



TROY CITY COUNCIL

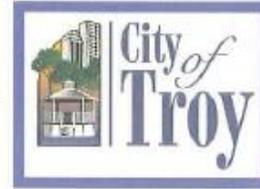
REGULAR MEETING

AGENDA

JANUARY 12, 2015
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Brian Kischnick, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

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

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

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

Respectfully submitted,

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

Brian Kischnick, City Manager



TROY CITY COUNCIL

VISION STATEMENT AND GOALS

Adopted: Monday, February 7, 2011

VISION:

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

GOALS:

Provide a safe, clean, and livable city

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

Provide effective and efficient local government

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

Build a sense of community

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

Attract and retain business investment

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

2014/2015

TOP 11 STRATEGIES

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

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

1

Improve road/infrastructure conditions, including County roads

Maintain a branding and marketing plan to effectively communicate

3

Build and maintain strong, productive service levels

Maintain strong Public Safety service

5

Increase outreach to residents, businesses, and neighboring communities

Facilitate redevelopment of underutilized office and industrial sites

7

Advance technology to gain efficiencies

Update and identify funding for the Pathways and Trails Plan

9

Implement a way-finding strategy for City resources

Enhance gateways and entrance to create a sense of place

11

Embrace the Transit Center

2

4

6

8

10



CITY COUNCIL AGENDA

**January 12, 2015 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

INVOCATION: Fr. Maximus Habib From St. Mark Coptic Orthodox Church 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: 1

C-1 No Certificates of Recognition and Special Presentations Submitted 1

D. CARRYOVER ITEMS: 1

D-1 No Carryover Items 1

E. PUBLIC HEARINGS: 1

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INVOCATION: Fr. Maximus Habib From St. Mark Coptic Orthodox Church

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

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

- b) Excuse Absent Council Members:

Suggested Resolution
Resolution #2015-01-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Special Study and Regular City Council Meetings of January 12, 2015, due to _____.

Yes:
No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations Submitted

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Public Hearing to Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital – Troy (Introduced by: Katrina Desmond from Miller Canfield, Nick Vitale, CFO, Beaumont Hospital, and John Peetz, Vice President-Treasury, Beaumont Hospital)

Suggested Resolution
Resolution #2015-01-
Moved by
Seconded by

At a regular meeting of the City Council of the City of Troy held at 7:30 p.m., Eastern Time, on January 12, 2015.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Council Member _____ and supported by Council Member _____;

WHEREAS, The City of Royal Oak Hospital Finance Authority (the "Authority") issued its City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group) Series 2012Z in the aggregate principal amount of \$50,000,000 on January 26, 2012 (the "Bonds"); and

WHEREAS, The Authority loaned the proceeds of the Bonds to William Beaumont Hospital (the "Hospital"), which the Hospital used to refinance indebtedness used to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy, Michigan; and

WHEREAS, The Authority and Hospital propose to make certain amendments to the terms of the Bonds; and

WHEREAS, As a result of such amendments, the Bonds will be treated as reissued for certain federal tax purposes, and the public notice, hearing and approval requirements pursuant to §147(f) of the Internal Revenue Code of 1986, as amended (the "Code") are required to be met to ensure that the interest on the Bonds will remain excludible from the gross income tax of the holders of the outstanding Bonds for federal tax purposes; and

WHEREAS, The Bonds will continue to be limited obligations of the Authority and will not constitute general obligations or debt of the City of Troy, the City of Royal Oak, the County of Oakland, the State of Michigan or any political subdivision thereof; and

WHEREAS, The City Council has held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Code; and

WHEREAS, A record of public hearing will be maintained with the City Clerk; and

WHEREAS, The Authority has requested that this City Council approve the reissuance of the Bonds for federal tax purposes; and

WHEREAS, The City Council of the City of Troy desires to express its approval of the reissuance of the Bonds for federal tax purposes;

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF TROY, AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Council of the City of Troy hereby approves the reissuance for federal tax purposes of the Bonds by the Authority.
2. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Authority.

YEAS: _____

NAYS: _____

ABSTENTIONS: _____

Yes:

No:

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

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

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

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting’s start time. Signing up to speak requires each speaker provide his

or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.

- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

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

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

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

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments:

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Term Expires: 12/31/2017

Karen Crusse

Term currently held by: Karen Crusse

Term Expires: 12/31/2017

Thomas Strat

Term currently held by: Thomas Strat

Yes:

No:

b) City Council Appointments: None

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

a) Mayoral Nominations:

Suggested Resolution

Resolution #2015-01-

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:

Board of Review

Appointed by Mayor
3 Regular Members
3-Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Hatch	James E.	1/2/2015	1/31/2016	
Strahl	Frank	11/5/2016	1/31/2015	Requests Reappointment
Turner	Eileen	1/8/2016	1/31/2017	

Nominations to the Board of Review:

Term Expires: 01/31/2018

Term currently held by: Frank Strahl

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Adams	John	12/19/2016	
McCown	Paul D.	7/10/2015	
Rosenberg	Michael	4/19/2015	

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	

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Boudon	Frank	6/17/2016	7/31/2015	STUDENT	Requests Reappointment
Crusse	Karen	11/13/2016	12/31/2014	(Bob Schultz's Unexpired Term)	
Edmunds	Donald	11/15/2012	12/31/2016	EDC exp 4/30/3014	Requests Reappointment
Gottlieb	Steve	11/8/2015	12/31/2016		
Hutson	Michael	9/4/2014	12/31/2015	Sust Design Rev Comm-Ad Hoc	
Krent	Thomas	9/20/2015	12/31/2016	PC Rep to ZBA exp 12/31/2014	Requests Reappointment
Sanzica	Philip	9/24/2014	12/31/2015	Alt. PC Rep on ZBA	
Schepke	Gordon	10/23/2016	12/31/2014		Requests Reappointment
Strat	Thomas	10/15/2016	12/31/2014	Sust Design Rev Comm-Ad Hoc	
Tagle	John	9/12/2014	12/31/2015		

Nominations to the Planning Commission:

Term Expires: 12/31/2017

Term currently held by: Gordon Schepke

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Apahidean	Ollie	11/22/2015	
Desmond	Thomas	10/21/2016	
Huber	Robert M.	8/26/2016	STUDENT
Kaltsounis	Orestis Rusty	12/12/2015	P&R Bd exp 9/30/2015; ZBA (Alt.) exp 1/31/2015
Kaltsounis	Andrew	10/15/2016	Liquor Advisory Comm. exp 1/31/2016
Kuppa	Padma	12/18/2016	
Lambert	Dave	3/10/2016	ZBA exp 4/30/2014
Wilsher	Cynthia	10/9/2016	

Yes:

No:

b) City Council Nominations:

Suggested Resolution

Resolution #2015-01-

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:

Election Commission

Appointed by Council

2 Regular Members and 1 Charter Member

1 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Anderson	David C.	10/17/2016	1/31/2015	Republican (Recommended by GOP)	Requests Reappointment
Bittner	M. Aileen				
Dewan	Timothy	12/21/2014	1/31/2015	Democrat	Requests Reappointment

Nominations to the Election Commission:

Term Expires: 01/31/2016

Term currently held by: David C. Anderson

Term Expires: 01/31/2016

Term currently held by: Tim Dewan

Interested Applicants:

Last Name	First Name	App Res Expire	Notes 1
Philo	Harry	12/16/2016	Recommended by Democratic Party.

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	Traffic Comm. exp 1/31/2016
Ehlert	Max	11/15/2013	1/31/2015	Requests Reappointment
Godlewski	W. Stan	12/14/2012	1/31/2017	
Gorcyca	David	12/6/2015	1/31/2017	
Hall	Patrick	12/12/2014	1/31/2016	
Huber	Robert	3/1/2015	7/31/2015	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: 01/31/2018

Term currently held by: David Easterbrook

Term Expires: 01/31/2018

Term currently held by: Max Ehlert

Term Expires: 01/31/2018

Term currently held by: Timothy Payne

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	

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Apahidean	Ollie	11/22/2015	1/31/2016	Sarah Binkowski's Unexpired Term	
Brandstetter	Tim	10/17/2016	1/31/2015		
Easterbrook	David	12/2/2015	1/31/2016	Stevan Popovic's Unexpired Term	
Halsey	Lawrence Ted	10/15/2016	1/31/2015		NO Reappointment
Huotari	William			Ex-Officio Member	
Kilmer	Richard A.	12/12/2015	1/31/2017		
Mayer	Gary			Ex-Officio Member	
Nelson	William			Ex-Officio Member	
Petrulis	Al	1/8/2016	1/31/2017	ACAB exp 9/30/2015;	
Ziegenfelder	Peter F.	12/9/2015	1/31/2017		

Nominations to the Traffic Committee:

Term Expires: 1/31/2018

Term currently held by: Tim Brandstetter

Term Expires: 1/31/2018

Term currently held by: Lawrence Halsey

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Bluhm	David	10/21/2015	STUDENT
Huber	Robert	8/26/2016	STUDENT
Wilsher	Cynthia	10/9/2016	

Zoning Board of Appeals

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Clark	Glenn	5/31/2014	4/30/2015		

Courtney	Kenneth	2/25/2015	4/30/2016		
Eisenbacher	David	11/14/2013	4/30/2016		
Kaltsounis	Orestis Rusty	10/17/2016	1/31/2015	Alternate; P&R Bd exp 9/30/2015	Requests Reappointment
Kneale	A. Allen	3/9/2013	4/30/2017	ZBA exp 4/30/2017	
Lambert	Dave	3/10/2016	4/30/2017		
McCown	Paul	7/10/2015	1/31/2015	Alternate	Requests Reappointment
Vacancy			4/30/2015	Bruce Bloomindale resigned	

Nominations to the Zoning Board of Appeals:

Term Expires: 4/30/2015

Term currently held by: Vacancy (Bruce Bloomingdale resigned)

Term Expires: 1/31/2018

Term currently held by: Orestis (Rusty) Kaltsounis

Term Expires: 1/31/2018

Term currently held by: Paul McCown

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Brandstetter	Tim	5/1/2015	Traffic Comm exp 1/31/2015
Desmond	Thomas	10/21/2016	
Kaltsounis	Andrew	10/15/2016	Liquor Advisory Comm. exp 1/31/2016
Manek	Ashish	5/23/2015	
Sinutko	Jaime	8/5/2016	

Yes:

No:

I-3 No Closed Session Requested

I-4 Amendment to Council Rules of Procedure (Introduced by: Aileen Bittner, City Clerk)

Suggested Resolution

Resolution #2015-01-
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:

I-5 Employee Residency Incentive/Rewards (Introduced by: Brian Kischnick, City Manager)

J. CONSENT AGENDA:

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

Suggested Resolution
Resolution #2015-01-
Moved by
Seconded by

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

Yes:
No:

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

J-2 Approval of City Council Minutes

Suggested Resolution
Resolution #2015-01-

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

- a) Special City Council Study Session Minutes-Draft – December 15, 2014
- b) City Council Minutes-Draft – December 15, 2014

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Pool Repairs – Troy Family Aquatic Center (TFAC) and Budget Amendment**

Suggested Resolution

Resolution #2015-01-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials, and equipment to completely tear off existing layers of marcite and re-marcite the Main, Kiddie, Slide, and Raindrop Pools at the Troy Family Aquatic Center to the low bidder meeting specifications, *SonSeeker Pool Masonry LLC of Grand Rapids, MI*, for an estimated total cost of \$140,257.50, at prices contained in the bid tabulation opened December 4, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** amending the budget for the Aquatic Center Capital Expenditures from \$82,910.00 to \$140,257.50.

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

b) Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Southwest Corner of Paragon at Livernois, Section 16

Suggested Resolution

Resolution #2015-01-

RESOLVED, That a contract to sell surplus real estate parcel located at Southwest corner of Paragon at Livernois Road, Section 16 and identified with #88-20-16-476-027, is hereby **AWARDED** to the highest bidder, Kristel Group, Inc., for \$65,000.00, as listed on the attached bid tabulation opened December 18, 2014, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the Engineering Department may **EXPEND** the necessary funds for title insurance and recording, to be taken from the proceeds of said sale, to close and record this real estate parcel.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** a Warranty Deed on behalf of the City of Troy to be delivered at closing.

BE IT FINALLY RESLOVED, That the City Clerk is hereby **DIRECTED TO RECORD** said Warranty Deed, including all attachments, at the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to and made part of the original Minutes of this meeting.

c) Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – 3645 Crooks Road

Suggested Resolution

Resolution #2015-01-

RESOLVED, That a contract to sell surplus real estate parcel located at 3645 Crooks Road and identified with #88-20-20-226-038, is hereby **AWARDED** to the highest bidder, Kristel Group,

Inc., for \$130,000.00, as listed on the attached bid tabulation opened December 18, 2014, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the Engineering Department may **EXPEND** the necessary funds for title insurance and recording, to be taken from the proceeds of said sale, to close and record this real estate parcel.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** a Warranty Deed on behalf of the City of Troy to be delivered at closing.

BE IT FINALLY RESLOVED, That the City Clerk is hereby **DIRECTED TO RECORD** said Warranty Deed, including all attachments, at the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to and made part of the original Minutes of this meeting.

d) Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Livernois Road, South of Paragon

Suggested Resolution
Resolution #2015-01-

RESOLVED, That a contract to sell surplus real estate parcel located at Livernois Road, South of Paragon and identified with #88-20-16-476-028, is hereby **AWARDED** to the highest bidder, Kristel Group, Inc., for \$55,000.00, as listed on the attached bid tabulation opened December 18, 2014, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the Engineering Department may **EXPEND** the necessary funds for title insurance and recording, to be taken from the proceeds of said sale, to close and record this real estate parcel.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** a Warranty Deed on behalf of the City of Troy to be delivered at closing.

BE IT FINALLY RESLOVED, That the City Clerk is hereby **DIRECTED TO RECORD** said Warranty Deed, including all attachments, at the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to and made part of the original Minutes of this meeting.

e) Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Donaldson at South Boulevard

Suggested Resolution
Resolution #2015-01-

RESOLVED, That a contract to sell surplus real estate parcel located at Donaldson at South Boulevard and identified with #88-20-03-126-006, is hereby **AWARDED** to the highest bidder, Janan Zaitouna, for \$107,500.00, as listed on the attached bid tabulation opened December 18, 2014, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the Engineering Department may **EXPEND** the necessary funds for title insurance and recording, to be taken from the proceeds of said sale, to close and record this real estate parcel.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** a Warranty Deed on behalf of the City of Troy to be delivered at closing.

BE IT FINALLY RESLOVED, That the City Clerk is hereby **DIRECTED TO RECORD** said Warranty Deed, including all attachments, at the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to and made part of the original Minutes of this meeting.

f) Standard Purchasing Resolution 4: Cooperative Contract Award - National Joint Power Alliance (NJPA)

Suggested Resolution
Resolution #2015-01-

RESOLVED, That Troy City Council hereby **AUTHORIZES** City management to participate in the National Joint Power Alliance Purchasing Program (NJPA) and hereby **APPROVES** like purchases in aggregate over \$10,000.00 for operating expenditures under this program, while “Capital” purchases over \$10,000.00 continue to be presented for Troy City Council review and pending approval.

J-5 Request for Acceptance of Two Permanent Easements from VHS Children’s Hospital of Michigan, Inc., Sidwell #88-20-21-401-002

Suggested Resolution
Resolution #2015-01-

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements underground water utilities and sidewalk & public utilities, from VHS Children’s Hospital of Michigan, Inc., owner of the property having Sidwell #88-20-21-401-002.

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

J-6 Bid Waiver – Legal Research Services

Suggested Resolution
Resolution #2015-01-

WHEREAS, Thompson Reuters is the sole source provider of Westlaw, and has provided on-line legal research to the City of Troy since 1991 without any issues over the past 23 years; and

WHEREAS, Westlaw provides unique legal research options so as to ensure research capability, continuity, and credibility for the City of Troy and the Troy City Attorney’s Office; and

WHEREAS, City Administration recommends the approval of the contract with Thompson Reuters for electronic legal research services from Westlaw, which is superior over all others, and is predicated on governmental pricing that will result in discounted pricing;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** City Administration to negotiate and execute a contract for continued ongoing service with Thompson Reuters for electronic legal research services from WestlawNext with annual price increases not to exceed 3%.

J-7 Section 125 Cafeteria Plan Amendment

Suggested Resolution
Resolution #2015-01-

**CITY OF TROY
FORMAL RECORD OF ACTION**

The following is a formal record of action taken by the governing body of City of Troy (the "City").

With respect to the amendment and restatement of the City of Troy Pre-Tax Benefit Plan (the "Plan"), the following resolutions are hereby adopted:

RESOLVED, That the Plan be **AMENDED** and **RESTATED** in the form attached hereto, which Plan is hereby adopted and approved.

RESOLVED FURTHER, That the appropriate officers of the City be, and they hereby are, **AUTHORIZED** and **DIRECTED** to execute the Plan on behalf of the City.

RESOLVED FURTHER, That the officers of the City be, and they hereby are, **AUTHORIZED** and **DIRECTED** to take any and all actions and execute and deliver such documents as they may deem necessary, appropriate or convenient to effect the foregoing resolutions including, without limitation, causing to be prepared and filed such reports, documents or other information as may be required under applicable law.

Dated this _____ day of _____, 2015.

J-8 Request for Recognition as a Nonprofit Organization from Troy Colt Dugout Club

Suggested Resolution
Resolution #2015-01-

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

J-9 Delegation of Fireworks Inspections

Suggested Resolution
Resolution #2015-01-

RESOLVED, That Troy City Council hereby **APPROVES** the attached Fireworks Delegation of Authority Agreement, as recommended by City Administration, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document on behalf of the City, and a copy of the executed Agreement shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FURTHER RESOLVED, That the Troy Fire Department is **AUTHORIZED** to conduct the required fireworks inspections on behalf of the City of Troy, as authorized under this Agreement.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) January 26, 2015 – Announcement of Public Hearing for Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Unified Business Technologies, Inc. – 315 Indusco Ct.
 - b) January 26, 2015 – Announcement of Public Hearing for Re-Programming Community Develop Block Grant (CDBG) Program Year 2014 Funds
 - c) January 26, 2015 – Announcement of Public Hearing for Community Development Block Grant (CDBG) 2015 Application
-

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

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

M. COUNCIL REFERRALS:

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

M-1 No Council Referrals

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Civil Service Commission (Act 78)-Final – September 11, 2014
 - b) Zoning Board of Appeals-Final – September 16, 2014
 - c) Planning Commission-Draft – December 9, 2014
 - d) Civil Service Commission (Act 78)-Draft – January 5, 2015
-

O-2 Department Reports:

- a) Building Department Activity Report – December, 2014
 - b) Planning Commission 2014 Annual Report
 - c) Why City Revenue Lags Behind Assessment Increases (The Cap Revisited)
-

O-3 Letters of Appreciation:

- a) To Mayor Slater From Lance Keeny
 - b) To Officer Linton From Jane Glotzhofer, Resident, Regarding Care and Professionalism
 - c) To Chief Mayer From Jason Pernick Regarding Officer Assistance in a Case
 - d) To Cathy Russ From Nancy Zambardi
-

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

O-5 Road Commission for Oakland County 2014 End-of-Year Chairman's Report

O-6 MMRMA Notification of Excess Net Asset Distribution

O-7 From Code Officials Conference of Michigan Recognizing Paul Featherston, SafeBuilt Building Official, as Being Elected Treasurer and Acknowledgment for the City Allowing his Participation

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. CLOSED SESSION:**

Q-1 No Closed Session**R. ADJOURNMENT:**

Respectfully submitted,



Brian Kischnick, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

PROPOSED SPECIAL CITY COUNCIL MEETINGS AND STUDY SESSIONS:

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

February 9, 2015.....Automation Alley Tour and Update
 April 27, 2015..... Budget Special Study Session
 April 29, 2015..... Budget Special Study Session

2015 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

January 26, 2015 Regular Meeting
 February 9, 2015..... Regular Meeting
 February 23, 2015..... Regular Meeting/Liquor Violation Hearings
 March 9, 2015..... Regular Meeting/Liquor Violation Hearings
 March 23, 2015 Regular Meeting
 April 13, 2015..... Regular Meeting
 April 20, 2015..... Regular Meeting
 May 11, 2015 Regular Meeting
 May 18, 2015 Regular Meeting
 June 8, 2015 Regular Meeting
 Jun 22, 2015 Regular Meeting
 July 6, 2015..... Regular Meeting
 July 20, 2015..... Regular Meeting
 August 10, 2015..... Regular Meeting
 August 24, 2015..... Regular Meeting
 September 14, 2015 Regular Meeting
 September 28, 2015 Regular Meeting
 October 12, 2015 Regular Meeting
 October 26, 2015 Regular Meeting
 November 9, 2015 Regular Meeting
 November 23, 2015 Regular Meeting
 December 7, 2015 Regular Meeting
 December 14, 2015 Regular Meeting



CITY COUNCIL AGENDA ITEM

January 12, 2015

TO: Brian M. Kischnick, City Manager

FROM: Tom Darling, Director of Financial Services

SUBJECT: Public Hearing to Receive Public Input on the City of Royal Oak Hospital Finance Authority Utilizing Tax-Exempt Bonds for William Beaumont Hospital – Troy
(Introduced by: Katrina Desmond, Miller Canfield & Nick Vitale, CFO, Beaumont Hospital, John Peetz, Vice President-Treasury Beaumont Hospital)

The City of Royal Oak Hospital Finance Authority (the “Authority”) issued its City of Royal Oak Hospital Finance Authority Hospital Revenue Refund Bonds Series 2012Z in the aggregate principal amount of \$50,000,000 on January 26, 2012 and loaned the proceeds to William Beaumont Hospital (the “Hospital”). The Hospital used the proceeds to refinance indebtedness that was originally issued to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy.

The Hospital now anticipates amending certain terms of the Bonds. As a result of such amendments, the Bonds will be treated as reissued for certain federal tax purposes.

As required by the Internal Revenue Code of 1986, as amended (the “Code”) the City of Troy is holding a public hearing to receive public input in advance of authorizing the City of Royal Oak Hospital Finance Authority to “reissue” the bonds.

It should be noted that approval of the issuance of bonds by the City of Royal Oak Hospital Finance Authority for the benefit of the City of Troy will not have any effect on the ability of the City of Troy to issue bonds, nor will it involve any liability to the City of Troy for the bonds.

MILLER CANFIELD

Miller, Canfield, Paddock and Stone, P.L.C.
101 North Main, Seventh Floor
Ann Arbor, Michigan 48104
TEL (734) 663-2445
FAX (734) 747-7147
www.millercanfield.com

MICHIGAN: Ann Arbor
Detroit • Grand Rapids
Kalamazoo • Lansing • Troy

FLORIDA: Tampa

ILLINOIS: Chicago

NEW YORK: New York

OHIO: Cincinnati

CANADA: Toronto • Windsor

CHINA: Shanghai

MEXICO: Monterrey

POLAND: Gdynia

Warsaw • Wrocław

December 8, 2014

Brian Kischnick, City Manager
City of Troy
500 West Big Beaver
Troy, Michigan 48084

via e-mail to: b.kischnick@troy.mi.gov

RE: City of Royal Oak Hospital Finance Authority – William Beaumont Hospital

Dear Mr. Kischnick:

The City of Royal Oak Hospital Finance Authority (the “Authority”) issued its City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group) Series 2012Z in the aggregate principal amount of \$50,000,000 on January 26, 2012 (the “Bonds”) and loaned the proceeds of the Bonds to William Beaumont Hospital (the “Hospital”). The Hospital used a portion of the proceeds of the Bonds to refinance indebtedness used to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy, Michigan. The Hospital now anticipates amending certain terms of the Bonds. As a result of such amendments, the Bonds will be treated as reissued for certain federal tax purposes; and the public notice, hearing and approval requirements pursuant to §147(f) of the Internal Revenue Code are required to be met to ensure that the interest on the Bonds will remain excludible from the gross income tax of the holders of the outstanding Bonds for federal tax purposes. Miller Canfield is acting as bond counsel with respect to the reissuance of the Bonds.

As required by the Internal Revenue Code of 1986, as amended (the “Code”), the City of Royal Oak will hold a public hearing and authorize the reissuance of the Bonds. In addition, the Code requires that since Beaumont used a portion of the proceeds of the Bonds in the City of Troy, outside of the jurisdiction that issued the Bonds, the City of Troy also hold a public hearing and authorize the reissuance of the Bonds.

To meet the requirements of the Code, we would like to request being placed on your City Council agenda for your January 12, 2015 meeting for the purpose of conducting a public hearing and approving the reissuance of the Bonds. I am attaching a draft of the notice that will be released for publication next week. I am also attaching a draft of the proposed resolution that the City Council will consider. The format of the resolution is the same as resolutions that the City Council passed in 2014 and in other past years for financings of William Beaumont

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Mr. Brian Kischnick

-2-

December 8, 2014

Hospital through the City of Royal Oak Hospital Finance Authority, including the resolution the City Council passed with respect to the original issuance of the Bonds.

The approval of the reissuance of the Bonds by the City Council of the City of Troy is solely for the purpose of meeting the public approval requirements of the Code. Such approval will not have any effect on the ability of the City of Troy (or affiliates) to issue bonds and will not involve any liability to the City of Troy (or affiliates).

Please let me know if you have any questions and confirm that we can be placed on your agenda for your January 12, 2015 City Council meeting. A representative of Miller Canfield will attend your meeting to address any questions you or the members of the public may have about the reissuance of the Bonds.

Very truly yours,

Miller, Canfield, Paddock and Stone, P.L.C.

By: /s/ Kristin E Nied
Kristin E. Nied

Enclosure

23437115.1\006839-00010

NOTICE OF PUBLIC HEARING
ON THE REISSUANCE BY THE
CITY OF ROYAL OAK HOSPITAL FINANCE AUTHORITY OF
HOSPITAL REVENUE REFUNDING BONDS FOR THE BENEFIT OF
WILLIAM BEAUMONT HOSPITAL

NOTICE IS GIVEN that the City Commission of the City of Royal Oak will hold a public hearing at 7:30 p.m., in the Commission Chambers of City Hall, 211 Williams Street, Royal Oak, Michigan on the 5th day of January, 2015 and that the City Council of the City of Troy will hold a public hearing at 7:30 p.m. in the City Council Chambers, City Hall, 500 W. Big Beaver, Troy, Michigan on the 12th day of January, 2015, each on the reissuance for tax purposes of the \$50,000,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group), Series 2012Z (the "Series 2012Z Bonds").

The Series 2012Z Bonds were issued as part of a single issue for tax purposes with the \$50,000,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group), Series 2012Y (together with the Series 2012Z Bonds, the "Bonds"). The City of Royal Oak Hospital Finance Authority (the "Authority") loaned the proceeds of the Bonds to William Beaumont Hospital (the "Hospital") to be used, together with other available funds, (a) to refinance the refunding of a portion of the \$167,755,000 City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital Obligated Group) Series 2001M (the "Prior Bonds") and (b) to pay the costs of issuing the Bonds.

The Hospital and the Authority propose to amend certain terms of the Series 2012Z Bonds. As a result of such amendments, the Series 2012Z Bonds will be treated as reissued for certain federal tax purposes, and the public notice, hearing and approval requirements pursuant to §147(f) of the Internal Revenue Code are required to be met to ensure that the interest on the Bonds will remain excludible from the gross income tax of the holders of the outstanding Bonds for federal tax purposes.

The Hospital used the proceeds of the Prior Bonds to: (a) finance the acquisition, construction, remodeling, renovation, installation and equipping of the south tower of the facilities on the main campus of the Hospital located at 3601 West Thirteen Mile Road, Royal Oak, Michigan (the "Main Hospital Campus"), including (i) the acquisition, construction, installation and equipping of a neonatal intensive care unit, operating rooms, patient care rooms, minor surgery and procedure rooms, general radiographic/fluoroscopic rooms, ultrasound rooms and storage, (ii) the renovation, remodeling, installation and equipping of angiovascular procedure rooms, the family birth center, air handling units, the anesthesia delivery system and patient care rooms, and (iii) the construction of an emergency center entrance; (b) finance the renovation, remodeling, installation and equipping of the west tower of the Hospital's facilities located at 44201 Dequindre Road, Troy, Michigan (the "Troy Hospital Facility"), including the renovation, remodeling, installation and equipping of the anesthesia delivery system, a non-

special MRT unit, the obstetrical unit and patient care rooms; (c) pay a portion of the interest on the Prior Bonds; and (d) pay costs of issuing the Prior Bonds.

The Hospital, a nonprofit corporation, is the owner and operator of the hospital facilities financed with the proceeds of the Bonds.

The Series 2012Z Bonds will continue to be limited obligations of the Authority payable only from loan repayments to be made by the Hospital to the Authority and other security provided by the Hospital. The Series 2012Z Bonds are not and will not constitute an indebtedness of the State of Michigan or the aforementioned municipalities within the meaning of any constitutional or statutory provision and will not constitute or give rise to a charge against the general credit of the Authority or the credit or taxing power of the State of Michigan or the aforementioned municipalities. The Authority has no taxing power. The public hearing will provide an opportunity for interested persons to be heard and communications in writing will be received and considered. The hearing will provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed reissuance of the Series 2012Z Bonds.

Dated: December __, 2014

/s/ Don Johnson
Don Johnson
Chairperson, City of Royal Oak
Hospital Finance Authority
211 Williams Street
Royal Oak, Michigan 48068
(248) 246-3030

23267887.2\147515-00013

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, ~~Gottlieb~~.

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.

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.



DATE: January 12, 2015

TO: Brian M. Kischnick, City Manager

FROM: Jeanette Menig, Human Resources Director
 Sehrish Salah-Ud-Din, Assistant to the City Manager

SUBJECT: Employee Residency Incentives/ Rewards

This memo is in response to a request from the City Council Meeting on September 22nd for research on residency incentives/rewards. The City Manager was asked to research options to encourage Classified and Exempt employees to live in Troy. It was discussed at the council meeting that the purpose of this research would be more to encourage employees than to incentivize or reward them. The discussion amongst council members at the council meeting had varying views on this program. It was mentioned that employees who live in Troy may have a more holistic and valued approach to problem solving as they are directly impacted as residents by the policies of the City. Furthermore, in response to your request for information on residency incentives/rewards, we have gathered the following information and data.

City of Troy Employees

Our employees are a valuable resource and asset to our City. We explored residency incentives/rewards we can offer to employees who choose to live in Troy. Other cities in Michigan have already incentivized programs for employees who live or would like to live in the city they work.

Our current employee records reveal that 24% of full-time employees and 60% of part-time employees live in the City of Troy.

City of Troy Residency by Employee Group			
Group	Employees	Troy Residents	Percent
AFSCME	63	9	14%
Classified & Exempt	101	21	21%
MAP	45	11	24%
TCOA	21	9	43%
TCSA	8	3	38%
TFSOA	8	7	88%
TPOA	72	15	21%
All Full-time	318	75	24%
Part-time	294	177	60%
Temporary	62	37	60%
Election Inspectors	461	416	90%
All non Full-time	817	630	77%
All Employees	1135	705	62%
As of 1/1/2015			

Residency Incentives/Rewards in other Michigan Communities

We surveyed several communities through management and human resource listservs partnered with conversations with numerous Human Resource Directors around the state. Several of the communities have already implemented an incentive/reward for their employees. We were able to gather various incentives/rewards that they are offering their employees. Therefore, the chart below highlights some of the offered incentives/rewards around the state.

Residency Incentives/Rewards	
Bay City	\$10,000 incentives to Police Chief & Human Resources Director
Cascade Charter Township	City Manager receives \$5,000 per year
East Lansing	Employee Home Ownership Program (EHOP) - Employees get up to \$5,000
Jackson	\$1,800 per year for non-union employees
Southfield	Pays 1.5% of employee's base salary into a 457 plan

Residency Incentives/Rewards in non-Michigan Communities

We wanted to expand our research and see what communities around the U.S are offering their employees. With some online research through various articles, we extracted the following incentives/rewards that we thought were worth highlighting.

Residency Incentives/Rewards		
City	State	Proposal
Milwaukee	Wisconsin	1.5% increase
LaCrosse	Wisconsin	\$500 bonus for new hires
Springfield	Massachusetts	\$250-\$1000 annually
Waukegan	Illinois	\$100 monthly bonus

Recommendation

We identified possible proposals for residency incentives/rewards for full-time city of Troy employees:

- \$500 lump sum signing bonus (for new employees)
- One time 1% salary increase for the year
- City pays 1.5% of employee's base salary into a retirement plan annually with a \$2,000 lump sum bonus
- Employee Home Ownership Program (EHOP)

We decided that the optimal proposal that we recommend is for the City to pay 1.5% of employee's base salary into a retirement plan annually with a one-time \$2,000 initial lump sum bonus. This is an appropriate amount to offer employees to encourage them to live in the City and perhaps could incentivize/reward employees for the long term, too.

To determine the financial impact of this program, we explored the estimated annual costs for our employees who are already residents.

Current						
<u>Employee Group</u>	<u>Average Salary</u>	<u>1.5% of Avg Salary</u>	<u>Current Residents</u>	<u>Annual Cost</u>	<u>\$2000 lump sum</u>	<u>Total Cost</u>
AFSCME	\$50,666.53	\$760.00	9	\$6,840.00	\$18,000.00	
Classified & Exempt	\$70,253.29	\$1,053.80	21	\$22,129.80	\$42,000.00	
MAP	\$45,054.36	\$675.82	11	\$7,434.02	\$22,000.00	
TCOA	\$85,462.81	\$1,281.94	9	\$11,537.46	\$18,000.00	
TCSA	\$59,216.25	\$888.24	3	\$2,664.72	\$6,000.00	
TFSOA	\$74,043.00	\$1,110.65	7	\$7,774.55	\$14,000.00	
TPOA	\$65,614.74	\$984.22	15	\$14,763.30	\$30,000.00	
TOTAL COST				\$73,143.85	\$150,000.00	\$223,143.85

In another scenario, we calculated potential annual costs if all employees became residents.

Potential - if all employees became residents						
<u>Employee Group</u>	<u>Average Salary</u>	<u>1.5% of Avg Salary</u>	<u>All Employees</u>	<u>Annual Cost</u>	<u>\$2000 lump sum</u>	<u>Total Cost</u>
AFSCME	\$50,666.53	\$760.00	63	\$47,880.00	\$126,000.00	
Classified & Exempt	\$70,253.29	\$1,053.80	101	\$106,433.80	\$202,000.00	
MAP	\$45,054.36	\$675.82	45	\$30,411.90	\$90,000.00	
TCOA	\$85,462.81	\$1,281.94	21	\$26,920.74	\$42,000.00	
TCSA	\$59,216.25	\$888.24	8	\$7,105.92	\$16,000.00	
TFSOA	\$74,043.00	\$1,110.65	8	\$8,885.20	\$16,000.00	
TPOA	\$65,614.74	\$984.22	72	\$70,863.84	\$144,000.00	
TOTAL COST				\$298,501.40	\$636,000.00	\$934,501.40

In closing, the employee residency options for incentives/rewards are endless and they could have a significant impact on the number of employees who choose to live in the City of Troy.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, December 15, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:00 PM.

B. ROLL CALL:

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

C. DISCUSSION ITEMS:

C-1 Update From Media Genesis Regarding Troy's Brand

Mayor Slater called the meeting to order and asked City Manager Brian Kischnick to begin the discussion. Mr. Kischnick discussed the history of the rebranding of the City of Troy which began with hiring the Marketing Coordinator and a letter from Media Genesis.

Andrew Opalewski, Marketing Coordinator, explained the process that has occurred over the past year in the effort of rebranding Troy. The first part of this rebranding, he explained, is creating a new logo for the City of Troy. He introduced Antoine Dubeauclard, President of Media Genesis.

Mr. Dubeauclard discussed a presentation that described the goals, history and ideas for Troy's new logo.

Council Member Tietz asked if there is a proposed change to the tagline. Mr. Dubeauclard answered that a tagline revision could be looked at in the future. Council Member Tietz explained that he believes the tagline should be revised before the logo is revised. Mayor Slater commented that this is a study session just to look at the logo, and the tagline can be looked at next, and the decisions will be made at a later date. Mr. Dubeauclard commented that there are many things to consider before a new logo or new tagline are adopted, such as public response. The examples shown tonight are to gather a consensus of the direction to go in, not necessarily to make a final decision. Council Member Tietz commented that the current logo and tagline don't match. Mr. Dubeauclard explained that this is a starting point, and we aren't ready to make any final decisions, just getting an idea of which direction to head. Mayor Slater commented that Troy's tagline has remained the same through one logo change.

Council Member Pennington asked for further explanation from Mr. Dubeauclard about the logo designs.

Mayor Pro Tem Campbell asked if there is a timeline for the logo reveal and if it coincides with a future event. Mr. Kischnick answered that there is no timeline, and that we are continuing to

move on with this project. Mayor Slater commented that the new logo could be ready for the 60th birthday of Troy.

Mayor Slater asked if the word Michigan is left off on purpose. Mr. Dubeauclard answered that mentioning Michigan isn't necessary since Troy has its own identity. Mayor Slater commented that there are other Troy cities such as Ohio and New York, and that should be considered.

Council Member Hodorek commented that Troy is so much more than roads and commercial property, and she likes the logos that symbolize more than just those two aspects of the city. She said that she would rather not change the tagline, and instead just update the logo to get a fresh look.

Mayor Slater asked if tonight the Council is looking to move away from the direction of pictures and images and instead move toward a logo being more of a logo to represent Troy.

Council Member Tietz commented that some cities have just rebranded and used pictures such as trees, and would like to see a larger sample of what some other cities comparable to Troy are doing for their new brand.

Mayor Slater said he believes Troy does need a change, and his opinion has moved away from needing a picture and he likes the idea of a recognizable logo such as the "T".

Mr. Dubeauclard explained that brands are stand-alone on their own and are recognizable on their own, whereas a picture like a tree isn't necessarily recognizable on its own.

Council Member Pennington likes the idea of a logo, but asked if it should be all one color. Mr. Dubeauclard explained that logos can be multiple colors, but should be vector which makes it able to be scaled without disrupting the logo.

Council Member Fleming agrees that the logo should be a letter that is more modern. He explained that he wants our logo to be distinguishable from what other Troy cities are doing, and even what other cities in our area are doing. He likes the idea of the T logo.

Mayor Slater explained that he saw logos from Troy, NY and Troy, OH, and they both emphasize their states. Mr. Dubeauclard showed the logos from Troy, NY and OH to compare.

Mr. Kischnick said he will put together a comparison of other logos. He said he has a consensus of Council to move away from the picture logo and toward a T logo.

D. PUBLIC COMMENT: No Public Comment was received.

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:55 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk

Council Member Fleming performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, December 15, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. ROLL CALL:

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

APPOINTED CITY COUNCIL MEMBER CANDIDATE INTERVIEWS:

- Steve Gottlieb
- Padma Kuppa
- Paul McCown
- James Peard
- Steve Toth
- Scott Welborn

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Recognition of Petco General Manager Dave Ladge and Manager Jim Maxwell
(Presented by: Cindy Stewart, Community Affairs Director)

The Meeting RECESSED at 8:49 PM.

The Meeting RECONVENED at 8:58 PM.

C-2 Trails and Tails *(Presented by: Marcus Vanderpool, Community Affairs Assistant, and Kurt Bovensiep, Public Works Manager)*

There was consensus of City Council to have City Administration seek discussions with outside agencies to consider the possibility of funding for trailways and a dog park in Troy.

C-3 Troy's 60th Birthday Party Update *(Presented by: Cindy Stewart, Community Affairs Director, and Loraine Campbell, Village Director)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

Abraham, Edna | Spoke on Item M-02 City Council Member Appointment

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2014-12-161
Moved by Campbell
Seconded by Fleming

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

Building Code Board of Appeals

Appointed by Council
5 Regular Members
5 Year Term

Term Expires: 1/1/2020

Andrew Schuster

Term currently held by: Michael Carolan

Term Expires: 1/1/2020

Theodore Dziurman

Term currently held by: Theodore Dziurman

Yes: All
No: None

MOTION CARRIED

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

a) Mayoral Nominations:

Resolution #2014-12-162
Moved by Slater
Seconded by Campbell

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:

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Nominations to the Planning Commission:

Term Expires: 12/31/2017

Karen Crusse

Term currently held by: Karen Crusse

Term Expires: 12/31/2017

Thomas Strat

Term currently held by: Thomas Strat

Yes: All-7
No: None

MOTION CARRIED

b) City Council Nominations:

City Council took no action on this Item.

I-3 No Closed Session Requested

I-4 Agreement with North Woodward Community Foundation (“NWCF”) for Use of Public Property for “Troy Family Daze” Festival (Introduced by: Kurt Bovensiep, Public Works Manager)

Resolution #2014-12-163
 Moved by Fleming
 Seconded by Hodorek

RESOLVED, That the Troy City Council **FINDS** that it is in the best interest of the City to **WAIVE** the requirement of a sealed bid procedure pursuant to Section Chapter 12. 1 of the City Charter; the Agreement for Use of Public Property for "Troy Family Daze" Festival is hereby **APPROVED**; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Agreement on behalf of the City of Troy.

BE IT FURTHER RESOLVED, That a copy of the Agreement shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2014-12-164
 Moved by Henderson
 Seconded by Campbell

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

Yes: All-7
 No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2014-12-164-J-2

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

- a) Special City Council Study Session Minutes-Draft – December 1, 2014
- b) City Council Minutes-Draft – December 1, 2014

J-3 Proposed City of Troy Proclamations:

- a) Proclamation in Recognition and Appreciation to Petco General Manager Dave Ladge and Manager Jim Maxwell
-

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Street Trees**

Resolution #2014-12-164-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide and plant bare root street trees (Proposal A) and to provide and plant ball and burlap trees (Proposal B) to *Marine City Nursery of Marine City, MI* the sole bidder meeting specifications for an estimated amount of \$40,625.00 not to exceed budgetary limitations, as detailed in the bid tabulation opened November 13, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring December 31 2015.

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

- b) **Standard Purchasing Resolution 4: Cooperative Contract Award – Survey Equipment**

Resolution #2014-12-164-J-4b

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase survey equipment from *Leica Geosystems of Fenton, MI* for an estimated total cost of \$89,084.00 not to exceed budgetary limitations and not to exceed the allowable equipment expenditure through the details of the SAW Grant, at unit prices contained in the quote received December 3, 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 2: Award to Low Bidder Meeting Specifications - Asphalt Patching Materials - Cold**

Resolution #2014-12-164-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a seasonal contract for Asphalt Patching Material – Cold Patch to the low bidder, *Cadillac Asphalt, LLC of Wixom, MI*, for an estimated total cost of \$42,000.00, at the unit price per ton contained in the bid tabulation submitted December 11, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, the cost of which shall not exceed annual budgetary limitations, with the contract expiring December 31, 2015.

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

J-5 City of Troy Investment Policy and Establishment of Investment Accounts

Resolution #2014-12-164-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Policy and Establishment of Investment Accounts* as outlined in the memorandum and revised from Director of Financial Services, Thomas Darling dated December 9, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Bid Waiver – LED Street Lighting Fixtures

Resolution #2014-12-164-J-6

WHEREAS, Michigan Lighting Systems East of Troy, MI is the exclusive authorized distributor for Cree LED street lamp fixtures in the State of Michigan; and

WHEREAS, The City of Troy Public Works Department personnel has conducted extensive research of LED lighting on the market and has concluded that Cree LED street lamp fixtures are superior over other comparable lighting;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to purchase Cree LED street lamp fixtures from the exclusive authorized distributor in Michigan, *Michigan Lighting Systems East of Troy, MI* for an estimated total cost of \$59,000.00 and also approves the purchase of Cree LED street lamp fixtures from Michigan Lighting Systems East in subsequent fiscal years on an as-needed replacement basis, not to exceed budgetary limitations.

J-7 Renewal of Membership in the Traffic Improvement Association (TIA) of Oakland County

Resolution #2014-12-164-J-7

RESOLVED, That Troy City Council hereby **AUTHORIZES** payment to renew the City of Troy's membership in the Traffic Improvement Association for the year 2015, in the amount of \$25,500. Funds are available in the 2014-2015 Police Department Operating Funds, Membership and Dues.

J-8 Amended Interlocal Agreement for Participation in the South Oakland County Crash Investigation Team (SOCCIT) with Auburn Hills Police Department, Bloomfield Township Police Department and Bloomfield Hills Police Department

Resolution #2014-12-164-J-8

WHEREAS, Troy City Council approved resolution 2014-10-226 to allow the City of Troy to enter into an Interlocal Agreement with the Auburn Hills Police Department and the Bloomfield Township Police Department to establish the Crash Investigation Team (CIT); and

WHEREAS, The Bloomfield Hills Police Department has expressed an interest in becoming a participating agency in the Crash Investigation Team; and

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

WHEREAS, There is agreement among all the existing members to change the name of CIT to the South Oakland County Crash Investigation Team (SOCCIT);

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Amended Interlocal Agreement and Binder for Participation in the South Oakland County Crash Investigation Team (SOCCIT).

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

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

<i>Lee, Edward</i>	<i>Operates a 503(c) that utilizes the Troy Community Center to conduct workshops to help immigrants improve their English language. The Community Center has recently started charging a fee causing student enrollment to drop.</i>
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M. COUNCIL REFERRALS:

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

M-1 Council Member Fleming: Letter of Resignation

Resolution to Accept Council Member Fleming’s Letter of Resignation

Resolution #2014-12-165
 Moved by Slater

Seconded by Campbell

RESOLVED, That Troy City Council hereby **ACCEPTS** the resignation of Council Member Fleming.

BE IT FURTHER RESOLVED, That Troy City Council hereby **DECLARES VACANT** the City Council Member office formerly held by Wade Fleming.

*The Meeting **RECESSED** at 9:52 PM.*

Council Member Fleming exited the City Council dais.

The Meeting **RECONVENED** at 9:57 PM.

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

MOTION CARRIED

M-2 City Council Member Appointment

City Council votes on City Council candidates:

Candidate	Round 1	Round 2	Round 3
Gottlieb	Slater Campbell Pennington		
Kuppa	Slater Campbell Hodorek	Slater Campbell Hodorek	Slater Campbell Hodorek
McCown	Henderson Pennington Tietz	Henderson Pennington Tietz	Henderson Pennington Tietz
Peard	Henderson		
Toth	Tietz		
Wellborn			

*The Meeting **RECESSED** at 10:02 PM.*

The Meeting **RECONVENED** at 10:05 PM.

Candidate	Round 4	Round 5
Gottlieb		Slater Campbell Henderson Hodorek Pennington Tietz

Kuppa	Slater Campbell Hodorek	Slater Campbell Hodorek
McCown	Henderson Pennington Tietz	Henderson Pennington Tietz

Resolution to Appoint City Council Member

Resolution #2014-12-166
 Moved by Pennington
 Seconded by Henderson

RESOLVED, That Troy City Council hereby **APPOINTS** Steve Gottlieb to the vacant City Council Member office with the partial term expiring November 9, 2015.

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

MOTION CARRIED

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

Council Member Pennington mentioned that all of the candidates are worthy of running for election next November.

Council Member Hodorek said the decision was a difficult one, and she thanked all of the candidates for stepping forward. She added that despite having differences, this process is an example of how City Council strives to work together to find a solution.

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Building Code Board of Appeals-Final – November 5, 2014
 - b) Planning Commission-Final – November 11, 2014
 - c) Planning Commission Special/Study-Draft – November 25, 2014
 - d) Planning Commission Special/Study-Final – November 25, 2014
 - e) Building Code Board of Appeals-Draft – December 3, 2014
- Noted and Filed

O-2 Department Reports:

- a) SOCRRA Quarterly Report – October, 2014
 - b) Building Department Activity Report – November, 2014
- Noted and Filed

O-3 Letters of Appreciation:

- a) To Mayor and Council from Mary Costakes Regarding Excellent Service from the Planning and Building Departments
- b) To Mayor Slater from Ralph Klumpp Regarding Citizens Police Academy
Noted and Filed

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

O-5 Road Commission for Oakland County Update Regarding Winter Maintenance Agreement Increase
Noted and Filed

O-6 Letter Recognizing Rebecca Sorensen, UBS Senior VP, Being Named the “Top 100 Women Financial Advisors” in the US by Financial Times

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. CLOSED SESSION:

Q-1 No Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 10:20 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: January 7, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Mark F. Miller, Director of Economic and Community Development
 Elaine S. Bo, Recreation Director
 Kelly Molinar, Recreation Supervisor

Subject: Standard Purchasing Resolution 2 - Low Bidder Meeting Specifications – Pool Repairs - Troy Family Aquatic Center (TFAC) and Budget Amendment

History

- The Troy Family Aquatic Center (TFAC) pools require re-marciting every five to six years.
- This service was last performed in the year 2008.
- This will be the sixth time the pools have been re-marcited since the pools have been in existence.
- The pools were built and installed in 1991.
- Due to the five layers of marcite already on the pool bottom, it is necessary to completely tear off the existing layers before marciting this time.

Purchasing

- On December 4, 2014, a bid opening was conducted as required by City Charter and Code to furnish all equipment, material and labor to completely tear off existing marcite and re-marcite the pools at the City of Troy Family Aquatic Center. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info and the bid was also sent to the Troy Chamber of Commerce. Two (2) bid responses were received. Below is a detailed summary of potential vendors:

Companies notified via MITN	78	<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>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.</p> <p>Active MITN non-paying members are responsible to monitor and check the MITN website for opportunities to do business with the City.</p> <p>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.</p>
Troy Companies notified via MITN	1	
Troy Companies notified Active email Notification	1	
Troy Companies notified Active Free	0	
Companies that viewed the bid	7	
Troy Companies that viewed the bid	0	

After reviewing the bid proposal and checking references, SonSeeker Pool Masonry, LLC of Grand Rapids, MI was the low bidder meeting specifications and is being recommended to completely tear off existing marcite and re-marcite the pools at the Troy Family Aquatic Center.

Financial

Funding will come from the original budget amount of \$82,910.00 available in the Aquatic Center Capital General Equipment Account plus an additional \$57,347.50 to be funded through reserves (i.e.) fund balance/net position.

Recommendation

City management recommends awarding a contract to furnish all equipment, material, and labor to completely tear off existing layers of marcite and re-marcite the pools at the Troy Family Aquatic Center to the low bidder, SonSeeker Pool Masonry LLC of Grand Rapids, MI for an estimated total cost of \$140,257.50, at prices contained in the bid tabulation dated December 4, 2014.

Opening Date -- 12/4/2014
 Date Reviewed -- 12/4/2014

CITY OF TROY
 BID TABULATION
 POOL REPAIRS

VENDOR NAME:	SonSeeker Pool Masonry, LLC	Clearwater Pools and Service of Ann Arbor, Inc.	
	Grand Rapids, MI	Ann Arbor, MI	
Check #	883287	824867	
Amount	\$5,000.00	\$5,000.00	

PROPOSAL: Furnish all equipment, material and labor for a complete marcite tear off, remarcite, re-grout tile in the pools, and repair tiles as needed around the pool at the City of Troy Family Aquatic Center

POOL #1: Furnish all labor, materials, and equipment to have the **Main Pool** marcite completely torn off, re-marcited, blue tile on bottom of pool regouted, and blue tile area along wall torn off and replaced with marcite in accordance with

Complete for the Sum of:

\$102,010.50	\$118,995.00	
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POOL #2: Furnish all labor, materials, and equipment to have the **Kiddy Pool** marcite completely torn off, re-marcited, and blue tile on wall torn off and replaced with marcite in accordance with the attached specifications

Complete for the Sum of:

\$12,799.00	\$11,995.00	
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POOL # 3: Furnish all labor, materials, and equipment to have the **Slide Pool** marcite completely torn off, re-marcited, and blue tiles above gutter re-grouted in accordance with the attached specifications.

Complete for the Sum of:

\$11,728.00	\$8,995.00	
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POOL # 4: Furnish all labor, materials, and equipment to have the **Raindrop Pool** marcite completely torn off, re-marcited, and white tile torn out and replaced with marcite in accordance with the attached specifications

Complete for the Sum of:

\$13,720.00	\$9,995.00	
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Deck Tile Repair: Furnish all labor, materials, and equipment to have the **Deck Tile** put back down and re-grouted as needed in accordance with the attached specifications.

Amount Per Square Foot:

\$25.00	\$10.00	
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COMPLETE FOR THE SUM OF:

GRAND TOTAL COST:

\$140,257.50	\$149,980.00	
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CONTACT INFORMATION:

Hours
 24Hr Phone Number
 Contact Person

8-5 M-F	7am-9pm	
616-648-4772	734-216-2503	
Brian Malone	Jeff Erkfritz	

SITE INSPECTION:

Yes or No
 Date

yes	yes	
December 1, 2014	11/19/2014	

REFERENCES:

Yes or No

yes	yes	
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PROGRESS PAYMENTS:

prep complete 25% - material on site 25% - full payment upon completion	50% deposit dumpsters and product delivered/balance billed net 15	
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COMPLETION DATE:

Yes or No

yes	no	
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But offers:

	start date 3/15/15, completion 5/13/15	
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CITY OF TROY
 BID TABULATION
 POOL REPAIRS

VENDOR NAME:		SonSeeker Pool Masonry, LLC	Clearwater Pools and Service of Ann Arbor, Inc.	
		Grand Rapids, MI	Ann Arbor, MI	
INSURANCE:	Can Meet	xx	xx	
	Cannot Meet			
SIGNATURE PAGE:	Yes or No	yes	yes	
PAYMENT TERMS:		NONE	blank	
WARRANTY:		2 yrs from completion	2 years chipping-spalling	
EXCEPTIONS:	Yes or No	blank	Pools finish to be Sunstone Blue Quartz - comparable product	
SCHEDULE OF VALUES:	Attached	yes	yes	
BIDDER QUESTIONNAIRE:	Attached	yes	yes	
FORMS:		yes	yes	

DENOTES LOW BIDDER MEETING SPECIFICATIONS

ATTEST:
 Enna Bachelor
 Susan Riesterer
 Sara Teets

 MaryBeth Murz,
 Purchasing Manager



CITY COUNCIL AGENDA ITEM

Date: January 6, 2015

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Southwest corner of Paragon at Livernois Road, Section 16

History

- On April 7, 2014, City Council authorized the Engineering Department, in cooperation with the Purchasing Department, to advertise and bid the sale of surplus property identified as Southwest corner of Paragon at Livernois Road, Section 16, #88-20-16-476-027, also known as Parcel D-1 (CC Resolution #2014-04-042).
- An appraisal prepared by R.S. Thomas & Associates, Inc.- Harold Blake Co. established a market value of \$45,000.00.
- The minimum bid amount for the property was set at \$45,000.00.
- The property located at Southwest corner of Paragon at Livernois Road, section 16 was acquired in 2001 as part of the Livernois Road Improvement project.

Purchasing

- On December 18, 2014, a bid opening was conducted as required by City Charter and Code for the sale of property at Southwest corner of Paragon at Livernois Road, Section 16.
- One hundred and four (104) vendors were notified of the bid opportunity on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info.
- Notice of the property sale was published in the Troy-Somerset Gazette. Additionally, a sign was erected on the property advertising the sale and all parties who made previous personal inquiries to the Engineering department staff were contacted with sale details.
- Three (3) bid responses were received. Below is a detailed vendor summary:

Companies notified via MITN	104
Troy Companies notified via MITN	4
Troy Companies notified - Active email Notification	3
Troy Companies notified - Active non-paying	1
Companies that viewed the bid	15
Troy Companies that viewed the bid	4

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.

- Also note that the City reserves the right to award the bid to the highest responsible purchaser meeting specifications, or in whatever manner is deemed to be in the City’s best interest; to reject the highest bid that has major deviations from the specifications, to accept a lower bid that has only minor deviations.



CITY COUNCIL AGENDA ITEM

Financial

- The highest bid received was from Kristel Group, Inc. for \$65,000.00. The next bids were in the amounts of \$50,112.00 and \$50,000.00.
- Kristel Group, Inc. submitted an exception that stated “Our bid for this property is only good if our bid for ITB-COT 14-43 D-2 vacant Livernois is also accepted. We are interested to purchase both lots or none at all.” Kristel Group, Inc. also submitted an offer for ITB-COT 14-43 and was the highest offer.
- All necessary funds for title work and recording fees will be taken from the proceeds of this sale.
- Sale of this City-owned surplus property will return the parcel to the tax roll and bring additional revenues.
- This parcel was acquired with Federal funds, thus any monies received from this sale will be set aside to fund another federally funded transportation project in the City of Troy as dictated by Federal Regulations.

Options

City Council has the option to award this sale to any of the three bidders.

Recommendation

City management recommends awarding the sale of the property to the highest bidder, Kristel Group, Inc. for the bid amount of \$65,000.00.

Opening Date -- 12/18/2014
 Date Prepared -- 12/19/2014

CITY OF TROY
 BID TABULATION
 SALE of PROPERTY -SW CORNER OF PARAGON AT LIVERNOIS
 SECTION 16

PURCHASER'S NAME:		Kristel Group, Inc.	Sivarama Balusu	Jozef Olszewski
		Clawson, MI	Troy, MI	Troy, MI
REAL ESTATE SALE				
DESCRIPTION Tax ID# 88-20-16-476-027				
Property at SW Corner of Paragon at Livernois	Offer:	\$65,000.00	\$50,112.00	\$50,000.00
Minimum Bid \$45,000.00				
	Check #	24183673	854807	111254
Size: 82.5 X 164.7 ft.	(10% of offer)	\$6,500.00	\$5,011.20	\$5,000.00
SIGNATURE PAGE:	Attached	Y	Y	Y
TERMS:		as stated	as stated	as stated
EMAIL ADDRESS:		ben@kristelgroup.com	sbalusu@gmail.com	blank
FORMS: (4)	Attached	Y	Y	3 - "Iran linked" is blank
EXCEPTIONS:		Our bid for this property is only good if our bid for ITB-COT 14-43 D-2 vacant Livernois is also accepted. We are interested to purchase both lots or non at all.	blank	blank
ACKNOWLEDGEMENT:	Y or N	Y	Y	Y

BOLDFACE TYPE DENOTES HIGHEST TOTAL ACCEPTABLE OFFER.

PROPOSAL: Sale of Real Estate located at SW Corner of Paragon at Livernois

ATTEST:

 Sara Teets

 Susan Riesterer

 MaryBeth Murz,
 Purchasing Manager

Remnant Parcel: 88-20-16-476-027



Parcel D-1 Notes

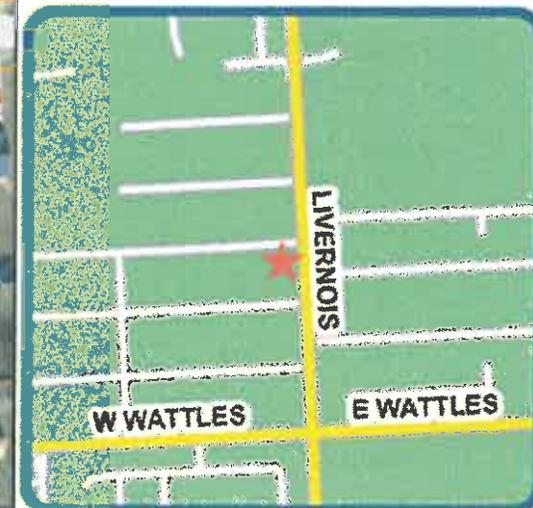
0.42 acres

Buildable

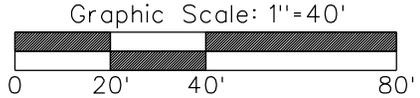
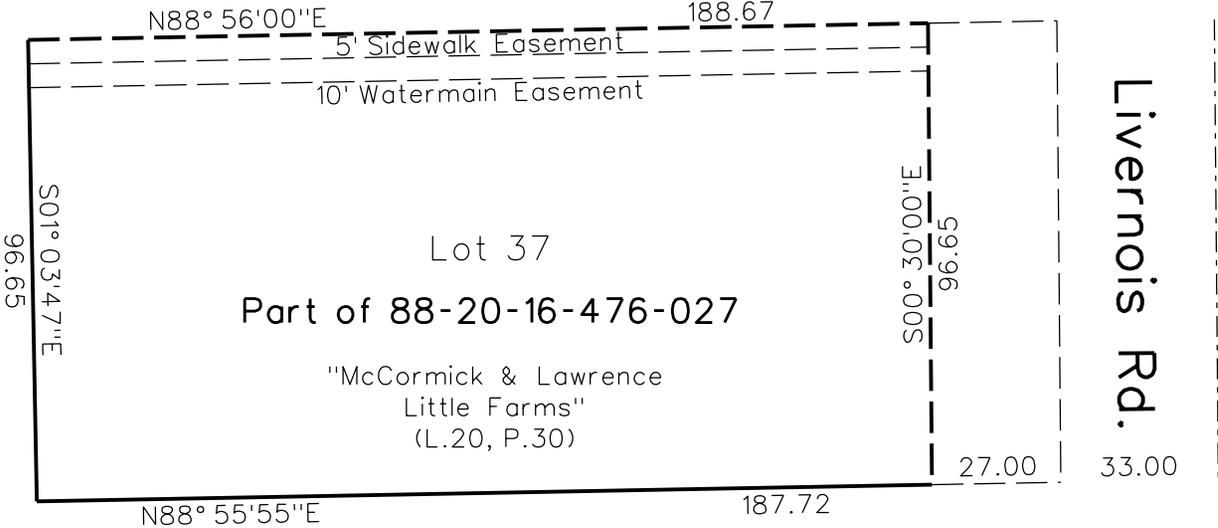
Transportation

Zoning

One Family Residential (R-1B)



Paragon Ave. (50' Wide)



CITY OF TROY			
OAKLAND COUNTY, MICHIGAN			
Exhibit of Remnant Parcel D-1 Part of 88-20-16-476-027			
FILE: 88-20-16-476-027_Parcel D-1.DGN			
SCALE	DRAWN BY	NAME	GJBIII
HOR. 1"=40'	CHECKED BY	NAME	DATE 07-30-14
VER. 1"=X'	STEVEN J. VANDETTE, P.E.		SHEET NO.
CITY ENGINEER		10F2	JOB NO.
Document Prepared By George J. Ballard III, P.S. Land Surveyor		CONTRACT NO. N/A	



CITY COUNCIL AGENDA ITEM

Date: January 6, 2015

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 8: Best Value Award - Sale of Real Estate –
3645 Crooks Road

History

- On April 7, 2014, City Council authorized the Engineering Department, in cooperation with the Purchasing Department, to advertise and bid the sale of surplus property identified as 3645 Crooks Road, #88-20-20-226-038, also known as Parcel C (CC Resolution #2014-04-41).
- An appraisal prepared by R.S. Thomas & Associates, Inc. - Harold Blake Co. established a market value of \$80,000.00.
- The minimum bid amount for the property was set at \$80,000.00.
- The property located at 3645 Crooks Road was acquired in 2006 to be used as the Engineering Field Office.

Purchasing

- On December 18, 2014, a bid opening was conducted as required by City Charter and Code for the sale of property at 3645 Crooks Road.
- One hundred and eight (108) prospective buyers were notified of the bid opportunity on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info.
- Notice of the property sale was published in the Troy-Somerset Gazette. Additionally, a sign was erected on the property advertising the sale and all parties who made previous personal inquiries to the Engineering department staff were contacted with sale details.
- One (1) bid response was received. Below is a detailed vendor summary:

Companies notified via MITN	108
Troy Companies notified via MITN	4
Troy Companies notified - Active email Notification	3
Troy Companies notified - Active non-paying	1
Companies that viewed the bid	20
Troy Companies that viewed the bid	4

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.

- Also note that the City reserves the right to award the bid to the highest responsible purchaser meeting specifications, or in whatever manner is deemed to be in the City's best interest; to reject the highest bid that has major deviations from the specifications, to accept a lower bid that has only minor deviations.



CITY COUNCIL AGENDA ITEM

Financial

- The sole bid received was from Kristel Group, Inc. for \$130,000.00.
- There were no exceptions included in the purchase of the property.
- Sale of this City-owned surplus property will return the parcel to the tax roll and bring additional revenue.
- Monies received from the sale of this property have no restrictions for use and will be returned to the General Fund.

Recommendation

City management recommends awarding the sale of the property to the sole bidder, Kristel Group, Inc. for the bid amount of \$130,000.00.

Opening Date -- 12/18/2014
 Date Prepared -- 12/19/2014

CITY OF TROY
 BID TABULATION
 SALE of PROPERTY - 3645 CROOKS ROAD

PURCHASER'S NAME:		Kristel Group, Inc.		
		Troy, MI		
REAL ESTATE SALE				
DESCRIPTION Tax ID# 88-20-20-226-038				
Property at 3645 Crooks Road	Offer:	\$130,000.00		
Minimum Bid \$80,000.00				
	Check #	24183665		
Size: 110.4 +/- x 222 +/--ft.	(10% of offer)	\$13,000.00		
SIGNATURE PAGE:	Attached	Y		
TERMS:		as stated		
EMAIL ADDRESS:		mirela@kristelgroup.com		
FORMS: (4)	Attached	Y		
EXCEPTIONS:				
ACKNOWLEDGEMENT:	Y or N	Y		

BOLDFACE TYPE DENOTES HIGHEST TOTAL ACCEPTABLE OFFER.

PROPOSAL: Sale of Real Estate located at 3645 Crooks Road

ATTEST:

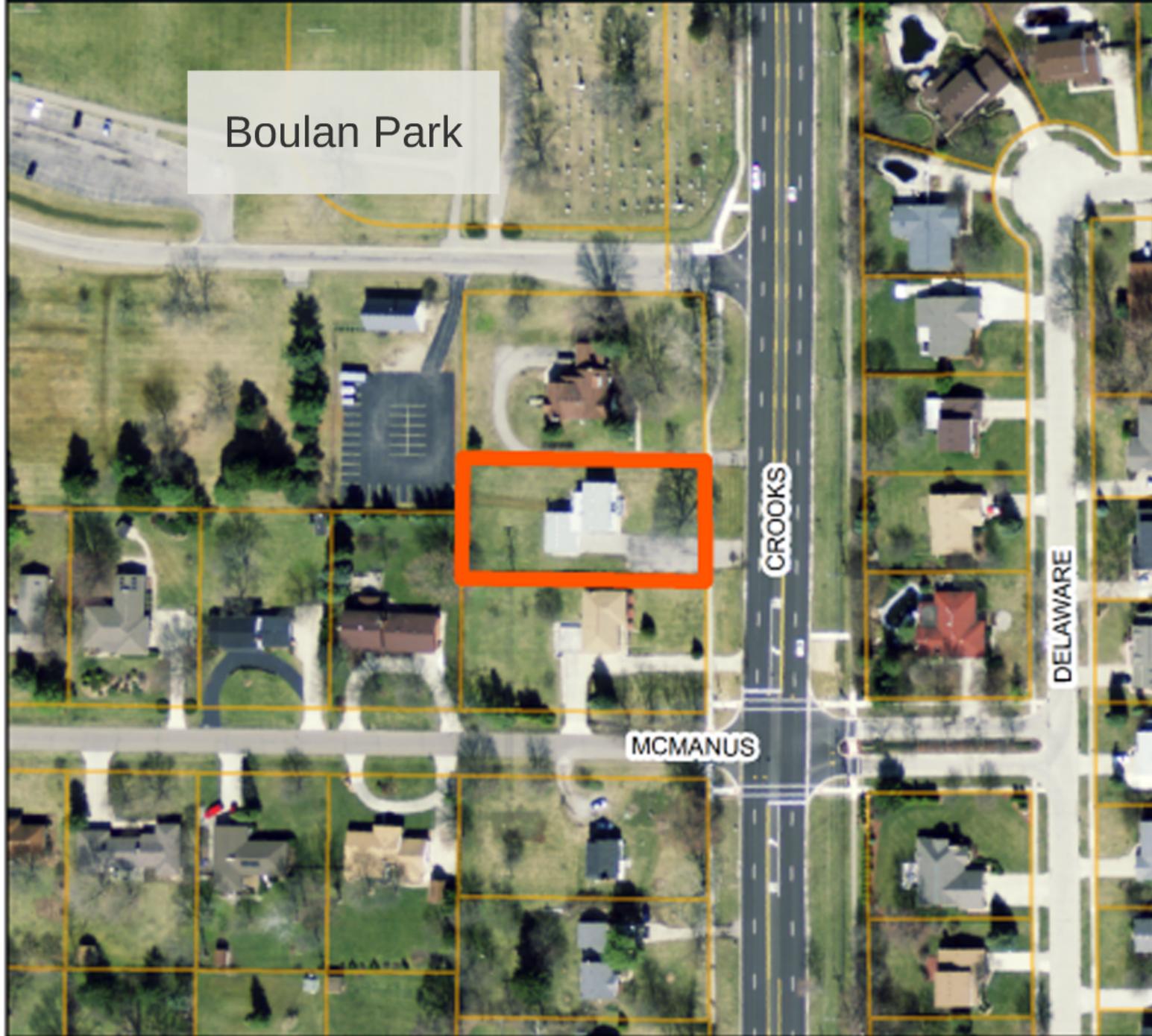
 Sara Teets

 Susan Riesterer

 MaryBeth Murz,
 Purchasing Manager

Remnant Parcel: 88-20-20-226-038

Boulan Park



Parcel C Notes

0.56 acres

Historic
District

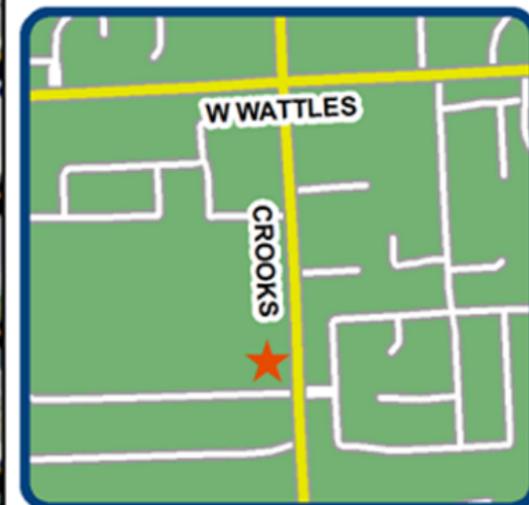
Transportation

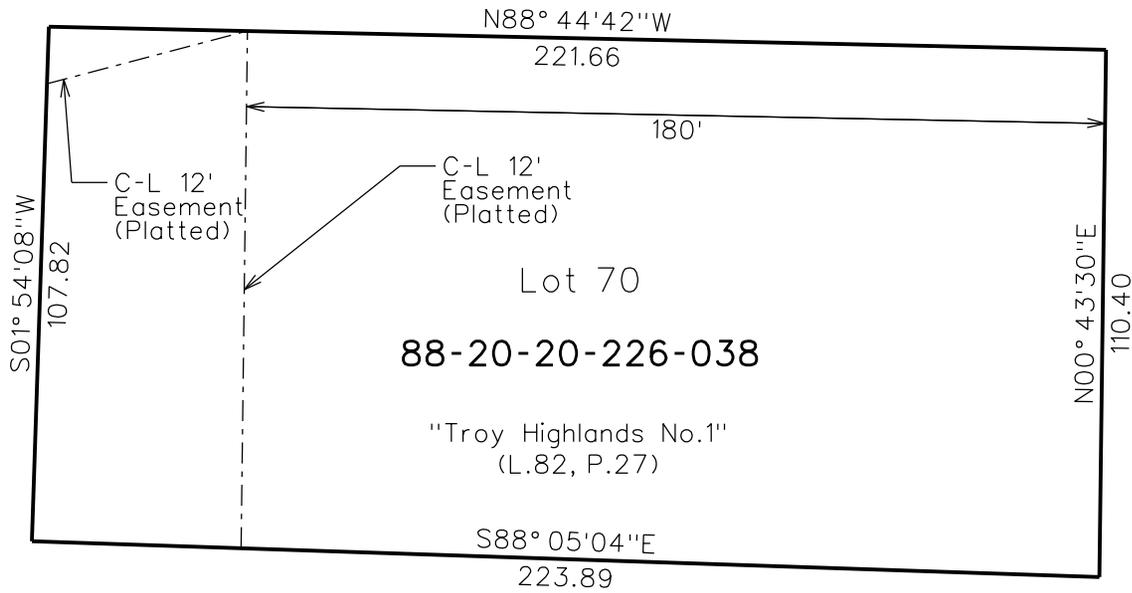
Buildable

Appraisal
Required

Zoning

Community
Facilities
(CF)

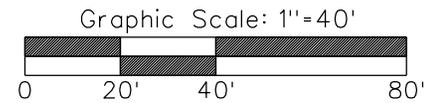




#3645
Crooks Rd.

Section Line

60.00



CITY OF TROY

OAKLAND COUNTY, MICHIGAN

Exhibit of #3645 Crooks Rd.
Remnant Parcel C
88-20-20-226-038

FILE: 88-20-20-226-038_Parcel C.DGN

SCALE	DRAWN BY	NAME	GJBIII	DATE	07-30-14
HOR. 1"=40'	CHECKED BY	NAME		DATE	XX-XX-XX
VER. 1"=X'		SHEET NO.		JOB NO.	
	STEVEN J. VANDETTE, P.E.	10F2		N/A	
	CITY ENGINEER				

Document Prepared By
George J. Ballard III, P.S.
Land Surveyor

CONTRACT NO.

N/A



CITY COUNCIL AGENDA ITEM

Date: January 6, 2015

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Livernois Road, South of Paragon

History

- On April 7, 2014, City Council authorized the Engineering Department, in cooperation with the Purchasing Department, to advertise and bid the sale of surplus property identified as Livernois Road, south of Paragon, #88-20-16-476-028, also known as Parcel D-2 (CC Resolution #2014-04-43).
- An appraisal prepared by R.S. Thomas & Associates, Inc. - Harold Blake Co. established a market value of \$45,000.00.
- The minimum bid amount for the property was set at \$45,000.00.
- The property located at Livernois Road, south of Paragon was acquired in 2001 as part of the Livernois Road Improvement project.

Purchasing

- On December 18, 2014, a bid opening was conducted as required by City Charter and Code for the sale of property at Livernois Road, South of Paragon.
- One hundred and five (105) vendors were notified of the bid opportunity on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info.
- Notice of the property sale was published in the Troy-Somerset Gazette. Additionally, a sign was erected on the property advertising the sale and all parties who made previous personal inquiries to the Engineering department staff were contacted with sale details.
- Three (3) bid responses were received. Below is a detailed vendor summary:

Companies notified via MITN	105
Troy Companies notified via MITN	4
Troy Companies notified - Active email Notification	4
Troy Companies notified - Active non-paying	0
Companies that viewed the bid	17
Troy Companies that viewed the bid	4

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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.

Purchasing - continued

- Also note that the City reserves the right to award the bid to the highest responsible purchaser meeting specifications, or in whatever manner is deemed to be in the City's best interest; to reject the highest bid that has major deviations from the specifications, to accept a lower bid that has only minor deviations.



CITY COUNCIL AGENDA ITEM

Financial

- The highest bid received was from Kristel Group, Inc. for \$55,000.00. The next bids were in the amounts of \$50,000 and \$45,300; respectively.
- Kristel Group, Inc. had an exception that stated “Our bid for this property is only good if our bid for ITB-COT 14-46 D-1 vacant Paragon is also accepted. We are interested to purchase both lots or none at all.” Kristel Group, Inc. also submitted an offer for ITB-COT 14-46 and was the highest offer.
- All necessary funds for title work and recording fees will be taken from the proceeds of this sale.
- Sale of this City-owned surplus property will return the parcel to the tax roll and bring additional revenues.
- This parcel was acquired with Federal funds, thus any monies received from this sale will be set aside to fund another federally funded transportation project in the City of Troy as dictated by Federal Regulations.

Options

City Council has the option to award this sale to any of the three bidders.

Recommendation

City management recommends awarding the sale of the property to the highest bidder, Kristel Group, Inc. for the bid amount of \$55,000.00.

Opening Date -- 12/18/2014
 Date Prepared -- 12/19/2014

CITY OF TROY
 BID TABULATION
 SALE of PROPERTY - LIVERNOIS RD. SOUTH OF PARAGON
 SECTION 16.

ITB-COT 14-43
 Page 1 of 1

PURCHASER'S NAME:		Kristel Group, Inc. Clawson, MI	Jozef Olszewski Troy, MI	Vital Anne Troy, MI
REAL ESTATE SALE				
DESCRIPTION Tax ID# 88-20-16-476-028				
Property at Livernois Rd South of South Blvd. Sec. 16				
	Offer:	\$55,000.00	\$50,000.00	\$45,300.00
Minimum Bid \$45,000.00				
	Check #	24183679	111253	854806
Size: 96.65 X 187 +/-ft.	(10% of offer)	\$5,500.00	\$5,000.00	\$4,530.00
SIGNATURE PAGE:	Attached	Y	Y	Y
TERMS:		as stated	as stated	as stated
EMAIL ADDRESS:		ben@kristelgroup.com	blank	blank
FORMS: (4)	Attached	Y	3 - "Iran linked" is blank	Y
EXCEPTIONS:		Our bid for this property is only good if our bid for ITB-COT 14-46 D-1 vacant Paragon is also accepted. We are interested to purchase both lots or none at all.	blank	blank
ACKNOWLEDGEMENT:	Y or N	Y	Y	Y

BOLDFACE TYPE DENOTES HIGHEST TOTAL ACCEPTABLE OFFER.

PROPOSAL: Sale of Real Estate located at LivernoisRd. South of Paragon Section 3

ATTEST:

 Sara Teets

 Susan Riesterer

 MaryBeth Murz,
 Purchasing Manager

Remnant Parcel: 88-20-16-476-028



Parcel D-2 Notes

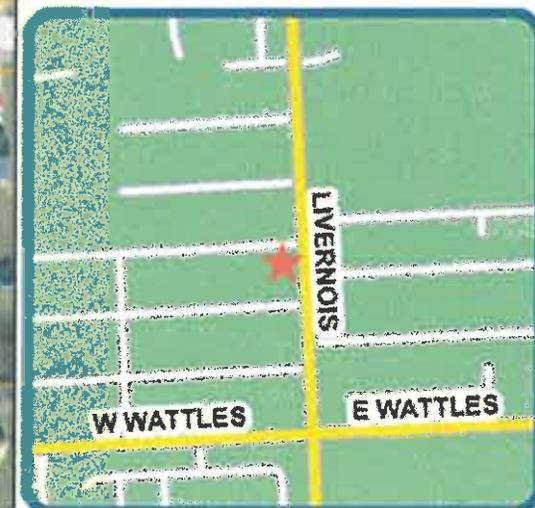
0.42 acres

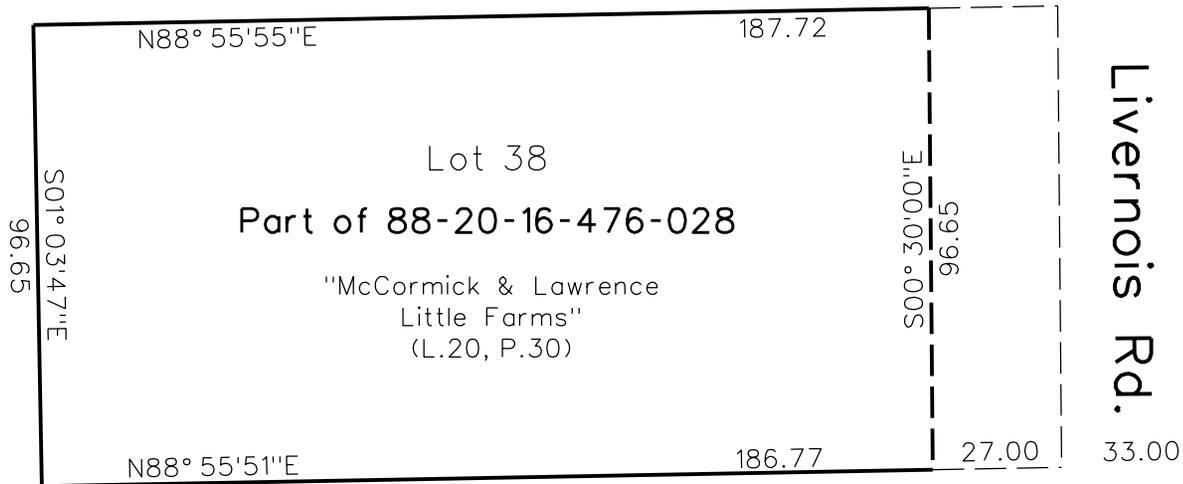
Buildable

Transportation

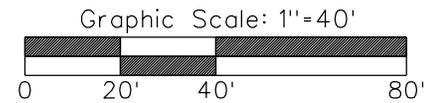
Zoning

One Family Residential
(R-1B)





Livernois Rd.



<p style="text-align: center;">CITY OF TROY OAKLAND COUNTY, MICHIGAN</p> <p style="text-align: center;">Exhibit of Remnant Parcel D-2 Part of 88-20-16-476-028</p>							
				FILE: 88-20-16-476-028_Parcel D-2.DGN			
DATE	REV.	SCALE	DRAWN BY	NAME	GJBIII	DATE	07-30-14
		HOR. 1"=40'	CHECKED BY	NAME		DATE XX-XX-XX	
Document Prepared By George J. Ballard III, P.S. Land Surveyor		CONTRACT NO. N/A		VER. 1"=X'		SHEET NO.	
				STEVEN J. VANDETTE, P.E. CITY ENGINEER		JOB NO.	
						10F2	
						N/A	



CITY COUNCIL AGENDA ITEM

Date: January 6, 2015

To: Brian Kischnick, City Manager

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

Subject: Standard Purchasing Resolution 8: Best Value Award – Sale of Real Estate – Donaldson at South Boulevard

History

- On April 7, 2014, City Council authorized the Engineering Department, in cooperation with the Purchasing Department, to advertise and bid the sale of surplus property identified as Donaldson at South Boulevard, #88-20-03-126-006, also known as Parcel A (CC Resolution #2014-04-039).
- An appraisal prepared by R.S. Thomas & Associates, Inc. - Harold Blake Co. established a market value of \$55,000.00.
- The minimum bid amount for the property was set at \$55,000.00.
- The Michigan Department of Natural Resources conveyed title to the property located on Donaldson south of South Boulevard to the City of Troy in 1984. The property was originally forfeited for non-payment of taxes.

Purchasing

- On December 18, 2014, a bid opening was conducted as required by City Charter and Code for the sale of property at Donaldson at South Boulevard.
- One hundred and eleven (111) prospective buyers were notified of the bid opportunity on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info.
- Notice of the property sale was published in the Troy-Somerset Gazette. Additionally, a sign was erected on the property advertising the sale and all parties who made previous personal inquiries to the Engineering department staff were contacted with sale details.
- Two (2) bid responses were received. Below is a detailed vendor summary:

Companies notified via MITN	111
Troy Companies notified via MITN	6
Troy Companies notified - Active email Notification	5
Troy Companies notified - Active non-paying	1
Companies that viewed the bid	25
Troy Companies that viewed the bid	6

***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.*

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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.

- Also note that the City reserves the right to award the bid to the highest responsible purchaser meeting specifications, or in whatever manner is deemed to be in the City’s best interest; to reject the highest bid that has major deviations from the specifications, to accept a lower bid that has only minor deviations.



CITY COUNCIL AGENDA ITEM

Financial

- The highest bid received was from Janan Zaitouna for \$107,500.00.
- The next bid was in the amount of \$66,112. There were no exceptions included in the purchase of the property in either of the two bids.
- All necessary funds for title work and recording fees will be taken from the proceeds of this sale.
- Sale of this City-owned surplus property will return the parcel to the tax roll and bring additional revenues.
- Monies received from the sale of this property have no restrictions for use and will be returned to the General Fund.

Options

City Council has the option to award this sale to any of the two bidders.

Recommendation

City management recommends awarding the sale of the property to the highest bidder, Janan Zaitouna for the bid amount of \$107,500.00.

Opening Date -- 12/18/2014
 Date Prepared -- 12/19/2014

PURCHASER'S NAME:		Janan Zaitouna Troy, MI	RMG Investments, LLC Troy, MI	
REAL ESTATE SALE				
DESCRIPTION Parcel ID# 88-20-03-126-006				
Property at Donaldson South of South Blvd. Sec. 3	Offer:	\$107,500.00	\$66,112.00	
Minimum Bid \$55,000.00				
Size: 104 x 400 ft.	Check # (10% of offer)	808014 \$10,750.00	2010292930 \$6,611.20	
SIGNATURE PAGE:	Attached	Y	Y	
TERMS:		as stated	as stated	
EMAIL ADDRESS:		unitedtextilesllc@yahoo.com	gosselin@mich.com	
FORMS: (4)	Attached	Y	Y	
EXCEPTIONS:		blank	none	
ACKNOWLEDGEMENT:	Yes or No	Y or N	Y	

BOLDFACE TYPE DENOTES HIGHEST TOTAL ACCEPTABLE OFFER.

PROPOSAL: Sale of Real Estate located at Donaldson South of South Blvd. Section 3

ATTEST:

 Sara Teets

 Susan Riesterer

 MaryBeth Murz
 Purchasing Manager

Remnant Parcel: 88-20-03-126-006



Parcel A Notes

0.95 acres

Reserve easement
for utilities

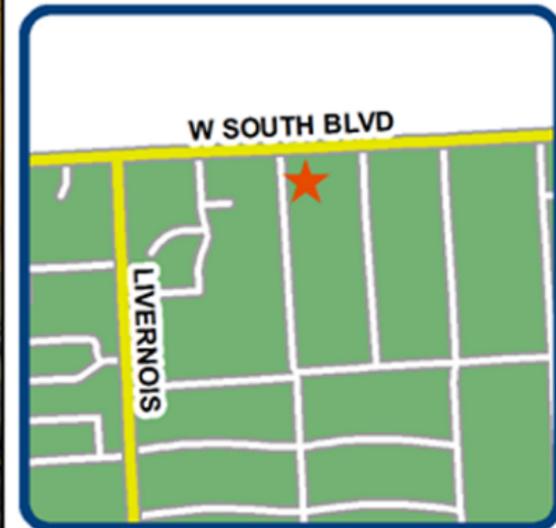
Right-of-Way
north of parcel

Tax Reversion

Buildable

Zoning

One Family
Residential
(R-1B)



South Blvd.
(66' Wide)

Section Line

72.97
S01° 58'15"E

88-20-03-126-002

Utica Road
(50' Wide)

N88° 35'00"E

104.00

5' Sidewalk Easement

S01° 58'15"E

88-20-03-126-006

S01° 58'15"E

Donaldson Road
(50' Wide)

50' Wide
Watermain
Easement
(L. 6277, P. 335)

400.00

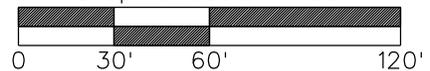
Lot 1
"Bassett & Smith
Flowing Spring Acres"
(L. 37, P. 9)

400.00

N88° 35'00"E
104.00



Graphic Scale: 1"=60'



CITY OF TROY

OAKLAND COUNTY, MICHIGAN

Exhibit of #6972 Donaldson
Remnant Parcel A
#88-20-03-126-006

FILE: 88-20-03-126-006.DGN

SCALE	DRAWN BY	NAME GJBIII	DATE 07-29-14
HOR. 1"=60'	CHECKED BY	NAME	DATE XX-XX-XX
VER. 1"=X'	SHEET NO.		JOB NO.
STEVEN J. VANDETTE, P.E.		10F 2	N/A
CITY ENGINEER			

DATE REV.
CONTRACT NO.

N/A

Document Prepared By
George J. Ballard III, P.S.
Land Surveyor



CITY COUNCIL AGENDA ITEM

January 7, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager

Subject: Standard Purchasing Resolution 4 - Cooperative Contract Award: National Joint Power Alliance (NJPA)

History

- The National Joint Power Alliance (NJPA) was established through a collaborative effort of public government and education agencies across the United States with the specific purpose of reducing procurement costs by leveraging group volume.
- All master agreements are publicly and competitively solicited nationally, awarded through a Request for Proposal (RFP) process, and held by a principal procurement agency; as required by Chapter 7 of the City Code.
- NJPA serves as a nationwide channel to offer the awarded agreements to public and non-profit agencies for commodities such as office supplies, furniture, uniform rental services, etc.
- Cooperative ventures have proven to minimize cost and increase the efficiency and the effectiveness of the City.
- By emphasizing a cooperative effort, the City enjoys the buying power of many at the local level.
- The City of Troy Purchasing Department participates with other agencies in the state, region and nationally to economically procure goods and services for our community.
- Other cooperative programs the City utilizes are:
 - State of Michigan MiDEAL Program
 - County contracts (most often Oakland County Extended Purchasing Program)
 - MiCTA – Michigan Telecommunications Association for Nonprofit Organizations
 - MITN – Michigan Intergovernmental Trade Network
 - Regional Educational Media Center - REMC
 - US Communities – NIGP
 - National Intergovernmental Purchasing Alliance - NIPA

Financial

Funds are available in the various operating accounts citywide.

Recommendation

City management recommends Troy City Council authorize participation in the National Joint Power Alliance Purchasing Program (NJPA) and for administration to approve and authorize like purchases in aggregate over \$10,000 for operating expenditures under this program when deemed to be in the City of Troy's advantage; while "Capital" purchases over \$10,000 continue to be presented for Troy City Council review and pending approval.



CITY COUNCIL AGENDA ITEM

Date: January 5, 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 Permanent Easements from VHS Children's Hospital of Michigan, Inc., Sidwell #88-20-21-401-002

History

As part of the development of a parcel located in the southeast $\frac{1}{4}$ of Section 21, at the corner of Big Beaver and Civic Center Drive, the Engineering department has received two permanent easements for underground water utilities and sidewalk & public utilities, from VHS Children's Hospital of Michigan, Inc., owner of the property having Sidwell #88-20-21-401-002.

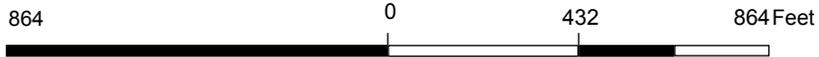
The format and content of these easements is consistent with easements previously accepted by City Council.

Financial

The consideration amount on each document is \$1.00

Recommendation

City Management recommends that City Council accept the attached permanent easements consistent with our policy of accepting 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.

PERMANENT EASEMENT

[Underground Water Utilities]

Sidwell #88-20-21-401-002 (pt of)

VHS CHILDREN'S HOSPITAL OF MICHIGAN, INC., a Delaware corporation, Grantor, whose address is 3901 Beaubien, Detroit, MI 48201 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
("Easement Property")

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

All of said improvements, other than the sidewalk, will be underground to the extent reasonably practicable and to the extent that same cannot be underground as determined solely by the Grantee. Grantee shall notify Grantor of [a]Any above ground improvements appurtenant to said improvements and Grantor may suggest design and locations which the Grantee in its sole discretion may accommodate or deny.

Grantor reserves the right to enter upon and use the Easement Property for any purpose or in any manner that does not unreasonably interfere in any material way with the rights granted herein, including but not limited to the right of Grantor to construct, install and maintain landscaping and associated irrigation, signage, roadways, driveways, sidewalks and parking areas within the Easement Property. Grantor shall not construct, install and/or maintain any signage, roadways, driveways, sidewalks and parking areas within the Easement Property without the Grantee's written permission. If Grantor constructs, installs and/or maintains, with or without Grantee's permission, any improvements on the easement, including but not limited

to, landscaping, irrigation, signage, roadways, driveways, sidewalks and parking areas and Grantee determines that it is necessary -to disturb, excavate, replace and/or relocate sidewalks and/or public utilities in the easement area, any replacement and/or repair of any improvements constructed, installed and/or maintained by Grantor in the easement shall be the sole responsibility of Grantor to replaces at its own expenses.

If no improvements as set out above are constructed, installed and/or maintained by Grantor in the area where the Grantee disturbs, excavates, replaces and/or relocates sidewalks and/or public utilities, The Grantee shall reasonably restore the area -to its original condition.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, if any, relating to the Easement Property, to the extent, and only to the extent, that the same shall be in force and effect, and either shown of record in the Oakland County Real Property Register or that may be apparent on the Easement Property.

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 _____ signature(s) this _____ day of _____ A.D. 2014.

[SIGNATURE PAGE FOLLOWS IMMEDIATELY HEREAFTER]

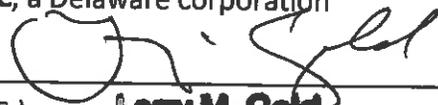
SIGNATURE PAGE TO

PERMANENT EASEMENT

[Underground Water Utilities]

Sidwell #88-20-21-401-002 (pt of)

**VHS CHILDREN'S HOSPITAL OF MICHIGAN,
INC, a Delaware corporation**

By 
(L.S.) **Larry M. Gold**

It's CEO

STATE OF Michigan)
COUNTY OF Wayne)

The foregoing instrument was acknowledged before me this 23rd day of December, 2014, by Larry Gold, of VHS CHILDREN'S HOSPITAL OF MICHIGAN, INC., a Delaware corporation, on behalf of said company.

* Karen A. Bottinigue

Notary Public, Macomb County, Michigan
My Commission Expires 4/4/2017

Acting in Wayne County, Michigan

Prepared by: Larysa Figol

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

EXHIBIT "A"

SKETCH OF DESCRIPTION
LEGAL DESCRIPTIONS

LEGAL DESCRIPTIONS:

(Per Professional Engineering Associates)

A variable width water main easement over part of Parcel No. 20-21-401-002, being lands in the Southeast 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:

Commencing at the South 1/4 Corner of said Section 21; thence along the South line of said Section 21, N87°08'26"E, 1061.16 feet; thence N02°41'51"W, 90.00 feet to the North line of West Big Beaver Road (variable width); thence along said North line N87°08'26"E, 83.09 feet to the POINT OF BEGINNING;

thence along the exterior of a variable width water main easement the following four (4) courses:

- L1) N05°29'41"W, 14.89 feet and;
- L2) N87°06'00"E, 182.05 feet and;
- L3) S02°37'39"E, 15.00 feet to the aforementioned North line of West Big Beaver Road and;
- L4) Along said North line S87°08'26"W, 181.31 feet to the POINT OF BEGINNING;

thence continuing along the centerline of a 20 foot wide water main easement the following ten (10) courses:

- L5) N47°42'00"W, 55.69 feet and;
- L6) N02°42'00"W, 47.94 feet and;
- L7) N87°18'00"E, 48.04 feet and;
- L8) S87°18'00"W, 48.04 feet and;
- L9) N02°42'00"W, 120.20 feet and;
- L10) N42°18'00"E, 132.68 feet and;
- L11) N87°18'00"E, 59.54 feet and;
- L12) S02°42'00"E, 51.34 feet and;
- L13) N02°42'00"W, 51.34 feet and;
- L14) N87°18'00"E, 67.72 feet to the POINT OF ENDING; Containing ±13,871 square feet or ±0.318 acres of land more or less.

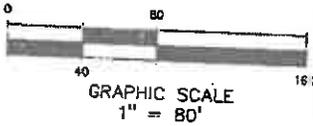


Daniel Cole

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT: HARLEY ELLIS DEVEREAUX 25913 NORTHWESTERN HIGHWAY, SUITE 200 SOUTHFIELD, MI 48033	SCALE: 1"=80'	JOB No: 2013226	2430 Rochester Ct. Suite 100 Troy, MI 48063-1872 (248) 898-9050
	DATE: 9-2-14	DWG. No: 2 of 2	

SKETCH OF DESCRIPTION VARIABLE WIDTH WATER MAIN EASEMENT



PARCEL NO.
20-21-401-001



CIVIC CENTER DRIVE

N01°57'15"W(R) N02°41'51"W(M)
669.55'(R&M)

N87°48'20"E(R) N87°03'44"E(M)

265.22'(R&M)

PARCEL NO.
20-21-476-015

LINE	BEARING	DIST.
L1	N05°29'41"W	14.89
L2	N87°06'00"E	182.05
L3	S02°37'39"E	15.00
L4	S87°08'26"W	181.31
L5	N47°42'00"W	55.69
L6	N02°42'00"W	47.94
L7	N87°18'00"E	48.04
L8	S87°18'00"W	48.04
L9	N02°42'00"W	120.20
L10	N42°18'00"E	132.68
L11	N87°18'00"E	59.54
L12	S02°42'00"E	51.34
L13	N02°42'00"W	51.34
L14	N87°18'00"E	67.72

S01°53'03"E(R) S02°37'39"E(M)
669.91'(R&M)

P.O.E.

PARCEL NO.
20-21-476-018

20' WIDE
WATER MAIN
EASEMENT

PARCEL NO.
20-21-401-002

VARIABLE WIDTH
WATER MAIN
EASEMENT



Daniel Ccle

NORTH LINE OF W.
BIG BEAVER ROAD

SOUTH 1/4
CORNER
SECTION 21,
T2N, R11E

N01°57'15"W(R)
N02°41'51"W(M)
90.00'(R&M)

EAST(R)
N87°08'26"E(M)
1061.16'(R&M)

N87°08'26"E
63.09'

P.O.B.

S87°52'50"W(R)
S87°08'26"W(M)
264.40'(R&M)

SOUTHEAST CORNER
SECTION 21,
T2N, R11E

W. BIG BEAVER ROAD
(VARIABLE WIDTH)

PROFESSIONAL
ENGINEERING
ASSOCIATES

CLIENT:
HARLEY ELLIS DEVEREAUX
26913 NORTHWESTERN HIGHWAY, SUITE 200
SCOTTSDALE, MI 48033

SCALE: 1" = 80'
DATE: 9-2-14

JOB No: 2013226
DWG. No: 1 of 2

2430 Rochester Ct. Suite 100
Troy, MI 48063-1872
(248) 889-9090

PERMANENT EASEMENT

[Sidewalk & Public Utilities]

Sidwell #88-20-21-401-002 (pt of)

VHS CHILDREN'S HOSPITAL OF MICHIGAN, INC., a Delaware corporation, d/b/a The Detroit Medical Center, Grantor(s), whose address is 3901 Beaubien, Detroit, MI 48201 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 a **sidewalk & 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
("Easement Property")

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

All of said improvements, other than the sidewalk, will be underground to the extent reasonably practicable and to the extent that same cannot be underground as determined solely by the Grantee. Grantee shall notify Grantor of [a]Any above ground improvements appurtenant to said improvements and Grantor may suggest design and locations which the Grantee in its sole discretion may accommodate or deny.

Grantor reserves the right to enter upon and use the Easement Property for any purpose or in any manner that does not unreasonably interfere in any material way with the rights granted herein, including but not limited to the right of Grantor to construct, install and maintain landscaping and associated irrigation. Grantor shall not construct, install and/or maintain any signage, roadways, driveways, sidewalks and parking areas within the Easement Property without the Grantee's written permission. If Grantor constructs, installs and/or maintains, with or without Grantee's permission, any improvements on the easement, including but not limited

to, landscaping, irrigation, signage, roadways, driveways, sidewalks and parking areas and Grantee determines that it is necessary -to disturb, excavate, replace and/or relocate sidewalks and/or public utilities in the easement area, any replacement and/or repair of any improvements constructed, installed and/or maintained by Grantor in the easement shall be the sole responsibility of Grantor to replaces at its own expenses.

If no improvements as set out above are constructed, installed and/or maintained by Grantor in the area where the Grantee disturbs, excavates, replaces and/or relocates sidewalks and/or public utilities, The Grantee shall reasonably restore the area -to its original condition.

This conveyance is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, if any, relating to the Easement Property, to the extent, and only to the extent, that the same shall be in force and effect, and either shown of record in the Oakland County Real Property Register or that may be apparent on the Easement Property.

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 _____ signature(s) this _____ day of _____ A.D. 2014.

[SIGNATURE PAGE FOLLOWS IMMEDIATELY HEREAFTER]

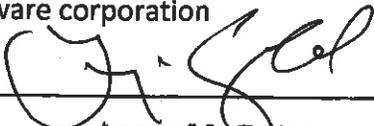
SIGNATURE PAGE TO

PERMANENT EASEMENT

[Sidewalk & Public Utilities]

Sidwell #88-20-21-401-002 (pt of)

VHS CHILDREN'S HOSPITAL OF MICHIGAN, INC, a
Delaware corporation

By  (L.S.)

It's Larry M. Gold
CEO

STATE OF Michigan)
COUNTY OF Wayne)

The foregoing instrument was acknowledged before me this 23rd day of
December, 2014, by Larry Gold,
of VHS CHILDREN'S HOSPITAL OF MICHIGAN, INC., a Delaware
corporation, on behalf of said company.

Karen A. Wittinger
*)

Notary Public, Macomb County, Michigan
My Commission Expires 9/4/2017

Acting in Wayne County, Michigan

Prepared by: Larisa Figol

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

EXHIBIT "A"

SKETCH OF 12 FOOT WIDE SIDEWALK AND UTILITY EASEMENT

LEGAL DESCRIPTION:

(Per Professional Engineering Associates)

A 12 foot wide easement for sidewalk and utilities over part of Parcel No. 20-21-401-002, being lands in the Southeast 1/4 of Section 21, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, said easement being more particularly described as:

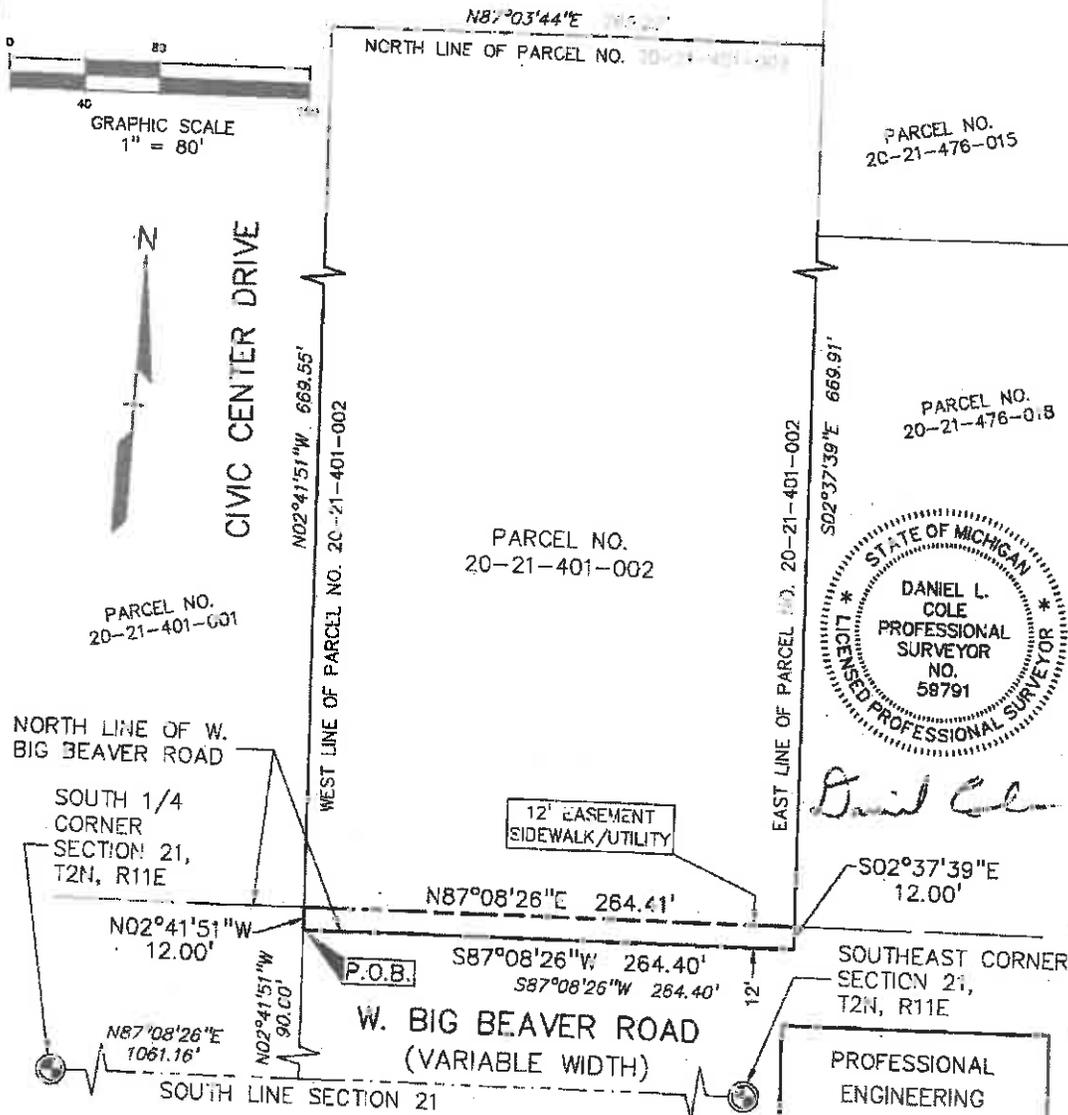
Commencing at the South 1/4 Corner of said Section 21; thence along the South line of said Section 21, N87°08'26"E, 1061.16 feet; thence N02°41'51"W, 90.00 feet to the North line of West Big Beaver Road (variable width) and the POINT OF BEGINNING;

thence along the West line of said Parcel N02°41'51"W, 12.00 feet;

thence N87°08'26"E, 264.41 feet to the East line of said Parcel;

thence along said East line S02°37'39"E, 12.00 feet to the aforementioned North line of West Big Beaver Road;

thence along said North line S87°08'26"W, 264.40 feet to the POINT OF BEGINNING; Containing ±3,173 square feet of land.



Daniel Cole

CLIENT: HARLEY ELLIS DEVEREAUX 26913 NORTHWESTERN HIGHWAY, SUITE 200 SOUTHFIELD, MI 48033	SCALE: 1"=80'	JOB No: 2013226	2430 Rochester Ct. Suite 100 Troy, MI 48063-1872 (248) 689-9090
	DATE: 9-15-14	DWG. No: 1	



CITY COUNCIL AGENDA ITEM

Date: January 7, 2015

To: Members of the Troy City Council

From: Brian Kischnick, City Manager
MaryBeth Murz, Purchasing Manager
Lori Grigg Bluhm, City Attorney
Jacquelyn M. Bault, Legal Assistant II

Subject: Bid Waiver - Legal Research Services

History

The City Attorney's Office has contracted with Westlaw, through Thompson Reuters, for its on-line legal research needs since 1991. At that time, there was a review of the costs and capabilities of the two available service providers; Westlaw and Lexis. Westlaw was better suited to the City's needs. Since 1991, Westlaw has continued to be the City's legal research provider, and we have been very satisfied with their services. Westlaw has also worked very closely with the City to convert to electronic research, and has also alerted the City to additional cost savings measures throughout the years.

Based on gradual price increases over the past 23 years, the annual cost for this service now exceeds the \$10,000 bid threshold as per Chapter 7 of the City Charter.

The current three (3) year contract with Westlaw does not expire for another year. However, as per past practice, in year 2 of the current 3 year contract Westlaw offers a new contract price predicated on governmental pricing that is lower than the current contract, and limits the annual increases to 3% for each of the subsequent two years if the City approves a contract renewal before January 16, 2015. Note, that the City routinely works with WestlawNext to ensure further reduced monthly payments by choosing the best options as applicable based on the City's research requirements.

Through this renewal, the City will save approximately 14%. Under the new contract, the monthly payment for on-line legal research would be \$1,302, resulting in an estimated annual cost of \$15,624.00 for the first year, \$16,092 for the second year, and \$16,574 for the third year. Annual costs may vary or increase if additional specialized research capability is required. Specialized research capability is required on an as needed basis only.

Presently there still are only two services available for on line legal research; Westlaw and Lexis. Legal staff periodically reviews and compares pricing and content from both firms. It is consistently determined that Westlaw is superior to Lexis, especially since Westlaw offers additional relevant databases and content not available through Lexis.



CITY COUNCIL AGENDA ITEM

History (continued)

The attached letter from Westlaw further details the unique services that are included under the contract.

Because of the unique legal issues facing a city the size of Troy, and the complexity of the legal research in many different substantive areas; Westlaw is still the best legal research provider for the City. Additionally, since the City has used Westlaw for the past 23 years, ease of use and familiarity has resulted in more efficient legal research.

Purchasing

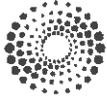
City Administration recommends a waiver of the bid process to continue its ongoing contractual relationship for on-line legal research with Thompson Reuters. Thompson Reuters is the sole source supplier of WestlawNext. The legal research features offered by Westlaw and the inability of any other legal research company to provide the same level of service and research capability is in the best interest of the City.

Financial

On-line legal research is included in the City Attorney's budget.

Recommendation

City Administration recommend the approval of the contract with Thompson Reuters for electronic research services from Westlaw so as to ensure research capability, continuity and credibility for the City's Legal Department at an estimated annual cost of \$15,624.00, with annual price increases not to exceed 3%.



THOMSON REUTERS

Bob Malouf
Government Sales Consultant

5483 Rosalind Blvd
Powell, OH 43065
Phone: 614.717.9060
Fax: 866.535.1489
Bob.Malouf@thomsonreuters.com

January 6, 2015

City of Troy
Ms. Jacquelyn Bault
City Attorney's Office
500 West Big Beaver Road
Troy, MI 48084

RE: Sole Source Designation—WestlawNext

Dear Ms. Bault,

Thomson Reuters (West Publishing Corporation) provides a legal research solution via WestlawNext. This letter is to confirm West's status as the sole source provider for WestlawNext, which includes the exclusive content, features, and services listed on the following page.

WestlawNext provides legal researchers with access to exclusive resources, proprietary tools, and technology that no other research provider can offer, such as the following:

- **Authoritative content**—With the most trusted primary law resources and leading analytical titles that are cited most often in court—all in one place and always available—researchers have access to all of the relevant information they need to answer a legal question.
- **Attorney-editor enhancements**—For more than a century, our attorney-editors have been analyzing, summarizing, and classifying the law. By developing proprietary innovations like the West Key Number System, KeyCite, and notes of decisions, we make the content better organized and connected so it's easier for researchers to find, validate, and interpret the law.
- **Industry-defining technology**—Our research innovations, such as WestSearch, the award-winning iPad app, folder sharing, and Graphical Statutes connect content and our proprietary analysis of the law in unparalleled ways so that legal professionals can conduct research faster and with more accuracy. Advanced, yet intuitive, easy-to-use functionality also helps researchers be more efficient.

With WestlawNext, researching is more complete, accurate, and efficient.

I would be happy to further discuss with you the exclusive features, services, and content available via WestlawNext. If you have any questions concerning this document or require additional information, please do not hesitate to contact me.

Sincerely,

Bob Malouf

Exclusive Content

- **National Reporter System**—Since 1879, our National Reporter System has compiled and organized federal and state case law into a cohesive body of law that can be researched within and across jurisdictions.
- **West Key Number System**—The West Key Number System, is the master classification system of U.S. law and is widely regarded as the cornerstone of effective legal research. It helps users to quickly locate and identify cases with the same or similar legal concepts in any jurisdiction in the U.S.
- **Editorial Enhancements**—For more than 100 years, our attorney-editors have been providing editorial enhancements to case law, statutes, and other legal materials. No other research service can match our editorial experience. Our exclusive enhancements include headnotes (more than 350,000 created annually), synopses (more than 60,000 created annually), and parallel citations (more than 500,000 added annually). Our headnotes are classified to the exclusive West Key Number System.
- **Correction and Verification Process**—Our attorney-editors provide the most exhaustive verification and correction process in the legal publishing and information industry. We are the only legal information provider to engage in these quality control steps to ensure the accuracy and reliability of the data.
- **West Key Number Digest System**—The West Key Number Digest System has been an essential case-finding tool since the United States Digest was first published in 1848. A digest is a multi-volume index to the law consisting of major topic headings, thousands of subheadings, and short summaries of legal propositions stated in published cases, referred to as headnotes.
- **Uniform Laws Annotated (ULA)**—The ULA provides an extensive reference to the text of uniform laws, prepared under the sponsorship of the National

Conference of Commissioners on Uniform State Laws and the American Law Institute. ULA examines acts recommended for adoption in all states, pinpoints state variations, and includes annotations to cases decided in adopting jurisdictions.

- **Restatements of the Law**—The restatements are principles of black letter law distilled from case law. Restatements on WestlawNext provide a section's black letter law, reporter's notes, commentary, illustrations, and annotations in one document. First Restatements of the Law, available exclusively on WestlawNext, can help researchers trace the evolution of a law, or an area of law, and aid in the interpretation of older cases that rely on First Restatement sections.
- **American Jurisprudence Library**—The American Jurisprudence library provides fast, authoritative answers to many aspects of civil, criminal, substantive, and procedural law. WestlawNext provides exclusive online access to the full library.
- **Michigan Criminal Law and Procedure (Gillespie)**—Gillespie is a comprehensive source of in-depth information on substantive and procedural criminal law in Michigan. It provides expert analysis of current statutes, court rules and judicial decisions, and is considered to be the preeminent source for criminal law in Michigan.
- **Briefs**—WestlawNext provides access to an extensive and exclusive collection of appellate briefs at both the federal and state levels. As of June 2014, Westlaw contains more than 2.8 million separate documents and the number of briefs is growing monthly.
- **West Reporter Images**—West Reporter Images provides cost effective, easy access to an exact electronic copy of a National Reporter System case.

Exclusive Features & Services

- **WestSearch**—WestSearch, a search engine designed specifically for law, incorporates over 140 years of proprietary analysis of the law and exclusive tools such as key numbers, KeyCite, headnotes, notes of decisions, indexes, and secondary sources to deliver relevant documents.
- **Case Summaries**—These editorially-created summaries help researchers move through result lists efficiently, providing an understanding of what a case is about at a glance.
- **Folding**—WestlawNext enables users to organize and manage their research by storing documents and text snippets in dedicated folders by issue, client, or topic. Users can **save** the document they are viewing with a few mouse clicks, or they can select portions of document text and **save** that text to a folder. Users can even use drag-and-drop functionality to add documents to a folder.
- **Notes and Multiple-Color Highlighting**—Users can type personal notes in a case to use for future reference, to follow up on an issue, or to capture their thought processes. Additionally, users can highlight text online, as they would with print materials, helping them to refocus on previous research when they return to a document.
- **Visual Indicators**—Icons help researchers easily determine when they have already viewed or worked with a document.



CITY COUNCIL AGENDA ITEM

January 12, 2015

TO: Brian Kischnick, City Manager
FROM: Thomas Darling, Director of Financial Services
SUBJECT: Amendment to City Section 125 Cafeteria Plan

History

The City requires active employee contributions towards the cost of medical, dental and optical coverage offered by the City. The City established a Section 125 Cafeteria Plan starting in January 1, 2007 in order to make these contributions “pre-tax” to the employee. “Pre-tax” refers to the contribution amounts are not subject to social security, medicare and federal income taxes.

Due to changes in the healthcare laws related to the affordable healthcare act, the plan required some minor modifications to reflect these changes. Primarily addressing employees right to go to the Health Insurance Marketplace and addressing employees who are no longer eligible for City sponsored healthcare due to a reduction in hours. Either of which would make the individual no longer eligible for City sponsored healthcare and thus ineligible to participate in this cafeteria plan because we are no longer accepting employee contributions.

Financial

Financial impacts to the City are savings on social security and medicare taxes related to employee contributions that would otherwise be due.

Legal Considerations

The amendment meets specifications and requirements as directed by the United States Internal Revenue Service.

Recommendation

It is recommended that City Council approve the attached resolution to adopt the amended plan.

CITY OF TROY PRE-TAX BENEFIT PLAN

SUMMARY PLAN DESCRIPTION

January 12, 2015

Copyright 2002-2015
Rehmann

CITY OF TROY PRE-TAX BENEFIT PLAN

SUMMARY PLAN DESCRIPTION

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FORFEITURES 3

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 Amendment and Termination 3

 Administrator Discretion 3

 Taxation 3

ADMINISTRATIVE INFORMATION 3

INTRODUCTION

City of Troy (the "City") established the City of Troy Pre-Tax Benefit Plan (the "Plan") effective January 1, 2007. This Summary Plan Description describes the Plan as amended and restated effective January 12, 2015.

This revised Summary Plan Description supersedes all previous Summary Plan Descriptions. Although the purpose of this document is to summarize the more significant provisions of the Plan, the Plan document will prevail in the event of any inconsistency.

ELIGIBILITY FOR PARTICIPATION

Eligible Employee

You are an "Eligible Employee" on the date you become eligible to receive benefits from the contracts described in the Section titled "BENEFITS" below.

Date of Participation

You will become a Participant eligible to receive benefits from the Plan on the date you become eligible to receive benefits from the contracts described in the Section titled "BENEFITS" below.

You will stop being a participant eligible to receive benefits from the Plan on the date you are no longer an Eligible Employee or the date you terminate employment with the City.

Enrollment

You are deemed to elect to contribute the entire amount of any participant-paid premiums unless you otherwise elect in writing.

In addition, your election for your Premium Conversion Account will be automatically adjusted for any change in the cost of contracts as permitted by applicable law.

Modification of Elections

Generally speaking, you may only revise your elections as of the start of a Plan Year. However, in certain situations you may modify your elections upon a "change in status". A brief listing of events that constitute a change in status follows. Please note that there are several conditions and/or limitations that apply to the events listed below. Please contact the Plan Administrator if you have any questions or believe that you may qualify for an election change. A change in status includes:

Change in your marital status.

Change in the number of your dependents.

Change in employment status.

A dependent satisfies or ceases to satisfy eligibility requirements.

Change in your place of residence.

Commencement or termination of an adoption proceeding.

Court judgment, decree, or order.

Entitlement to Medicare or Medicaid.

Significant cost or other coverage changes.

You take leave under the FMLA

You are permitted to revoke an election of coverage under a group health plan due to reduction in hours of service. In order to revoke an election of coverage under a group health plan due to reduction in hours of service, you must have been in an employment status under which you were reasonably expected to average at least 30 hours of service per week and there is a change in your status so that you will reasonably be expected to average less than 30 hours of service per week after the change. In addition, your revocation of the election of coverage under the group health plan must correspond to your intended enrollment (and any related individuals who cease coverage due to the revocation) in another plan that provides minimum essential coverage with the new coverage effective no later than the first day of the second month following the month that includes the date the original coverage is revoked.

You are permitted to revoke an election of coverage under a group health plan due to enrollment in a qualified health plan offered through the Health Insurance Marketplace. In order to revoke an election of coverage under a group health plan due to enrollment in a qualified health plan offered through the Health Insurance Marketplace, you must be eligible for a special enrollment period to enroll in a qualified health plan through the marketplace or during the marketplace's annual enrollment period. In addition, the revocation of the election of coverage under the group health plan must correspond to your intended enrollment (and any related individuals who cease coverage due to the revocation) in a qualified health plan through a marketplace for new coverage that is effective no later than the day immediately following the last day of the original coverage that is revoked.

BENEFITS

In General

When you become eligible to participate in the Plan, the City will automatically deduct participant-paid premiums from your pay. The deduction will be used to automatically pay participant-paid premiums for the contracts listed below.

Employer Group Medical

Employer Dental

Employer Vision

The amount paid for premiums may not exceed the employee-paid portion of premiums payable under the contracts listed above. In addition, total premium payments will not be greater than the deductions from your pay. Premiums will only be paid when you are actively participating in the Plan.

If a contract is offered in conjunction with a City-sponsored benefit plan, you will be eligible to make contributions to the Premium Conversion Account only if you are also eligible to participate in the applicable City-sponsored plan, it is described above and you are eligible to participate in this Plan.

In the event of a conflict between the terms of this Plan and the terms of a contract, the terms of the contract (or the benefit plan under which it is established) will control.

Coordination with Other Plans

All claims for benefits that are covered by an insurance policy must be made to the insurance company issuing such insurance policy.

Limits on Certain Employees

If you are a highly paid employee or an owner of the Company, federal law may impose limits on your eligibility to participate in the Plan and/or the benefits you may receive from the Plan.

FORFEITURES

Plan Year/Termination

Any amounts remaining in your account at the end of the Plan Year will be forfeited after all premiums are paid. In addition, any balance remaining in your account on the date you terminate employment with the City will be forfeited after all premiums are paid.

CONTINUATION RIGHTS

Military Service

If you serve in the United States Armed Forces and must miss work as a result of such service, you may be eligible to continue to receive benefits with respect to any qualified military service.

MISCELLANEOUS

Amendment and Termination

The City may amend, terminate or merge the Plan at any time.

Administrator Discretion

The Plan Administrator has the authority to make factual determinations, to construe and interpret the provisions of the Plan, to correct defects and resolve ambiguities in the Plan and to supply omissions to the Plan. Any construction, interpretation or application of the Plan by the Plan Administrator is final, conclusive and binding.

Taxation

The City intends that all benefits provided under the Plan will not be taxable to you under federal tax law. However, the City does not represent or guarantee that any particular federal, state or local income, payroll, personal property or other tax consequence will result from participation in this Plan. You should consult with your professional tax advisor to determine the tax consequences of your participation in this Plan.

ADMINISTRATIVE INFORMATION

1. The Plan Sponsor and Plan Administrator is City of Troy.
Its address is 500 W. Big Beaver Rd., Troy, MI 48084.
Its telephone number is 248-524-3330.
Its Employer Identification Number is 38-6027333.
2. The Plan is a welfare benefit plan which has been designated by the sponsor as its plan number 501.
3. The Plan's designated agent for service of legal process is the chief officer of the entity named in paragraph 1. Any legal papers should be delivered to him or her at the address listed in paragraph 1. However, service may also be made upon the Plan Administrator.
4. The City's fiscal year ends on June 30 and the plan year ends on May 31.



CITY COUNCIL AGENDA ITEM

Date: January 7, 2015
To: Brian Kischnick, City Manager
From: Aileen Bittner, City Clerk
Subject: Request for Recognition as a Nonprofit Organization from Troy Colts Dugout Club

Background

Attached is a request from Dean Simono, Vice President of the Troy Colt Dugout Club, seeking recognition as a nonprofit organization for the purpose of obtaining a charitable gaming license for fundraising purposes.

Recommendation

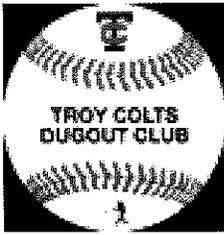
It has been City Management's practice to support the approval of such requests.

Fund Availability

There are no financial considerations associated with this item.

City Attorney's Review as to Form and Legality

There are no legal considerations associated with this item.



**TROY COLTS
DUGOUT CLUB**

2015 JAN 7 AM 9:49

1/6/2015

Mayor Slater,
Council Members, Campbell, Gottlieb, Henderson, Hodorek, Pennington, and Tietz;

My name is Dean Simono and I am the Vice president of the volunteer run Troy Colt Dugout Club.

The club is seeking your resolution to obtain a Charitable Gaming License for the Michigan Gaming Control board. Our desire is to hold a fund raising raffle.

The purpose for which the corporation is organized is to support the development and education of young people who are baseball team members at Troy High School, Troy, Michigan ("Troy High School") by:

- a. Organizing volunteer support to the baseball program and teams of Troy High School provided by baseball team members and family as well as other volunteers;
- b. Enhancing the experiences of baseball team members at Troy High School, beyond what is provided by the Troy School district;
- c. Providing financial support to the baseball program and teams of Troy High School;
- d. Operating and acting exclusively for charitable and/or educational purposes as the Board of Directors shall determine from time to time based upon circumstances then existing;
- e. Receiving and administering assets exclusively for the purposes herein; and
- f. Conducting any and all such activities and exercising any and all such powers as are necessary to the achievement of the foregoing and in furtherance of the purposes of the corporation

The funds generated from this raffle will go directly into the program. Our goal is to provide infield tarps, training equipment and assuring the program has the means to support itself in the future.

The members of the club are available for any of your questions.
We thank you for your support and consideration.

Troy Colt Dugout Club,

Dean Simono
Dean Simono
Vice-president

President Denise Howard, Secretary Drew Eighmey, Treasurer Mary Soules and Special Events Tim Pawlik.

Troy Colts Dugout Club Inc.





State of Michigan
 Michigan Gaming Control Board
 Office of the Executive Director
 P.O. Box 30786
 Lansing, MI 48909
 Phone: (313) 456-4940
 Fax: (313) 456-3405
 Email: Millionaireparty@michigan.gov
 www.michigan.gov/mgcb

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD
 called to order by _____ on _____
DATE
 at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____
 that the request from _____ of _____
NAME OF ORGANIZATION CITY
 county of _____, asking that they be recognized as a
COUNTY NAME
 nonprofit organization operating in the community for the purpose of obtaining charitable
 gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
 adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL
 meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

11/16/2010
TROY COLTS DUGOUT CLUB INC
C/O ROBIN D FERRIBY
6665 GRANGER DR
TROY, MI 48098

Employer Identification Number:
45-3561308
DLN:
17053352308002
Contact Person:
ANGELA M BENDER ID# 31162
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 30
Public Charity Status:
509(a)(2)
Form 990 Required:
Yes
Effective Date of Exemption:
September 15, 2011
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

TROY COLTS DUGOUT CLUB INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,



Holly O. Paz
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC

**Application for Recognition of Exemption
 Under Section 501(c)(3) of the Internal Revenue Code**

OMB No. 1545-0056
 Note: If exempt status is approved, this application will be open for public inspection.

Use the instructions to complete this application and for a definition of all **bold** items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at www.irs.gov for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

Part I Identification of Applicant

1 Full name of organization (exactly as it appears in your organizing document)		2 c/o Name (if applicable)	
Troy Colts Dugout Club, Inc.			
3 Mailing address (Number and street) (see instructions)	Room/Suite	4 Employer Identification Number (EIN)	
6665 Granger Drive		45-3561308	
City or town, state or country, and ZIP + 4		5 Month the annual accounting period ends (01 - 12)	
Troy		06	
6 Primary contact (officer, director, trustee, or authorized representative)		b Phone: 248-227-9391	
a Name: Robin Ferriby		c Fax: (optional) 248-828-7960	
7 Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
8 Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
9a Organization's website: www.troycoltsdugoutclub.org			
b Organization's email: (optional)			
10 Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
11 Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY) 09 / 14 / 2011			
12 Were you formed under the laws of a foreign country? If "Yes," state the country. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Part II Organizational Structure

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT file this form unless you can check "Yes" on lines 1, 2, 3, or 4.**

- 1** Are you a corporation? If "Yes," attach a copy of your articles of incorporation showing certification of filing with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification. Yes No
- 2** Are you a limited liability company (LLC)? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application. Yes No
- 3** Are you an unincorporated association? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments. Yes No
- 4a** Are you a trust? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments. Yes No
- b.** Have you been funded? If "No," explain how you are formed without anything of value placed in trust. Yes No
- 5** Have you adopted bylaws? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected. Yes No

Part III Required Provisions in Your Organizing Document

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT file this application until you have amended your organizing document.** Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1** Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): Article II of Articles of Incorp.
- 2a** Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c.
- 2b** If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. Article VIII of Articles of Incorporation
- 2c** See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state:

Part IV Narrative Description of Your Activities

Using an attachment, describe your past, present, and planned activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors

- 1a** List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual compensation, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
Darrell DuBay	President	668 Barclay Drive Troy, MI 48065	None
Vicky Belgeri	Vice President	1709 Brentwood Troy, MI 48098	None
Dean Simono	Secretary	3482 McClure Troy, MI 48084	None
Patrick O'Donovan	Treasurer	3809 Estates Drive Troy, MI 48084	None
Denise Howard	Board Member	555 Longfellow Troy, MI 48085	None

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

b List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
None - no one is paid.			

c List the names, names of businesses, and mailing addresses of your five highest compensated independent contractors that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)
None			

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

- 2a** Are any of your officers, directors, or trustees **related** to each other through **family** or **business relationships**? If "Yes," identify the individuals and explain the relationship. Yes No
- b** Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees. Yes No
- c** Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship. Yes No
- 3a** For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties.
- b** Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through **common control**? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement. Yes No
- 4** In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use.
 - a** Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy? Yes No
 - b** Do you or will you approve compensation arrangements in advance of paying compensation? Yes No
 - c** Do you or will you document in writing the date and terms of approved compensation arrangements? Yes No

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements? Yes No
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source? Yes No
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c.
-
- 5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c. Yes No
- b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation?
- c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves?
- Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.
-
- 6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed payments**, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
- b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation. Yes No
-
- 7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases. Yes No
- b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine you are or will be paid at least **fair market value**. Attach copies of any written contracts or other agreements relating to such sales. Yes No
-
- 8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f. Yes No
- b** Describe any written or oral arrangements that you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at **arm's length**.
- e** Explain how you determine you pay no more than **fair market value** or you are paid at least **fair market value**.
- f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.
-
- 9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f. Yes No

Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- b** Describe any written or oral arrangements you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at arm's length.
- e** Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f** Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1a** In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals. Yes No
- b** In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations. Yes No
- 2** Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program. Yes No
- 3** Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds. Yes No

Part VII Your History

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1** Are you a **successor** to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G. Yes No
- 2** Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E. Yes No

Part VIII Your Specific Activities

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past, present, and planned* activities. (See instructions.)

- 1** Do you support or oppose candidates in **political campaigns** in any way? If "Yes," explain. Yes No
- 2a** Do you attempt to **influence legislation**? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a. Yes No
- b** Have you made or are you making an **election** to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities. Yes No
- 3a** Do you or will you operate bingo or **gaming** activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. **Revenue and expenses** should be provided for the time periods specified in Part IX, Financial Data. Yes No
- b** Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies or any written contracts or other agreements relating to such arrangements. Yes No
- c** List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.

Part VIII Your Specific Activities (Continued)

4a Do you or will you undertake fundraising? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.) Yes No

- | | |
|---|--|
| <input checked="" type="checkbox"/> mail solicitations | <input type="checkbox"/> phone solicitations |
| <input checked="" type="checkbox"/> email solicitations | <input type="checkbox"/> accept donations on your website |
| <input checked="" type="checkbox"/> personal solicitations | <input type="checkbox"/> receive donations from another organization's website |
| <input type="checkbox"/> vehicle, boat, plane, or similar donations | <input type="checkbox"/> government grant solicitations |
| <input checked="" type="checkbox"/> foundation grant solicitations | <input type="checkbox"/> Other |

Attach a description of each fundraising program.

b Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements. Yes No

c Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements. Yes No

d List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you.

e Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes" if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors. Yes No

5 Are you affiliated with a governmental unit? If "Yes," explain. Yes No

6a Do you or will you engage in economic development? If "Yes," describe your program. Yes No

b Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

7a Do or will persons other than your employees or volunteers develop your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees. Yes No

b Do or will persons other than your employees or volunteers manage your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees. Yes No

c If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

8 Do you or will you enter into joint ventures, including partnerships or limited liability companies treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate. Yes No

9a Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10. Yes No

b Do you provide child care so that parents or caretakers of children you care for can be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). Yes No

c Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k). Yes No

d Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k). Yes No

10 Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other intellectual property? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed. Yes No

Part VIII Your Specific Activities (Continued)

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution. Yes No
-
- 12a** Do you or will you operate in a **foreign country** or **countries**? If "Yes," answer lines 12b through 12d. If "No," go to line 13a. Yes No
- b** Name the foreign countries and regions within the countries in which you operate.
- c** Describe your operations in each country and region in which you operate.
- d** Describe how your operations in each country and region further your exempt purposes.
-
- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a. Yes No
- b** Describe how your grants, loans, or other distributions to organizations further your exempt purposes.
- c** Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract. Yes No
- d** Identify each recipient organization and any **relationship** between you and the recipient organization.
- e** Describe the records you keep with respect to the grants, loans, or other distributions you make.
- f** Describe your selection process, including whether you do any of the following:
- (i)** Do you require an application form? If "Yes," attach a copy of the form. Yes No
- (ii)** Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused. Yes No
- g** Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.
-
- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15. Yes No
- b** Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.
- c** Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries. Yes No
- d** Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors. Yes No
- e** Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information. Yes No
- f** Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately. Yes No

Part VIII Your Specific Activities (Continued)

- 15 Do you have a close connection with any organizations? If "Yes," explain. Yes No
- 16 Are you applying for exemption as a cooperative hospital service organization under section 501(e)? If "Yes," explain. Yes No
- 17 Are you applying for exemption as a cooperative service organization of operating educational organizations under section 501(f)? If "Yes," explain. Yes No
- 18 Are you applying for exemption as a charitable risk pool under section 501(n)? If "Yes," explain. Yes No
- 19 Do you or will you operate a school? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your main function or as a secondary activity. Yes No
- 20 Is your main function to provide hospital or medical care? If "Yes," complete Schedule C. Yes No
- 21 Do you or will you provide low-income housing or housing for the elderly or handicapped? If "Yes," complete Schedule F. Yes No
- 22 Do you or will you provide scholarships, fellowships, educational loans, or other educational grants to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. Yes No

Note: Private foundations may use Schedule H to request advance approval of individual grant procedures.

Part IX Financial Data

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

A. Statement of Revenues and Expenses

	Type of revenue or expense	Current tax year	3 prior tax years or 2 succeeding tax years			(e) Provide Total for (a) through (d)
		(a) From 9/2011 To 6/2012	(b) From 7/2012 To 6/2013	(c) From 7/2013 To 6/2014	(d) From To	
Revenues	1 Gifts, grants, and contributions received (do not include unusual grants)	0	0	0		0
	2 Membership fees received	1,280	1,280	1,280		3,840
	3 Gross investment income	0	0	0		0
	4 Net unrelated business income	0	0	0		0
	5 Taxes levied for your benefit	0	0	0		0
	6 Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)	0	0	0		0
	7 Any revenue not otherwise listed above or in lines 9-12 below (attach an itemized list)	17,348	17,348	17,348		52,044
	8 Total of lines 1 through 7	18,628	18,628	18,628		55,844
Expenses	9 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)	0	0	0		0
	10 Total of lines 8 and 9	18,628	18,628	18,628		55,844
	11 Net gain or loss on sale of capital assets (attach schedule and see instructions)	0	0	0		0
	12 Unusual grants	0	0	0		0
	13 Total Revenue Add lines 10 through 12	18,628	18,628	18,628		55,844
	14 Fundraising expenses	2,392	2,392	2,392		
	15 Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)	0	0	0		
	16 Disbursements to or for the benefit of members (attach an itemized list)	0	0	0		
17 Compensation of officers, directors, and trustees	0	0	0			
18 Other salaries and wages	0	0	0			
19 Interest expense	0	0	0			
20 Occupancy (rent, utilities, etc.)	0	0	0			
21 Depreciation and depletion	0	0	0			
22 Professional fees	0	0	0			
23 Any expense not otherwise classified, such as program services (attach itemized list)	14,479	14,479	14,479			
24 Total Expenses Add lines 14 through 23	16,871	16,871	16,871			

Part IX Financial Data (Continued)

B. Balance Sheet (for your most recently completed tax year)

		Year End:
		(Whole dollars)
Assets		
1	Cash	2,283
2	Accounts receivable, net	323
3	Inventories	
4	Bonds and notes receivable (attach an itemized list)	
5	Corporate stocks (attach an itemized list)	
6	Loans receivable (attach an itemized list)	
7	Other investments (attach an itemized list)	
8	Depreciable and depletable assets (attach an itemized list)	
9	Land	
10	Other assets (attach an itemized list)	
11	Total Assets (add lines 1 through 10)	2,606
Liabilities		
12	Accounts payable	850
13	Contributions, gifts, grants, etc. payable	
14	Mortgages and notes payable (attach an itemized list)	
15	Other liabilities (attach an itemized list)	
16	Total Liabilities (add lines 12 through 15)	
Fund Balances or Net Assets		
17	Total fund balances or net assets	850
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17)	1,756
19	Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Part X Public Charity Status

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

- 1a Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. Yes No
If you are unsure, see the instructions.
- b As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2.
- 2 Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI. Yes No
- 3 Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4. Yes No
- 4 Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation? Yes No
- 5 If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.
- The organization is not a private foundation because it is:
- a 509(a)(1) and 170(b)(1)(A)(i)—a church or a convention or association of churches. Complete and attach Schedule A.
 - b 509(a)(1) and 170(b)(1)(A)(ii)—a school. Complete and attach Schedule B.
 - c 509(a)(1) and 170(b)(1)(A)(iii)—a hospital, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C.
 - d 509(a)(3)—an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D.

Part X Public Charity Status (Continued)

- e 509(a)(4)—an organization organized and operated exclusively for testing for public safety.
- f 509(a)(1) and 170(b)(1)(A)(iv)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit.
- g 509(a)(1) and 170(b)(1)(A)(vi)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.
- h 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross investment income and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions).
- i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status.

6 If you checked box g, h, or i in question 5 above, you must request either an **advance** or a **definitive ruling** by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.

- a **Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at www.irs.gov or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

For Organization

.....
(Signature of Officer, Director, Trustee, or other authorized official)

.....
(Type or print name of signer)

.....
(Date)

.....
(Type or print title or authority of signer)

For IRS Use Only

.....
IRS Director, Exempt Organizations

.....
(Date)

- b **Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii).

(i) (a) Enter 2% of line 8, column (e) on Part IX-A. Statement of Revenues and Expenses. \$1,117

(b) Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box.

(ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each **disqualified person**. If the answer is "None," check this box.

(b) For each year amounts are included on line 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A. Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box.

- 7 Did you receive any unusual grants during any of the years shown on Part IX-A. Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual. Yes No

Part XI User Fee Information

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of gross receipts over a 4-year period. Your check or money order must be made payable to the United States Treasury. User fees are subject to change. Check our website at www.irs.gov and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000? Yes No
If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).
If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change).
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change).

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here


Darrell Dobay
(Date)
 (Signature of Officer, Director, Trustee, or other authorized official)
 (Type or print name of signer)
President
(Type or print title or authority of signer)

Reminder: Send the completed Form 1023 Checklist with your filled-in-application. Form **1023** (Rev. 6-2006)

BYLAWS OF
TROY COLTS DUGOUT CLUB, INC.

ARTICLE I
OFFICES

1.01 *Principal Office.* The principal office of the corporation shall be at such place within the state of Michigan as the board of directors may determine from time to time. The initial office will be:

6665 Granger Drive
Troy, Michigan 48098

1.02 *Other Offices.* The board of directors may establish other offices in or outside the state of Michigan.

ARTICLE II
MEMBERS

2.01 *Eligibility for Membership.* To be eligible for membership in the corporation, an individual must satisfy the following requirements:

- (a) Be a parent, or the legal guardian, of a team member on the freshman, junior varsity or varsity baseball team at Troy High School, Troy, Michigan whose child is or will be a Troy High School student for the school year in which membership is sought; and
- (b) Have paid any dues, if any, established by the board of directors.

“School year” for purposes of these by-laws will mean July 1 to June 30 each year (roughly corresponding with the academic school year).

2.02 *Membership Dues.* The board of directors shall establish the initial and annual dues for membership in the corporation. The billing and collection of dues shall be in a manner prescribed by the board of directors.

2.03 *Termination of Membership.* Membership may be terminated by the board of directors on the occurrence of any of the following events:

- (a) Failure to pay dues within 45 days after written notice of payment due.
- (b) Failure to satisfy the requirements of section 2.01 of this article.
- (c) Failure to act in the best interests of the corporation and/or the baseball teams or program of Troy High School, as determined in the discretion of the board of directors

Termination of membership by the board of directors under paragraphs (a) and (b) above will occur on the majority vote of the directors attending the meeting at which the vote to terminate is held, provided a quorum is present. Termination of membership by the board of directors under paragraph (c) above will occur only on the unanimous vote of the board of directors.

2.04 Annual Meeting. The annual meeting of the members shall be held on June 30 of each year, or such other time in May or June as designated by the president of the board of directors. At each annual meeting, directors shall be elected and any other business shall be transacted that may come before the meeting.

2.05 Special Meetings. Special meetings of the members may be called by the board of directors or by the president. Such meetings shall also be called by the president or secretary at the written request of not less than 20 percent of the members.

2.06 Place of Meetings. All membership meetings shall be held at the corporation's principal office or at any other place determined by the board of directors and stated in the notice of the meeting.

2.07 Notice of Meetings. Except as otherwise provided by statute, written notice of the time, place, and purposes of a membership meeting shall be given not less than 10 days nor more than 60 days before the date of the meeting. Notice shall be given either personally, by email, by electronic transmission or by mail to each member of record entitled to vote at the meeting at his or her last address as it appears on the books of the corporation.

2.08 Record Dates. The board of directors may fix in advance a record date for the purpose of determining members entitled to notice of and to vote at a membership meeting or an adjournment of the meeting, or to express consent to or to dissent from a proposal without a meeting, or for the purpose of any other action. The date fixed shall not be more than 60 days nor less than 10 days before the date of the meeting, nor more than 60 days before any other action.

2.09 List of Members. The secretary of the corporation or the agent of the corporation having charge of the membership records of the corporation shall make and certify a complete list of the members entitled to vote at a membership meeting or any adjournment. The list shall be arranged alphabetically with the address of each member, be produced at the time and place of the membership meeting, be subject to inspection by any members during the whole time of the meeting, and be prima facie evidence of the members entitled to examine the list or vote at the meeting.

2.10 Quorum. Unless a greater or lesser quorum is required by statute, members present in person or by proxy who, as of the record date, represented 5% (five percent) of the members entitled to vote at a membership meeting shall constitute a

quorum at the meeting. Whether or not a quorum is present, the meeting may be adjourned by vote of the members present.

2.11 *Proxies.* A member entitled to vote at a membership meeting or to express consent or dissent without a meeting may authorize other persons to act for the member by proxy. A proxy shall be signed by the member or the member's authorized agent or representative and shall not be valid after the expiration of three years, unless otherwise provided in the proxy. A proxy is revocable at the pleasure of the member executing it except as otherwise provided by statute.

2.12 *Voting.* Each member is entitled to one vote on each matter submitted to a vote. A vote may be cast either orally or in writing. When an action, other than the election of directors, is to be taken by a vote of the members, it shall be authorized by a majority of the votes cast by the members entitled to vote, unless a greater vote is required by statute. Directors shall be elected by a plurality of votes cast at any election.

2.13 *Meeting by Telephone or Similar Equipment.* A member may participate in a membership meeting by conference telephone or any similar communications equipment through which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

ARTICLE III BOARD

3.01 *General Powers.* The business, property, and affairs of the corporation shall be managed by the board of directors.

3.02 *Number.* There shall be not less than three nor more than nine directors on the board as shall be fixed from time to time by the board of directors.

3.03 *Ex-Officio Member.* The then current head coach of the Troy High School varsity baseball team shall be an ex-officio member of the board of directors. He/she will have no vote at the board of directors meeting and his/her presence or absence will not be considered in determining the size of a quorum or if a quorum is present.

3.04 *Eligibility as a Director.* Directors must be a member in good standing pursuant to section 2.01 of Article II above. Every effort should be made to have at least one board of director member that is a parent of a sophomore, junior and senior class member of Troy High School, who was a player on the freshmen, junior varsity or varsity baseball team the previous school year. Members who are parents of a freshman class member may not be a director unless they are also the parent of a sophomore, junior or senior class member of Troy High School, who was a player on the freshmen, junior varsity or varsity baseball team the previous school year.

3.05 *Tenure.* Directors shall be elected at each annual membership meeting to hold office from July 1 to June 30, or until the director's successor is elected and qualified, or until the director's death, resignation, or removal.

3.06 *Resignation.* A director may resign at any time by providing written notice to the corporation. Notice of resignation will be effective on receipt or at a later time designated in the notice. A successor shall be appointed as provided in section 3.07 of the bylaws.

3.07 *Removal.* Any director may be removed with or without cause by a majority vote of the members entitled to vote at an election of directors.

3.08 *Board Vacancies.* A vacancy on the board may be filled with a person selected by the remaining directors of the board, though less than a quorum of the board of directors, unless filled by proper action of the members. Each person so elected shall be a director for a term of office continuing until the next election of directors by the members.

3.09 *Annual Board Meeting.* An annual board meeting shall be held of the newly elected board of directors after the Annual Meeting but no later than July 15 of each year. If the annual meeting is not held at that time, the newly elected board shall cause the meeting to be held as soon thereafter as is convenient.

3.10 *Regular Meetings.* Regular meetings of the board may be held at the time and place as determined by a board resolution without notice other than the resolution.

3.11 *Special Meetings.* Special meetings of the board may be called by the president or any two directors at a time and place as determined by those persons authorized to call special meetings. Notice of the time and place of special meetings shall be given to each director in any manner at least three days before the meeting.

3.12 *Statement of Purpose.* Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board need be specified in the notice for that meeting.

3.13 *Waiver of Notice.* The attendance of a director at a board meeting shall constitute a waiver of notice of the meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. In addition, the director may submit a signed waiver of notice that shall constitute a waiver of notice of the meeting.

3.14 *Meeting by Telephone or Similar Equipment.* A director may participate in a meeting by conference telephone or any similar communications equipment through which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section constitutes presence in person at the meeting.

3.15 *Quorum*. A majority of the directors then in office constitutes a quorum for the transaction of any business at any meeting of the board. Actions voted on by a majority of directors present at a meeting where a quorum is present shall constitute authorized actions of the board.

3.16 *Consent to Corporate Actions*. Any action required or permitted to be taken pursuant to board authorization may be taken without a meeting if, before or after the action, all directors consent to the action in writing. Written consents shall be filed with the minutes of the board's proceeding.

ARTICLE IV COMMITTEES

4.01 *General Powers*. The board, by resolution adopted by a vote of a majority of its directors, may designate one or more committees, each committee consisting of (i) one or more directors, (ii) other members of the corporation, and/or (iii) other volunteers to carry out the purposes of the corporation. All committees designated by the board shall serve at the pleasure of the board.

The board, by resolution adopted by a vote of a majority of its directors, may designate one or more committees, each committee consisting of (i) one or more directors, and (ii) if desired, other members of the corporation to carry out the exercise of any powers held exclusive to the board in managing the corporation's business and affairs to the extent provided by resolution of the board. The board may also designate one or more directors as alternate committee members who may replace an absent or disqualified member at a meeting of such committee. If a committee member is absent or disqualified from voting, members present at a meeting who are not disqualified from voting may, whether or not they constitute a quorum, unanimously appoint an alternate committee member to act at the committee meeting in place of the absent or disqualified member. All committees designated by the board shall serve at the pleasure of the board

Any committee designated by the board to exercise any powers held exclusive to the board in managing the corporation's business and affairs, to the extent provided by resolution of the board, may exercise the powers of the board so designated. However, no committee shall have the power to

- (a) amend the articles of incorporation;
- (b) adopt an agreement of merger or consolidation;
- (c) amend the bylaws of the corporation;
- (d) fill vacancies on the board; or

- (e) fix compensation of the directors for serving on the board or on a committee.
- (f) recommend to members the sale, lease, or exchange of all or substantially all of the corporation's property and assets;
- (g) recommend to the members a dissolution of the corporation or a revocation of a dissolution; or
- (h) terminate memberships.

4.02 *Meetings.* Committees authorized to exercise powers held exclusive to the board in managing the corporation's business and affairs shall meet as directed by the board, and their meetings shall be governed by the rules provided in article III for meetings of the board. Minutes shall be recorded at each committee meeting and shall be presented to the board.

4.03 *Consent to Committee Actions.* Any action required or permitted to be taken pursuant to authorization of a committee may be taken without a meeting if, before or after the action, all members of the committee consent to the action in writing. Written consents shall be filed with the minutes of the committee's proceedings.

ARTICLE V OFFICERS

5.01 *Number.* The officers of the corporation shall be appointed by the board. The officers shall be a president, a vice president, a secretary, and a treasurer. There may also be such other officers as the board deems appropriate. The president shall be a voting member of the board. Two or more offices may be held by the same person, but such person shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or by the president or by the board to be executed, acknowledged, or verified by two or more officers.

5.02 *Term of Office.* Each officer shall hold office for the term appointed and until a successor is appointed and qualified. An officer may resign at any time by providing written notice to the corporation. Notice of resignation is effective on receipt or at a later time designated in the notice.

5.03 *Removal.* An officer appointed by the board may be removed with or without cause by vote of a majority of the board. The removal shall be without prejudice to the person's contract rights, if any. Appointment to an office does not of itself create contract rights.

5.04 *Vacancies.* A vacancy in any office for any reason may be filled by the board.

5.05 *President.* The president shall be the chief executive officer of the corporation and shall have authority over the general control and management of the business and affairs of the corporation. The president shall have power to appoint or discharge employees, agents, or independent contractors, to determine their duties, and to fix their compensation. The president shall sign all corporate documents and agreements on behalf of the corporation, unless the president or the board instructs that the signing be done with or by some other officer, agent, or employee. The president shall see that all actions taken by the board are executed and shall perform all other duties incident to the office. This is subject, however, to the president's right and the right of the board to delegate any specific power to any other officer of the corporation.

5.06 *Vice President.* The vice president, if any, shall have the power to perform duties that may be assigned by the president or the board. If the president is absent or unable to perform his or her duties, the vice president shall perform the president's duties until the board directs otherwise. The vice president shall perform all duties incident to the office.

5.07 *Secretary.* The secretary shall (a) keep minutes of board meetings; (b) be responsible for providing notice to each member or director as required by law, the articles of incorporation, or these bylaws; (c) be the custodian of corporate records; (d) keep a register of the names and addresses of each member, officer and director; and (e) perform all duties incident to the office and other duties assigned by the president or the board.

5.08 *Treasurer.* The treasurer shall (a) have charge and custody over corporate funds and securities; (b) keep accurate books and records of corporate receipts and disbursements; (c) deposit all moneys and securities received by the corporation at such depositories in the corporation's name that may be designated by the board; (d) complete all required corporate filings; and (e) perform all duties incident to the office and other duties assigned by the president or the board.

ARTICLE VI CORPORATE DOCUMENT PROCEDURE

No corporate documents (including stocks, bonds, agreements, insurance and annuity contracts, qualified and nonqualified deferred compensation plans, checks, notes, disbursements, loans, and other debt obligations) shall be signed by any officer, designated agent, or attorney-in-fact unless authorized by the board or by these bylaws.

ARTICLE VII INDEMNIFICATION

7.01 *Nonderivative Actions.* Subject to all of the other provisions of this article, the corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding. This includes any civil, criminal, administrative, or investigative proceeding, whether formal or informal (other than an action by or in the right of the corporation). Such indemnification shall apply only to a person who was or is a director or officer of the corporation, or who was or is serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, whether for profit or not for profit. The person shall be indemnified and held harmless against expenses (including attorney fees), judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit, or proceeding, if the person acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the corporation or its members. With respect to any criminal action or proceeding, the person must have had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or on a plea of *nolo contendere* or its equivalent, shall not by itself create a presumption that (a) the person did not act in good faith and in a manner that the person reasonably believed to be in or not opposed to the best interests of the corporation or its members or (b) with respect to any criminal action or proceeding, the person had reasonable cause to believe that his or her conduct was unlawful.

7.02 *Derivative Actions.* Subject to all of the provisions of this article, the corporation shall indemnify any person who was or is a party to, or is threatened to be made a party to, any threatened, pending, or completed action or suit by or in the right of the corporation to procure a judgment in its favor because (a) the person was or is a director or officer of the corporation or (b) the person was or is serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, whether or not for profit. The person shall be indemnified and held harmless against expenses (including actual and reasonable attorney fees) and amounts paid in settlement incurred by the person in connection with the action or suit if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation or its members. However, indemnification shall not be made for any claim, issue, or matter in which the person has been found liable to the corporation unless and only to the extent that the court in which the action or suit was brought has determined on application that, despite the adjudication of liability but in view of all circumstances of the case, the person is fairly and reasonably entitled to indemnification for the expenses that the court considers proper.

7.03 Expenses of Successful Defense. To the extent that a person has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in sections 7.01 or 7.02 of this article, or in defense of any claim, issue, or matter in the action, suit, or proceeding, the person shall be indemnified against expenses (including actual and reasonable attorney fees) incurred in connection with the action and in any proceeding brought to enforce the mandatory indemnification provided by this article.

7.04 Contract Right; Limitation on Indemnity. The right to indemnification conferred in this article shall be a contract right and shall apply to services of a director or officer as an employee or agent of the corporation as well as in such person's capacity as a director or officer. Except as provided in section 7.03 of this article, the corporation shall have no obligations under this article to indemnify any person in connection with any proceeding, or part thereof, initiated by such person without authorization by the board.

7.05 Determination That Indemnification Is Proper. Any indemnification under sections 7.01 or 7.02 of this article (unless ordered by a court) shall be made by the corporation only as authorized in the specific case. The corporation must determine that indemnification of the person is proper in the circumstances because the person has met the applicable standard of conduct set forth in sections 7.01 or 7.02, whichever is applicable. The determination shall be made in any of the following ways:

- (a) By a majority vote of a quorum of the board consisting of directors who were not parties to such action, suit, or proceeding.
- (b) If the quorum described in clause (a) above is not obtainable, by a committee of directors who are not parties to the action. The committee shall consist of not less than two disinterested directors.
- (c) By independent legal counsel in a written opinion.
- (d) By the members.

7.06 Proportionate Indemnity. If a person is entitled to indemnification under sections 7.01 or 7.02 of this article for a portion of expenses, including attorney fees, judgments, penalties, fines, and amounts paid in settlement, but not for the total amount, the corporation shall indemnify the person for the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the person is entitled to be indemnified.

7.07 Expense Advance. Expenses incurred in defending a civil or criminal action, suit, or proceeding described in sections 7.01 or 7.02 of this article may be paid by the corporation in advance of the final disposition of the action, suit, or proceeding on receipt of an undertaking by or on behalf of the person involved to repay the

expenses, if it is ultimately determined that the person is not entitled to be indemnified by the corporation. The undertaking shall be an unlimited general obligation of the person on whose behalf advances are made, but it need not be secured.

7.08 *Nonexclusivity of Rights.* The indemnification or advancement of expenses provided under this article is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under a contractual arrangement with the corporation. However, the total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement of expenses.

7.09 *Indemnification of Employees and Agents of the Corporation.* The corporation may, to the extent authorized from time to time by the board, grant rights to indemnification and to the advancement of expenses to any employee or agent of the corporation to the fullest extent of the provisions of this article with respect to the indemnification and advancement of expenses of directors and officers of the corporation.

7.10 *Former Directors and Officers.* The indemnification provided in this article continues for a person who has ceased to be a director or officer and shall inure to the benefit of the heirs, executors, and administrators of that person.

7.11 *Insurance.* The corporation may purchase and maintain insurance on behalf of any person who (a) was or is a director, officer, employee, or agent of the corporation or (b) was or is serving at the request of the corporation as a director, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise. The insurance may protect against any liability asserted against the person and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the corporation would have power to indemnify against liability under this article or the laws of the state of Michigan.

7.12 *Changes in Michigan Law.* If there are any changes in the Michigan statutory provisions applicable to the corporation and relating to the subject matter of this article, the indemnification to which any person shall be entitled shall be determined by the changed provisions, but only to the extent that the change permits the corporation to provide broader indemnification rights than the provisions permitted the corporation to provide before the change.

ARTICLE VIII COMPENSATION

When authorized by the board, a person shall be reasonably compensated for services rendered to the corporation as an employee, agent, or independent contractor, except as

prohibited by these bylaws. Members of the board of directors and officers will not receive compensation, but may be reimbursed for reasonable expenses incurred in carrying out their duties to the corporation as authorized by the board.

ARTICLE IX
FISCAL YEAR

The fiscal year of the corporation shall end on June 30.

ARTICLE X
AMENDMENTS

The board of directors at any regular or special meeting may amend or repeal these bylaws, or adopt new bylaws by vote of a majority of the directors, if notice setting forth the terms of the proposal has been given in accordance with any notice requirement for the meeting of the board.

Troy Colts Dugout Club, Incorporated
Financial Resolutions
August 12, 2014

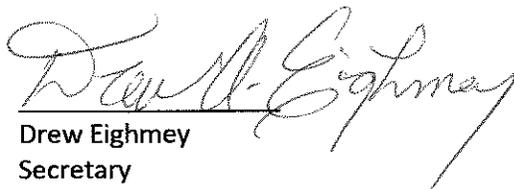
At the initial meeting of the Board of Directors of the Troy Colts Dugout Club, Inc., ("Company") duly called for the incorporator and held August 12, 2014, the following resolutions were adopted:

Resolved, that the officers of the Company, until their resignation, removal, incapacity or the appointment of their successors, will be:

President- Denise Howard
Vice President- Dean Simono
Secretary- Drew Eighmey
Treasurer- Mary Soules

Resolved that the Treasurer, President, and Vice President of the Company will have the authority to open bank accounts, have access to financial and bank records, make deposits and issue checks or otherwise pay expense on behalf of the Company.

Respectfully submitted,

 8-12-14
Drew Eighmey
Secretary

ARTICLES OF INCORPORATION OF
TROY COLTS DUGOUT CLUB

Pursuant to the provisions of the Michigan Nonprofit Corporations Act, Act 162, Public Acts of 1982 (the Act), as amended, corporation executes the following articles:

ARTICLE I

The name of the corporation is Troy Colts Dugout Club.

ARTICLE II

The purpose for which the corporation is organized is to support the development and education of young people who are baseball team members at Troy High School, Troy, Michigan ("Troy High School") by:

- a. Organizing volunteer support to the baseball program and teams of Troy High School provided by baseball team members and family and other volunteers;
- b. Enhancing the experiences of baseball team members at Troy High School;
- c. Providing financial support to the baseball program and teams of Troy High School;
- d. Operating and acting exclusively for charitable and/or educational purposes as the Board of Directors shall determine from time to time based upon circumstances then existing;
- e. Receiving and administering assets exclusively for the purposes herein; and
- f. Conducting any and all such activities and exercising any and all such powers as are necessary to the achievement of the foregoing and in furtherance of the purposes of the corporation.

ARTICLE III

- a. The corporation is organized on a non-stock membership basis.
- b. The corporation possesses the following assets:

Real property: none

Personal property: none

- c. The corporation is to be financed by membership dues, gifts, grants, contributions, bequests and investment income.
- d. There shall be no fewer than three (3) directors, but the number of directors may be increased from time to time by the directors as they may determine.

ARTICLE IV

The address and mailing address of the initial registered office is:

6665 Granger Drive, Troy, Michigan 48098

The name of the initial resident agent at the registered office is:

Robin D. Ferriby

ARTICLE V

The name and address of the incorporator is:

Robin D. Ferriby, 6665 Granger Drive, Troy, Michigan 48098

ARTICLE VI

Any action required or permitted by the Act to be taken at an annual or special meeting of the members may be taken without a meeting, prior notice, or a vote, if a consent in writing setting forth the action so taken is signed by the members having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all members entitled to vote were present and voted. Prompt notice of the taking of the corporate action without a meeting by less than unanimous vote shall be given to members who have not consented in writing.

ARTICLE VII

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons. However, the corporation shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in article II. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation. The corporation shall not participate in, or intervene in (including the publishing and distribution of statements),

any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Internal Revenue Code of 1986, as amended ("IRC"), section 501(c)(3) or the corresponding section of any future federal tax code, or (2) by a corporation whose contributions are deductible under IRC section 170(c)(2) or the corresponding section of any future federal tax code. The corporation shall not knowingly support any activities of organizations whose purpose or activities are terrorist in nature or subversive to national security of the United States Government or its populace.

ARTICLE VIII

On dissolution of the corporation, after paying or providing for the payment of all of the liabilities of the corporation, the corporation's assets shall be distributed (1) for one or more exempt purposes within the meaning of IRC section 501(c)(3), or the corresponding section of any future federal tax code or (2) to the federal government, or to a state or local government, for a public purpose. Any assets not disposed of shall be disposed of by the circuit court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations that the court shall determine and that are organized and operated exclusively for such purposes.

ARTICLE IX

When a compromise, an arrangement, or a plan of reorganization is proposed between this corporation and its creditors or members, a court of equity jurisdiction within this state may order a meeting of the affected creditors or members. The corporation, a creditor or member of the corporation, or a receiver appointed for the corporation may apply to the court for a meeting. The meeting shall be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the affected creditors or 3/4 of the affected members agree to a compromise or arrangement, the compromise, arrangement, or reorganization of this corporation resulting from the compromise or arrangement, if approved by the court, shall be binding on all the creditors and members, and also on this corporation.

ARTICLE X

No member of the board of directors of the corporation who is a volunteer director, as that term is defined in the Michigan Nonprofit Corporation Act (the Act), or a volunteer officer shall be personally liable to this corporation or its members for monetary damages for a breach of the director's or officer's fiduciary duty; provided, however, that this provision shall not eliminate or limit the liability of a director or officer for any of the following:

1. a breach of the director's or officer's duty of loyalty to the corporation or its members
2. acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law
3. a violation of section 551(1) of the Act
4. a transaction from which the director or officer derived an improper personal benefit
5. an act or omission occurring before the filing of these articles of incorporation
6. an act or omission that is grossly negligent

The corporation assumes all liability to any person, other than the corporation or its members, for all acts or omissions of a director who is a volunteer director, as defined in the Act, or a volunteer officer incurred in the good-faith performance of the director's or officer's duties. However, the corporation shall not be considered to have assumed any liability to the extent that such assumption is inconsistent with the status of the corporation as an organization described in IRC section 501(c)(3) or the corresponding section of any future federal tax code.

If the Act is amended after the filing of these articles of incorporation to authorize the further elimination or limitation of the liability of directors or officers of nonprofit corporations, the liability of members of the board of directors or officers, in addition to that described in article X, shall be assumed by the corporation or eliminated or limited to the fullest extent permitted by the Act as so amended. Such an elimination, limitation, or assumption of liability is not effective to the extent that it is inconsistent with the status of the corporation as an organization described in IRC section 501(c)(3) or corresponding section of any future federal tax code. No amendment or repeal of article X shall apply to or have any effect on the liability or alleged liability of any member of the board of directors or officer of this corporation for or with respect to any acts or omissions occurring before the effective date of any such amendment or repeal.

ARTICLE XI

The corporation assumes the liability for all acts or omissions of a volunteer if all of the following conditions are met:

1. The volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority.
2. The volunteer was acting in good faith.

3. The volunteer's conduct did not amount to gross negligence or willful and wanton misconduct.

4. The volunteer's conduct was not an intentional tort.

5. The volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in section 3135 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3135.

These Articles of Incorporation are signed by the incorporator on _____, 2011.

/s/ _____
Robin D. Ferriby, Incorporator

Michigan Department of Licensing and Regulatory Affairs

Filing Endorsement

This is to Certify that the CERTIFICATE OF AMENDMENT - CORPORATION

for

TROY COLTS DUGOUT CLUB, INC.

ID NUMBER: 71067R

received by facsimile transmission on February 12, 2013 is hereby endorsed

Filed on February 12, 2013 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 13TH day of February, 2013.

A handwritten signature in black ink, appearing to read "Schefter".

Director

Bureau of Commercial Services

BC9/CD-516 (Rev. 11/11)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS BUREAU OF COMMERCIAL SERVICES		
Date Received		
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name	Troy Colts Dugout Club, Inc.	
Address	c/o 6665 Granger Drive	
City	State	Zip Code
Troy	MI	48098
		EFFECTIVE DATE:

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

For use by Domestic Profit and Nonprofit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is:
Troy Colts Dugout Club, Inc.

2. The identification number assigned by the Bureau is:

71067R

3. Article II of the Articles of Incorporation is hereby amended to read as follows:

ARTICLE II

The corporation is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

In fulfilling the charitable purpose for which the corporation is organized, the corporation will support the development and education of young people who are baseball team members at Troy High School, Troy, Michigan ("Troy High School") by:

- a. Organizing volunteer support to the baseball program and teams of Troy High School provided by baseball team members, their families and other volunteers;
- b. Enhancing the experiences of baseball team members at Troy High School;
- c. Providing financial support to the baseball program and teams of Troy High School;
- d. Operating and acting exclusively for charitable and/or educational purposes as the Board of Directors shall determine from time to time based upon circumstances then existing;
- e. Receiving and administering assets exclusively for the purposes herein, and
- f. Conducting any and all such activities and exercising any and all such powers as are necessary to the achievement of the foregoing and in furtherance of the purposes of the corporation.

COMPLETE ONLY ONE OF THE FOLLOWING:

4. Profit or Nonprofit Corporations: For amendments adopted by unanimous consent of incorporators before the first meeting of the board of directors or trustees.

The foregoing amendment to the Articles of Incorporation was duly adopted on the _____ day of _____, _____, in accordance with the provisions of the Act by the unanimous consent of the incorporator(s) before the first meeting of the Board of Directors or Trustees

Signed this _____ day of _____, _____

(Signature)

(Signature)

(Type or Print Name)

(Type or Print Name)

(Signature)

(Signature)

(Type or Print Name)

(Type or Print Name)

5. Profit Corporation Only: Shareholder or Board Approval

The foregoing amendment to the Articles of Incorporation proposed by the board was duly adopted on the _____ day of _____, _____, by the (check one of the following)

- shareholders at a meeting in accordance with Section 611(3) of the Act.
- written consent of the shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) of the Act. Written notice to shareholders who have not consented in writing has been given. (Note: Written consent by less than all of the shareholders is permitted only if such provision appears in the Articles of Incorporation)
- written consent of all the shareholders entitled to vote in accordance with Section 407(2) of the Act.
- board of a profit corporation pursuant to section 611(2) of the Act

Profit Corporations and Professional Service Corporations

Signed this _____ day of _____, _____

By _____
(Signature of an authorized officer or agent)

(Type or Print Name)

6. Nonprofit corporation only: Member, shareholder, or board approval

The foregoing amendment to the Articles of Incorporation was duly adopted on the 6th day of February, 2013 by the (check one of the following)

Member or shareholder approval for nonprofit corporations organized on a membership or share basis

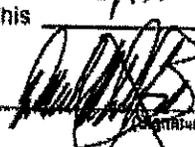
- members or shareholders at a meeting in accordance with Section 611(2) of the Act
- written consent of the members or shareholders having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act. Written notice to members or shareholders who have consented in writing has been given. (Note: Written consent by less than all of the members or shareholders is permitted only if such provision appears in the Articles of Incorporation.)
- written consent of all the members or shareholders entitled to vote in accordance with section 407(3) of the Act

Directors (Only if the Articles state that the corporation is organized on a directorship basis)

- directors at a meeting in accordance with Section 611(2) of the Act
- written consent of all directors pursuant to Section 525 of the Act.

Nonprofit Corporations

Signed this 7th day of February, 2013

By 
(Signature of President, Vice-President, Chairperson or Vice-Chairperson)

Darrell DuBay President
(Type or Print Name) (Type or Print Title)



CITY COUNCIL AGENDA ITEM

Date: January 7, 2015

To: Brian Kischnick, City Manager

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

Subject: Delegation of Fireworks Inspections

The Michigan Bureau of Fire Services (BFS) annually seeks departments that are interested in applying for inspection delegation for consumer fireworks sales facilities (CFRS) under Section 19 of 2011 PA 256. This delegation is effective for one year. The local fire department is responsible for conducting inspections of the permanent and temporary CFRS locations within its jurisdiction. The certification, plan review, and citation functions remain the responsibility of the BFS. Fire departments that elect to have delegation authorization receive 70% of the application fee paid for the consumer fireworks certificate (\$700 for permanent facilities and \$420 for temporary facilities).

Legal Considerations

To qualify for inspection delegation, the local fire department must enter into a written agreement annually with the Bureau after acceptance of application. All inspections must be conducted by a certified fire inspector using the promulgated Fireworks Fire Safety Rules and documented on Bureau-approved forms. (The Troy Fire Department currently has five certified inspectors, four of whom are listed.)

Recommendation

The Fire Department believes such delegation of authority for the inspection of CFRS facilities is in the best interest of the City and therefore recommends a signed resolution for this delegation authority.

Enclosed for Council's review is the Fireworks Delegation of Authority Agreement with the BFS.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF FIRE SERVICES
RICHARD W. MILLER
STATE FIRE MARSHAL

MIKE ZIMMER
ACTING DIRECTOR

FIREWORKS DELEGATION OF AUTHORITY AGREEMENT

Between
The Michigan Department of Licensing & Regulatory Affairs/
Bureau of Fire Services
and
Troy Fire Department
EXPIRATION
April 30, 2016

I. Purpose

This agreement is entered into for the purpose of delegating responsibility for inspections of consumer fireworks retail locations in accordance with the Michigan Fireworks Safety Act, PA 256 of 2011, as amended, MCL 28.469.

II. Local Agency Responsibilities

The **Troy Fire Department** agency agrees:

- A. To abide by all terms of this agreement including all attachments (i.e. procedures).
- B. To the use of State Certified Fire Inspectors to perform all delegated inspections.
- C. To complete all delegated inspections within the time frames as specified by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services.
- D. To complete all delegated inspections using the applicable rules promulgated in accordance with MCL 28.470.
- E. To utilize all report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for all delegated inspections of consumer fireworks retail locations.
- F. To follow and apply all Department of Licensing & Regulatory Affairs, Bureau of Fire Services, procedures regarding the inspection of consumer fireworks retail locations.
- G. To the proper conduct and demeanor of their employee(s) while performing delegated inspections in accordance with this agreement.

LARA is an equal opportunity employer
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
3101 TECHNOLOGY BLVD., SUITE H • P.O. BOX 30700 • LANSING, MICHIGAN 48909
www.michigan.gov/bfs • (517) 241-8847 • Fax: (517) 332-1427 or (517) 332-1428

- H. To attend training opportunities provided by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, necessary for the proper completion of delegated inspections.

III. Department of Licensing & Regulatory Affairs, Bureau of Fire Services responsibilities

The Bureau of Fire Services agrees:

- A. To abide by the terms of this agreement, including all attachments.
- B. To provide the technical assistance and supervision necessary for the proper administration of this agreement.
- C. To provide any report forms and reporting formats required by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, for the reporting of inspections performed in accordance with this agreement.
- D. To provide the **Troy Fire Department** with copies of applicable Department of Licensing & Regulatory Affairs, Bureau of Fire Services procedures, manuals, or other documents necessary for the implementation of this agreement.
- E. To provide the opportunity for training for an appropriate number of employees of the **Troy Fire Department**, as determined by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, regarding rules, laws, or procedures necessary for the completion of inspections delegated in accordance with this agreement.
- F. To annually review the delegation of authority to perform inspections of consumer fireworks retail locations to verify compliance with MCL 28.455.
- G. To notify the Agency, in writing, of intent to revoke delegated authority if the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, finds that the terms of the agreement have not been kept, or if the Department intends to withdraw the delegation program.
- H. To revoke the authority of the employee(s) to perform delegated inspections upon notification of the **Troy Fire Department** that the request for delegation has been rescinded.
- I. To inform the State Fire Safety Board of all decisions by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in delegating or revoking the authority delegated under MCL 28.469.

IV. Conflict of Interest

The **Troy Fire Department** and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, are subject to the provisions of Act No. 317, PA of 1968, as amended, being MCL 15.321 et seq, and Act No. 196, PA of 1973, as amended, being MCL 15.341 et seq.

V. Liability

- A. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the **Troy Fire Department** or unit of government pursuant to the terms of this agreement shall be the responsibility of the Agency if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the unit of government or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- B. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or its employees shall be the responsibility of the Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the State, its agencies, the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them as provided by common law, statute, or court decision.
- C. In the event that liability to third parties, and/or loss, or damages arises as a result of activities which go beyond the mere fact of agreement between the **Troy Fire Department**, and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, in fulfillment of their responsibilities under this agreement, such a liability, loss or damage shall be borne in relation to each party's responsibilities under that joint activity, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the governing body, unit of government, the State and the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, or the employees of any of them, as provided by common law, statute, or court decision.

VI. Compensation from Application Fees

During the time this agreement is in effect, the financial entity for the **Troy Fire Department** will receive 70% of the consumer fireworks application fee paid by the applicant for facility inspection duties within the **Troy Fire Department** jurisdiction. This amounts to \$700 per permanent structure and \$420 per temporary structure.

VII. Statutory Authority

Authority to perform inspections of consumer fireworks retail locations to verify compliance with MCL 28.455 is delegated to the BFS approved certified fire inspector(s) of the **Troy Fire Department** by the Department of Licensing & Regulatory Affairs, Bureau of Fire Services, under provision of Michigan Fireworks Safety Act, PA 256 of 2011 as amended, MCL 28.469. This delegation does not include any authority to issue citations or otherwise enforce the provisions of the Fireworks Safety Act.

Print Name of Local Certifying Official

Title of Local Certifying Official

Certifying Official Signature

Date

Printed Name of Fire Chief

Fire Chief Signature

Date

Richard W. Miller

Printed Name of State Fire Marshal

State Fire Marshal Signature

Date

**CITY COUNCIL ANNOUNCEMENT PUBLIC HEARING**

Date: January 12, 2015

To: Brian Kischnick, City Manager

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

Subject: Announcement of Public Hearings for Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for Unified Business Technologies, Inc. 315 Indusco Ct.

Background

Unified Business Technologies, Inc. has purchased the property at 315 Indusco Ct. They are in the process of renovating the facility for high tech, state of the art, manufacturing of electronic systems for Aerospace and Defense contractors. The building has been vacant for several years, and is next door to an existing facility they own.

They will invest over \$1.0 million in renovations, and, more importantly, will be bringing an additional 150 jobs to the existing 120 that they currently employ.

In December 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 10 year period (after completion). If granted, they will save approximately \$22,000 on their overall tax bill. Of that amount, \$7,322 would be City tax savings.

Recommendation

State law dictates that Public Hearings must be held for both the establishment of the District, and the granting of an abatement. The District must be established before any abatement can be given.

This memo serves as notification that these two Public Hearings will be held on January 26, 2015.

WARREN CONSOL'D SCHOOLS
Attn: TOM WALL
31300 ANITA
WARREN MI 48093-1697

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

MACOMB INTERMEDIATE SCHLS
44001 GARFIELD
CLINTON TWP MI 48038-1100

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

UNIFIED BUSINESS TECH. INC
Attn: MICHELLE D'SOUZA
353 INDUSCO CT
TROY MI 48083

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, January 26, 2015, 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 Unified Business Technologies, Inc., at the following location:

88-20-36-451-022 315 Indusco Ct., Troy, MI. 48083
T2N, R11E, Section 36, Indusco Sub, South 70 feet of Lot 14 and all of Lot 15

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

M. Aileen Bittner, City Clerk

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



CITY COUNCIL AGENDA ITEM

DATE: January 8, 2015

TO: Brian Kischnick, City Manager

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

SUBJECT: Public Hearing Announcement – Re-programming Community Development Block Grant (CDBG) Program Year 2014 funds

Background

The City of Troy is required by the Oakland County Division of Community & Home Improvement to advertise and conduct a Public Hearing for the reprogramming of CDBG funds. The Parks-Recreation Facilities account for CDBG program year 2014 has a balance of \$107,000.00. The balance of funds from Program Year 2014 must be expended or relinquished.

The PY 2014 Parks-Recreational Facilities Project in Section 36 was a continuation of an overall project to provide recreational activities to the surrounding residents. The project was going to address the 2-5 year old age group with a play structure. During this process HUD reconfigured the eligibility area for CDBG funds.

City of Troy representatives have meet with the representatives from Oakland County to determine the best use of these funds. We toured the Historic Village where Loraine Campbell detailed the ADA accessibility deficiencies throughout the Village. The funds will be used to remove identified architectural barriers and retrofit ADA compliant ramps, and entrances and exits on the Historic Village grounds. The area that will be specifically addressed with the PY2014 funds is the Niles Barnard House and 1927 Township Hall, the Historic Village's main entry. The project will retrofit current entrances and exits at both locations, plus ramps at the Niles Barnard House to ADA standards.

Recommendation

It is recommended that City Council authorize a public hearing for Monday, January 26, 2015 at 7:30 pm or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the reprogramming of Program Year 2014 funds in the amount of \$107,000 from the Parks-Recreation Facilities account to the Removal of Architectural Barriers account in order to complete the removal of architectural barriers by retrofitting ADA compliant entrances and exits at the Niles Barnard House and 1927 Township Hall, the Historic Village's main entry.



CITY COUNCIL AGENDA ITEM

Date: January 8, 2015

To: Brian Kischnick, City Manager

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

Subject: Public Hearing Announcement - Community Development Block Grant (CDBG) 2015
Application Public Hearing

Background

Oakland County has advised the City of Troy to use \$152,857.00 as our planning estimate for the program year 2015.

The following projects are being recommended for the 2015 CDBG program year:

Public Services – Yard Services (Home Chore)	45,857.00
Removal of Architectural Barriers	<u>107,000.00</u>
Total:	\$152,857.00

Recommendation

It is recommended that City Council authorize a public hearing for Monday, January 26, 2015 at 7:30 pm or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the on the Community Development Block grant (CDBG) Program Year 2015 application in the approximate allocation of \$152,857.00 to fund eligible projects. All interested citizens are requested to attend the hearing.

A Meeting of the Civil Service Commission (Act 78) was held Thursday, September 11, 2014 at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chairman/President McGinnis called the meeting to order at 7:30 AM.

A. ROLL CALL:

PRESENT: Chairman/President Donald E. McGinnis, Jr.
Commissioner David Cannon
Commissioner John Steele

ALSO PRESENT: Brian Kischnick, City Manager
Susan Lancaster, Assistant City Attorney
Aileen Bittner, City Clerk
William Nelson, Fire Chief
Jeanette Menig, Human Resources Director
Brooke Insana, Human Resources Coordinator
Lynne Lambert, Human Resources Coordinator

B. APPROVAL OF MINUTES:

1. Approval of Minutes of Thursday, July 31, 2014

Resolution #CSC-2014-09-013
Moved by Cannon
Seconded by Steele

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the Thursday, July 31, 2014, meeting as presented.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

C. PETITIONS AND COMMUNICATIONS: None

D. REPORTS: None

E. OLD BUSINESS: None

F. NEW BUSINESS:

1. Appointment of Civil Service Commission (Act 78) Member

Suggested Resolution
Resolution #CSC-2014-09-014
Moved by McGinnis

Seconded by Cannon

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **REAPPOINTS** John Steele as the Civil Service Commission member with a term scheduled to expire on April 30, 2020.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

2. Election of President/Chair

Suggested Resolution

Resolution #CSC-2014-09-015

Moved by Cannon

Seconded by Steele

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **REAPPOINTS** Don McGinnis as President/Chair of the Civil Service Commission (Act 78) for a period of one year.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

3. Approval of Job Qualifications, Posting and Test Battery for Recruitment of Fire Staff Technician

Suggested Resolution

Resolution #CSC-2014-09-016

Moved by Cannon

Seconded by McGinnis

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the job qualifications, the posting, and the test battery for the recruitment of Fire Staff Technician as **PRESENTED**.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

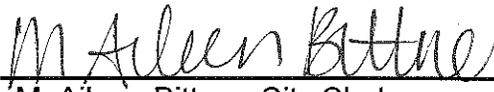
PUBLIC COMMENT: None

G. ADJOURNMENT:

The Civil Service Commission (Act 78) meeting **ADJOURNED** at 7:34 AM.



Donald E. McGinnis, Jr., Chairman



M. Aileen Bittner, City Clerk

On September 16, 2014, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

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

Also Present:

Paul Evans, Zoning and Compliance Specialist
Julie Quinlan Dufrane, Assistant City Attorney
Paul McCown, Alternate (in audience)

2. APPROVAL OF MINUTES – August 19, 2014

Moved by Eisenbacher
Seconded by Lambert

RESOLVED, to approve the August 19, 2014 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

VARIANCE REQUEST, JAMES MACIEJEWSKI OF JIMCO CONSTRUCTION COMPANY LLC, 1635 WITHERBEE – In order to reconstruct a garage, a 3 foot variance from the requirement that the garage be set back at least 5 feet from the side property line. ZONING ORDINANCE SECTION: 4.06 (C) R-1E Zoning District

Moved by Eisenbacher
Seconded by Courtney

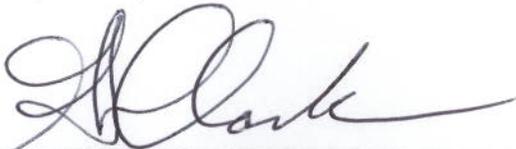
RESOLVED, to grant the request.

Yes: Courtney, Eisenbacher, Lambert, Bloomingdale, Clark
No: Kneale, Krent

MOTION PASSED

5. COMMUNICATIONS – None
6. MISCELLANEOUS BUSINESS – None
7. PUBLIC COMMENT – Chair Clark announced that on September 24, 2014 there would be a public forum at the Troy Community Center regarding potential changes involving the Detroit Water & Sewer Department and that all are welcome.
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:00 pm.

Respectfully submitted,



Glenn Clark, Chairman



Paul Evans, Zoning and Compliance Specialist

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 9, 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
Thomas Strat
John J. Tagle

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-2014-12-063

Moved by: Krent
Seconded by: Gottlieb

RESOLVED, To approve the Agenda as prepared.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2014-12-064

Moved by: Tagle
Seconded by: Crusse

RESOLVED, To approve the minutes of the November 25, 2014 Special/Study meeting as published.

Yes: All present (9)

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

OTHER BUSINESS

5. 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. Savidant introduced the revised site plan since last presented to the Board in October.

Mr. Carlisle highlighted significant revisions to the conceptual site plan.

Present were Steven Schafer of Schafer Development and Jason Van Ryn of Nederveld Associates.

Discussion items:

- Access points; elimination on Maple Road, two on Axtell.
- Streetscape treatments along Maple and Axtell; landscaping, lighting.
- Open space centrally located; pool, pavilion, clubhouse, destination point.
- Elevations and floor plans; architecture, color.
- Urban type living; fits surrounding area.
- Stormwater management; green features.
- 250 units, approximately 500 residents.
- Vehicular, pedestrian traffic circulation.
- Bicycle friendly.
- Project name; *The Mark of Troy*.
- ‘Pilot’ project for future development.

6. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

7. PLANNING COMMISSION COMMENT

General Planning Commission comments followed.

The Regular meeting of the Planning Commission adjourned at 7:39 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2014 PC Minutes\Draft\2014 12 09 Regular Meeting_Draft.doc

A Meeting of the Civil Service Commission (Act 78) was held Thursday, September 11, 2014 at Troy City Hall, 500 W. Big Beaver Road in the Lower Level Conference Room. Chairman/President McGinnis called the meeting to order at 7:32 AM.

A. ROLL CALL:

PRESENT: Chairman/President Donald E. McGinnis, Jr.
Commissioner David Cannon
Commissioner John Steele

ALSO PRESENT: Lori Grigg Bluhm, City Attorney
Aileen Bittner, City Clerk
Gary Mayer, Police Chief
Jeanette Menig, Human Resources Director
Lynne Lambert, Human Resources Coordinator
Tom Gordon, Police Lieutenant
Keith Frye, Police Captain
Kristine Shuler, Police Officer
Timothy Daniels, Police Officer

B. APPROVAL OF MINUTES:

1. Approval of Minutes of Thursday, September 11, 2014

Resolution #CSC-2015-01-001
Moved by Cannon
Seconded by Steele

RESOLVED, That the Troy Civil Service Commission (Act 78) hereby **APPROVES** the Minutes of the Thursday, September 11, 2014, meeting as presented.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

C. PETITIONS AND COMMUNICATIONS: None

D. REPORTS: None

E. OLD BUSINESS: None

F. NEW BUSINESS:

1. Approval of Eligible List for Police Sergeant

Suggested Resolution

Resolution #CSC-2015-01-002
Moved by Cannon
Seconded by Steele

RESOLVED, That the Civil Service Commission (Act 78) hereby **APPROVES** the eligible list for Police Sergeant as **PRESENTED**.

Yes: Cannon, McGinnis, Steele
No: None

MOTION CARRIED

PUBLIC COMMENT: None

G. ADJOURNMENT:

The Civil Service Commission (Act 78) meeting **ADJOURNED** at 7:34 AM.

Donald E. McGinnis, Jr., Chairman

M. Aileen Bittner, City Clerk



CITY COUNCIL AGENDA ITEM

Date: January 2, 2015

To: Brian Kischnick, City Manager

From: Mark F. Miller, Director of Economic and Community Development
Paul Featherston, Building Official, SAFEbuilt *PHB*
Mitch Grusnick, City Building Official *MA*

Subject: Building Department Activity Report – December, 2014

The following attachment contains a summary of permit activity and project valuation for the Building Inspection Department comparing December 2013 to December 2014. Valuations have increased to above the levels from last year.

We have issued 9573 building, plumbing, electrical and mechanical related permits for the year so far compared to 9967 in December of 2013. Just about at the levels from last year.

Year to date project valuations thru December 2014 are at \$194,846,276. Compared to December 2013 building related permits had a valuation of \$136,415,480. A large increase in valuation for this time of the year.

Our inspectors performed 1590 trade inspections for the month of December 2014 compared to 1226 for the month of December, 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	173	\$ 32,648,265.00	\$ 450,235.69
DECEMBER	99	\$ 5,338,979.00	\$ 141,642.65	155	\$ 6,553,891.00	\$ 206,579.46
TOTAL	2065	\$136,417,480.00	\$3,149,099.49	2226	\$194,846,276.00	\$3,631,173.48



PLANNING COMMISSION 2014 ANNUAL REPORT

The Michigan Planning Enabling Act requires that municipal planning commissions prepare an annual written report to the legislative body concerning operations and the status of planning activities undertaken during the calendar year. In accordance, the following information has been compiled:

PLANNING COMMISSION

In 2014 the Planning Commission consisted of Don Edmunds (Chair), Phil Sanzica (Vice Chair), Karen Crusse (who replaced Robert Schultz in April, 2014), Steve Gottlieb, Michael Hutson, Tom Krent, Gordon Schepke, Thomas Strat and John Tagle. The Student Representative was Frank Boudon.

Tom Krent was Zoning Board of Appeals (ZBA) Representative.

The Planning Commission held twenty-two (22) meetings during the year. There was one (1) joint Planning Commission/City Council meeting held on February 11, 2014.

Thomas Strat and Michael Hutson served on the Sustainable Design Review Committee.

Planning Commission Bylaws

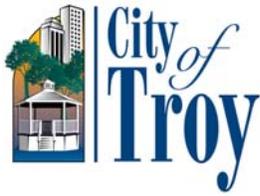
The Planning Commission approved revisions to bylaws on April 8, 2014.

Planning Commission Training

City Attorney Lori Bluhm gave a training presentation to the Planning Commission on September 23, 2014. The two newest Planning Commission members (Karen Crusse and Steve Gottlieb) attended training session at the Michigan Association of Planning (MAP) Annual Conference.

MASTER PLAN UPDATE

The process for updating the Master Plan was ongoing in 2014. Planning Commission members attended the Real Estate Forum on April 29, 2014. This event gathered input from Troy stakeholders and helped to kick start the Master Plan update process. The Planning Commission held numerous meetings to discuss the Master Plan including the North Troy Study Area (June 24, 2014), the Rochester Road Study Area (July 22, 2014), the Maple Road Study Area (August 26, 2014) and the Demographics section (November 11, 2014). It is anticipated that the revisions to the Master Plan will be adopted in 2015.



PLANNING COMMISSION 2014 ANNUAL REPORT

SITE PLAN REVIEWS

The Planning Commission considered the following applications in 2014:

Project	Description	PC Action
Poppleton Ridge Site Condominium	11 unit site condominium, South side of Big Beaver, East of Adams between Brooklawn and Wrenwood (3737 W Big Beaver), Section 30, Zoned R-1C	Granted Preliminary Site Plan Approval on March 11, 2014
SP 080-D	Walsh College Renovations and Addition, East side of Livernois, South of Wattles (3838 Livernois), Section 22, Zoned CF	Granted Preliminary Site Plan Approval on March 25, 2014
SU 412	Advanced Landscape & Builders Supply Inc., North side of Birchwood, East of Bellingham (1871 Birchwood), Section 26, Zoned IB	Granted Preliminary Site Plan Approval and Special Use Approval on April 8, 2014
SP 990	Belleclair Condominiums, East side of Rochester, North of Wattles, South side of Lamb (part of 4210 Rochester Road), Section 14, Zoned RT	Granted Preliminary Site Plan Approval on April 8, 2014
SU 117-D	St. Mark Coptic Orthodox Church, West side of Livernois, South of Wattles (3603-3615 Livernois), Section 21, Zoned R-1B	Granted Preliminary Site Plan Approval and Special Use Approval on June 10, 2014
SP 994	Children's Hospital of Michigan, Northeast corner of Big Beaver Road and Civic Center Drive (350 W. Big Beaver), Section 21, Zoned BB	Granted Preliminary Site Plan Approval on June 24, 2014
SP 995	Field and Stream, East side of I-75, North of 14 Mile (750 W 14 Mile), Section 35, Zoned GB	Granted Preliminary Site Plan Approval on June 24, 2014
SP 998	Murray Plaza, West side of Rochester between Vanderpool and Trombley (3385 Rochester), Section 22, Zoned GB	Postponed by Planning Commission on September 23, 2014 due to noncompliance
SP 997	Kresge Foundation Headquarters Expansion, South side of Big Beaver, West of Coolidge (3215 W Big Beaver) Section 30, Zoned BB	Granted Preliminary Site Plan Approval on October 1, 2014
SP 1000	Penske Automotive Group Parking Lot Expansion, North side of Maple, West of Stephenson (1225 East Maple), Section 26, Zoned IB	Granted Preliminary Site Plan Approval on October 28, 2014



PLANNING COMMISSION 2014 ANNUAL REPORT

ZONING ORDINANCE AMENDMENTS

The Planning Commission considered the following amendment applications in 2014:

Amendment	Description	PC Action
Z 739	Zoning Ordinance Map Amendment, West of Rochester, South side of Colebrook (3545 Rochester Road), Section 22, Rezoned from R-1C to CB	Recommended approval on January 14, 2014
PUD 8-A	Revisions to Big Beaver Place Planned Unit Development, North side of Big Beaver, East of John R, Section 24, Zoned PUD #8	Application withdrawn by applicant after numerous meetings
ZOTA 247	Zoning Ordinance Text Amendment to create provisions regulating Oil and Gas Extraction	Planning Commission developed draft language at numerous meetings
CR 011	Conditional Rezoning, Amber Town Center Townhomes and Lofts, Northwest corner of Livernois and Town Center (3409 Livernois), Section 21, Rezoned from O to BB	Recommended approval to City Council on March 25, 2014



CITY COUNCIL REPORT

Date: January 08, 2015

To: Brian Kischnick, City Manager

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

Subject: Why City Revenue Lags behind Assessment Increases (the Cap revisited)

A Review:

In 1994 the voters of Michigan enacted Proposal A. The 'Cut and Cap' change to property taxation in Michigan.

In its shortest form, this constitutional amendment fundamentally changed property taxation by eliminating a direct link between Assessments and Taxes. This was accomplished by introducing 2 new terms into taxation law, Capped Value and Taxable Value.

Capped Value is the prior year's Taxable Value times the Consumer Price Index (CPI) or 5%, whichever is less. The CPI has averaged 2.6% since 1994. This value can change if there is new construction, or a loss to the physical structure.

Taxable Value is the lesser of Assessed or Capped Value. Taxable Value is what millage rates are levied against, and generate revenue.

Since 1994, taxes are levied against Taxable Value, not Assessed Value.

Assessed Value still represent 50% of a property's Market Value, and may change whatever percentage is needed to be at that 50% level.

As Taxable Value increases are limited (Capped) to the rate of inflation (CPI) or 5%, whichever is less, revenue to the local unit is also limited.

This is why a 5.0% (2014), 11.2% (2015), or 12.0% (estimated 2016) increase in home Assessed Values does NOT mean a corresponding increase in City revenue. The CPI dictates that the revenue change will not match the Market Value change in Assessed Value whenever the Assessed Value change exceeds the CPI.



CITY COUNCIL REPORT

In actuality, the 2014 Taxable Value change was 2.2%. The 2015 Taxable Value change was 3.17%. The estimated 2016 Taxable Value change is 1.6%.

The General Fund tax revenues for Residential properties became/becomes:

	2013/2014 FY:	\$17,577,397	+ 2.20%
	2014/2015 FY:	\$18,135,073	+ 3.17%
Est.	2015/2016 FY:	\$18,425,234	+ 1.60%

The peak of the City's Taxable Value was in the 2008/2009 fiscal year at \$3,200,000,000, generating \$20,779,361 in Residential taxes. With the huge loss in Taxable Valuation during the recession, it became clear that a full recovery to the 2008/2009 levels could take as long as 20 - 25 years based upon the limitations on Taxable Value increases imposed by the Capping process of Proposal A of 1994.

Mayor Dave Statta,

Often when you receive a letter it is a complaint or criticism. This letter is not the case.

When we came out of the worst winter in Michigan history. Every city had experienced road damage, Troy seemed worst than others, Troy patched as soon as it was able, but you didn't stop there like so many other cities.

Major portions of road started to be replaced with new concrete, including the road between Civic Center and Givernois.

I was very surprised that was addressed this year. Mayor you and your team have

done an excellent job of starting toward much better roads in Troy. Many of the surrounding cities have not even done a fraction of what you have done for Troy.

This might be a future career, to show other cities how to do what you and all the people in the process have accomplished this year.

If I may suggest, and you may be doing some thing in the works already. The worldwide marketing and promotion of the city of Troy.

To get back to the tax base, Troy enjoyed in the past people, companies have and should have Troy on their minds when choosing a city to invest in.

in metro Detroit, Troy is an great city to live in and do business in, more people in a position to make a decision need to know that.

Finally one thing that can save money on salt and destruction of road bed would be talking to cities & counties that join Troy, that the salting of both cities and counties should be talked over and much less used on those roads such as Dequindre Rd. Until Troy did all of the work Deq. of 15 mile, the road turning left, W. on 15 mile, was almost undrivable.

Again Thankyou for your time. James Lee

LANCO KEONY
P.O. Box 72
Birmingham AL 35202

248 220 0703

December 9, 2014

Officer K. Linton
Troy Police Department
500 West Big Beaver
Troy, MI 48084

Dear Officer Linton,

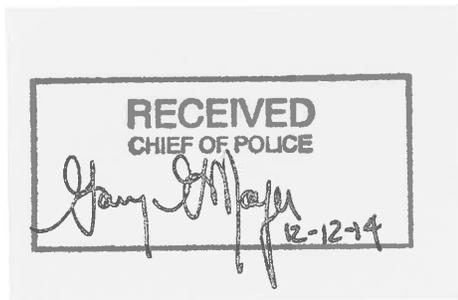
I would like to take this opportunity to thank you for being the officer responsible for handling my recent car accident. You demonstrated the utmost professionalism throughout the entire process. At the same time, you showed empathy as you talked to me and tried to make contact with my husband from the emergency room at Beaumont Hospital. Once you made contact with my husband you were straightforward regarding the circumstances of the accident. You offered your cell phone number and told him to contact you with any questions. He did call you on a couple occasions and you responded promptly.

In today's world, police officers are often unfairly criticized for a variety of reasons. I wanted you to know how important it is to me that there are police officers, like you, who take their career seriously and do it with a high level of competence and professionalism. Many thanks for being there when I needed your help.

A grateful citizen,

Jane Glotzhofer
Jane Glotzhofer

CC: Chief Gary Mayer



P.O. KIRK LINTON-

THANK YOU FOR EXHIBITING YOUR TYPICAL HIGH
LEVEL OF PROFESSIONALISM + COMPETENCE.

Gary

Office of the Prosecuting Attorney
County of Oakland

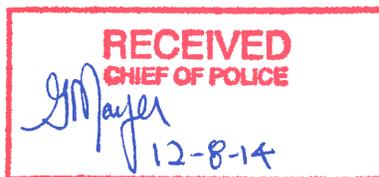


JESSICA R. COOPER
Prosecutor

Paul T. Walton
Chief Assistant Prosecutor

December 5, 2014

Gary Mayer, Chief of Police
Troy Police Department
500 W Big Beaver
Troy MI 48084



DETECTIVE MICHELLE COONEY
POLICE OFFICER KATE RALZKA
MICHELLE AND KATE - THANK YOU
BOTH FOR DOING SUCH A GOOD JOB
ON THE COURT ROOM PORTION
OF THIS INCIDENT AND BRINGING
THIS FELON TO JUSTICE.

Re: People v James Mell
CR 2013-244740-FC

Dear Chief Mayer:

This case involved the robbery of a 71-year-old woman in broad daylight in the parking lot of the Alibi Restaurant on January 9, 2013 by a vicious and remorseless criminal. The investigation and apprehension of the defendant was the result of an investigation which presented many challenges. The trial that followed presented a number of difficult issues. Following an arduous trial, the defendant was convicted and sentenced to a lengthy term in prison.

The outcome in this case was the direct result of the outstanding police work on the part of responding officers, evidence technicians, investigators and surveillance officers.

I am especially grateful for the efforts of Det. Michelle Cooney. Not only did she secure an admission from the defendant which was critical to the conviction, as officer-in-charge, her steady hand on the tiller during the rough seas of the trial process made all the difference in this case. The jury complimented her on her investigative abilities and professional excellence. I join in that assessment.

The competence and dedication to duty displayed by the personnel involved in this case are in the finest tradition of your department. I know that the citizens of your city sleep soundly at night because officers of this caliber watch over them. It is an honor to serve alongside the members of the Troy Police Department and I look forward to our next case together.

Sincerely,

JESSICA R. COOPER
PROSECUTING ATTORNEY

Jason D. Pernick
Assistant Prosecuting Attorney

JDP/sb

cc: Det. Michelle Cooney

Beth L Tashnick

Subject: FW: LOA for Cathy Russ

From: Zambardi, Nancy J

Sent: Tuesday, January 06, 2015 2:37 PM

Subject: Mock interviews!

Good afternoon, Cathy!

I appreciate the time and energy it took for you to be gone from your office to help with our mock interviews this morning. The kids had an awesome, often, "first" interview that will aid them when the time comes for a real one. They will remember the tips and suggestions you generously shared with them and will be the better for it.

My thanks!!

Nancy

Nancy Zambardi, GCDF

Career Specialist

Troy School District

CHAIRMAN'S REPORT



A publication of the Road Commission for Oakland County

www.rcocweb.org

Welcome to the Chairman's End of the Year Report



Happy holidays from the Road Commission for Oakland County, and welcome to the second annual RCOC *End of the Year Chairman's Report*.

This is intended to keep you up to date on what's happening at your Road Commission and what we've accomplished over the last year. I hope you find this useful and informative.

Gregory C. Jamian
Chairman

Board of Road Commissioners:

Gregory C. Jamian, Chairman
Ronald J. Fowkes, Vice Chairman
Eric S. Wilson, Commissioner
Dennis G. Kolar, PE, Managing Director
Gary Piotrowicz, PE, PTOE, Dep. Managing Dir./ County Highway Engineer

What's Inside

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Ribbon cutting marks completion of Greenfield work

Road Commission for Oakland County (RCOC) Chairman Greg Jamian was joined by Southfield Mayor (and Congresswoman-elect) Brenda Lawrence and leaders from the Southfield Downtown Development Authority, the 8 Mile Boulevard Association and the Southfield City Council Nov. 6 to celebrate the completion of the project to reconstruct the southbound lanes of Greenfield Road between 8 Mile and 9 Mile roads.

The \$3.1 million project involved the removal and complete reconstruction of the southbound lanes of this section of Greenfield, which was widely acknowledged as one of the roughest sections of road in the county.

"This project was a high priority for the Road Commission," Jamian told the crowd gathered for the ceremony. "The newly reconstructed road will be good for business and will improve the quality of life for residents in the area. Projects like



Southfield City Councilman Myron Frasier (L-R) joins RCOC Chairman Greg Jamian, Councilman Kenson Siver, Southfield Mayor (and Congresswoman-elect) Brenda Lawrence and County Commissioner Nancy Quarles to cut the ribbon to officially open Greenfield Road.

this demonstrate RCOC's commitment to improving the transportation infrastructure in the southern part of the county as well as throughout Oakland County."

Despite busy construction season, roads getting worse: \$600 million in need identified

Despite a near-record construction season this year, including the reconstruction and resurfacing of many roads, more than 40 percent of the Road Commission for Oakland County (RCOC) road system remains in poor condition, and that percentage is expected to continue to grow for the foreseeable future.

In fact, RCOC calculates that \$600 million worth of road projects is needed today just to preserve RCOC's existing roads -- and that number is going to continue to grow unless there is an increase in road funding.

During this year's construction season, RCOC initiated or completed road proj-

ects ultimately worth about \$50 million. "That's a lot of money," stated RCOC Managing Director Dennis Kolar. "However, the reality is this is just the tip of the iceberg."

In fact, Kolar pointed out that the Road Commission predicts that, at current funding levels (without an increase in state road funding), nearly two-thirds of RCOC roads will be in poor condition by 2018.

"Michigan remains in a road-funding crisis," Kolar said. "According to the most recent U.S. Census Bureau data available, Michigan is dead last compared to all other states in per capita state and local spending on roads, and it shows.

CONT'D ON PAGE 3 -- SEE NEEDS

RCOC taking care of business again this winter; hires part-time staff to augment snowplow drivers

The Road Commission for Oakland County (RCOC) has been reviewing winter plowing and salting procedures with its truck drivers, preparing its trucks for winter and getting snow plows ready -- all in anticipation of the inevitable arrival of winter weather.

This year, for the third year in a row, RCOC has hired part-time, temporary snowplow/salt-truck drivers to augment its full-time staff. The agency hired approximately 35 temporary drivers.

"Our full-time staff numbers have been reduced so much in recent years that we simply didn't have enough full-time drivers to provide the level of service that the public deserves," explained RCOC Chairman Greg Jamian. "Augmenting the full-time staff with temporary, part-time drivers is a cost-effective way to maintain that level of service."

Jamian noted the agency also has brought back an additional three retired plow drivers on a part-time basis. RCOC has reduced its staff about 35 percent overall since 2007, and nearly 40 percent within the Highway Maintenance Dept., as a result of the decline in state-collected road funding over the last decade.

While the addition of the temporary, part-time workers and retirees should help to alleviate some of the strain caused by staff reductions, RCOC continues to struggle with aging equipment.

"While we have been able to save enough to purchase 18 new trucks in the last year, most of our remaining salting and plowing trucks also should be replaced, but we don't have the money to do that," said RCOC Vice Chairman Ron Fowkes. However, he noted the agency has agreements with the cities of Rochester Hills and Troy that allow those municipalities to repair RCOC equipment.

"We have less than half the mechanics we had in 2007, with a much older fleet," Fowkes said. "That means our trucks need repairs more often, but we have fewer mechanics to repair them. The agreements with Rochester Hills and Troy are a cost-effective way to share resources with some of our partners. It's a win-win situation for both of us."

RCOC Board Member Eric Wilson noted RCOC learned some lessons from last year's historic winter. "Last year, we



An RCOC plow truck equipped with the new wing plow.

RCOC introduces wing plows to improve efficiency of winter road maintenance

The Road Commission for Oakland County (RCOC) has introduced a new tool in the effort to fight snow more efficiently: the wing plow.

Wing plows are large plows attached to the sides of snowplow trucks. When in use, the plow extends out from the side of the truck on an angle, allowing the truck to clear an additional six feet of roadway. When not in use, the plow is retracted and stored next to the truck.

RCOC currently has 12 plow trucks equipped with wing plows, with another six expected to arrive shortly.

"The wing plows will be used primarily to more efficiently clear freeway ramps and shoulders on both freeways

and primary roads," explained RCOC Highway Maintenance Department Director Darryl Heid. "Essentially, with the wing plow in use, we accomplish with one pass of the snowplow truck what used to take us two," Heid added.

However, Heid warned motorists that passing a snowplow on the right side is always a bad idea, and it's particularly dangerous when a wing plow is being used. "You may not be aware that the truck is equipped with a wing plow, especially if there's a large cloud of snow being kicked up," he said. "You may not even be able to see the wing plow until you are almost on top of it. It's simply best never to try to pass a snowplow on the right."

received more snow than any winter in the region's recorded history," he explained. "During those extreme conditions, we tried some new options, such as using contracted snowplow services in a broader range of situations. We aren't expecting as bad a winter this year, but if needed, we now have a few more arrows in our operational quiver."

Despite the addition of the part-time, temporary employees and retirees, Jamian pointed out that motorists must be vigilant when driving during or immediately after winter storms. "It's critical that motorists be aware of the road conditions and drive appropriately for those conditions. We will be out salting and plowing whenever it snows, but driver awareness of road

conditions remains a critical element of motorist safety."

A few RCOC winter road maintenance facts

- ▶ RCOC uses an average of 64,000 tons of salt per winter.
- ▶ Used more than 100,000 tons of salt during historic winter of 2013/2014.
- ▶ RCOC salt trucks are kept at six garages located throughout the county. Salt is kept in salt storage facilities at each of those garages. Those facilities, currently nearly full, hold a total of about 37,500 tons of salt.
- ▶ RCOC expects to spend \$12 million on winter road maintenance this year.

Hersey settles in as Road Commission's general counsel

After nearly six years filled with travel and relaxation, longtime Road Commission for Oakland County (RCOC) attorney Dianne Hersey has given up a life of leisure and cancelled her retirement to come back to take the reins of the Road Commission's Legal Department.

Hersey was named RCOC general counsel upon the retirement of longtime top agency barrister Pat Carty. She previously spent nearly 28 years as an attorney in the Legal Dept. before retiring in 2008 as chief litigation attorney.

Hersey holds both a bachelor's degree and a juris doctorate degree from the



General Counsel Dianne Hersey

University of Michigan.

Maintaining services despite declining resources

Over the last 15 years, the Road Commission for Oakland County (RCOC) has seen revenues from its largest funding source decline or remain stagnant. In the face of this challenge, it has continued to find ways to operate more efficiently, so it can maintain services for its customers.

RCOC's largest source of funding is its share of the Michigan Transportation Fund (MTF), the pot of money made up of the state-collected gas and diesel taxes and vehicle registration fees. As cars have become more fuel efficient and auto sales dropped during the recession, the two largest sources of MTF dollars fell. While the MTF revenues have levelled off, they remain below where they were in the mid-2000s.

Today, RCOC receives about the same amount of MTF dollars that it did in 1999. And yet, the agency continues to provide critical services to its customers.

How has RCOC done this? By finding ways to operate more efficiently. Some of the ways the Road Commission has done this include: privatization, benefit restructuring, staff reductions, increased use of technology, re-organizing departments, cross-training staff, etc.

RCOC has privatized more activities than any Michigan road commission. Agency administration routinely evaluates activities to determine if there is a business case for privatization.

Three years ago, the RCOC Board restructured both pension and post-retirement health-care benefits for new-hire employees, while reducing the employer share of current employee health-care costs and increasing the employee contributions for all employees, ensuring that future Road Commission Boards are not burdened with excessive legacy costs that would erode dollars needed to provide services.

Between 2007 and 2013, RCOC reduced staff by more than 35 percent through attrition. The agency now has fewer employees than at any time since the 1950s, when the county had half the population and one-fifth the traffic.

The RCOC Board and staff are committed to maintaining the level of service for the public, despite Michigan's ongoing and prolonged road-funding crisis.

2014: A productive year for roads

This year has been a productive one when it comes to road projects in Oakland County. Here are some examples of major projects completed by RCOC:

<u>Project</u>	<u>Community</u>
Widening:	
- Tienken Road: Livernois to Paint Creek Trail (final layer of asphalt to be applied in 2015)	Rochester Hills
Reconstruct:	
- Greenfield Road, 8 Mile to just north of 9 Mile (southbound lanes)	Southfield
- Green Lake Road, Commerce to Fieldview (final layer of asphalt to be applied in 2015)	West Bloomfield Twp.
- Northwestern Highway/14 Mile intersection	West Bloomfield Twp./ Farm. Hills border
- Baldwin, I-75 to just north of Brown Road	Auburn Hills & Orion Twp.
Pave Gravel Road:	
- Oak Hill, Dixie Highway to Kier	on Springfield Twp./ Groveland Twp. border
- Clyde, east of Hickory Ridge to Strathcona	Highland Twp.
Simple Asphalt Overlay (1.5 inches of new asphalt on moderate road):	
- Long Lake, Orchard Lake to Adams	Orchard Lake Village, West Bloomfield Twp., Bloomfield Twp., Bloomfield Hills
- Walnut Lake, Franklin to Halsted	West Bloomfield Twp., Bloomfield Twp.
Bridge replacement:	
- Orion Rd. over the Paint Creek	Oakland Twp.

NEEDS – CONT'D FROM FRONT

Kolar noted the extent of the needs on RCOC's roads highlights the critical nature of Michigan's road-funding situation. "It's more critical than ever that the state Legislature address road funding," he said. "The Legislature controls road funding in Michigan, and they must resolve this crisis."

The longer Michigan waits to resolve the road-funding crisis, Kolar said, the

more costly it will be. "Each year that we don't repair our roads, they deteriorate further, and the cost to repair them increases."

RCOC Chairman Greg Jamian concurred. "For the sake of Michigan's businesses and residents, the Legislature needs to make roads a priority," he said. "Michigan will never reach its great potential so long as our road infrastructure is sub-par."



The RCOC Board and top administration. Front row: Board Vice Chairman Ron Fowkes, Chairman Greg Jamian and Commissioner Eric Wilson. Back row: Deputy Managing Director/County Highway Engineer Gary Piotrowicz and Managing Director Dennis Kolar.

Contacting RCOC

If your constituents need information about a road project or want to report a pothole, traffic signal problem or other road issue, they should call RCOC's Department of Customer Services toll free at:

(877) 858-4804

OR

Send us an e-mail via the RCOC

Web site: **www.rcocweb.org**

(click on "Contact us")

Former RCOC Managing Director honored by state

Former Road Commission for Oakland County (RCOC) Managing Director Brent O. Bair, who retired in 2011 after more than 34 years with the agency, was inducted Nov. 12 into the Michigan Transportation Hall of Honor.

The Hall publicly recognizes individuals who have made an outstanding contribution to Michigan's roads or public transportation systems. The Hall is a permanent display in the Michigan Dept. of Transportation (MDOT) building in Lansing.

Bair was recognized for his longtime leadership in the public roads field and for overseeing the implementation of a variety of cutting-edge initiatives. During his tenure, RCOC developed the second-largest adaptive traffic signal system in North America and became home to the state's highest concentration of roundabouts.

He was also honored for his contributions to making Oakland County roads among the safest in the world for a community its size and population. Prior to the agency officially designating safety as its top priority in 1978, Oakland County had a traffic fatality rate higher than the state as a whole or the nation. Today, Oakland's traffic fatality rate is less than half the state or national rates.

"I am proud of many accomplishments of the Road Commission," Bair stated at the Hall of Honor induction ceremony Wednesday in Lansing. "But the thing that really hits home for me is that we reduced the number of people being killed every year in traffic crashes by more than 100. That means 100 people every year who are alive today in part because of the efforts we made at the Road Commission."



Bair (right) receives the Hall of Honor Award from MDOT Director Kirk Steudle.



CITY COUNCIL AGENDA ITEM

Date: January 8, 2015

To: Troy City Council Members

From: Lori Grigg Bluhm, City Attorney *LG*

Subject: MMRMA Notification of Excess Net Asset Distribution

Attached please find a letter from Michael L. Rhyner, Executive Director of Michigan Municipal Risk Management Authority (MMRMA), notifying the City of Troy that its share of excess net assets for fiscal year 2014 is \$302,779. This amount has been credited towards the premiums for our renewal of insurance coverage for 2015.

MMRMA is a government risk pool, created in 1980, which has provided the City of Troy with its insurance coverage for many years. Since it is a risk pool, if there are less claims than anticipated, MMRMA provides the members with a net asset distribution. The net asset distribution is calculated based on longevity with MMRMA and a review of the claims history for the past five years.

In addition to any annual excess net distribution, MMRMA also provides Risk Avoidance Program funding as an incentive for the implementation of risk control measures. In October, the City was awarded the following Risk Avoidance Program (RAP) grants:

- \$2,000 canine grant
- \$5,154 livescan fingerprint grant
- \$2,101 stop stick grant
- \$20,000 taser grant
- \$15,000 pump station emergency generator grant

City Administration has already prepared applications in order to be considered for additional RAP grants, which are due by the end of this month.



**MICHIGAN MUNICIPAL
RISK MANAGEMENT
AUTHORITY**

December 18, 2014

Lori Bluhm, City Attorney
City of Troy
500 West Big Beaver Road
Troy, MI 48084

Dear Ms. Bluhm:

Thank you for your recent renewal with the Michigan Municipal Risk Management Authority. On behalf of the MMRMA Board of Directors, I am very pleased to provide City of Troy with \$302,779. This represents your share of the distribution of excess net assets to Members, which was declared by the Board in February 2014. In accordance with your instructions, your share of the distribution will be deposited in your Member Funds Held on Deposit with MMRMA.

This distribution is based on the most recent analysis of net asset adequacy at June 30, 2013. Please be aware this is not a guarantee of future distributions. Each year, the Board determines whether to declare a net asset distribution. This year, the total distribution to eligible Members is \$34.5 million. MMRMA's ability to declare this distribution is a direct reflection of consistently strong performance results. Factors contributing to these results include better than expected loss trends in recent years; Member responsiveness to risk control recommendations; good management practices by Members, resulting in fewer losses; and solid investment income.

However, the essential factor allowing MMRMA to distribute excess net assets is the long-term commitment of its Members. A majority of MMRMA Members enjoy over 20 years of continuous membership, and several have over 25 continuous years with the organization. The method used to calculate the distribution of excess net assets recognizes and rewards those municipalities with sustained longevity. In addition to the years of continuous membership, the calculation method considers General Fund contributions and claim loss history beyond your SIR over the past five years. The ultimate recognition goes to you – the MMRMA Members. Without your ongoing participation, such distributions would not be possible. The Board and I sincerely thank you for your loyal support of this fine organization.

Warmest regards,

Michael L. Rhyner
Executive Director



Code Officials Conference of Michigan

P.O. Box 1101 Benton Harbor, MI. 49023

www.cocm.org 269-208-3326 cocm1@yahoo.com

December 30, 2014

President

Martin Van Berlo

Building Official
Emmet County

City of Troy
Attn: Brian Kischnick, City Manager
500 W. Big Beaver Rd.
Troy, MI. 48084

Vice-President

Mike Winkler

Building Official
Holland Charter Township

Re: Paul Featherston, COCM Board

Dear Mr. Kischnick,

Secretary

Jerry Jones

Building Official
St. Joseph Charter Township

I am pleased to inform you that Paul Featherston was elected by his peers as Treasurer of the Code Officials Conference of Michigan, during elections at the COCM 2014 Fall Conference. The conference was held in September 2014, at the Shanty Creek Resort and Conference Center, located in Bellaire, Mi.

Treasurer

Paul Featherston

Building Official
City of Troy

The Code Officials Conference of Michigan represents Code Professionals from throughout the State of Michigan, with a membership in excess of 400 individuals dedicated to assuring their communities a safe built environment. COCM's main objective is to provide high quality educational opportunities to the membership at its 3 yearly educational events. Through these events, Code Officials are able to obtain the continuing education needed to maintain their Inspector Registrations.

1st Director

Robert Grostick

Building Official
City of Milan

A special appreciation is acknowledged to you and your community for allowing Paul's leadership and participation in this organization, as we seek to enhance the continued professionalism of Code Officials throughout the State of Michigan.

2nd Director

Tim Gardner

Building Inspector
Sanilac County

Very Truly Yours,
Code Officials Conference of Michigan

3rd Director

Steven Sheldon

Building Official
City of Norton Shores

Martin Van Berlo
President, COCM

4th Director

Matt Leach

Building Official
Delta Township