



TROY CITY COUNCIL

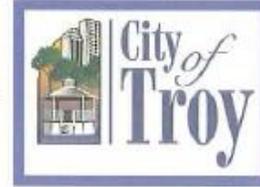
REGULAR MEETING

AGENDA

FEBRUARY 23, 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

February 23, 2015 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Pastor Eric Haven from Woodside Bible 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 "A Healthy Me is Drug Free" Pledges Presented by the Red Ribbon Chairperson for Troy Families for Safe Homes and Representatives from the Troy School District – First Graders, Principal Jerry Cottone and Teachers from Leonard Elementary (Introduced by: Cindy Stewart, Community Affairs Director) **1**

C-2 Certificate of Recognition/Appreciation to Commissioner Wade Fleming from the City of Troy for His Years of Service on the Troy City Council (Presented by: Mayor Slater) **1**

C-3 Certificate of Recognition/Appreciation to Commissioner Wade Fleming from the State of Michigan for His Years of Service on the Troy City Council (Presented by: Representative Martin Howrylak) **1**

C-4 Legislative Update by Representative Martin Howrylak (Presented by: Representative Martin Howrylak) **1**

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INVOCATION: Pastor Eric Haven from Woodside Bible 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 #2015-02-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Campbell at the Regular City Council Meeting of February 23, 2015, due to being out of the

Yes:
No:
Absent:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 "A Healthy Me is Drug Free" Pledges Presented by the Red Ribbon Chairperson for Troy Families for Safe Homes and Representatives from the Troy School District – First Graders, Principal Jerry Cottone and Teachers from Leonard Elementary (Introduced by: Cindy Stewart, Community Affairs Director)

C-2 Certificate of Recognition/Appreciation to Commissioner Wade Fleming from the City of Troy for His Years of Service on the Troy City Council (Presented by: Mayor Slater)

C-3 Certificate of Recognition/Appreciation to Commissioner Wade Fleming from the State of Michigan for His Years of Service on the Troy City Council (Presented by: Representative Martin Howrylak)

C-4 Legislative Update by Representative Martin Howrylak (Presented by: Representative Martin Howrylak)

D. CARRYOVER ITEMS:**D-1** No Carryover Items**E. PUBLIC HEARINGS:****E-1** Public Hearing for Industrial Development District (IDD) for HTC Global Services, 100 E. Big Beaver Rd.Suggested Resolution

Resolution #2015-02-

Moved by

Seconded by

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

WHEREAS, HTC Global Services has petitioned the Troy City Council to establish an Industrial Development District (IDD) on its property located in the City of Troy, hereinafter described; and

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

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

WHEREAS, On February 23, 2015, a public hearing was held at which all owners of real property within the proposed Industrial Development District (IDD) and all residents and taxpayers of the City of Troy were afforded an opportunity to be heard thereon; and

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 100 E. Big Beaver, Troy, MI. 48083, Parcel #88-20-27-101-060, in accordance with City Council Policy Resolution #2010-08-173.

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

Yes:

No:

Absent:

E-2 Public Hearing for Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services, 100 E. Big Beaver Rd.Suggested Resolution

Resolution #2015-02-

Moved by

Seconded by

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on February 23, 2015, established an Industrial Development District (IDD) for property known as 100 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-101-060; and

WHEREAS, An Application has been submitted by HTC Global Services for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 100 E Big Beaver, Troy, MI. 48083 for eight (8) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on February 23, 2015, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

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

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-101-060, for personal property for a term of eight (8) years after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and HTC Global Services, and the payment of the fees in accordance with Public Act 198 of 1974, as amended.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and HTC Global Services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes:

No:

Absent:

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

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

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

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

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

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda, Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up. In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments: None

b) City Council Appointments: None

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

a) Mayoral Nominations:

Suggested Resolution

Resolution #2015-02-

Moved by

Seconded by

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

Brownfield Redevelopment Authority

Appointed by Mayor
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Dziurman	Theodore	3/8/2014	4/30/2015	BCBA exp 1/1/2015
Kerwin	Mary	1/16/2017	4/30/2017	
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)

Interested Applicants:

No applicants on file.

Yes:

No:

Absent:

b) City Council Nominations:

Suggested Resolution

Resolution #2015-02-

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:

Historic District Commission

Appointed by Council
7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2
Chambers	Barbara	12/20/2015	3/1/2017	
Knight	Barbara	1/15/2016	3/1/2015	EDC exp 4/30/2015
McCown	Paul	7/10/2015	3/1/2017	ZBA (Alt) exp 1/31/2018
McGee	Timothy	8/13/2014	5/15/2015	
Petrulis	Al	1/8/2016	3/1/2017	ACAB exp 9/30/2015; Traffic Comm. exp 1/31/2018
Schuchter	Doris	11/22/2013	5/15/2015	Historical Society Recommendation
Voigt	W. Kent	1/23/2015	3/1/2016	

Nominations to the Historic District Commission:

Term Expires: 3/01/2018

Term currently held by: Barbara Knight

Interested Applicants:

Last Name	First Name	App Res Expire	Notes
Adams	John	12/19/2016	
Talarico	Paula	1/8/2017	

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes
Comiskey	Ann	3/18/2016	1/31/2018	
Ehlert	Max	11/5/2016	1/31/2018	
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	1/31/2018	
Vacancy			7/31/2015	STUDENT

Nomination to the Liquor Advisory Committee:**Term Expires: 7/31/2015**

Term currently held by: Vacancy (Student)

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes
Bluhm	David	10/21/2015	STUDENT currently serving on P&R Board
Boudon	Frank	5/15/2015	STUDENT currently serving on Planning Comm.

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Brandstetter	Tim	10/17/2016	1/31/2018	
Easterbrook	David	12/2/2015	1/31/2016	Stevan Popovic's unexpired term
Huotari	William		12/31/2099	Ex-Officio Member
Kilmer	Richard	12/12/2015	1/31/2017	
Mayer	Gary		12/31/2099	Ex-Officio Member
Nelson	William		12/31/2099	Ex-Officio Member
Petrulis	Al	1/8/2016	1/31/2017	ACAB exp 9/30/2015;
Vacancy			1/31/2016	O. Apahidean resigned 2/13/15
Wilsher	Cynthia	10/9/2016	1/31/2018	
Ziegenfelder	Peter	12/9/2015	1/31/2017	

Nominations to the Traffic Committee:**Term Expires: 1/31/2016**

Term currently held by: O. Apahidean resigned 2/13/2015

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Bluhm	David	10/21/2015	STUDENT
Huber	R. Mitch	8/26/2016	STUDENT

Yes:
 No:
 Absent:

I-3 No Closed Session Requested

I-4 Emergency Appointment of Board of Review Member *(Introduced by: Nino Licari, City Assessor)*

a) Suspension of Council Rule #16 Appointments to Boards, Commissions and Committees

Suggested Resolution
 Resolution #2015-02-
 Moved by
 Seconded by

RESOLVED, That Troy City Council hereby **SUSPENDS** the Rules of Procedure for the City Council, Rule #16 *Appointments to Boards, Commissions and Committees* in order for City Council to vote on the emergency appointment to the Board of Review.

Yes:
 No:
 Absent:

b) Emergency Appointment - Board of Review

Suggested Resolution
 Resolution #2015-02-
 Moved by
 Seconded by

WHEREAS, The Board of Review has scheduled meetings beginning on Monday, March 9, 2015; and

WHEREAS, A vacancy was created when Board of Review Member Eileen Turner resigned as of February 18, 2015; and

WHEREAS, City Council waived Council Rule #16 requiring Mayoral Nomination for the Board of Review.

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** John Howard Adams to the Board of Review with a term expiring January 31, 2017.

Yes:
No:
Absent:

I-5 City Charter Clarification – Section 7.9 Nominations (Introduced by: Aileen Dickson, City Clerk)

Suggested Resolution

Resolution #2015-02-

Moved by

Seconded by

WHEREAS, As of January 1, 2014, Michigan Election Law Section 168.644e set the filing deadline for odd year general elections held by cities to be fifteen Tuesdays prior to the election date; and

WHEREAS, Troy City Charter Section 7.9 – Nominations is now in conflict with Section 168.644e of Michigan Election law.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to place a notation in Section 7.9 Nominations of the Troy City Charter that states: “Beginning January 1, 2014, pursuant to Section 168.644e of Michigan Election Law, the candidate filing deadline for City of Troy offices shall be 4 p.m. on the fifteenth Tuesday prior to the general election.”

Yes:
No:
Absent:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2015-02-

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:
Absent:

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

J-2 Approval of City Council Minutes

Suggested Resolution
Resolution #2015-02-

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

- a) City Council Special Study Meeting Minutes-Draft – February 9, 2015
 - b) City Council Meeting Minutes-Draft – February 9, 2015
-

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions: None Submitted

J-5 Carter, et al. v Oakland County Jail, et al. Lawsuit

Suggested Resolution
Resolution #2015-02-

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy and the individual Troy defendant named in the matter of Jeremy Carter, et al. v. Oakland County Jail, et al., United States District Court for the Eastern District of Michigan, Case No. 2:15-cv-10347, against any claims and damages. Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City and the Troy defendants.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

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

M-1 No Council Referrals

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Employees' Retirement System Board of Trustees Minutes-Final – September 10, 2014
 - b) Employees' Retirement System Board of Trustees Minutes-Final – November 12, 2014
 - c) Zoning Board of Appeals Minutes-Final – December 16, 2014
 - d) Building Code Board of Appeals Minutes-Final – January 7, 2015
 - e) Planning Commission Minutes-Final – January 27, 2015
 - f) Building Code Board of Appeals Minutes-Draft – February 4, 2015
 - g) Planning Commission Minutes-Draft – February 10, 2015
-

O-2 Department Reports:

- a) SOCRRA Quarterly Report – January, 2015
-

O-3 Letters of Appreciation:

- a) To Brian Kischnick from Nancy Bowman Regarding Vision Collision
 - b) To Dave Roberts from Steve Splan
 - c) To Brian Kischnick from Suneel Sekhri Regarding Safest City
 - d) To Mayor Slater and City Council from Al Aceves Regarding Officer Joe Mouch
-

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

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

March 9, 2015Discuss a Potential Library Millage Renewal Question

SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

April 27, 2015 Budget Special Study Session

April 29, 2015 Budget Special Study Session

2015 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

February 23, 2015..... Regular Meeting/Liquor Violation Hearings (CANCELED)

March 9, 2015 Regular Meeting/Liquor Violation Hearings (CANCELED)

March 23, 2015 Regular Meeting/Liquor Violation Hearing

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

SERVICE COMMENDATION WADE FLEMING

WHEREAS, Wade Fleming served on the Troy City Council for nine years, from November 2005 to December 2014. On November 4, 2014, Wade was elected to the 16th District of the Oakland County Board of Commissioners; and

WHEREAS, Wade and his family moved to the City of Troy in June of 1982 when he was transferred with ITT United Plastics. He retired from Automotive Products in 2004; and

WHEREAS, Wade became very involved in this community through his church as well as a variety of non-profit organizations including Christmas in Action and playing Santa for the Friends of the Troy Seniors. Members since 1997, the Flemings have been very active in Woodside Bible Church. **Wade** served as a Deacon and became an Elder in the Church in 2005 when the new Church was built. **Wade** and his wife **Paula** have taught classes for young married couples preparing to take their wedding vows; and

WHEREAS, Wade has also served organizations beyond the City of Troy, including Promise Village which is a therapeutic residential treatment and counseling center for struggling children and teens located in southern Michigan. **Wade** has served on the Board for Promise Village since August 1998 and is currently the Chair; and

WHEREAS, In his spare time, **Wade** enjoys spending time with his wife of nearly 41 years **Paula**, son **Mark**, daughter-in-law **Nicole** and grandson **Cyrus**. He also loves hunting and traveling around the country on his Harley Davidson motorcycle; and

WHEREAS, The quality of life that the City offers is a result of hard work, planning, sacrifice, and leadership. Thanks to **Wade**, one of Troy's dedicated volunteers, our quality City services will continue to thrive and are key to making Troy the greatest place to live in the State of Michigan;

NOW, THEREFORE, BE IT KNOWN, That the Troy City Council takes this opportunity to express its sincere appreciation and recognition to **Wade Fleming** for his distinguished service and his many contributions to the betterment of the City through his work on the City Council; and

BE IT FURTHER KNOWN That by donating his time and talents, **Wade** has furthered the ideals that contribute to enriching our community. Troy is very fortunate to have citizens like **Wade** who give so much time and energy to make our community a great place to live, work, play and raise a family.

Presented this 23rd day of February 2015.



CITY COUNCIL AGENDA ITEM

Date: February 23, 2015

To: Brian Kischnick, City Manager

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

Subject: Public Hearing for the establishment of an Industrial Development District (IDD)
for HTC Global Services, 100 E. Big Beaver

Background:

HTC Global Services has purchased the building at 100 E. Big Beaver, under a holding company. They will lease back the building from this company. They are in the process of renovating the facility for a new development center for engineering and medical applications. The building has been mostly vacant for several years, and is in need of extensive renovations.

They will invest over \$1.7 million in renovations and equipment. They also expect to add 200 new jobs at this facility in addition to the 110 people they currently employ.

In November of 2013 they submitted a Letter of Intent to apply for tax abatement at the site. In December of 2014 they clarified their initial letter.

They have applied to have an Industrial Development District established at the site so that they may apply for personal property tax abatement for an 8 year period (after completion). If granted, they will save approximately \$36,700 on their overall tax bill. Of that amount, \$12,256 would be City tax savings.

Financial Considerations:

Based on their lease of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for an eight (8) year abatement under Council Policy Resolution #2010-08-173.

The \$1,707,500 investment would generate approximately \$73,416.48 in total taxes over eight (8) years, of which \$24,512.47 would be City taxes.



CITY COUNCIL AGENDA ITEM

The abatement would therefore save the company \$36,708.24 over its life. The City would realize \$12,256.24 in taxes that it does not currently receive.

Legal Considerations:

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

Policy Considerations:

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

Options:

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

NI/nl H:IFT\HTC 2015\Memo IDD 02.23.15



December 30, 2014

Mr. Nino ~~Lacari~~ *Licari*
Assessor, City of Troy
500 West Big Beaver
Troy, MI 48083

RE: Application for P.A.198 Industrial Facilities Tax Exemption (Tax Abatement)

Dear Mr. ~~Lacari~~ *Licari*

HTC Global Services (HTC) is planning to expand its operations within the city of Troy. This plan includes significant real and personal property investments in setting up a new development center at the property located at 100 East Big Beaver Rd. Please find attached HTC's application for property tax abatement under P.A. 198 Industrial Facilities Tax Exemption. Also included are details of the planned investments and a copy of HTC's lease for space at the property.

We look forward to working with you towards a favorable consideration of the application. If you have any questions or need additional information, then please contact me at 248-530-2523 / sutbir.randhawa@htcinc.com or Laurie Maria at 248-530-2535 / laurie.maria@htcinc.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sutbir Randhawa', is written over a light blue horizontal line.

Sutbir Randhawa
Vice President, IT Solutions
HTC Global Services

Received

JAN 02 2015

CITY OF TROY
ASSESSING DEPT.

HTC Global Services
World Headquarters

3270 West Big Beaver Road, Troy, MI 48084

Phone: 248.786.2500 • Fax: 248.786.2515 • Web: www.htcinc.com

USA • India • Malaysia • Singapore • Australia

Application for Industrial Facilities Tax Exemption Certificate

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

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

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date received by Local Unit 01/02/15 LAL #6345
STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) HTC Global Services, Inc.	▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 7371	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 100 East Big Beaver Rd., Troy, MI 48083	▶ 1d. City/Township/Village (indicate which) Troy	▶ 1e. County Oakland
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))	▶ 3a. School District where facility is located Troy School District	▶ 3b. School Code 63150
4. Amount of years requested for exemption (1-12 Years) 12 8 Years after completion		

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

Building a new agile development center in Troy, MI.

6a. Cost of land and building improvements (excluding cost of land)..... * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	▶ \$1,010,000.00
6b. Cost of machinery, equipment, furniture and fixtures..... * Attach Itemized listing with month, day and year of beginning of installation, plus total	▶ \$697,500.00
6c. Total Project Costs..... * Round Costs to Nearest Dollar	▶ \$1,707,500.00 Total of Real & Personal Costs

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

	Begin Date (M/D/Y)	End Date (M/D/Y)		
Real Property Improvements	▶ <u>7/1/15</u>	▶ <u>5/31/17</u>	▶ <input type="checkbox"/> Owned	<input checked="" type="checkbox"/> Leased
Personal Property Improvements	▶ <u>7/1/15</u>	▶ <u>1/31/17</u>	▶ <input checked="" type="checkbox"/> Owned	<input type="checkbox"/> Leased

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

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 110	▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 200
---	---

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

a. TV of Real Property (excluding land)

b. TV of Personal Property (excluding inventory)

c. Total TV

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

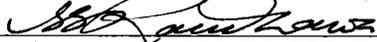
Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit)	▶ 12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

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

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

13a. Preparer Name Sutbir Randhawa	13b. Telephone Number (248) 530-2523	13c. Fax Number (248) 786-2515	13d. E-mail Address sutbir.randhawa@htcinc.com
14a. Name of Contact Person Laurie Maria	14b. Telephone Number (248) 530-2535	14c. Fax Number (248) 530-2586	14d. E-mail Address Laurie.Maria@htcinc.com
▶ 15a. Name of Company Officer (No Authorized Agents) Sutbir Randhawa			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (248) 786-2515	15d. Date 12-30-2014
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 3270 West Big Beaver Road, Troy, MI 48084		15f. Telephone Number (248) 530-2523	15g. E-mail Address Sutbir.Randhawa@htcinc.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

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

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

19a. Signature of Clerk	19b. Name of Clerk Aileen Dickson	19c. E-mail Address use Nino.Licari@troy.mi.gov
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 500 W Big Beaver, Troy, MI. 48084		
19e. Telephone Number 248-524-3331	19f. Fax Number 248-524-1770	

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

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

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

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

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

Building & Leasehold Improvements

Item	Anticipated Date	Square Footage	Estimated Cost / Sqft	Amount
Build Conference and Training space	9/1/2015	4,000	\$ 35.00	\$ 140,000
Build Office space	9/1/2015	4,000	\$ 35.00	\$ 140,000
Build Agile Development Center	10/1/2015	22,000	\$ 30.00	\$ 660,000
Install power generator	9/1/2015			\$ 70,000
				<u>\$ 1,010,000</u>

Personal Property Details

Item	Count	Anticipated Date	Estimated Cost	Estimated Amount
Laptop and Software	50	10/1/2015	\$ 1,000	\$ 50,000
Laptop and Software	50	2/1/2016	\$ 1,000	\$ 50,000
Laptop and Software	50	6/1/2016	\$ 1,000	\$ 50,000
Laptop and Software	50	11/1/2016	\$ 1,000	\$ 50,000
Laptop and Software	20	2/1/2017	\$ 1,000	\$ 20,000
Servers and networking equipme	1	9/1/2015	\$ 30,000	\$ 30,000
Servers and networking equipme	1	6/1/2016	\$ 30,000	\$ 30,000
Telephones & headsets	50	10/1/2015	\$ 350	\$ 17,500
Telephones & headsets	50	2/1/2016	\$ 350	\$ 17,500
Telephones & headsets	50	6/1/2016	\$ 350	\$ 17,500
Telephones & headsets	50	11/1/2016	\$ 350	\$ 17,500
Telephones & headsets	20	2/1/2017	\$ 350	\$ 7,000
Video Surveillance system	1	8/1/2015	\$ 8,500	\$ 8,500
Printers	2	10/1/2015	\$ 1,500	\$ 3,000
Printers	2	11/1/2016	\$ 1,500	\$ 3,000
Projectors	3	9/1/2015	\$ 1,300	\$ 3,900
Projectors	3	10/1/2016	\$ 1,300	\$ 3,900
Fax Machine	1	10/1/2015	\$ 200	\$ 200
Work Stations	100	9/1/2015	\$ 1,500	\$ 150,000
Work Stations	50	2/1/2016	\$ 1,500	\$ 75,000
Work Stations	50	6/1/2016	\$ 1,500	\$ 75,000
Office Furniture	1	9/1/2015	\$ 10,000	\$ 10,000
Office Furniture	1	9/1/2016	\$ 8,000	\$ 8,000
			Total:	\$ 697,500

Applicant Name HTC Global Services

Fiscal Statement (to be completed by local unit)

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

Estimated Project Investment (not assessed value):

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

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

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

LOCAL UNIT CERTIFICATION

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

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

To: Nino A Licari
Subject:FW: Letter of Intent

Received 11/18/13 at 10:11 AM

Leger A. (Nino) Licari | MMAO (4), PPE | City Assessor - City of Troy | 500 W Big Beaver, Troy, MI 48084 | ph 248 524-3305 | fax 248 524-3310 | Mon - Fri 8:00AM - 4:30PM |

From: Laurie Maria [mailto:Laurie.Maria@HTCinc.com]
Sent: Monday, November 18, 2013 10:11 AM
To: Nino A Licari
Subject: Letter of Intent

Nino,

Hi! Thanks for speaking with me this morning. I wanted to formally let you know that HTC Global Services, Inc. intends to apply for a personal property tax abatement. I would like the City of Troy to set up an Industrial Development District at ~~3270 West Big Beaver Road; Troy, MI 48084~~ and 100 East Big Beaver Road; Troy, MI 48083.

Our current Lease is at the 3270 West Big Beaver Road building and this is where we will start bringing employees into our space here. As we move forward with the project, we are looking at building out space at the 100 East Big Beaver Building as the state-of-the-art server and agile develop center.

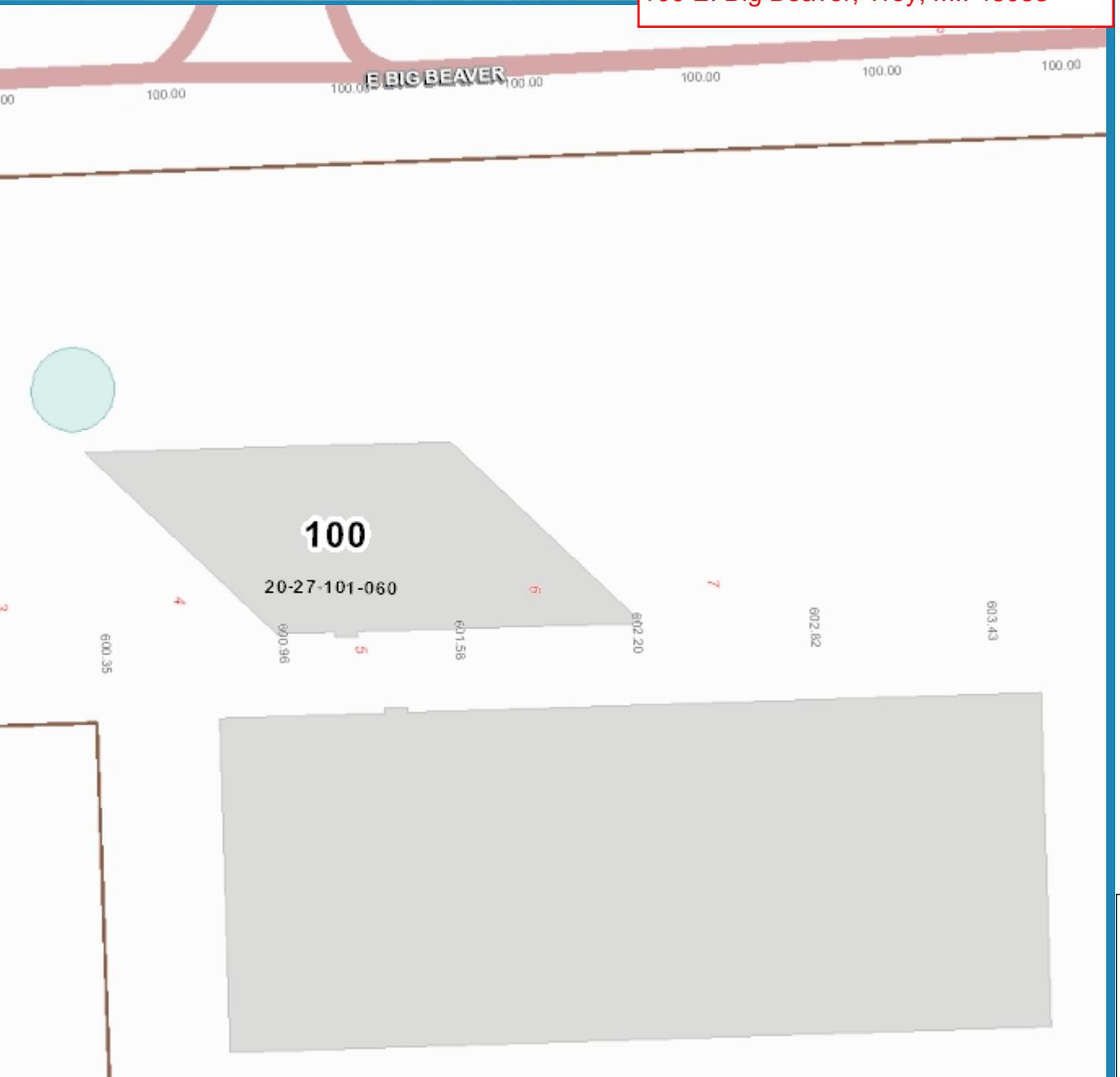
I am currently working on completing the Application – Form 1012 and putting together the back-up documents. Please let me know if you need anything else at this time or have any questions or concerns.

Thanks for your assistance with this matter!

Sincerely,
Laurie Maria
Director of Finance
HTC Global Services, Inc.
W (248) 530-2535 | C (248) 224-9413
Laurie.Maria@HTCinc.com | www.htcinc.com

GIS Online

HTC Global Services
IFT Application - Site
88-20-27-101-060
100 E. Big Beaver, Troy, MI. 48083



Note: The information provided by this application has been compiled from recorded and other public records and data. It is not a legally recorded map survey. Users of this data information represented should be consulted for verification.

Legal Description of Real Property

Tax Parcel Number: 20-27-101-060

Commonly Known As: 100 East Big Beaver Rd., Troy, MI 48083

Lot 1 and Lot 3, EXCEPT the South 250 feet thereof and Lots 4 through 9, inclusive, EXCEPTING the North 42 feet of all Lots conveyed for widening Big Beaver Road, Frost Sunny Acres as recorded in Liber 64, Page 9 of Plats, Oakland County Records, including the benefit of the easements set for in (i) the Cross Across or Joint Drive Easement, recorded in Liber 8884, Page 326 and (ii) the Declaration of Cross Access Roadway Easements and Grant of Pedestrian Easement recorded in Liber 10439, Page 142, Oakland County Records

City of Troy - Assessing Department
 HTC Global Services - 100 E, Big Beaver
 Estimate of Total Taxes and Tax Savings for IFEC Application

Market Value	1,707,500	1,553,825	1,243,060	857,711	523,204	277,298	130,330	54,739	20,253	6,684	1,938
50% of Value	853,750	776,913	621,530	428,856	261,602	138,649	65,165	27,369	10,127	3,342	969
Year		2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Depreciation		0.9100	0.8000	0.6900	0.6100	0.5300	0.4700	0.4200	0.3700	0.3300	0.2900
Taxable Value		776,913	621,530	428,856	261,602	138,649	65,165	27,369	10,127	3,342	969

Taxing Authority	100% of Millage	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes	Taxes
Trans	0.59000	\$458.38	\$366.70	\$253.02	\$154.35	\$81.80	\$38.45	\$16.15	\$5.97	\$1.97	\$0.57
County	4.64610	\$3,609.61	\$2,887.69	\$1,992.51	\$1,215.43	\$644.18	\$302.76	\$127.16	\$47.05	\$15.53	\$4.50
Zoo	0.10000	\$77.69	\$62.15	\$42.89	\$26.16	\$13.86	\$6.52	\$2.74	\$1.01	\$0.33	\$0.10
Int Schools	3.36900	\$2,617.42	\$2,093.93	\$1,444.81	\$881.34	\$467.11	\$219.54	\$92.21	\$34.12	\$11.26	\$3.26
Comm Coll	1.58440	\$1,230.94	\$984.75	\$679.48	\$414.48	\$219.68	\$103.25	\$43.36	\$16.04	\$5.29	\$1.54
State Ed	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Op	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.95000	\$3,845.72	\$3,076.57	\$2,122.84	\$1,294.93	\$686.31	\$322.57	\$135.48	\$50.13	\$16.54	\$4.80
Hold Harmless	5.55630	\$4,316.76	\$3,453.41	\$2,382.85	\$1,453.54	\$770.38	\$362.08	\$152.07	\$56.27	\$18.57	\$5.38
Admin	0.15240	\$118.40	\$94.72	\$65.36	\$39.87	\$21.13	\$9.93	\$4.17	\$1.54	\$0.51	\$0.15
City	10.50000	\$8,157.58	\$6,526.07	\$4,502.98	\$2,746.82	\$1,455.82	\$684.23	\$287.38	\$106.33	\$35.09	\$10.18
Total	31.44820	\$24,432.50	\$19,546.00	\$13,486.74	\$8,226.91	\$4,360.26	\$2,049.32	\$860.72	\$318.46	\$105.09	\$30.48

Total Taxes 8 Yrs (+2)	\$73,416.48
Total City Taxes	\$24,512.47

50% Total Taxes	\$36,708.24	Net Total Taxes Abated
50% Total City Taxes	\$12,256.24	Net Total City Taxes Abated
2% Total City	\$245.12	Application Fee (2% total c

COMMERCIAL LEASE

THIS LEASE, made as of December 30, 2014, by and between the Landlord and Tenant hereinafter defined in Section 1, respectively.

W I T N E S S E T H :

1. Basic Lease Provisions.

The following sets forth the terms of this Lease and, where appropriate, constitute definitions of the terms hereinafter listed:

- a) Landlord: MAMTA Holdings, LLC, a Michigan limited liability company.
- b) Landlord's Address: 3270 West Big Beaver Road, Suite 120, Troy, Michigan 48084.
- c) Tenant: HTC Global Services, Inc.
- d) Tenant's Address: 3270 West Big Beaver Road, Suite 100, Troy, Michigan 48084
- e) Building: That certain office building located at 100 East Big Beaver Road, Troy, Oakland County, Michigan, together with all associated parking areas, sidewalks, landscape beds and other interior and exterior common areas.
- f) Demised Premises: The premises known as Suite, containing approximately 30,000 square feet of rentable floor area as shown on the floor plan attached hereto as Exhibit "A".
- g) Commencement Date: October 1, 2015
- h) Expiration Date: September 30, 2020
- i) Basic Rental: Due and Payable the 1st of each Month ("Rent Day")

Lease Period	Monthly Basic Rental	Basic Rental
1- 12 Months		
13- 24 Months		
25- 36 Months		
37- 48 Months		
49- 60 Months		

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

MAMTA Holdings, LLC or "Landlord"

By: Lauree Maria Date 12-30-14

HTC Global Services, Inc. or "Tenant"

By: [Signature] Date 12-30-2014

IN WITNESS WHEREOF, the undersigned has executed this Lease as the Tenant this day of Dec 30 ~~30~~, 2014.

STATE OF MI)
COUNTY OF Oakland) ss.

The foregoing instrument was acknowledged before me this 30 day of December, 2014, by Marie Smith.

Marie C Smith
Notary Public
Oakland County, Michigan
My Commission Expires: May 3, 2017

I-4 Amending the Personal Property Tax Abatement Policy

Resolution #2010-08-173

Moved by Beltramini

Seconded by Kerwin

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

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

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

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

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

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

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

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

No: Howrylak

MOTION CARRIED

January 8, 2015

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

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

Re: Affidavit of Application Fees For IFEC
HTC Global Services
PA 198 Tax Abatement

This affidavit attests to the fact that the City of Troy has charged an application fee in the amount of \$245.12, equal to 2% of the estimated abated City taxes for the life of the exemption for HTC Global Services, 100 E. Big Beaver, Troy, MI. 48083

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

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

Dated:

Signed: HTC Global Services

Dated:

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

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

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **HTC Global Services**, understands that through its investment of \$1,707,500, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is 8 years after either completion of construction of the facilities, or December 31, 2027, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2017, **HTC Global Services**, will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **HTC Global Services**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

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

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

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

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

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

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

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

Signed: _____ (date) _____

Name:

Title:

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

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

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, February 23, 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 HTC Global Services., at the following location:

88-20-27-101-060 100 E. Big Beaver, Troy, MI. 48083-1204
T2N, R11E, Section 27, Frost Sunny Acres, Part of Lots 1 and 3, and Lots 4 through 9

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.*

AFFIDAVIT OF PUBLICATION, POSTING & MAILING

State of Michigan
County of Oakland
City of Troy

RE: PUBLIC HEARING:

Council/Board/Committee: City Council
Day: Monday
Date: February 23, 2015
Time: 7:30 PM
Business: HTC Global Services
To consider the establishment of an Industrial Development District (IDD) and the
the following: granting of an Industrial Facilities Exemption Certificate (IFEC) for
HTC Global Services.
Address: 100 E. Big Beaver Rd.
Parcel ID# 88-20-27-101-060
Section: 27

I hereby certify that the attached notice was E-mailed to
the Somerset Gazette Newspapers on: February 2, 2015

For publication on: February 9, 2015

Cheryl A Stewart

Cheryl A. Stewart
Admin Aide

I hereby certify that the attached notice was posted to the
City of Troy website on: February 2, 2015

I further certify that the mailing is scheduled to be mailed by
first class mail by the City Clerk's Office on: February 2, 2015

Cheryl A Stewart

Cheryl A. Stewart
Admin Aide

POSTED: February 2, 2015
PUBLISHED: February 9, 2015

Cheryl A Stewart

From: Patti Sweitzer <artroom@troy-somersetgazette.com>
Sent: Thursday, February 05, 2015 11:48 AM
To: Cheryl A Stewart
Subject: Re: PUBLISH: February 9th, 16th and 23rd, 2015 2015 (03-March) Board of Review Meeting Dates
Attachments: image005.jpg; ATT00001.htm; image006.jpg; ATT00002.htm; 2015 (03-March) Board of Review Meeting Dates.doc; ATT00003.htm

Thought I replied to this - but just so you know I have two legals for this week.

Patti Sweitzer
Gazette Newspapers, Inc.
6966 Crooks Rd • Suite 22
Troy, Michigan 48098
248-524-4868 Phone
248-524-9140 Fax

<http://www.troy-somersetgazette.com>

On Feb 2, 2015, at 9:15 AM, Cheryl A Stewart wrote:

Cindy and/or Patti,

Would you please publish the attached Notice of Public Hearing in the **February 9th, 16th and 23rd, 2015** editions of the Somerset Gazette?

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

Thanks,

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

Cheryl A Stewart

From: Cheryl A Stewart
Sent: Monday, February 02, 2015 9:12 AM
To: 'editor@troy-somersetgazette.com'; 'Patti Sweitzer'
Cc: Clerks
Subject: PUBLISH: February 9, 2015 20150223 IDD-IFEC HTC Global Services - 100 E Big Beaver Rd.
Attachments: 20150223 IDD-IFEC HTC Global Services - 100 E Big Beaver.doc

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

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TROY SCHOOL DISTRICT
Attn: BUSINESS ADMIN
4400 LIVERNOIS
TROY MI 48098-4799

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

OAKLAND INTERMEDIATE SCHLS
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OAKLAND COUNTY PTA
1200 N TELEGRAPH Dept 479
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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

HTC GLOBAL SERVICES
Attn: LAURIE MARIA
3270 W BIG BEAVER
TROY MI 48084

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

E-01 Establishment of an Industrial Development District (IDD) at 100 E. Big Beaver

Suggested Resolution

Resolution #2015-

Moved by

Seconded by

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

WHEREAS, HTC Global Services has petitioned the Troy City Council to establish an Industrial Development District (IDD) on its property located in the City of Troy, hereinafter described; and

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

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

WHEREAS, on February 23, 2015, a public hearing was held at which all owners of real property within the proposed Industrial Development District (IDD) and all residents and taxpayers of the City of Troy were afforded an opportunity to be heard thereon; and

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

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 100 E. Big Beaver, Troy, MI. 48083, Parcel #88-20-27-101-060, in accordance with City Council Policy Resolution #2010-08-173; and

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

Yes:

No:



CITY COUNCIL AGENDA ITEM

Date: February 23, 2015

To: Brian Kischnick, City Manager

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

Subject: Public Hearing to Consider the Granting of an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services, 100 E. Big Beaver

Background:

HTC Global Services has purchased the building at 100 E. Big Beaver, under a holding company. They will lease back the building from this company. They are in the process of renovating the facility for a new development center for engineering and medical applications. The building has been mostly vacant for several years, and is need of extensive renovations.

They will invest over \$1.7 million in renovations and equipment. They also expect to add 200 new jobs at this facility in addition to the 110 people they currently employ.

In November of 2013 they submitted a Letter of Intent to apply for tax abatement at the site. In December of 2014 they clarified their initial letter.

They have applied to have an Industrial Facilities Exemption Certificate (IFEC) for personal property tax abatement for an 8 year period (after completion). If granted, they will save approximately \$36,700 on their overall tax bill. Of that amount, \$12,256 would be City tax savings.

Financial Considerations:

Based on their lease of the building, the amount of the investment, and the number of jobs they will be creating, they qualify for an eight (8) year abatement under Council Policy Resolution #2010-08-173.

The \$1,707,500 investment would generate approximately \$73,416.48 in total taxes over eight (8) years, of which \$24,512.47 would be City taxes.



CITY COUNCIL AGENDA ITEM

The abatement would therefore save the company \$36,708.24 over its life. The City would realize \$12,256.24 in taxes that it does not currently receive.

Legal Considerations:

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

Policy Considerations:

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

Options:

City Council may approve the tax abatement. Or, City Council may choose to not grant the abatement. The company would then appeal this decision to the State Tax Commission (STC).

NI/nl H:IFT\HTC 2015\Memo IFEC 02.23.15

CITY OF TROY
PUBLIC HEARING

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State of Michigan
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Council/Board/Committee: City Council
Day: Monday
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Time: 7:30 PM
Business: HTC Global Services
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For publication on: February 9, 2015

Cheryl A Stewart

Cheryl A. Stewart
Admin Aide

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Cheryl A. Stewart
Admin Aide

POSTED: February 2, 2015
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Sent: Thursday, February 05, 2015 11:48 AM
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HTC GLOBAL SERVICES
Attn: LAURIE MARIA
3270 W BIG BEAVER
TROY MI 48084

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

E - 02 Request for Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services, 100 E. Big Beaver, Troy, MI. 48083

Suggested Resolution

Resolution # 2015-

Moved by:

Seconded by:

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on February 23, 2015, established an Industrial Development District (IDD) for property known as 100 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-101-060; and

WHEREAS, An Application has been submitted by HTC Global Services for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 100 E Big Beaver, Troy, MI. 48083 for eight (8) years after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on February 23, 2015, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

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

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services at 100 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-101-060, for personal property for a term of eight (8) years **after completion, CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and HTC Global Services, and the payment of the fees in accordance with Public Act 198 of 1974, as amended; and

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

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

Yes:

No:



CITY COUNCIL BOARDS & COMMITTEES

Date: February 23, 2015

To: Brian Kischnick, City Manager

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

Subject: Emergency Appointment of Board of Review Member

Detail:

Nora Eileen Turner has been a valued member of the Board of Review for over 20 years. Her current appointment runs through January 31, 2017.

Per a telephone call to me, she is unable to continue in her service to the City, and expressed her sadness at having to resign her position at this late date.

Her resignation places the Board in immediate danger of not being able to field a quorum, should any of the two remaining members have to miss a meeting.

State law, and the City Charter dictate that the Board of Review shall meet this year on March 3, 9 and 10, 2015. Other than the February 23, 2015 City Council meeting, the next available meeting for action is March 9, 2015. This is a full week too late to effect a change to the Board's membership before they meet.

John Howard Adams (Howard is preferred) has a resume on file for an appointment to the Board of Review. Howard has previously served on the Board, and would have the shortest timeframe for getting up to speed.

Request:

Management requests that the City Council suspend Council Rule #16, and nominate and appoint John Howard Adams to fill the remaining term of Nora Eileen Turner on the Board of Review starting with the 2015 March Board of Review at the February 23, 2015 meeting.

NI/nl: H:\Council\Emergency Appt 02.23.15.docx

February 18th, 2015

To: The Mayor of Troy &
Council members.

RE: The Board of Review

I am with regret that I respectfully
submit my resignation to appointment
as a member of the 2015 Board of
Review due to health reasons.

I have greatly enjoyed working
with Nino Licari and my association
with the members of the Assessing
Department.

Received

FEB 18 2015

CITY OF TROY
ASSESSING DEPT.

Sincerely,

Julian Turner



CITY COUNCIL ACTION REPORT

DATE: February 16, 2015
TO: Brian Kischnick, City Manager
FROM: M. Aileen Dickson, City Clerk
SUBJECT: City Charter Clarification – Section 7.9 Nominations

Background

In 2012, Section 168.644e of Michigan Election Law was revised. This section of the law regulates the nomination of officers that are required to be elected at odd year general elections, including city offices. Specifically, Section 168.644e states: “Beginning January 1, 2014, if a charter provides for nomination by caucus or by filing a petition or affidavit directly for the general election, the candidate filing deadline or certification deadline shall be 4 p.m. on the fifteenth Tuesday before the odd year general election.”

Troy City Charter Section 7.9 – Nominations is currently in conflict with this newly revised section of Michigan Election Law. Section 7.9 – Nominations states: “Nomination petitions for candidates for elections are to be filed with the Clerk on or before 4 o’clock p.m. of the one hundredth (100th) day preceding the next election.” The new statute of fifteen Tuesdays equates to 105 days, making our current 100-day deadline a conflict.

In November, 2015, Troy voters will vote on the election of the Mayor, 3 Council Members and 1 partial-term Council Member. Nominating petitions, according to State law, are due July 21, 2015. In advance of this deadline, a notation should be placed in Section 7.9 – Nominations of the City Charter to clarify the filing deadline for City of Troy offices. When asked, the Michigan Secretary of State - Bureau of Elections made no recommendation or direction as to how to address this clarification in the Charter.

Financial Considerations

There are no financial considerations in regards to this item.

Legal Considerations

Placing a notation in Section 7.9 – Nominations of the City Charter will provide clarity for candidates filing for City offices.

Options

City Administration requests that City Council authorize a notation in Section 7.9 - Nominations of the Troy City Charter that states: "Beginning January 1, 2014, pursuant to Section 168.644e of Michigan Election Law, the candidate filing deadline for City of Troy offices shall be 4 p.m. on the fifteenth Tuesday prior to general election."

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney

A. CALL TO ORDER:

A Special Study Meeting of the Troy City Council was held on Monday, February 9, 2015, at Automation Alley, 2675 Bellingham, Troy. Mayor Slater called the meeting to order at 6:00 PM.

B. ROLL CALL:

- a) Mayor Dane Slater
Jim Campbell
Steve Gottlieb
Dave Henderson
Ellen Hodorek
Ed Pennington
Doug Tietz – Arrived at 6:12 PM.

C. DISCUSSION ITEMS:

C-1 Facility Tour and Automation Alley Update From Ken Rogers, Executive Director

Mayor Slater opened the discussion and introduced Ken Rogers, Executive Director of Automation Alley.

Mr. Rogers led a tour of the Automation Alley building and then discussed a presentation about Automation Alley.

Mayor Slater commented that Automation Alley has improved Troy significantly. He said that Troy is committed to keeping Automation Alley headquarters in Troy and he hopes Automation Alley commits to staying in Troy.

Mr. Rogers said that Automation Alley is committed to staying in Troy and they appreciate Troy's help in obtaining LDFA funding.

Dick Carlisle of Carlisle Wortman Associates, Inc. discussed a presentation about the LDFA extension and provided a timeline handout.

Brian Kischnick, City Manager, asked Mr. Carlisle about the reason to extend the LDFA. Mr. Carlisle replied that the LDFA extension provides a 15-year funding stream for Automation Alley, allows the capture of 50% of school taxes, and will keep Automation Alley within Troy and the other two cities. Mr. Carlisle also said that Automation Alley attracts and creates jobs and without the extension, revenue to support Automation Alley would decrease drastically. Mayor Slater asked if Troy could help Automation Alley expand its facilities. Mr. Carlisle answered that Automation Alley and the City are looking at options to expand the current facility and there is potential to expand their current building. He said that parking is an issue, but Automation Alley has a good relationship with the business next door and there is a possibility to share parking. He said that there are many options available to assist Automation Alley with an expansion. Mr. Rogers added that Automation Alley has received lots of cooperation from the City of Troy with ideas for expansion, and they are looking at expanding in the near future. Mr. Carlisle commented that the expansion discussion started with the 15-year

extension of the Smart Zone conversation. He said that the first issue was satellite attraction, and Port Huron solved that issue. He concluded that finding entities to expand to is difficult, but they will take opportunities when they arise.

D. PUBLIC COMMENT:

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 6:45 PM.

Mayor Dane Slater

M. Aileen Dickson, CMC
City Clerk

Council Member Hodorek 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, February 9, 2015, 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
- Steve Gottlieb
- Dave Henderson
- Ellen Hodorek
- Ed Pennington
- Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Brownfield Redevelopment Authority; b) City Council Appointments – Liquor Advisory Committee, Parks & Recreation Board, Traffic Committee, Zoning Board of Appeals

a) Mayoral Appointments:

Resolution #2015-02-025
Moved by Slater
Seconded by Campbell

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

Brownfield Redevelopment Authority

Appointed by Mayor
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

Mary Kerwin

Term currently held by: Dan Brake

Yes: All-7
No: None

MOTION CARRIED

b) City Council Appointments:

Resolution #2015-02-026
Moved by Campbell
Seconded by Gottlieb

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

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 01/31/2018

Ann Comiskey

Term currently held by: David Easterbrook

Term Expires: 01/31/2018

Max Ehlert

Term currently held by: Max Ehlert

Term Expires: 01/31/2018

Timothy Payne

Term currently held by: Timothy Payne

Parks and Recreation Board

Appointed by Council

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

Term Expires: 9/30/2016

Judy Baker

Term currently held by: Carolyn Noble

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 1/31/2018

Tim Brandstetter

Term currently held by: Tim Brandstetter

Term Expires: 1/31/2018

Cynthia Wilsher

Term currently held by: Lawrence Halsey

Zoning Board of Appeals

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2015

Thomas Desmond

Term currently held by: Vacancy (Bruce Bloomingdale resigned)

Term Expires: 12/31/2015

Phil Sanzica (PC Rep. on ZBA)

*Nomination by
Planning Commission*

Term currently held by: Thomas Krent

Term Expires: 1/31/2018

Orestis (Rusty) Kaltsounis

Term currently held by: Orestis (Rusty) Kaltsounis

Term Expires: 1/31/2018

Paul McCown

Term currently held by: Paul McCown

Yes: All-7

No: None

MOTION CARRIED

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

a) **Mayoral Nominations:**

City Council took no action on this Item.

b) **City Council Nominations:**

City Council took no action on this Item.

I-3 No Closed Session Requested

I-4 Agreement to Provide Fleet Maintenance Services – Bloomfield Hills (Introduced by: Tim Richnak, DPW Director)

Resolution #2015-02-027
Moved by Hodorek
Seconded by Henderson

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Service Agreement for the City of Troy to provide fleet maintenance services to the City of Bloomfield Hills; the City Clerk and Mayor are **AUTHORIZED TO EXECUTE** the agreements.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2015-02-028
Moved by Campbell
Seconded by Pennington

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 #2015-02-028-J-2

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

- a) City Council Minutes-Draft – January 26, 2015

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 14-8 – Section 4 Water Main Replacement – South Side**

Resolution #2015-02-028-J-4a

RESOLVED, That contract No. 14-8, Section 4 Water Main Replacement – South Side, be **AWARDED** to Teltow Contracting, Inc., 4678 Meldrum Road, Casco, MI 48064 for their low total bid amount of \$3,299,267.50.

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

J-5 Traffic Committee Recommendations and Minutes – January 21, 2015

Resolution #2015-02-028-J-5

3. Request for No Left Turn Sign – Kroger Gas Station – Rochester Road

RESOLVED, That **NO CHANGES** be made at the southerly driveway to the Kroger gas station site on the west side of Rochester Road.

J-6 Suggested Resolution to Schedule a Special Study Session on Monday, March 9, 2015 at 6:00 PM to Discuss a Potential Library Millage Renewal Question

Resolution #2015-02-028-J-6

RESOLVED, That a Special Study meeting **IS SCHEDULED** for the Troy City Council for the purpose of discussing a potential Library Millage Renewal Question on Monday, March 9, 2015 at 6:00 PM in the Council Boardroom at 500 W. Big Beaver Road, Troy, MI 48084.

J-7 Request for Acceptance of Two Warranty Deeds and Four Permanent Easements From Brooke View Development, Inc. – Sidwell #88-20-01-476-063

Resolution #2015-02-028-J-7

RESOLVED, That City Council hereby **ACCEPTS** two warranty deeds for right of way and detention pond purposes, and four permanent easements for storm sewers and surface drainage, landscaping and non-access greenbelt, a clear vision triangle, and public utilities from Brooke View Development, Inc., owner of the property having Sidwell #88-20-01-476-063.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the warranty deeds and easements with Oakland County Register of Deeds, copies 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:

- a) February 23, 2015 – Announcement of Public Hearings for Industrial Development District (IDD) and Industrial Facilities Exemption Certificate (IFEC) for HTC Global Services, 100 E. Big Beaver
-

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

Council Member Hodorek mentioned that she and other members of Troy City Council attended Oakland County Executive L. Brooks Patterson's State of the County address, where he discussed several topics (i.e., AAA bond rating, three year budget, etc.). Many of these topics are mimicked by the City of Troy. He also discussed the economic development efforts and One Stop Ready, which the City of Troy is a participant. L. Brooks Patterson stressed that time is money when businesses must get to market fast when they come to do their economic development and he specifically mentioned the City of Troy and our efforts to reduce the permit processing time from weeks to days.

Council Member Pennington noted the number of students in the audience and mentioned the vacancy for a student representative on the Liquor Advisory Committee and directed them to contact Mayor Pro Tem Campbell if interested in serving on this board.

Council Member Pennington spoke of the recent measles outbreak and addressed the importance of vaccinating children. He further explained that the Federal government allows

states to determine how vaccinations are handled. In many states, vaccinations are recommended, but not mandatory. Council Member Pennington provided statistics from states that require vaccinations and only allow opt-out of vaccinations for medical reasons.

Mayor Slater mentioned the City Council/Staff retreat on Friday evening and Saturday. He stressed that it was a great educational opportunity to work together with City Staff, and he applauded City Manager Kischnick for implementing this retreat.

City Manager Kischnick thanked Sehrish Salah-Ud-Din and the Envisioning Team for all of their many hours of hard work and a great job planning the retreat.

City Manager Kischnick also spoke about the first-ever Vision Collision, which is a staff exchange program with other municipalities. The City of Troy had the opportunity to visit the City of Rochester Hills a few months ago and meet staff and tour their facilities. Tomorrow, the City of Troy will have the pleasure of hosting Rochester Hills and show them some of our facilities, such as Sanctuary Lake Golf Course, the Transit Center, City Hall and the Community Center.

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Animal Control Appeal Board-Final – November 5, 2014
- b) Traffic Committee-Final- November 19, 2014
- c) Planning Commission-Draft- January 13, 2015
- d) Planning Commission-Final- January 13, 2015

Noted and Filed

O-2 Department Reports:

- a) 2014/2015 Fiscal Year Interim Financial Statements Six Months Ended December 31, 2014
- b) Building Department Activity Report – January, 2015
- c) Troy Historic Village – Niles Barnard House Business Plan
- d) Troy Historic Village – Annual Report – Fiscal Year Ending June 30, 2014
- e) Troy Police and Fire Training Center 2014 Report

Noted and Filed

O-3 Letters of Appreciation:

- a) To Chief Gary Mayer From Director Richard Torongeau, Beverly Hills Public Safety Regarding Officer Sinutko and K9 Assistance
- b) To Chief Gary Mayer From Penny Luebs, Mayor of Clawson Regarding Boy Scout Tours
- c) To Brian Kischnick From Madonna Van Fossen
- d) To Brian Kischnick From Shirley and William Schmidt
- e) To Brian Kischnick From Lynn S. Naoum
- f) To Brian Kischnick From Betty Gross
- g) To Chief Gary Mayer From Pat Butkiewicz

Noted and Filed

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

Noted and Filed

O-5 Notice of Public Hearing – Proposed Water and Sewerage Rates – Detroit Water and Sewerage Department

Noted and Filed

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

Q. CLOSED SESSION:

Q-1 No Closed Session

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 7:50 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Julie Quinlan Dufrane, Assistant City Attorney
DATE: February 17, 2015
SUBJECT: Carter, et al. v. Oakland County Jail, et al.

Enclosed please find a new lawsuit filed against three county jails and three individual police officers, including one from the City of Troy police department. This lawsuit has been assigned to the Honorable Gershwin A. Drain of the U.S. District Court for the Eastern District of Michigan.

The lawsuit is filed as a 42 U.S.C. Section 1983 claim, and it also alleges a violation of state law. The three named Plaintiffs, who are inmates at the Chippewa Correctional Facility, have consolidated their claims despite the fact there is no connection between each of the individually named Defendants or the local jails.

Defendant Carter's claim against the City of Troy police officer arises from his arrest on April 23, 2013 for possession of controlled substances, including marijuana and methamphetamine. Carter was a passenger in a vehicle that was stopped for operating while intoxicated. During the traffic stop, officers could smell marijuana in the vehicle and questioned the driver and the passenger about it. Based on the actions of Carter, the officer conducted a pat down search for officer safety reasons where it was then discovered that Carter possessed marijuana, four small bags of crystal methamphetamine, and paraphernalia commonly associated with drug use, including a syringe and a green rubber strap.

Carter was arrested and booked into the Troy lock up at 11:30 p.m. on April 23, 2013. While in custody, he was questioned by Troy officers and released without charges at 1:30 p.m. on April 25, 2013. After Carter's release, Troy police officers continued their investigation and requested a warrant from the Oakland County Prosecutor's office authorizing a felony charge of possession of methamphetamine with intent to deliver and a misdemeanor charge of possession of marijuana. Carter subsequently pled guilty as charged.

In essence, Plaintiff alleges that his civil rights were violated when he was arrested, without a warrant, and he was not afforded "prompt judicial determination of probable cause" in violation of the Fourth Amendment. The Complaint alleges further that the officer violated a Michigan statute which requires an arresting officer to present an accused to a magistrate "without unnecessary delay" for a judicial determination of the validity of an arrest.

Our office will commence its defense of this litigation by filing an Answer to the Complaint on behalf of the City of Troy and the individual Troy police officer. A Motion for Summary Judgment will also be filed in an effort to avoid protracted discovery in this matter. A proposed resolution authorizing our legal representation is provided for your consideration.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

- ^{CARTER}
(1) JEREMY CARTER #6816A3
(2) PATRICK EUGENE JAMAR SPAIN #876215
(3) ARRON LAVELLE LEE #786297

Plaintiffs,

v.

- (1) OAKLAND COUNTY JAIL, DETECTIVE T. HARRISON
(2) ST. JOSEPH COUNTY JAIL, CORY SMITH
(3) KALAMAZOO COUNTY JAIL, DEPUTY AMPEY OF THE KALAMAZOO SHERIFF'S DEPARTMENT
Defendants.

JURISDICTION

This is a civil action authorized by 42 U.S.C. §1983 to redress deprivation, under color of State Law, of rights secured by the Constitution of the United States. The court has jurisdiction under 28 § U.S.C. § 1351 and 1343(a)(3).

COMPLAINT

I. PREVIOUS LAWSUITS:

A) Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility?

Seid Plaintiffs in this action have not filed any lawsuit under 42 § U.S.C. 1983

B) Questions 1-5 are not applicable.

II) Place of Present Confinement:

All said Plaintiffs in this action are currently confined at:

Chippewa Correctional Facility

RECEIVED
FEB - 11 PM 1:05
U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
LANSING, MICHIGAN

4269 West M-80

Kincheloe, Michigan 49784

III) Parties:

Plaintiff(s):

- 1) Jeremy Carter
Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784
- 2) Patrick Eugene Jamar Spain
Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784
- 3) Arron Lavelle Lea
Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784

Defendant(s) sued in official capacity (only):

Defendant(s):

- 1) Oakland County Sheriff Department Michigan (County Jail)
- 2) St. Joseph County Sheriff Department Michigan (County Jail)
- 3) Kalamazoo County Jail Department Michigan (County Jail)

Defendants sued in both official and individual capacities:

Defendant(s)

- (1) Detective T. Harrison #26 of the Troy Police Department
- (2) Cory Smith of the Three Rivers Police Department
- (3) Deputy Ampey of the Kalamazoo County Sheriff Department

Timeliness of Claim Asserted:

The appropriate ~~statute~~^{statute} of limitations to be applied in all sections 1983 actions is the state statute of limitations governing actions for personal injury. Subsequently Michigan's three year statute of limitations for personal injury claims govern this instant civil action. Because the injuries to plaintiffs occurred in the year of 2013, and filing of this civil action is brought within the three (3) years personal injury statute. Plaintiffs complaint is timely.

STATEMENT OF CLAIMS(S):

Plaintiff Carter

- 1) On April 23, 2013, Defendant Det. T. Harrison #26 made a warrantless arrest against Plaintiff-Carter after a traffic stop was initiated.
- 2) Det. T. Harrison then brought Plaintiff-Carter to the Oakland County Jail on 4/23/2013 on the charges of Controlled Subs-Delivery and Manufacture-Methamphetamine which was filed against Plaintiff-Carter.
- 3) After being questioned by the detectives, Plaintiff-Carter sat inside the county jail for (2) two days then was released on April 25, 2013. The complaint was not authorized until December 16, 2013. Some 8 months later. However, during the dates of April 23 to 25 in 2013 Plaintiff-Carter never received any judicial determination of probable cause for the warrantless arrest that was based on the charge of MCL 333.740 and MCL 333.74032(D).
- 4) Defendant-Det. T. Harrison being the arresting officer, was obligated as

such to bring Plaintiff before a judicial officer for a probable cause determination hearing after Plaintiff warrantless arrest pursuant to MCL 764.13, and the Fourth Amendment of the United States Constitution.

5) Defendant Det. T. Harrison, however, never took Plaintiff-Carter before a judicial official for probable cause determination hearing following Plaintiffs arrest for the charge of Controlled Substance-Delivery and Manufacturing-Methamphetamine, contrary to MCL 764.13 and the Fourth Amendment of the United States Constitution. * This action or omission by Defendant D. Harrison violated Plaintiffs Constitutional right under the (4) Fourth Amendment of the United States Constitution.

6) Defendant Harrison was required, after Plaintiffs warrantless arrest, to present a complaint before a judicial officer, setting forth probable cause within the complaint, pursuant to MCL 764.13 and Fed. R. Civ. Pro. 5(a) and (b). However, Det. T. Harrison did not present a complaint before any judicial officer to justify the warrantless arrest of Plaintiff-Carter following the two (2) days Plaintiff sat in the Oakland County Jail. This violated also the Fourth Amendment rights of Plaintiff-Carter.

7) The Defendant-Oakland County Jail is responsible in this matter, because once Plaintiff was book, and jailed it then became the county's responsibility to ensure that Plaintiff-Carter receive a prompt judicial determination of probable cause for the warrantless arrest.

8) At no time during the days of April 25th in 2013 which Plaintiff sat inside the county jail for the charge stated above did the county jail ever ensure that Plaintiffs warrantless arrest was justified.

9) This failure to take Plaintiff before a judicial officer for a determination of probable cause within the "48" hour period mandated by the United States Supreme Court, as supported by the Fourth Amendment to the

United States Constitution violated Plaintiffs Fourth Amendment Constitutional right.

Plaintiff-Spain

10) On July 8th, 2013, Defendant Cory Smith arrested Plaintiff-Spain without a warrant. For the charges of Home Invasion-1st Degree, and Assault with a Dangerous weapon (Felonious Assault).

11) Defendant-Smith was required to take Plaintiff-Spain before a judicial officer, for a determination of probable cause for a warrantless arrest. However, at no time did Defendant-Smith take Plaintiff before a judicial officer for a determination of probable cause. In violation of Plaintiffs Fourth Amendment Constitutional right, and MCL 764.13.

12) Defendant-Smith was required pursuant to MCL 764.13 to further present a complaint to a judicial officer setting forth probable cause as to enable the judicial officer to make a finding of probable cause for the issuing of a felony warrant. Again at no time did Defendant-Smith present to a judicial officer any felony complaint so that a determination of probable cause could be made for the charges of Home Invasion-1st Degree and (Felonious Assault). This failure violated Plaintiffs Fourth Amendment Constitutional right, and that of MCL 764.13.

13) Defendant-St. Joseph County Jail was legally required to ensure that Plaintiff received a prompt probable cause determination hearing following the warrantless arrest of Home Invasion 1st-Degree and (Felonious Assault) within "48" hours. But, Defendant-St. Joseph County Jail never ensured that Plaintiff received the judicially required determination mandated under the Fourth Amendment rights under the Fourth Amendment to the United States Constitution.

Plaintiff-Lee

14) On September 3rd, 2013 Defendant-Deputy Ampey of the Kalamazoo County

Sheriff Department arrested Plaintiff-Lee without a warrant for assault. Plaintiff-Lee sat inside the Kalamazoo County Jail from 9/3/13 until 9/6/13 before charges were ever filed or brought against Plaintiff-Lee. That is Plaintiff-Lee sat in the Kalamazoo County Jail for three (3) days after the warrantless arrest was made by Deputy Ampey. And during this time no effort was made to ensure Plaintiff received a prompt judicial determination of probable cause.

15) Defendant-Deputy Ampey was required to bring Plaintiff along with a complaint, or affidavit setting forth probable cause sworn to under oath before a judicial officer for a probable cause determination hearing.

16) Defendant-Deputy Ampey did not at any time bring complaint or affidavit setting forth probable cause along with the Plaintiff before a judicial officer for a judicial determination of probable cause. Thus, violating Plaintiff-Lee's Fourth Amendment right.

17) Defendant-Deputy Ampey being the arresting officer was obligated as such to bring Plaintiff-Lee before a judicial officer for a probable cause determination hearing after Plaintiff's warrantless arrest pursuant to MCL 764.13.

18) Defendant-Deputy Ampey did not take Plaintiff-Lee before a judicial officer for a probable cause determination hearing following Plaintiff's arrest, contrary to MCL 764.13 and the Fourth Amendment of the United States Constitution. All of which violated the rights afforded to Plaintiff-Lee under the Fourth Amendment to the United States Constitution.

19) Defendant-Kalamazoo County Sheriff Department had the responsibility to ensure that Plaintiff received a prompt judicial determination of probable cause for the warrantless arrest made by Deputy Ampey with "48" hours.

20) Defendant-Kalamazoo County Sheriff Department never ensured that Plaintiff

received the judicially required determination mandated under the Fourth Amendment of the United States Constitution, thus, violating Plaintiff-Lee's right under the Fourth Amendment to the United States Constitution.

Relief Sought

WHEREFORE, Plaintiff(s) respectfully request that this Court enter Judgment:

- 21) Granting Plaintiff-Carter compensatory damages from Defendant-Det. T. Harrison for violating Plaintiffs 4th Amendment right an amount in excess of \$75,000.00.
- 22) Granting Plaintiff-Spain compensatory damages from Defendant-Cory Smith for violating Plaintiffs 4th Amendment right, an amount in excess of \$75,000.00.
- 23) Granting Plaintiff-Lee compensatory damages from Defendant-Deputy Ampey for violating Plaintiffs 4th Amendment right, an amount in excess of \$75,000.00.
- 24) Granting Plaintiff-Carter compensatory damages from Defendant-Oakland County Jail for violating Plaintiffs 4th Amendment rights, an amount in excess of \$75,000.00.
- 25) Granting Plaintiff-Spain compensatory damages from Defendant-St. Joseph County Jail for violating Plaintiffs 4th Amendment rights, an amount in excess of \$75,000.00
- 26) Granting Plaintiff-Lee compensatory damages from Defendant-Kalamazoo County Jail for violating Plaintiffs 4th Amendment right, an amount in excess of \$75,000.00
- 27) Granting Plaintiff-Carter compensatory damages from Defendant(s)-Det. T. Harrison and Oakland County Jail jointly for violating plaintiffs 4th amendment right, an amount in excess of \$75,000.00.
- 28) Granting Plaintiff-Spain compensatory damages from Defendant-Cory Smith and the St. Joseph County Jail jointly for violating Plaintiffs 4th Amendment right, an amount in excess of \$75,000.00.
- 29) Granting Plaintiff-Lee compensatory damages from Defendant-Deputy Ampey and the Kalamazoo County Jail jointly for violating Plaintiff 4th Amendment

right, an amount in excess of \$75,000.00.

30) A jury trial on all issues triable by a jury.

31) Plaintiff(s) cost in this suit.

32) Any other relief this court deems just, proper, and equitable.

Dated: January 20th, 2015

Jeremy Carter
Jeremy Carter

Patrick Eugene Jamer Spain
Patrick Eugene Jamer Spain

Aaron Lavella Lee
Aaron Lavella Lee

Verification

I have read the forgoing complaint and hereby verify that the matters alleged therein are true. I certify under the penalty of perjury that they are true and correct.

Executed at Kincheloe, MI 49784 on this date of 20th of January, 2015

Aaron Lee
Aaron Lee

Jeremy Carter
Jeremy Carter

Patrick E. Spain
Patrick E. Spain

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

JEREMY CARTER et al,
Plaintiffs

Civil Action No: _____

v.

DAKLAND COUNTY JAIL et al.,
Defendants

Exhibit (A)

- 1) Affidavit of Jeremy Carter
- 2) Affidavit of Patrick Eugene Jamar Spain
- 3) Affidavit of Aaron Lavelle Lee

AFFIDAVIT

I, Jeremy D Carter declare and say that following my warrantless arrest on April 23, 2013. The arresting officer did not take me before a Judicial Officer for a Probable Cause Determination hearing. I further state at no time during this entire criminal process was I presented to a judicial officer for a determination of Probable Cause for the warrantless arrest that took place on April 23, 2013.

I Jeremy D Carter affirm that these statements are true, and factual to the best of my information and belief. I hold to these statements as true under the penalty of perjury.

dated: 1/18/15

Jeremy Carter

Jeremy Carter

Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784

AFFIDAVIT

I, Patrick E. Spain declare and say that following my warrantless arrest on July 8, 2013. The arresting officer did not take me before a Judicial Officer for a Probable Cause Determination hearing. I further state at no time during this entire criminal process was I presented to a judicial officer for a determination of Probable Cause for the warrantless arrest that took place on July 8, 2013.

I Patrick E Spain affirm that these statements are true, and factual to the best of my information and belief. I hold to these statements as true under the penalty of perjury.

dated: 1/18/15

Patrick Spain 1/19/15

Patrick Spain

Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784

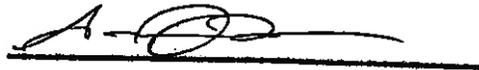
AFFIDAVIT

I, Aaron L. Lee declare and say that following my warrantless arrest on September 3, 2013. The arresting officer did not take me before a Judicial Officer for a Probable Cause Determination hearing. I further state at no time during this entire criminal process was I presented to a judicial officer for a determination of Probable Cause for the warrantless arrest that took place on September 3, 2013.

I Aaron L. Lee affirm that these statements are true, and factual to the best of my information and belief. I hold to these statements as true under the penalty of perjury.

dated: 1/19/15

AARON L. LEE



Chippewa Correctional Facility
4269 West M-80
Kincheloe, Michigan 49784

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – September 10, 2014

A meeting of the Employees' Retirement System Board of Trustees was held on **September 10, 2014** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:10 p.m.

Trustees Present: Mark Calice
Thomas Darling, CPA
Steve Pallotta
Thomas J. Gordon, II
William R. Need (Ex-Officio)

Trustees Absent: Brian Kischnick
Milton Stansbury
Dave Henderson

Also Present: Kathy Kostopoulos

Minutes

Resolution # ER – 2014-09-25

Moved by: Pallotta
Seconded by: Gordon

RESOLVED, The Minutes of the August 13, 2014 meeting be approved.

Yeas: 4
Absent: 3

Retirement Requests

None

Investments – Graystone Consulting, a business of Morgan Stanley

- Graystone Consulting review of Market:

Graystone Michael Holycross and Brian Greens' review of the market, indicate no big draw backs in equity exist. With that said expected returns are high with single to double digit yields.

Mr. Holycross and Mr. Green conveyed Mike Wilsons' advice, who is an advisor within Graystone, they feel a recession is not probable.

Chairman Calice requested to receive hard copies of Graystone presentation materials prior to monthly meetings. Brian Green inquired the Board on what they would like to see in the monthly presentation reports. The Board consensus was YTD performance figures, asset allocations and performance of the individual asset managers.

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – September 10, 2014

Trustee Need inquired about Scotland and Europe's' current outlook. Mike Holycross feels Europe is 3-4 years behind the US and is about to begin the 1st round of quantitative easing. Comparatively the U.S. is now in a mid to late cycle.

Investments – UBS Consulting

- UBS City of Troy Employees Retirement Systems Defined Benefit and NAIC Portfolio Review September 2014 and NAIC Investments and recommendations:

Rebecca Sorenson and Darin McBride of UBS Financial Services reviewed the Portfolio Value and Investments as of September 02, 2014 and Asset Allocations.

UBS reviewed investments noted \$5.5M Cash and recommended investment in the following Fixed Income:

\$750,000 Black Rock High Yield
\$750,000 Alliance High Income
\$1,000,000 Black Rock Strategic
\$500,000 Pimco Unconstrained
\$2,000,000 Loomis Sayles Investment Grade Bonds

It was noted that the combined UBS investment portfolio allocation was in line with the ERS Investment Policy.

Resolution # ER – 2014-09-26

Moved by: Gordon
Seconded by: Pallotta

RESOLVED, The noted \$5.5M Cash and recommended investment in Fixed Income be approved.

Yeas: 4
Absent: 3

Investments – IAS Report – 9/2014

- Available Cash \$605,574 (9/4/2014)
- Sell Recommendations – None

Board discussion took place regarding investment of excess cash in the NAIC account. The Board directed the System Administrator to invest excess funds in IAS recommended positions that the system is not currently invested. Further directed to use current 5,000 shares maximum as a guideline.

The Board further directed the System Administrator to use his discretion should more IAS suggested buys exceed available cash.

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – September 10, 2014

Other Business – Reporting

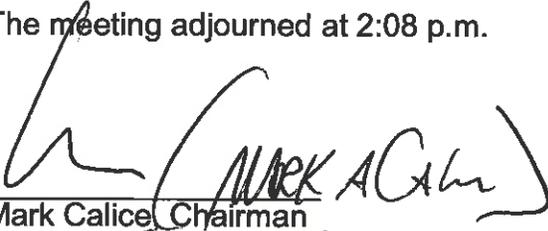
None

Public Comment

None

The next meeting is Wednesday October 08, 2014 at 12:00 p.m. at Troy City Hall, Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:08 p.m.


Mark Calice, Chairman


Thomas Darling, Pension Administrator

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final– November 12, 2014

A meeting of the Employees' Retirement System Board of Trustees was held on **November 12, 2014** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:00 p.m.

Trustees Present:

- Mark Calice
- Thomas Darling, CPA
- Steve Pallotta
- Thomas J. Gordon, II
- William R. Need (Ex-Officio)
- Brian Kischnick
- Milton Stansbury
- Dave Henderson

Trustees Absent:

Also Present:

- Jeanette Menig
- Brooke Insana
- Kathy Kostopoulos

Minutes

Resolution # ER – 2014-11-27

Moved by: Pallotta
Seconded by: Gordon

RESOLVED, The Minutes of the September 10, 2014 meeting be approved.

Yeas: All - 7
Absent: 0

Retirement Requests

Name	Carl Barton
Pension Program	DB
Retirement Date	09/26/2014
Department	Police
Service Time	26 Yrs. 7 Mo

Resolution # ER – 2014-11-28

Moved by: Gordon
Seconded by: Stansbury

RESOLVED, the retirement request be approved.

Yeas: All - 7
Absent: 0

Regular Business

- GRS 50th Annual Actuarial Valuation for year ended December 31, 2013.

Jeff Tebeau of GRS reviewed the 50th Annual Actuarial Valuation for year ended December 31, 2013. He commended the City of Troy and the Board on an outstanding financial position as the pension is adequately funded due to prudent investing on the part of the Board. GRS anticipates and expects \$0 contribution for June 30, 2017 fiscal year. Mr. Tebeau stated that the City of Troy is in the Top 5% compared to other plans in regards to funding levels.

The purpose of GRS' valuation is to measure the System's funding progress, to determine the employer contribution rate for the fiscal year ending June 30, 2016, and to determine the Actuarial information for reporting purposes. The assumed contribution rate to be utilized is 6.5% of covered payroll or a city contribution of \$314,025.

It is GRS' opinion that the required contribution determined by the most recent actuarial valuation is sufficient to meet the Retirement System's funding objective. In addition, to ensure that the Retirement System maintains the ability to pay retiree benefits when due, and to reduce the likelihood of future required contribution amounts increasing from the current level, continued timely receipt of annual computed contributions is essential.

EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final– November 12, 2014

- GRS GASB Statement No. 67 Reporting and Accounting Schedules for year ended June 30, 2014.

Mr. Tebeau's recap of GRS' letter to the Board, states that the GRS report provides information required by the Retirement System in connection with the Governmental Accounting Standards Board (GASB) Statement No. 67 "Financial Reporting for Pension Plans." The information provided was prepared for the purpose of assisting the City of Troy Employees Retirement System to comply with the financial reporting and disclosure requirements of GASB Statement No. 67. The calculation of the liability associated with the benefits described in GRS' report was performed for the purpose of satisfying the requirements of GASB Statement No. 67 and is not applicable for purposes of funding the Retirement System. A calculation of the Retirement System's liability for other purposes may produce significantly different results. Based on actuarial assumptions required under GASB Statement No. 67 the system had a net pension asset of \$36,646,726 or was 123.92% funded as of June 30, 2014.

Investments – Graystone Consulting, a business of Morgan Stanley

- Graystone Consulting's review of Market Value Update & Fee Analysis September 2014.

Graystone's Michael Holycross and Brian Green reviewed September 2014 Fee Analysis, page 5, with the Board. The management fees are standard fees charged across the industry. The overall average charge to the system for management fees is 0.52% of covered assets.

Upon Graystone's review of additional Fee Analysis, page 8, Chairman Calice requested to receive a comparison Fee Analysis Report for the Morgan Stanley Account of the prior year to be made available for the next meeting.

- Morgan Stanley October 2014 Performance Report.

Reviewed Morgan Stanley October 2014 Performance Report noting ending market value of assets of \$89,410,900. Also, noting a return of 1.68% compared to the benchmark (50% S&P 500, 15% EAFE, 30% Barclays Aggregate of 1.30%).

- City of Troy Performance Report - 3rd Quarter 2014.

Graystone's Michael Holycross and Brian Green reviewed the City of Troy Performance Report - 3rd Quarter 2014. Total system assets were \$209,544,743 noting a loss of 1.37% due to adjustments in the equity markets. This compares to the policy index loss of 1.15% (50% Russell 3000, 10% MSCI EAFE, 30% Barclays Aggregate Bond, and 5% 90 day T-Bills).

Investments – UBS Consulting

- Cost Analysis Defined Benefit and NAIC Portfolio Review October 2014.

Rebecca Sorensen, Darin McBride and John Bush of UBS Financial Services reviewed the Portfolio Value and Investments as of September 30, 2014, page 2 with the Board noting total ending market value of \$121,655,453 a decline of 0.86% due to equity market adjustments.

Recommendations:

Rebecca Sorensen recommended that the Board sell all Pimco Investments currently held due to China market concerns and exchange with Metropolitan West Funds. A Morningstar Analysis handout was brought in and reviewed with the Board for Metropolitan West Funds Performance as of September 30, 2014.

It was then agreed, and the Board directed the System Administrator to sell Pimco Unconstrained and all other Pimco funds currently owned and exchange for Metropolitan West Funds.

Resolution # ER – 2014-11-29

Moved by: Darling

Seconded by: Gordon II

RESOLVED, all Pimco Investments held be liquidated and Metropolitan West Funds purchased in exchange be approved.

Yeas: All - 7

Absent: 0

UBS reviewed the recommendation to sell Cliff Natural Resources (CLF) with the Board. Due to the dividend payout schedule the Board decided to wait and discuss at the next meeting.

Other Business – Reporting

Discussed were the upcoming events:

- City of Troy Holiday Party Thursday, December 4th, 2014
The System Administrator extended the invitation to all Board Members.

- Holiday lunch location
The Holiday lunch location will be at PF Chang's located on the ground floor at Somerset Mall on the South Side of Big Beaver Road, Wednesday December 10, 2014 at 11:30 a.m.

Public Comment

None

The next meeting is Wednesday, December 10, 2014 at 1:30 p.m. at Troy City Hall, Council Board Conference Room, 500 W Big Beaver Rd, Troy, MI 48084.

The meeting adjourned at 2:25 p.m.


Mark Calice, Chairman


Thomas Darling, Pension Administrator

On December 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
Lori Grigg-Bluhm, City Attorney

2. APPROVAL OF MINUTES – September 16, 2014

Moved by Courtney
Seconded by Eisenbacher

RESOLVED, to approve the September 16, 2014 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

A. VARIANCE REQUEST, SALVO ORLANDO FOR CASCA BUILDING LLC, 863 TROYWOOD – In order to construct a new home, a 10 foot variance from the 30 foot required setback from the front (Edenderry Drive) property line. Zoning Ordinance Section 4.06 (C) R-1C Zoning District.

Moved by Courtney
Seconded by Bloomingdale

RESOLVED, to postpone the request to the January 20, 2015 Zoning Board of Appeals meeting to allow the applicant to address neighbor objection, and explore easements and alternate design possibilities.

Yes: All

MOTION PASSED

- B. VARIANCE REQUEST, N. ROBERT AND KATHLEEN COUET, 4083 LEDGESTONE – In order to construct an addition to the rear of the house, a 16 foot variance from the 45 foot required rear yard setback. Zoning Ordinance Section 4.06 (C) R-1B Zoning District.

Moved by Eisenbacher
 Seconded by Krent

RESOLVED, to grant the variance as requested.

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

5. COMMUNICATIONS

- A. Member Bloomingdale announced his resignation from the Board effective December 31, 2014. Mr. Bloomingdale thanked the Board and Staff for their work.
- B. The Board approved proposed changes to their opening statement.

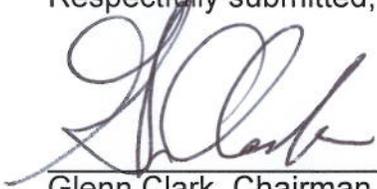
6. MISCELLANEOUS BUSINESS

- A: City Attorney Lori Grigg-Bluhm presented a legal update to the Board
- B: The Board agreed on the proposed 2015 regular meeting dates.

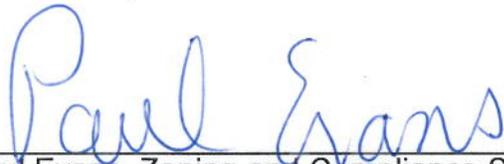
7. PUBLIC COMMENT – None

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 9:26 p.m.

Respectfully submitted,



Glenn Clark, Chairman



Paul Evans, Zoning and Compliance Specialist

Chair Dziurman called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on January 7, 2015 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Theodore Dziurman, Chair
Teresa Brooks
Brian Kischnick
Andrew Schuster

Absent:

Gary Abitheira

Support Staff Present:

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

Also Present:

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

Chair Dziurman welcomed Andrew Schuster to the Board.

2. APPROVAL OF MINUTES

Moved by: Brooks
Support by: Kischnick

RESOLVED, To approve the minutes of the December 3, 2014 Regular meeting as submitted.

Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

3. HEARING OF CASE

- A. **VARIANCE REQUEST, JAMES R. GIRLING, 3959 NASH** – This property is a double front corner lot. As such it has a required front setback along both Nash and Ogden. An inspection of this property on November 11, 2014 revealed the existing 30” high wood fence in the front setback along Ogden has been modified to a 44” high non-obscuring wood fence. The petitioner is requesting a variance from the Board to allow the altered 44” high fence in the Ogden front setback.

Mr. Grusnick reviewed the variance request. He reported the department received three responses to the public hearing notices; one favorable and two objectionable. Mr. Grusnick indicated members have received copies of the comments.

James Girling said the additional height in the fence is needed to contain their new puppy. Mr. Girling detailed the construction and materials used to heighten the existing 30" fence. He informed the Board he was not aware of the ordinance relating to fences on double front lots until he received notification from the City that a variance must be sought and granted to go forward with the work.

Mr. Grusnick circulated photographs he took of the fence. He said the Zoning Ordinance stipulates that fences may be constructed of metal, wood or masonry.

There was discussion on:

- Aesthetics of the fence construction.
- Lack of uniformity in construction materials and color.
- Site relationship of public comments to subject site.
(Map circulated by Mr. Grusnick)
- Alternatives in construction materials; modification of existing fence.
- Aesthetics can be a determining factor in the Board's finding.
- Existing fence (as altered) meets ordinance requirements with respect to construction materials and is non-obscuring.

Chair Dziurman acknowledged there was no one present from the public to speak.

Moved by: Brooks
Support by: Schuster

RESOLVED, To approve the request for the increase in the fence height. The petitioner has presented a hardship and/or practical difficulty relating to the existing split rail fence. Let the record reflect that public comments have been received regarding the aesthetics of the fence and that the petitioner be mindful of that.

Discussion on the motion on the floor.

Mr. Kischnick asked how the applicant might be mindful of the aesthetically-related public comments and if the applicant had entertained alternative construction methods.

Mr. Girling said he extensively researched construction materials that would be fitting and secure with the existing split rail fencing. He assured the Board he would maintain the fence in the same manner as his exterior property because his home is an investment for himself and the neighborhood.

Vote on the motion on the floor.

Yes: Brooks, Schuster
No: Dziurman, Kischnick
Absent: Abitheira

MOTION FAILED

Discussion followed with respect to filing another application in the future with consideration to alternative construction materials and aesthetics of the fence. It was the consensus of the Board that painting the fence or utilizing split rail materials to obtain uniformity of the fence would be a sufficient change.

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS – Election of Chair

Mr. Kischnick nominated Theodore Dziurman as Chair. No other nominations were placed on the floor.

Moved by: Kischnick
Support by: Brooks

RESOLVED, To elect Theodore Dziurman as Chair for 2015.

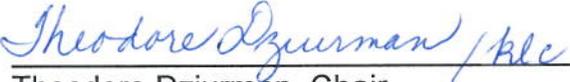
Yes: All present (4)
Absent: Abitheira

MOTION CARRIED

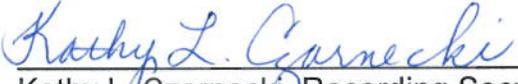
7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:25 p.m.

Respectfully submitted,



Theodore Dziurman, Chair



Kathy L. Czarnecki, Recording Secretary

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BUILDING CODE BOARD OF APPEALS SIGN-IN SHEET

January 7, 2015

NAME (PLEASE PRINT)	ADDRESS
Jim Grinling	3959 NASH
NAME (PLEASE PRINT)	ADDRESS

BUILDING CODE BOARD OF APPEALS MEETING SIGN-IN SHEET

January 7, 2015

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on January 27, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Karen Crusse
Donald Edmunds
Michael W. Hutson
Tom Krent
Philip Sanzica
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-2015-01-004

Moved by: Hutson
Seconded by: Krent

RESOLVED, To approve the Agenda as prepared.

Yes: All present (7)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-01-005

Moved by: Strat
Seconded by: Tagle

RESOLVED, To approve the minutes of the January 13, 2015 Regular meeting as published.

Yes: All present (7)

MOTION CARRIED

4. PUBLIC COMMENT – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

There was no Zoning Board of Appeals meeting in January.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

There was no Downtown Development Authority meeting in January.

7. PLANNING AND ZONING REPORT

Mr. Savidant addressed the following items:

- Planning Commission 2014 Annual Report.
- Economic Development Activity Update.
- Planning Commission Board appointments.
- 5-Year Parks and Recreation Plan.

PRELIMINARY SITE PLAN REVIEW

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 1002) – Proposed The Mark of Troy, Southeast corner of Maple and Axtell (2785 W Maple), Section 32, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reported on the Preliminary Site Plan application. He addressed minor revisions to the plan since last reviewed by the Board. Mr. Carlisle specifically addressed major changes as a result of the Traffic Study and requirements of the Road Commission of Oakland County (RCOC), as follows:

- Eliminating access off Maple.
- Shifting and aligning Axtell across Maple.
- Shifting two buildings that front on Maple to comply with setback requirements.
- RCOC to evaluate need of traffic signal at Maple and Axtell after completion of road improvements at Maple and Coolidge; applicant to escrow money.

Mr. Carlisle stated support for the Preliminary Site Plan application as well as support for the recent revisions to the plan. He recommended to table the item so the applicant can submit revised plans.

The applicant, Steve Schafer, was present. Mr. Schafer addressed:

- Alignment of Axtell; truck turning radius; decel/right turn lane.
- Elevations, contrasting colors; bike storage.
- Neighboring restaurant to west as relates to Axtell access.
- Landscaping along Axtell.
- Timeline of RCOC road improvements at Maple and Coolidge.

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

OTHER BUSINESS

9. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

10. PLANNING COMMISSION COMMENT

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 8:00 p.m.

Respectfully submitted,



Donald Edmunds, Chair



Kathy L. Czarnecki, Recording Secretary

Mr. Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on February 4, 2015 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Members Present:

Gary Abitheira
Teresa Brooks
Andrew Schuster

Absent:

Theodore Dziurman, Chair
Brian Kischnick

Support Staff Present:

Mitch Grusnick, Building Official/Code Inspector
Kathy L. Czarnecki, Recording Secretary
David Roberts, Assistant Fire Chief/Fire Prevention
Eric Caloia, Fire Lieutenant

Also Present:

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

Mr. Grusnick advised the applicants the Board would entertain a request to postpone an item until a full Board is present.

2. APPROVAL OF MINUTES

Moved by: Brooks
Support by: Schuster

RESOLVED, To approve the minutes of the January 7, 2015 Regular meeting as submitted.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, JAMES R. GIRLING, 3959 NASH** – This property is a double front corner lot. As such it has a required front setback along both Nash and Ogden. An inspection of this property on November 11, 2014 revealed the existing 30” high wood fence in the front setback along Ogden has been modified to a 44” high non-obscuring split rail wood fence. The petitioner is requesting a variance from the Board to allow the altered 44” high fence in the Ogden front setback.

Mr. Grusnick reviewed the new variance request application and refreshed the Board members of the discussion and action taken on the previous submittal in January for the same property. He reported the department received one response to the public hearing notices in support of the variance request.

Mr. Grusnick showed a photograph of the fence that demonstrated the difference of proposed construction materials and color uniformity from the previous application to the application before the Board today.

Mr. Girling brought in material samples. He addressed the painting and split rail construction materials that would blend together the end product in color and uniformity.

Mr. Abitheira opened the floor for public comment. He acknowledged there was no one present to speak and closed the floor.

Moved by: Brooks
Support by: Schuster

RESOLVED, To grant the variance request, based on the following reasons:

1. The applicant has a hardship and practical difficulty.
2. The applicant has made an effort to construct the fence as seamless as possible without dismantling the entire fence.
3. The fence is non-obscuring.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

B. **VARIANCE REQUEST, BEAUMONT HOSPITAL, 44201 DEQUINDRE** – For the continued relief of Chapter 7, Section 717.5.5 of the 2012 Michigan Building Code to omit smoke dampers in ductwork penetrating smoke barriers throughout William Beaumont Hospital Troy campus.

Mr. Grusnick reviewed the variance request and requirements of the Michigan Building Code.

Jake Meadows of Jones Lang LaSalle, real estate and development group for Beaumont Health System, summarized the documentation provided with the application and asked the Board’s approval to use quick response sprinkler heads within the facility as an alternative to meet the NFPA (National Fire Protection Association) Life Safety Code and 2012 Michigan Building Code requirement for smoke dampers. Mr. Meadows said the variance request is consistent with two previous requests in 2005 and 2009.

Mr. Schuster disclosed one attorney in his law firm represents Troy Beaumont Hospital but he himself has no personal involvement with the hospital and sees no reason to recuse himself from acting on the matter.

Assistant Fire Chief Roberts and Fire Lieutenant Caloia stated no objections to the variance request.

Mr. Abitheira acknowledged there was no one present from the public to speak on the item.

Moved by: Brooks
Support by: Schuster

RESOLVED, To grant the variance request, for the following reason:

1. The variance would not be contrary to the public interest or general purpose and intent.

Yes: All present (3)
Absent: Dziurman, Kischnick

MOTION CARRIED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

None.

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:15 p.m.

Respectfully submitted,

Gary Abitheira, Acting Chair

Kathy L. Czarnecki, Recording Secretary

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Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on February 10, 2015 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean
 Karen Crusse
 Donald Edmunds
 Michael W. Hutson
 Tom Krent
 Padma Kuppa
 Thomas Strat

Absent:

Philip Sanzica
 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

Chair Edmunds welcomed Ms. Kuppa and Mr. Apahidean to the Planning Commission.

2. APPROVAL OF AGENDA

Resolution # PC-2015-02-006

Moved by: Hutson
 Seconded by: Strat

RESOLVED, To approve the Agenda as prepared.

Yes: All present (7)
 Absent: Sanzica, Tagle

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-02-007

Moved by: Krent
 Seconded by: Crusse

RESOLVED, To approve the minutes of the January 27, 2015 Regular meeting as published.

Yes: All present (7)
 Absent: Sanzica, Tagle

MOTION CARRIED

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

PRELIMINARY SITE PLAN REVIEW

5. PRELIMINARY SITE PLAN REVIEW (File Number SP 1002) – Proposed The Mark of Troy, Southeast corner of Maple and Axtell (2785 W Maple), Section 32, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reported on the Preliminary Site Plan application since last reviewed by the Board at their January 27, 2015 meeting. He addressed significant changes that the revised Site Plan reflect, as follows:

- Shift in Axtell to line up at Maple.
- Shift in buildings that front Maple to comply with required setbacks.
- Parking deviation request from 496 required parking spaces to 494 parking spaces.
- Internal traffic circle; if granted preliminary approval, traffic circle will be reviewed as part of Final Site Plan approval.
- Elimination of entrance gates along Axtell; if proposed in future, entrance gates will be reviewed by Engineering, Police and Fire departments.

Mr. Carlisle recommended the Planning Commission grant Preliminary Site Plan approval with the parking deviation.

The applicant, Steve Schafer, was present. Mr. Schafer addressed:

- Axtell road alignment on Maple.
- Future traffic signal at intersection.
- Building elevations; relief in design, balconies, windows, storage.
- Proposed traffic circle; good transition, traffic calming measure, element of interest.
- Neighboring restaurant access.
- Landscaping along Axtell.
- Elimination of entrance gates.

Resolution # PC-2015-02-008

Moved by: Hutson

Seconded by: Strat

RESOLVED, The Planning Commission hereby approves a reduction in the total number of required parking spaces for the proposed The Mark of Troy apartment complex to 494 when a total of 496 spaces are required on the site based on the off-street parking space requirements for multiple-family developments. This 2-space reduction is minimal and will still allow the development to meet parking demands, as per similar projects developed by the applicant. This reduction meets the standards of Section 13.06; and,

BE IT FINALLY RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed The Mark of Troy, located on the southeast corner of Maple and Axtell (2785 W. Maple), Section 32, within the IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. Provide planting details for the Landscape Plan, including bioswales, prior to Final Site Plan Approval.
2. Design of internal traffic circle to be approved by the Engineering Department prior to Final Site Plan Approval.

Yes: All (7)
Absent: Sanzica, Tagle

MOTION CARRIED

OTHER BUSINESS

6. **PUBLIC COMMENT** – Items on Current Agenda

There was no one present who wished to speak.

7. **PLANNING COMMISSION COMMENT**

The new members were welcomed by all. Ms. Kuppa and Mr. Apahidean gave a brief introduction of themselves.

Discussion followed on:

- Proposed Zoning Ordinance Text Amendment relating to Oil and Gas Extraction.
- Recent applications received for proposed Site Condominium developments.
- Planners Gathering, March 6, 2015; conversion of vacant store in Pontiac to mixed residential/commercial use.
- 15forFifteen presentation.
- Resumes of Board members.
- Meeting room venue(s).

The Regular meeting of the Planning Commission adjourned at 7:31 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary



Berkley • Beverly Hills • Birmingham • Clawson • Ferndale • Hazel Park • Huntington Woods • Lathrup Village • Oak Park • Pleasant Ridge • Royal Oak • Troy

QUARTERLY REPORT JANUARY 2015

BOARD OF TRUSTEES	
Representative	Municipality
J. Bais-DiSessa	City of Berkley
C. Wilson	Village of Beverly Hills
L. Wood	City of Birmingham
M. Pollock	City of Clawson
L. Cureton	City of Ferndale
A. LeCureaux	City of Hazel Park
A. Sullivan	City of Huntington Woods
M. Baumgarten	City of Lathrup Village
R. Fortura	City of Oak Park
S. Pietrzak	City of Pleasant Ridge
G. Rassel	City of Royal Oak
T. Richnak	City of Troy

OFFICERS	
Chairman:	G. Rassel
Vice Chair:	C. Wilson
Secretary:	T. Richnak
Advisory Committee:	C. Wilson G. Rassel

J. A. McKeen	General Manager
R. Jackovich	Operations Manager

January 2015

Board of Trustees
SOCRRA

Subject: Quarterly Report - January 2015

Board Members:

Attached is a copy of SOCRRA's Quarterly Report covering the first six months operation of the 2014/15 fiscal year. The report contains a financial statement of SOCRRA's operation and an outline of projects in progress or completed during the quarter. The report also contains statistical information and other information of general interest to the members of the Board of Trustees, and the members of the governing body of each of the member municipalities of this Authority.

FINANCIAL STATEMENT

The total net income for the first 6 months of 2014/15 was \$372,531 before depreciation. This is an increase from the net income of \$128,907 that was recorded for the first 6 months of 2013/14. The net income for the first 6 months was \$51,234 more than budgeted.

	<u>Actual</u>	<u>Compared to Budget</u>
Revenue	\$13,083,208	+\$ 3,199,610
Expenses	\$12,710,677	+\$3,148,376
Net Income	+\$372,531	+\$51,234

Both revenue and expenses were significantly higher than planned due to the huge amount of debris that we handled due the August flooding disaster, see discussion below under Major Projects.

Revenue was higher than planned due to increased revenue from the member communities due to the flood debris (+\$3,005,000), non-member refuse revenue from Car Trucking, Rizzo Services and Tringali Sanitation (+\$252,000), non-member yard waste revenue (+\$34,000) and compost sales (+\$33,000). These increases were partially offset by lower than planned prices for our recycled materials (-\$117,000).

Expenses were above budget primarily due to higher than planned costs for contractor expenses (+\$3,175,000) and labor (+\$85,000), which were partially offset by lower than planned costs for non-labor Administrative and General Expenses (-\$64,000), maintenance (-\$26,000), supplies (-\$13,000) and utilities (-\$8,000).

Total revenue for the first six months of 2014/15 increased by \$3,308,000 compared to the first six months of 2013/14. This increase was due to increased revenue from the member communities due to the flood debris (+\$3,163,000), increased non-member refuse (+\$104,000), increased compost sales (+\$23,000) and increased non-member yard waste (+\$13,000). Revenue from the sale of recycled materials was almost unchanged.

Operating expenses for the first six months of 2014/15 were \$3,064,000 higher compared to the first six months of 2013/14. The increase in expenses was primarily due to the extra collection and disposal costs associated with the increased refuse tonnage that resulted from the August flooding disaster.

Additional financial detail is attached.

MATERIAL HANDLED

SOCRRA processed 136,466 tons of refuse, yard waste and recyclables during the first six months of the current fiscal year. This represents an increase of 20.7% or 23,416 total tons compared to the same period last year. Member refuse increased by 42.4% largely due to the huge amount of refuse resulting from the August 2014 flood disaster. Member recycling decreased by 2.9% from the previous year largely due to the reduction in recycling during the flood disaster. Non-member refuse increased by 19.9% compared to last year due to Tringali Sanitation, Rizzo Services and Car Trucking delivering higher tonnages to our Troy Transfer Station.

Our recent history of tonnage handled for the first half of the fiscal year is displayed in the table below:

	2010/11	2011/12	2012/13	2013/14	2014/15
Member Refuse	54,326	55,319	53,039	54,400	77,447
Non-Member Refuse	15,469	13,431	14,600	16,169	19,389
Member Recycling	8,688	8,819	8,986	9,273	9,005
Non-Member Recycling	839	240	261	261	263
Yard Waste	<u>28,963</u>	<u>30,259</u>	<u>29,581</u>	<u>32,947</u>	<u>30,362</u>
TOTAL	108,285	108,068	106,467	113,050	136,466

CAPITAL EXPENDITURES

Capital expenditures for the first six months of the fiscal year totaled \$536,909 and were for the purchase of a new loader at the MRF (\$238,000), a used Scarab compost turner at the Compost Site (\$228,000), replacement of the main conveyor belt for the container sort line at the MRF (\$51,000), the purchase of a portable paper shredder, a generator to power the shredder and a trailer to carry the shredder and generator (\$15,000) and concrete replacement work for the Troy Transfer Station driveway (\$5,000). The loader and compost turner were financed over a several year period.

MAJOR PROJECTS

AUGUST FLOOD DISASTER

The August 2014 flood disaster was the major event for SOCRRA in the first half of the 2014/15 fiscal year. Collecting and disposing of the massive amounts of debris generated by the flooding was a major challenge for SOCRRA and our collection and disposal contractors. These efforts also incurred huge expenses, which are included in the financial results discussed above and in the attached financial statements.

SOCRRA participated in many meetings with FEMA personnel in the second quarter of the 2014/15 fiscal year. Working with FEMA, we were able to develop a methodology of identifying incremental debris tonnage, collection costs and disposal costs for SOCRRA and for

the 9 member communities that were affected by the August flooding. Individual invoices were prepared for each member community, with all of the back-up material requested by FEMA, and were submitted to each community during October. Each of the 9 communities then submitted a reimbursement request to FEMA. Under the FEMA guidelines, the communities should be able to receive reimbursement for up to 85% of their debris removal costs. As of the end of January 2015, none of the communities have received reimbursement from FEMA.

The SOCRRA Board approved a two month loan of \$1 million from SOCWA, at the prime rate, to allow SOCRRA to pay contractor invoices while we were awaiting payments from the member communities. This loan will be paid back in January, 2015. The financial statements attached to this report contain all of the costs and revenues from the flood event.

An event like this offers a great learning opportunity. SOCRRA is reviewing how we handled every aspect of our operations, including the operations of our contractors, during this event. We will be preparing disaster response plans that should help us respond to the next disaster.

RECYCLED COMMODITY PRICES

The prices that we receive for our recycled paper and plastic products have been fairly stable, but at a very low level. Prices have been consistently below the level used to prepare our budget. Overall, our prices are slightly higher than they were in the first six months of the last fiscal year.

We are continuing to have to pay to recycle our mixed color glass. During the first half of the year, we were able to ship about 260,000 pounds of the mixed #1-#7 injection molded plastics material for recycling. We have been receiving a small payment for this material and we finally have a stable outlet that can recycle the material as it is generated.

PROCESSING MATERIALS FROM OTHER COMMUNITIES

Car Trucking, Rizzo Services and Tringali Sanitation are continuing to bring us a significant amount of refuse from outside of the SOCRRA communities. The incremental revenue from Rizzo and Tringali helps us to offset the fixed costs of running the Troy Transfer Station.

STYROFOAM RECYCLING

SOCRRA began accepting Styrofoam for recycling at our recycling drop-off center in Troy on December 1, 2014. Dart Industries, which is located in Mason, MI, will be picking up the recycled Styrofoam on a no cost/no pay basis for a 6 month trial period. Thus far, Styrofoam recycling has gone very well. Dart is picking up the collected material every other week and they have not had any quality concerns with the material that we have collected. We will not be accepting Styrofoam as part of our curbside recycling program.

RECYCLING BIN BLITZ

As part of our celebration of America Recycles Day, during the month of November SOCRRA and the member communities sold recycling bins at a reduced price of \$6. This is about half of the usual price. We are doing this in order to encourage more residents to recycle and to use more than one bin for recycling in order to recycle the full range of materials that can be collected through our curbside recycling program. We sold 791 recycling bins during the month of November which was a significant increase from the number of bins sold during November of 2013.

FALL LEAF SEASON

The recently completed fall leaf season went very well. Our municipal crews and contractors were able to completely clean up the leaves before the middle of December despite the poor

weather this fall. During the winter months, residents of the SOCRRA communities can bring in up to 10 kraft paper bags of yard waste to our Troy Transfer Station for disposal. We will be continuing this service until curbside pickup of yard waste begins again in April.

COLLECTION CONTRACTS

SOCRRA's current collection and disposal contracts all expire on June 30, 2017. Each of these contracts allow SOCRRA to extend them for a second ten year term, at SOCRRA's sole discretion. SOCRRA's General Counsel Bob Davis and I have been meeting with SOCRRA Board members to discuss their thoughts regarding SOCRRA service contracts for 2017-2027. Bob and I will be completing these discussions during early 2015. That should allow us to develop a draft plan that will be reviewed with the Board during mid-2015.

ELECTRONICS RECYCLING CONTRACT

SOCRRA conducted an RFP for electronics recycling because our current electronics recycling contract expires in February, 2015. We sent the RFP document to over 40 vendors but received only 5 responses. Our current contractor, Vintage Tech, supplied the best proposal and we are conducting contract negotiations with them. We should be able to continue to provide a full range of electronics recycling services, including special event recycling at events hosted by the member communities. If your community would like to conduct an electronics recycling event this summer, please contact the SOCRRA office.

PENSION FUNDING

The SOCRRA Board approved some additional funding for the MERS plan that provides pension benefits for the retired and active salaried employees that provide services to both SOCRRA and SOCWA. This pension plan is significantly underfunded and we plan to increase the funding level to about 100% over a five year period. This was the third year of incremental funding in that five year plan.

ANNUAL AUDIT

The audit report for the 2013/14 fiscal year was completed by our auditors, Plante & Moran. This was the fourth audit performed by Plante & Moran under our five year agreement. The audit found the Authority to be in complete conformity with generally accepted accounting practices. The auditors concluded that the Authority's level of working capital decreased over the previous year to a level of 6.8% annual expenditures. The net assets of SOCRRA decreased by \$420,000 during 2013/14.

Respectfully submitted,

Jeffrey A. McKeen, P.E.
General Manager

SOCRRA
STATEMENT OF INCOME
JULY 1, 2014 THROUGH DECEMBER 31, 2014

<u>REVENUES</u>	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
MEMBER SERVICES	\$8,526,498.00	\$11,531,408.48	\$3,004,910.48
NON-MEMBER REFUSE	505,000.00	756,676.61	251,676.61
NON MEMBER YARD WASTE	42,000.00	75,766.66	33,766.66
	<u>\$9,073,498.00</u>	<u>\$12,363,851.75</u>	<u>\$3,290,353.75</u>
<u>RECYCLING</u>			
NEWSPAPERS	\$263,000.00	\$217,954.82	(\$45,045.18)
BOXBOARD	88,000.00	68,565.50	(\$19,434.50)
CARDBOARD	30,000.00	25,399.78	(4,600.22)
PLASTIC	201,000.00	195,574.84	(5,425.16)
SCRAP METAL	45,000.00	35,374.89	(9,625.11)
TIN CANS	68,500.00	36,956.40	(31,543.60)
NON FERROUS METAL	7,500.00	4,641.60	(2,858.40)
GLASS	5,500.00	1,133.50	(4,366.50)
BATTERIES	1,600.00	1,707.00	107.00
USED ELECTRONICS	7,000.00	12,334.17	5,334.17
	<u>\$717,100.00</u>	<u>\$599,642.50</u>	<u>(\$117,457.50)</u>
<u>OTHER</u>			
REVENUES-COMPOST	\$23,000.00	\$55,507.20	\$32,507.20
INTEREST ON INVESTMENTS	10,000.00	8,647.26	(1,352.74)
RENTAL INCOME	47,000.00	44,262.00	(2,738.00)
GRANTS	0.00	0.00	0.00
MISC. INCOME	13,000.00	11,296.92	(1,703.08)
	<u>\$93,000.00</u>	<u>\$119,713.38</u>	<u>\$26,713.38</u>
TOTAL REVENUES	<u><u>\$9,883,598.00</u></u>	<u><u>\$13,083,207.63</u></u>	<u><u>\$3,199,609.63</u></u>
<u>EXPENSES</u>			
	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
	<u>APPROPRIATIONS</u>	<u>EXPENDITURES</u>	
MADISON HEIGHTS FACILITY	\$89,100.00	\$338,352.51	\$249,252.51
TROY TRANSFER FACILITY	1,166,500.00	2,142,394.06	975,894.06
MATERIAL RECOVERY FACILITY	600,100.00	569,284.43	(30,815.57)
HOUSEHOLD HAZARDOUS WASTE	132,500.00	149,701.48	17,201.48
COMPOST/LANDFILL FACILITY	238,750.00	233,244.96	(5,505.04)
ADMINISTRATIVE & GENERAL	631,465.00	561,249.93	(70,215.07)
COLLECTION FEES	4,775,924.00	6,546,867.51	1,770,943.51
COLLECTION & DISPOSAL FEES IN TRANSIT	1,927,962.00	2,169,581.83	241,619.83
	<u>\$9,562,301.00</u>	<u>\$12,710,676.71</u>	<u>\$3,148,375.71</u>
REVENUES OVER EXPENSES	<u>\$321,297.00</u>	<u>\$372,530.92</u>	<u>\$51,233.92</u>
NET INCOME BEFORE DEPRECIATION	<u><u>\$321,297.00</u></u>	<u><u>\$372,530.92</u></u>	<u><u>\$51,233.92</u></u>

SOCRRA
STATEMENT OF INCOME
JULY 1, 2014 THROUGH DECEMBER 31, 2014

	<u>TOTAL TONS</u>	<u>AMOUNT</u>
	<u>REVENUE</u>	
MEMBER SERVICES	77,446.90	\$11,531,408.48
NON-MEMBER REFUSE	19,389.41	756,676.61
	<u>YARD WASTE</u>	
MEMBERS	29,485.01	0.00
OTHERS	876.73	75,766.66
	<u>RECYCLABLES</u>	
MEMBERS	9,004.65	0.00
OTHERS	263.01	0.00
	136,465.71	\$12,363,851.75
	<u>RECYCLING</u>	
NEWSPAPERS		\$217,954.82
BOXBOARD		68,565.50
CARDBOARD		25,399.78
PLASTIC		195,574.84
SCRAP METAL		35,374.89
TIN CANS		36,956.40
NON FERROUS METAL		4,641.60
GLASS		1,133.50
BATTERIES		1,707.00
USED ELECTRONICS		12,334.17
		\$599,642.50
	<u>OTHER</u>	
COMPOST SALES		\$55,507.20
INTEREST ON INVESTMENTS		8,647.26
RENTAL INCOME		44,262.00
GRANTS		0.00
MISC. INCOME		11,296.92
		119,713.38
TOTAL REVENUE		\$13,083,207.63
	<u>EXPENSES</u>	
MADISON HEIGHTS FACILITY		\$338,352.51
TROY TRANSFER FACILITY		2,142,394.06
MATERIAL RECOVERY FACILITY		569,284.43
HOUSEHOLD HAZARDOUS WASTE		149,701.48
COMPOST/LANDFILL FACILITY		233,244.96
ADMINISTRATIVE & GENERAL		561,249.93
COLLECTION CONTRACT EXPENSES		6,546,867.51
COLLECTION & DISPOSAL FEES IN TRANSIT		2,169,581.83
		\$12,710,676.71
NET INCOME BEFORE DEPRECIATION		\$372,530.92
DEPRECIATION		195,325.08
NET INCOME		\$177,205.84

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1, 2014 THROUGH DECEMBER 31, 2014

<u>REVENUES</u>	TOTAL BUDGET 2014/15	ACTUAL 6 MONTHS	BALANCE	
MEMBERS SERVICES	\$17,053,000.00	\$11,531,408.48	\$5,521,591.52	68%
NON-MEMBER REFUSE	954,000.00	756,676.61	197,323.39	79%
<u>YARD WASTE</u>				
NON-MEMBERS	70,000.00	75,766.66	(5,766.66)	108%
	<u>\$18,077,000.00</u>	<u>\$12,363,851.75</u>	<u>\$5,713,148.25</u>	
<u>RECYCLABLES</u>				
NEWSPAPERS	\$630,000.00	\$217,954.82	\$412,045.18	35%
BOXBOARD	210,000.00	68,565.50	141,434.50	33%
CARDBOARD	71,000.00	25,399.78	45,600.22	36%
PLASTIC	485,000.00	195,574.84	289,425.16	40%
SCRAP METAL	107,000.00	35,374.89	71,625.11	33%
TIN CANS	164,000.00	36,956.40	127,043.60	23%
NON FERROUS METAL	17,000.00	4,641.60	12,358.40	27%
GLASS	13,000.00	1,133.50	11,866.50	9%
BATTERIES	4,000.00	1,707.00	2,293.00	43%
USED ELECTRONICS	21,000.00	12,334.17	8,665.83	59%
	<u>\$1,722,000.00</u>	<u>\$599,642.50</u>	<u>\$1,122,357.50</u>	35%
<u>OTHER</u>				
COMPOST SALES	\$60,000.00	\$55,507.20	\$4,492.80	93%
INTEREST ON INVESTMENTS	20,000.00	8,647.26	11,352.74	43%
RENTAL OF HOMES	95,000.00	44,262.00	50,738.00	47%
GRANTS	0.00	0.00	0.00	0%
MISC. INCOME	25,000.00	11,296.92	13,703.08	45%
	<u>\$200,000.00</u>	<u>\$119,713.38</u>	<u>\$80,286.62</u>	60%
TOTAL REVENUES	<u>\$19,999,000.00</u>	<u>\$13,083,207.63</u>	<u>\$6,915,792.37</u>	65%

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1, 2014 THROUGH DECEMBER 31, 2014

<u>EXPENSES</u>	<u>TOTAL BUDGET 2014/15</u>	<u>ACTUAL 3 MONTHS</u>	<u>BALANCE</u>	
MADISON HEIGHTS FACILITY	\$96,000.00	\$338,352.51	(\$242,352.51)	352%
TROY TRANSFER FACILITY	3,148,600.00	2,142,394.06	1,006,205.94	68%
MATERIAL RECOVERY FACILITY	1,192,050.00	569,284.43	622,765.57	48%
HOUSEHOLD HAZARDOUS WASTE	270,200.00	149,701.48	120,498.52	55%
COMPOST/LANDFILL FACILITY	428,900.00	233,244.96	195,655.04	54%
ADMINISTRATIVE & GENERAL	1,256,800.00	561,249.93	695,550.07	45%
COLLECTION & DISPOSAL FEES	12,528,000.00	6,546,867.51	5,981,132.49	52%
COLLECTION & DISPOSAL FEES IN TRANSIT	0.00	2,169,581.83	(2,169,581.83)	0%
	<u>\$18,920,550.00</u>	<u>\$12,710,676.71</u>	<u>\$6,209,873.29</u>	
TOTAL EXPENDITURES	<u>\$18,920,550.00</u>	<u>\$12,710,676.71</u>	<u>\$6,209,873.29</u>	67%
NET INCOME	<u>\$1,078,450.00</u>	<u>\$372,530.92</u>	<u>\$705,919.08</u>	35%

COMPARATIVE STATEMENT
 JULY 1, 2014 THROUGH DECEMBER 31, 2014

	<u>2014/15</u>	<u>2013/14</u>	<u>VARIANCES</u>
<u>REVENUES</u>			
MEMBER SERVICES	\$11,531,408.48	\$8,368,105.39	\$3,163,303.09
NON MEMBER REFUSE	756,676.61	652,380.66	104,295.95
<u>YARD WASTE</u>			
MEMBERS	0.00	0.00	0.00
OTHERS	75,766.66	63,246.60	12,520.06
	<hr/>	<hr/>	<hr/>
	\$12,363,851.75	\$9,083,732.65	\$3,280,119.10
<u>RECYCLABLES</u>			
NEWSPAPERS	\$217,954.82	\$218,351.44	(\$396.62)
BOXBOARD	68,565.50	63,205.74	5,359.76
CARDBOARD	25,399.78	34,162.72	(8,762.94)
PLASTIC	195,574.84	191,271.28	4,303.56
SCRAP METAL	35,374.89	34,891.98	482.91
TIN CANS	36,956.40	38,059.18	(1,102.78)
NON FERROUS METAL	4,641.60	5,507.48	(865.88)
GLASS	1,133.50	2,942.00	(1,808.50)
BATTERIES	1,707.00	2,481.35	(774.35)
USED ELECTRONICS	12,334.17	8,640.93	3,693.24
	<hr/>	<hr/>	<hr/>
	\$599,642.50	\$599,514.10	\$128.40
<u>OTHER</u>			
COMPOST SALES	\$55,507.20	\$32,043.50	\$23,463.70
INTEREST ON INVESTMENTS	8,647.26	10,487.04	(1,839.78)
RENTAL OF HOMES	44,262.00	42,811.00	1,451.00
GRANTS	0.00	0.00	0.00
MISC. INCOME	11,296.92	6,987.45	4,309.47
	<hr/>	<hr/>	<hr/>
	\$119,713.38	\$92,328.99	\$27,384.39
TOTAL REVENUES	\$13,083,207.63	\$9,775,575.74	\$3,307,631.89
OPERATING EXPENSES	\$12,710,676.71	\$9,646,668.78	\$3,064,007.93
EXCESS	<hr/>	<hr/>	<hr/>
	\$372,530.92	\$128,906.96	\$243,623.96

TOTAL SERVICE CHARGES
 JULY 1, 2013 THROUGH SEPTEMBER 30, 2013

<u>MUNICIPALITY</u>	<u>TOTAL TONS</u>	<u>SERVICE CHARGES</u>
BERKLEY	8,024	\$755,904.73
BEVERLY HILLS	5,096	\$310,547.50
BIRMINGHAM	8,252	\$697,285.21
CLAWSON	5,606	\$568,209.17
FERNDAL	9,944	\$1,077,043.55
HAZEL PARK	6,153	\$665,290.49
HUNTINGTON WOODS	6,130	\$537,997.62
LATHRUP VILLAGE	1,717	\$139,353.35
OAK PARK	11,775	\$1,345,899.46
PLEASANT RIDGE	1,505	\$101,289.92
ROYAL OAK	28,024	\$3,100,705.50
TROY	23,710	2,231,881.98
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SUB-TOTAL	115,937	\$11,531,408.48
	<hr/>	<hr/>
OTHER CUSTOMERS	20,303	\$832,443.27
DROP OFF CENTERS	226	0.00
	<hr/>	<hr/>
TOTAL	136,466	\$12,363,851.75

EXPENDITURES

TS Driveway Replacement	\$4,948.26
MRF Conveyor Belt	\$51,210.16
MRF John Deere Loader	\$237,749.00
MRF New Paper Shredder	4,140.00
MRF Trailer for Hauling Shredder	5,029.33
MRF Generator for Traveling Shredder	5,800.00
CS Scarab Purchase	<u>228,032.22</u>
TOTAL	<u>\$536,908.97</u>

Beth L Tashnick

Subject: FW: Vision Collision

From: Nancy Bowman

Sent: Wednesday, February 11, 2015 9:42 AM

To: Brian M Kischnick

Subject: Vision Collision

Good Morning!

Thank you for hosting us so graciously yesterday morning. A detail I noticed is that every door we walked through was held open for us by someone from Troy. It was interesting to learn about the initiatives your City is involved with, including the improvements along Fifteen and Sixteen Mile Roads. Jeanette is knowledgeable and is a pleasure so it was nice to spend time with her. Jeanette attended an HR round-table gathering that we initiated late last year and plan to hold quarterly, so I look forward to a continuing professional relationship.

Nancy K. Bowman

Senior Human Resources Analyst

City of Rochester Hills

David J Roberts

From: David J Roberts
Sent: Tuesday, February 10, 2015 7:22 AM
To: 'Steve Splan'
Subject: RE: Last week's accident

Steve,

Thank you for the kind words. I've been thinking about you and the other guys. It's an unfortunate event, but I'm glad to hear everyone is alright. Bloomfield Hills and Troy have always had a close relationship, for many reasons, and it's only natural for us to help out when needed. If there's anything else that you or the other guys, or the department need, just let me know. ☺

Dave

From: Steve Splan [mailto:splan145@gmail.com]
Sent: Tuesday, February 10, 2015 3:14 AM
To: David J Roberts
Subject: Last weeks accident

Dave,

Today was my first day back to work following the accident that occurred last Wednesday in our Engine-1. I am fine and back to full duty. The rest of the crew that was in the apparatus with me is also doing well. One member is off with a sore leg, but should be back to duty soon.

Tonight I was looking through the photos that were taken at the accident scene. As I went through them I saw you standing in one of the pictures. Sgt. Szuber stated that you had heard about the accident and showed up to see if everyone was O.K. and to see what assistance your department could lend ours. I was touched, but not surprised, to learn of you checking on the welfare of our members. I want you to know that I personally appreciate your act of concern and caring.

Although I am not at liberty to discuss details of the accident at this time (as the incident is under an Administrative Review), I was personally relieved to learn that within hours of the accident a replacement Engine from Troy was already in-service at our station. The fact that our City did not suffer any shortages of essential fire equipment or apparatus made me feel a sense of relief. I know that our Chief, and Command Officers, are appreciative of all that the Troy Fire Department has done for us following this incident. But I too wanted you to know that on a personal level I am also appreciative. Thank you! On behalf of me, please thank Chief Nelson and all the members of the Troy Fire Department that assisted Bloomfield Hills on February 4, 2015 and in the days since.

With sincere gratitude,

Steve Splan

Hi Brian,

Thank you for making our city the safest city in Michigan and 23rd in Nation. A great accomplishments by you and your police department.

Beach Forest residents and their extended families thank each member of your team. Please convey our appreciation to them.

We all appreciate the effort and feel the safety.

Suneel Sekhri

President

Beach Forest Home Owner Association

Troy, Michigan



February 12, 2014

Mayor Dane Slater

500 W. Big Beaver Road

Troy, Mi. 48084

RE: Compliant 15-3648

Mayor Slater,

By way of introduction my name is Al Aceves. I and my family have resided at 1529 Charlevois for over 13 years.

Today I am writing to inform you of the exceptional work of Police Officer Joe Mouch on Monday, February 2, 2014. As you may recall this was the aftermath of our historic snow storm. On this day my mom was scheduled for a heart procedure at Troy Beaumont hospital at 9 am. Like many others getting out of my subdivision was a challenge that prevented us from moving more than 100 feet before going no further. After several attempts and a mom who was in panic mode I called the Troy Police to determine if any assistance could be provided. After being informed that all resources were being utilized, throughout the city, I was left wondering what options I had including cancelling the surgery.

Shortly thereafter I noticed a police SUV pulling up to my home and inquiring about the issue. This vehicle was driven by Police Office Mouch. Office Mouch informed us that although a plow was on the way there were no assurance as to what time they would arrive. As an option he suggested we follow him utilizing the tracks in the snow his SUV made. What a terrific solution!

Needless to say we were able to navigate our subdivision and arrived at the hospital in time for the procedure. Without the exceptional leadership of office Mouch and the City of Troy I am not sure what would have occurred. The successful procedure went ahead as planned!

It is this type of situation that makes us proud to say we live in Troy. If there are any questions I can be reached at [REDACTED] Thank you again for the great leadership.

Sincerely,

Al Aceves

Cc: Troy City Council

Brian Kischnick, City Manager

Gary Mayer, Chief of Police