, which will likely impact the criminal jury trial. The City filed an application for leave to appeal this decision. The appeal was assigned to Oakland County Circuit Court Judge Leo Bowman, who remanded the case on June 3, 2014, ordering the District Court to supplement the record with findings and conclusions that support the Judge's decision. Once this is done, the case will go back to Judge Bowman for a decision on the appeal. **On July 3, 2014, Judge Hartig submitted findings and conclusions of law to the Oakland County Circuit Court. On that same day, Oakland County Circuit Court Judge Bowman issued an order denying the City's application for leave to appeal. The case was remanded to the District Court for trial. A jury trial was held and the Defendant was found guilty of operating while intoxicated.**

2. *People of the City of Troy v Keller*. The Defendant in this case was charged with operating while intoxicated and with the civil infraction of refusing a preliminary breath test (PBT). Defendant filed a Motion to Dismiss, claiming there was no evidence that he "operated" a motor vehicle since the officer did not see him drive but instead found the intoxicated Defendant slumped over the steering wheel of a running vehicle with his seatbelt on, and with his foot was on the brake pedal. Judge Hartig of the 52-4 District Court agreed with the Defendant and dismissed the case. The City filed a Motion for Reconsideration, but it was denied by Judge Hartig. The City has now filed a Claim of Appeal with the Oakland County Circuit Court. The appeal was assigned to Oakland County Circuit Judge Leo Bowman. **The City timely filed its brief on appeal.**
3. *People of the City of Troy v Hussain*: Defendant was arrested for Operating Under the Influence of Drugs. At the time of his arrest, he refused to consent to a breath test, so the arresting officer sought a warrant to have Defendant's blood drawn by an EMT from Troy's independent ambulance provider, Alliance Mobile Health. The blood test results confirmed that Defendant had THC (marijuana) in his blood. Defendant filed a motion to dismiss and/or suppress the blood test. He challenged two specific aspects of the evidentiary blood draw protocol used by the City of Troy police department. The first challenge is whether the back of an ambulance meets the definition of "medical environment" as that term is used in the Michigan statute that controls drunk driving cases. (MCL 257.625a). The second challenge is whether the paramedic who performed the blood draw was acting "under the delegation of a licensed physician" in accordance with the same statute. Judge Bolle of the 52-4 District Court denied Defendant's motion to dismiss and/or suppress; Defendant filed an application for leave to appeal to the

Oakland County Circuit Court, and the matter was assigned to Judge Nanci Grant. The City of Troy filed its Response to Defendant's Application for Leave to Appeal, and the parties are awaiting the Court's decision whether to accept Defendant's application. **On August 6, 2014, Judge Grant issued an Order denying Defendant's application for leave to appeal.**

4. **People of the City of Troy v. Marina Chaplygina**- Defendant was arrested for **Operating While Intoxicated**. She filed a Motion to Dismiss, challenging the stop of her automobile. After an evidentiary hearing, Judge Hartig ruled that the officers had reasonable suspicion to stop her vehicle, which was observed at a closed gas station at 2:30 am on October 31, 2013. A few days after making this ruling, Judge Hartig called the parties back into court and reversed her decision, finding that there was no reasonable suspicion to stop the vehicle, which resulted in a dismissal of the drunk driving case. The City appealed the reversal of the decision to the Oakland County Circuit Court, and timely filed its Brief on Appeal. Oral arguments are scheduled before Oakland County Circuit Court Judge Phyllis McMillen on October 15, 2014.

#### ADMINISTRATIVE PROCEEDINGS

1. **In the matter of the Petitions on National Pollution Discharge Elimination Systems (NPDES Phase II General Permits)**. The City has joined several other municipalities in challenging several of the mandates in the NPDES Phase II General Permit, which was recently issued by the MDEQ. The new NPDES permit requires some storm water management techniques that exceed the federal mandates, and/or are not justified, based on the high cost of the mandate, in relation to the nominal environmental benefits. A status conference for the parties is set for October 1, 2008. The municipalities are currently exploring the coordination of efforts with other parties. Community representatives are meeting with representatives from the MDEQ to discuss possible resolutions of this matter without the necessity of a full blown administrative hearing. The parties are continuing to negotiate with the MDEQ. The City of Riverview filed a class action complaint in the Ingham County Circuit Court, challenging the permit requirements as unfunded mandates. The petitioners to the NPDES permit administrative proceeding are named as participants in the proposed class action lawsuit. As a result, the class action determination may have an impact on the administrative proceeding. The motion for class certification is scheduled for October 15, 2009. Class certification was granted. Hearings regarding the procedure for the new class action are set for January 2010. The Court granted class action status, and the administrative proceedings are now being delayed. Status reports have been filed and reviewed, and we continue to monitor any new developments. On October 14, 2010, the Michigan Court of Appeals reversed the order granting a stay of the contested cases. On November 19, 2010, the Ingham County Circuit Court (the class action lawsuit) entered an order granting in part the dismissal of some of the claims. The remaining claims, including a Headlee claim, will be decided by

the Court. Subsequently, the Assistant Attorney General, on behalf of the Michigan Department of Natural Resources and Environment (MDNRE) attempted to withdraw all of the remaining NPDES permits, which would mean that the whole process would need to be started from scratch. Since this action would likely result in a significant delay and a duplication of all efforts to date, several municipalities filed objections to this unilateral action. The MDNRE was given until December 22, 2010 to file a formal motion seeking a dismissal of the remaining NPDES permits. On August 9, 2011, the Administrative Law Judge held the case in abeyance, due to pending case at the Michigan Court of Appeals. The parties will continue to provide status reports in the interim. The Court is continuing to receiving status reports, with the next one due on December 19, 2012. Status reports were timely filed on January 6, 2013 and March 22, 2013. Additional status reports were submitted on June 24 and 25, 2013. The Court issued an order on September 10, 2013, continuing to hold the matter in abeyance pending resolution of the constitutional issues. Status reports were timely filed on December 18, 2013. Administrative Law Judge Plummer issued an order on January 29, 2014, continuing the case in abeyance, and ordering quarterly status reports to be filed. Status reports were filed as of the deadline of May 1, 2014. The case continues to be held in abeyance. **The Court issued an order on August 27, 2014, continuing the case in abeyance.**

If you have any questions concerning these cases, please let us know.



## CITY COUNCIL AGENDA ITEM

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Date: November 3, 2014

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development  
Paul Featherston, Building Official, SAFEbuilt  
Mitch Grusnick, City Building Official

Subject: Building Department Activity Report – October, 2014

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The following attachment contains a summary of permit activity and project valuation for the Building Inspection Department comparing October 2013 to October 2014. Valuations have increased to above the levels from last year.

We have issued 8137 building, plumbing, electrical and mechanical related permits for the year so far compared to 8541 in October of 2013. Just about at the levels from last year.

Year to date project valuations thru October 2014 are at \$155,644,120. Compared to October 2013 building related permits had a valuation of \$126,109,957. A large increase in valuation for this time of the year.

Our inspectors performed 1700 trade inspections for the month of October 2014 compared to 2135 for the month of October, 2013.

Attachments:

1. Building Department Activity Report

Preparer of memo\File name\File location

## BUILDING PERMITS ISSUED

	BUILDING PERMITS 2013	PERMIT VALUATION 2013	BUILDING PERMIT REVENUE 2013	BUILDING PERMITS 2014	PERMIT VALUATION 2014	BUILDING PERMIT REVENUE 2014
JANUARY	134	\$ 17,779,504.00	\$ 325,899.80	85	\$ 13,726,432.00	\$ 215,511.91
FEBRUARY	85	\$ 4,917,385.00	\$ 147,780.63	99	\$ 12,432,557.00	\$ 253,007.65
MARCH	119	\$ 8,792,342.00	\$ 214,333.92	109	\$ 9,404,255.00	\$ 181,670.90
APRIL	139	\$ 7,893,210.00	\$ 183,511.89	180	\$ 9,270,743.00	\$ 236,353.06
MAY	231	\$ 11,331,067.00	\$ 282,130.55	239	\$ 18,313,926.00	\$ 355,839.39
JUNE	205	\$ 13,523,975.00	\$ 302,089.28	239	\$ 18,102,797.00	\$ 365,425.18
JULY	228	\$ 13,915,855.00	\$ 398,711.85	247	\$ 11,935,427.00	\$ 299,613.83
AUGUST	232	\$ 13,670,900.00	\$ 347,740.85	234	\$ 31,534,428.00	\$ 471,547.41
SEPTEMBER	202	\$ 7,587,238.00	\$ 202,272.40	224	\$ 15,976,077.00	\$ 255,081.96
OCTOBER	247	\$ 26,698,481.00	\$ 427,291.44	242	\$ 14,947,478.00	\$ 340,307.04
NOVEMBER	144	\$ 4,968,544.00	\$ 175,694.23	0	-	-
DECEMBER	99	\$ 5,338,979.00	\$ 141,642.65	0	-	-
<b>TOTAL</b>	<b>2065</b>	<b>\$136,417,480.00</b>	<b>\$3,149,099.49</b>	<b>1898</b>	<b>\$155,644,120.00</b>	<b>\$2,974,358.33</b>

**Beth L Tashnick**

---

**Subject:** FW: thank you

Subject: thank you  
From: "Lajdziak, Jill"  
To: Mark F Miller  
CC:

Good Evening Mark,

There was no way I was going to have my day end without dropping you a note.

Mark, as I mentioned during our call and today in our meeting, I have been the City of Troy's biggest vocal advocate sharing with other business leaders the warm welcome we have received by you and your staff from our first day of residency to guiding us as we have worked through our renovation plan. As business owners investing millions in City of Troy it has been extremely helpful to have your guidance and support. Yesterday you took your care for business owners to the next level, when you left in your message to "feel free to call up to 10pm."

I recognize you adjusted your schedule to come to our office as well as coordinate with Brent and Glenn so we could meet quickly, never an easy thing to do with busy schedules.

While the Planning Commission meeting was clearly disappointing I will remain hopeful as a result of your guidance and support we can efficiently get to the other side of the areas of concern.

I want you to know I value you for your support and partnership.

Best regards,

Jill

**Jill Lajdziak | QEK**

President & Chief Executive Officer

7047 Murthum Avenue | Warren, Michigan 48092 | | [www.qek.com](http://www.qek.com)

***Fleet solutions that drive results.***

**Beth L Tashnick**

---

**Subject:** FW: thank you

Subject: thank you  
From: "Lajdziak, Jill"  
To: Brent Savidant  
CC:

Good Evening Brent,

I know you turned on a dime today and adjusted your schedule to meet at our office and I want you to know I am most grateful for your support as we work through the open items.

While the Planning Commission meeting was disappointing I will remain hopeful we can get to the other side of the open items efficiently.

I will send to you tomorrow morning a draft note of why additional parking is key to our business. Given I was not at the meeting, your feedback will be valuable to ensure the memo answers the Planning Commission member's top of mind questions.

Last but not least, per your guidance, I look forward to attending the next meeting.

Brent, please know I value your guidance and support.

Best regards,

Jill

**Jill Lajdziak | QEK**

President & Chief Executive Officer

7047 Murthum Avenue | Warren, Michigan 48092 | | [www.qek.com](http://www.qek.com)

***Fleet solutions that drive results.***

**Beth L Tashnick**

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**Subject:** FW: Thank You!!!- Troy School District Secondary ESL Parent-Student Ice Cream Social - 10-2-14

**From:** Stebbins, Julie

**Sent:** Friday, October 17, 2014 11:56 AM

**To:** Cathleen A Russ

**Subject:** Thank You!!!- Troy School District Secondary ESL Parent-Student Ice Cream Social - 10-2-14

Hi Cathy,

Thank you so much for sending TPL staff members to participate in the ice cream social again this year. I really appreciate all of the work that Julie, Joan, and Cassie did to prepare for and present information at the ice cream social. The TPL table was busy the whole evening. I have received many positive comments from parents, students, and teachers. It's always amazing to think of the impact that these events have on the lives of our students and their families. The opportunity to learn about the programs available at TPL, register for a library card, and learn how to access read-aloud books online is priceless. Thanks again to you, Julie, Joan, and Cassie for taking time from your own busy schedules to ensure that Troy Public Library was a part of the Troy School District Secondary ESL Parent-Student Ice Cream Social.

With Appreciation,  
Julie

Julie Stebbins  
Secondary ESL Coordinator  
Troy School District

A.  
Special  
Thank  
You



*Acts of kindness  
warm the heart,  
soothe the soul,  
and make the world  
turn more gently.*



O-03d

Antonio;

It's nice to know  
that there are still people  
who take such pleasure  
in doing special things  
and making others feel good...

Thank You.

You're really someone special.

Love Cindy

P.S. Thanks for putting  
up with me, the  
"NO" dictch anymore  
is wonderful.

P.S. Hi Scott

**Beth L Tashnick**

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**Subject:** FW: A thank you...Troys finest -the right place, the right time today...

**From:** Chris Farrar

**Sent:** Friday, September 26, 2014 5:12 PM

**To:** Timothy L Richnak; William S Nelson

**Subject:** A thank you...Troys finest -the right place, the right time today...

My dog almost died today. She started to choke on her food, after barking at the City of Troy Water Dept. employees who were working on the drains. I (and she) tried everything to dislodge the food (I even tried the heimlich) but nothing was working. I rushed out of the garage, and in a state of panic, I asked Brian and his coworker if they knew how to give the heimlich on a dog. Without hesitation, they both rushed over to help. As I was getting my dog out of the car, she started to bark. Brian, in a calming manner, told me that he was also a member of the Troy Fire Dept, and that it was a good sign that she had cleared part of her airway enough to bark. Brian already had a call in to his vet at Animal Advocates (our vet was closed) and told them that we were on our way, and they even made sure that the traffic was clear for me to get out of my driveway. I am very grateful that Animal Advocates were so kind, and quick in evaluating my dog, to ensure that she would be ok. Brian even called them back for an update!

I just wanted to say how thankful I am to Brian (and his fellow co-worker) representing the City of Troy Water Dept and Troy Fire Dept Station1, and to the Vet/staff of Animal Advocates in Troy. The City of Troy Water Dept and the City of Troy Fire Dept Station1 should be very proud of Brian representing our city, to the people (& pets!) they serve.

Sincerely,  
Chris & Chelsey



## CITY COUNCIL AGENDA ITEM

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Date: November 6, 2014

To: Troy City Council

From: Brian Kischnick, City Manager  
M. Aileen Bittner, City Clerk  
Lori Grigg Bluhm, City Attorney

Subject: Procedure for Filling Vacancy In Office (Introduced by Lori Grigg Bluhm, City Attorney)

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Councilman Fleming's successful election as an Oakland County Commissioner will require him to resign his position as a City Council member. This resignation must occur prior to Mr. Fleming's assumption of duties as a Commissioner in January, 2015. Section 6.7 of the City of Troy Charter allows the remaining six members of City Council 30 days to appoint a new City Council person to fill the term until the next election, which occurs in November 2015. At that time, there will be an election to fill the remainder of the term, which expires in November 2017. In 2012, City Council created a process for filling a vacancy in elected office, and City Administration recommends this same process be followed.

### Recommendation

City Administration recommends the following procedure be followed for filling the anticipated vacancy in office created by the November 2014 election of City Councilman Wade Fleming to the Oakland County Board of Commissioners.

- **November 11, 2014-** Persons desiring to be considered for appointment should submit an application to the Troy City Clerk on or before Monday, November 24, 2014 at 12 pm (noon). City Administration will place a notice on the City's webpage, will distribute a press release with the required qualifications, application process and deadlines, and will officially publish the notification. Upon the request of the applicants, the applications will remain confidential unless and until the applicant is selected for an interview.
- **December 1, 2014-** The remaining members of the Troy City Council will individually review all of the applications in advance of the meeting, and submit their individual choices for the top 5 candidates. In a study session format, the individual choices of the Council members will be narrowed down to select candidates to proceed to an interview for the anticipated vacancy.
- **December 15, 2014-** It is expected that City Council would take action to accept Councilman Fleming's resignation towards the end of this regularly scheduled meeting. Subsequently, the remaining City Council members will interview the remaining candidates, and select a new City Councilperson, who would serve from December 15, 2014 until the term expiration of November 9, 2015.

City of Troy  
City Clerk's Office  
500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3316



(RETURN COMPLETED APPLICATION TO ABOVE ADDRESS)

**APPLICATION FOR CITY COUNCIL**  
**APPLICATIONS DUE TO THE CITY CLERK BY NOVEMBER 24, 2014 at NOON**

Thank you for your interest in serving on City Council. The purpose of this form is to provide the Mayor and City Council with basic information about applicants considered for appointment.

**(PLEASE PRINT OR TYPE)**

Name (Mr/Mrs/Ms): \_\_\_\_\_ Date: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/Zip \_\_\_\_\_  
Employer: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/Zip \_\_\_\_\_  
How long have you lived continuously in the City of Troy? \_\_\_\_\_ E-Mail: \_\_\_\_\_

Are you a registered voter in the City of Troy? Yes  No   
Are you affiliated with any political party? Yes  No   
Are you a graduate of Troy's Citizen Academy? Yes  No

**(Verified by Clerk's Office)**

Are you related to an elected official or employee of the City of Troy? Yes  No

Insert your relationship to elected official or employee of the City of Troy: \_\_\_\_\_

Have you ever been convicted for anything other than a minor traffic violation? Yes  No

City Administration utilizes electronic methods to disseminate information for meetings. Are you able to take advantage of electronic documents (email, Internet access, home computer)? Yes  No

Professional Qualifications and/or Work Experience: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Community Activities and/or Other Experience: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Educational Background: \_\_\_\_\_

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References (Please list name and address): \_\_\_\_\_

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Indicate reasons for desiring to serve: \_\_\_\_\_

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Applicant's Signature: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

- Confirmed voter status
- Confirmed current *Full Disclosure Statement* on file
- Confirmed compliance with applicable federal, state and local statutes

Confirmed by: \_\_\_\_\_