

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

NOVEMBER 19, 2007

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@ci.troy.mi.us 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: Phillip L. Nelson, 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 amendment and 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.

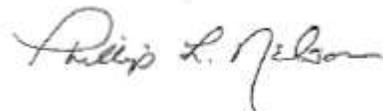
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

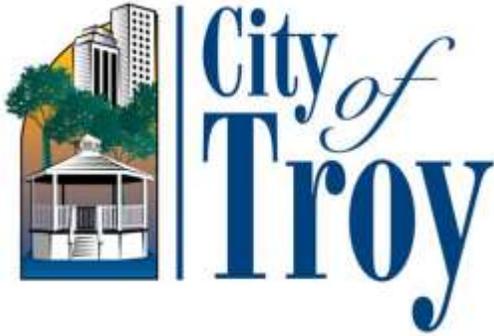
- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain relevance of public infrastructure to meet changing public needs
- VI. Emphasize regionalism and incorporate creativity into the annual strategic planning process

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

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

November 19, 2007 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor A.C. Phipps – Evanswood Church of God 1

ROLL CALL 1

CERTIFICATES OF RECOGNITION: 1

- A-1 Presentations: 1
- a) Andrea Brown, MI Association of Planning will Present the Best Plan Award for the Big Beaver Corridor Study to Mark Miller, Planning Director..... 1
 - b) National Red Ribbon Campaign – Bridget Fluegge, Troy Families for Safe Homes and Student Representatives and Teachers from the Troy School District will be on Hand to Bring their Signed Petitions to City Council..... 1
 - c) Service Commendation – Dave Lambert..... 1
 - d) Presentation of Government Finance Officers Association Awards for the Comprehensive Annual Financial Report (CAFR), the Popular Annual Financial Report (PAFR) and the Annual Budget – by Thelma Kubitskey, Finance Director for Northville Charter Township and MGFOA President..... 1
 - e) Presentation of the Independent Auditor’s Report for the Fiscal Year Ended June 30, 2007 – by Tom Darling of the Rehmann Robson Group 1
 - f) Presentation of an Audit Recap by John M. Lamerato, Assistant City Manager/Finance & Administration 1

CARRYOVER ITEMS: 1

B-1 No Carryover Items 1

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CALL TO ORDER:

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor A.C. Phipps – Evanswood Church of God

ROLL CALL

- (a) Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Martin Howrylak
Mary Kerwin
- (b) Excuse Absent Council Members

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a)** Andrea Brown, MI Association of Planning will Present the Best Plan Award for the Big Beaver Corridor Study to Mark Miller, Planning Director
- b)** National Red Ribbon Campaign – Bridget Fluegge, Troy Families for Safe Homes and Student Representatives and Teachers from the Troy School District will be on Hand to Bring their Signed Petitions to City Council
- c)** Service Commendation – Dave Lambert
- d)** Presentation of Government Finance Officers Association Awards for the Comprehensive Annual Financial Report (CAFR), the Popular Annual Financial Report (PAFR) and the Annual Budget – by Thelma Kubitskey, Finance Director for Northville Charter Township and MGFOA President
- e)** Presentation of the Independent Auditor’s Report for the Fiscal Year Ended June 30, 2007 – by Tom Darling of the Rehmann Robson Group
- f)** Presentation of an Audit Recap by John M. Lamerato, Assistant City Manager/Finance & Administration

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings

POSTPONED ITEMS:

D-1 No Postponed Items

PUBLIC COMMENT: Limited to Items Not on the Agenda

Public comment limited to items not on the Agenda in accordance with the Rules of Procedure of the City Council, Article 16 - Members of the Public and Visitors.

REGULAR BUSINESS:

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 10“E” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. 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.

NOTE: Any item selected by the public for comment from the Regular Business Agenda shall be moved forward before other items on the regular business portion of the agenda have been heard. Public comment on Regular Agenda Items will be permitted under Agenda Item 10 “E”.

E-1 **Appointments to Boards and Committees:** a) **Mayoral Appointments:** Planning Commission b) **City Council Appointments:** Advisory Committee for Persons with Disabilities; Ethnic Issues Advisory Board and Municipal Building Authority

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceeds the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

(a) **Mayoral Appointments**

Suggested Resolution
Resolution #2007-11-

Moved by
Seconded by

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

Planning Commission

Appointed by Mayor (9-Regular) – 3-Year Terms

(Unexpired Term) Term Expires 12/31/2008

Yes:
No:

(b) City Council Appointments

Suggested Resolution

Resolution #2007-11-

Moved by
Seconded by

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

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) – 3 Year Terms

Term Expires 11/01/10

Term Expires 11/01/10

Unexpired Term Expires 11/01/09

(Alternate) Term Expires 11/01/09

Ethnic Issues Advisory Board

Appointed by Council (9-Regular) 2 & 3 Year Terms

Unexpired Term 09/30/08 (3 Year Term)

Municipal Building Authority

Appointed by Council (5-Regular) – 3 Year Terms

Unexpired Term 01/31/09

Yes:
No:

E-2 General Obligation Unlimited Tax Refunding BondsSuggested Resolution

Resolution #2007-11-

Moved by

Seconded by

WHEREAS, Pursuant to the provisions of Act 279, Public Acts of Michigan, 1909, as amended ("Act 279") and the City Charter of the City of Troy (the "City"), and a result of the affirmative vote of the City's electors at the general election in the City on April 5, 1999, the City issued its General Obligation Unlimited Tax Bonds, Series 2000 (Streets, Roads and Streetscape Improvements) (the "2000 Bonds") in the aggregate principal amount of \$4,150,000 for the purpose of defraying the cost of the acquisition, construction and reconstruction of various street, roadway and streetscape improvements in the City and related site furnishings and improvements and all costs related thereto;

WHEREAS, The 2000 Bonds remain outstanding in the aggregate principal amount of \$3,500,000, mature in various principal amounts on August 1 in the years 2008 through 2020 and bear interest at rates per annum which vary from 4.75% to 5.50%;

WHEREAS, Part VI of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") authorizes the City to refund all or any part of its outstanding securities;

WHEREAS, The City has received a proposal from Fifth Third Securities, Inc. (the "Underwriter") to refund all of the outstanding 2000 Bonds; and

WHEREAS, The City Manager has recommended that this resolution be adopted in order to effect the refunding of all or part of the outstanding 2000 Bonds and this Council has determined that it is in the best interest of the City that such refunding be undertaken.

NOW, THEREFORE, BE IT RESOLVED,

1. AUTHORIZATION OF BONDS -- PURPOSE.

Bonds of the City, aggregating the principal sum of not to exceed four million dollars (\$4,000,000) (the "Refunding Bonds"), shall be issued and sold pursuant to the provisions of Act 34, and other applicable statutory provisions, for the purpose of refunding all or part of the 2000 Bonds (the "2000 Bonds To Be Refunded"). The City Manager shall determine which of the 2000 Bonds shall be refunded and the principal amount of the Refunding Bonds at the time of sale.

2. BOND DETAILS.

The Refunding Bonds shall be designated "General Obligation Unlimited Tax Refunding Bonds, Series 2007," provided, however, if the Refunding Bonds are not delivered to the Underwriter on or before December 31, 2007, the Refunding Bonds shall be designated "General Obligation Unlimited Tax Refunding Bonds, Series 2008;" shall be dated as of such date as shall be approved by the City Manager at the time of sale; shall be numbered from 1 upwards;

shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 6% per annum to be determined by the City Manager at the time of sale payable on such dates as shall be determined by the City Manager at the time of sale; and shall mature in such principal amounts and on such dates and in such years as shall be determined by the City Manager at the time of sale.

3. PAYMENT OF PRINCIPAL AND INTEREST.

The principal of and interest on the Refunding Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Refunding Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each Refunding Bond as shown on the registration books at the close of business on the fifteenth day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. PRIOR REDEMPTION.

The Refunding Bonds shall be subject to redemption prior to maturity upon such terms and conditions as shall be determined by the City Manager at the time of sale.

5. BOOK-ENTRY SYSTEM.

Initially, one fully-registered bond for each maturity of the Refunding Bonds, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the City determines that it is in the best interest of the City not to continue the book-entry system of transfer or that the interests of the holders of the Refunding Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this resolution. DTC may determine to discontinue providing its services with respect to the Refunding Bonds at any time by giving notice to the City and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the City shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the City and the bond registrar and paying agent shall be obligated to deliver bond certificates in accordance with the procedures established by this resolution. In the event bond certificates are issued, the provisions of this resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the City and the bond registrar and paying agent to do so, the City and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more

separate certificates evidencing the Refunding Bonds to any Participant having Refunding Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Refunding Bonds.

Notwithstanding any other provision of this resolution to the contrary, so long as any bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Refunding Bonds and all notices with respect to the Refunding Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations previously entered into by the City and DTC, and the City Manager is authorized to enter into any additional documents with DTC on behalf of the City as deemed to be appropriate in order to accomplish the issuance of the Refunding Bonds in accordance with law and this resolution.

6. BOND REGISTRAR AND PAYING AGENT.

The Bank of New York Trust Company, N.A. is hereby appointed as bond registrar and paying agent for the Refunding Bonds, and the City Manager is authorized to enter into an agreement with the bond registrar and paying agent. The City Manager from time to time may designate, and may enter into an agreement with, a successor bond registrar and paying agent, which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS.

The Refunding Bonds shall be executed in the name of the City by the facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City (or a facsimile thereof) shall be impressed or imprinted on the Refunding Bonds. After the Refunding Bonds have been executed and authenticated for delivery to the Underwriter, they shall be delivered by the Treasurer to the Underwriter upon receipt of the purchase price. Additional Refunding Bonds bearing the facsimile signatures of the Mayor and the City Clerk and upon which the seal of the City (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the Refunding Bonds. The bond registrar and paying agent shall indicate on each Refunding Bond the date of its authentication.

8. EXCHANGE AND TRANSFER OF BONDS.

Any Refunding Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Refunding Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bond.

Each Refunding Bond shall be transferable only upon the books of the City, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Refunding Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Refunding Bond, the bond registrar and paying agent on behalf of the City shall cancel the surrendered Refunding Bond and shall authenticate and deliver to the transferee a new Refunding Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Refunding Bond pursuant to this section, payment of interest on the Refunding Bonds is in default, the bond registrar and paying agent shall endorse upon the new Refunding Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____."

The City and the bond registrar and paying agent may deem and treat the person in whose name any Refunding Bond shall be registered upon the books of the City as the absolute owner of such Refunding Bond, whether such Refunding Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Refunding Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Refunding Bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Refunding Bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Refunding Bonds or portions of Refunding Bonds which have been selected for redemption.

9. FORM OF BONDS.

The Refunding Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
 STATE OF MICHIGAN
 COUNTY OF OAKLAND
 CITY OF TROY
 GENERAL OBLIGATION UNLIMITED TAX REFUNDING BOND, SERIES 2007

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP

Registered Owner:

Principal Amount:

The City of Troy, County of Oakland, State of Michigan (the "City"), acknowledges itself indebted to, and for value received hereby promises to pay to, the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of The Bank of New York Trust Company, N.A., the bond registrar and paying agent, located in Detroit, Michigan, or other designated office, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution, and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue set forth above, or such later date through which interest has been paid, until the City's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first days of _____ and _____ in each year, commencing on _____, 200___. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the City under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 34, Public Acts of 2001, as amended) and a resolution adopted by the City Council of the City and an order adopted by the City Manager of the City (said resolution and order herein collectively referred to as the "Resolution") for the purpose of refunding the City's outstanding General Obligation Unlimited Tax Bonds, Series 2000 (Streets, Roads and Streetscape Improvements) maturing in the years ____ through _____. The full faith and credit of the City are hereby pledged for the prompt payment of the principal of and interest on this bond. The City is authorized and required to levy annually ad valorem taxes, without limitation as to rate or amount, to pay such principal and interest as the same shall become due.

This bond is transferable, as provided in the Resolution, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefore as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

Bonds maturing prior to _____, _____, are not subject to redemption prior to maturity. Bonds maturing on and after _____, _____, are subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the City, on any one or more interest payment dates on and after _____, ______. Bonds of a denomination greater than \$5,000 may be partially redeemed in the

amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption and a premium as follows:

___% of the par value if called for redemption on or after _____, _____, but prior to _____, _____;

No premium if called for redemption on or after _____.

Not less than thirty nor more than sixty days' notice of redemption shall be given to the registered owners of bonds called to be redeemed by mail to each registered owner at the registered address. Bonds or portions of bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Troy, County of Oakland, State of Michigan, by its City Council, has caused this bond to be executed in its name by facsimile signatures of the Mayor and City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF TROY

(SEAL)

By: _____
Tonni L. Bartholomew, City Clerk

By: _____
Louise E. Schilling, Mayor

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Resolution.

The Bank of New York Trust Company, N.A.
Bond Registrar and Paying Agent

By: _____
 Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

END OF BOND FOR

10. SECURITY.

The full faith and credit of the City are hereby pledged to the payment of the principal of and interest on the Refunding Bonds. There shall be levied upon all taxable property in the City upon the tax roll of the year 2008 and upon the tax roll of each year thereafter while any of the Refunding Bonds shall be outstanding, an amount such that the estimated collections therefrom will be sufficient to pay promptly at maturity the principal and interest maturing on the Refunding Bonds prior to the time of the following year's tax collections. Taxes required to be levied to pay principal of and interest on the Refunding Bonds shall be levied without limitation as to rate or amount.

11. DEFEASANCE.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Refunding Bonds, shall have been deposited in trust, this resolution shall be defeased and the owners of the Refunding Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Refunding Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

12. PRINCIPAL AND INTEREST FUND.

There shall be established for the Refunding Bonds a Principal and Interest Fund. From the proceeds of the sale of the Refunding Bonds there shall be set aside in the Principal and Interest Fund any accrued interest received from the Underwriter at the time of delivery of the same. The proceeds of the taxes (both current and delinquent) to be used to pay the principal and interest on the Refunding Bonds when due shall be deposited as collected in the Principal and Interest Fund and so long as the principal or interest on the Refunding Bonds remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest or to pay from any investment earnings on such fund the fees and expenses of the bond registrar and paying agent.

13. PAYMENT OF ISSUANCE EXPENSES -- ESCROW FUND.

The remainder of the proceeds of the Refunding Bonds shall be used, together with available moneys of the City, if any, to pay the issuance expenses of the Refunding Bonds and to establish an escrow fund for the 2000 Bonds To Be Refunded. After the issuance expenses have been paid or provided for the remaining proceeds and City moneys, if any, shall be used to establish an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing and used to pay the principal of, interest on and redemption premiums on the 2000 Bonds To Be Refunded. The Escrow Fund shall be held by The Bank of New York Trust Company, N.A., hereby appointed as escrow agent (the "Escrow Agent"), in trust pursuant to an escrow agreement (the "Escrow Agreement") which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the 2000 Bonds To Be Refunded when due prior to redemption and to call the 2000 Bonds To Be Refunded for redemption at such time as shall be determined in the Escrow Agreement. The City Manager shall approve the Escrow Agreement at the time of sale of the Refunding Bonds and shall be authorized to execute and deliver the Escrow Agreement for and on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received thereon will be sufficient without reinvestment to pay the principal of, interest on and redemption premiums on the 2000 Bonds To Be Refunded when due at maturity or call for redemption as required by the Escrow Agreement.

14. APPROVAL OF DEPARTMENT OF TREASURY.

The issuance and sale of the Refunding Bonds shall be subject to permission being granted therefore by the Department of Treasury of the State of Michigan as provided in Act 34. If necessary, the City Manager is authorized to file an application with the Department of Treasury for approval of the Refunding Bonds.

15. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF REFUNDING BONDS.

The Refunding Bonds shall be sold pursuant to a negotiated sale to the Underwriter as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the City and is calculated to provide the maximum flexibility in pricing the Refunding Bonds. The City Manager is authorized to enter into a Bond Purchase Agreement with the

Underwriter, which Bond Purchase Agreement shall set forth the 2000 Bonds To Be Refunded and the principal amount, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, purchase price to be paid by the Underwriter with respect to the Refunding Bonds and such other terms and provisions as the City Manager determines to be necessary or appropriate in connection with the sale of the Refunding Bonds. The Bond Purchase Agreement and the terms of the Refunding Bonds set forth therein shall be approved by an order adopted by the City Manager at the time of the sale of the Refunding Bonds. The Mayor, the Clerk, the City Manager and the Treasurer are each hereby authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Refunding Bonds in accordance with the provisions of this resolution.

16. REPLACEMENT OF BONDS.

Upon receipt by the City Clerk of proof of ownership of an unmatured Refunding Bond, of satisfactory evidence that the bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the City Clerk, the City Clerk may authorize the bond registrar and paying agent to deliver a new executed Refunding Bond to replace the Refunding Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Refunding Bond is lost, apparently destroyed or wrongfully taken, the City Clerk may authorize the bond registrar and paying agent to pay the Refunding Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Refunding Bond. The bond registrar and paying agent, for each new Refunding Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the City in the premises. Any Refunding Bond delivered pursuant to the provisions of this Section 16 in lieu of any Refunding Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Refunding Bond in substitution for which such Refunding Bond was delivered.

17. TAX COVENANT.

The City covenants to comply with all applicable requirements of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes. The Mayor, the Clerk, the City Manager, the Treasurer and other appropriate City officials are authorized to do all things necessary (including the making of such covenants of the City as shall be appropriate) to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes.

18. QUALIFIED TAX EXEMPT OBLIGATIONS.

The Refunding Bonds are hereby designated as "qualified tax exempt obligations" as described in Section 265(b)(3)(B) of the Code.

19. OFFICIAL STATEMENT.

The City Manager of the City is authorized to cause the preparation of an official statement for the Refunding Bonds for the purpose of enabling compliance with Rule 15c2-12 issued under

the Securities Exchange Act of 1934, as amended (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the Refunding Bonds, the City will provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

20. CONTINUING DISCLOSURE.

The Mayor and the City Clerk are hereby authorized to execute a certificate of the City to comply with the continuing disclosure undertaking of the City with respect to the Refunding Bonds pursuant to paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

21. PROFESSIONAL SERVICES.

The following are appointed to act in the following capacities with respect to the Refunding Bonds:

As financial consultant:	Bendzinski & Co., Municipal Finance Advisors Detroit, Michigan
As Underwriter:	Fifth Third Securities, Inc. Southfield, Michigan
As bond counsel:	Dickinson Wright PLLC Bloomfield Hills, Michigan

22. CONFLICTING RESOLUTIONS.

All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** this resolution **AUTHORIZING** the issuance of not to exceed \$4,000,000 in general obligation unlimited tax refunding bonds, Series 2007.

Yes:

No:

E-3 Appointment of Master of Ceremonies and Official Host – Annual Appreciation Banquets

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

RESOLVED, That _____ **WILL ACT** as Master of Ceremonies and Official Host for the Annual 2008 Boards & Committees Appreciation Banquet (March 1, 2008) and work with the Community Affairs Department; and

BE IT FURTHER RESOLVED, That _____ **WILL ACT** as Master of Ceremonies and Official Host for the Annual 2008 Fire Fighters Appreciation Banquet (May 17, 2008) and work with the Community Affairs Department.

Yes:

No:

E-4 Preliminary Site Condominium Approval – Crestwood Site Condominium, Phase 2, 4 Units/Lots Proposed on 2.3512 Acres, North Side of Wattles, East of Livernois, Section 15, Zoned R-1B

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the preliminary site condominium plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium, known as Crestwood Site Condominium Phase 2, located on the north side of Wattles, east of Livernois, in Section 15, including 4 home sites, within the R-1B zoning district, being 2.3512 acres in size.

Yes:

No:

E-5 Oakland County Fire Mutual Aid Agreement

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

WHEREAS, The City of Troy has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, technical rescue, hazardous incident response, and other emergency response services (“Fire Services”);

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster (“Incidents”);

WHEREAS, The Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501 et seq. (the “Act”), permit a political subdivision to exercise jointly with any other political subdivision any power,

privilege or authority which such political subdivisions share in common and which each might exercise separately;

WHEREAS, The City of Troy desires to enter into an interlocal agreement, pursuant to the Act, to further improve Fire Services;

WHEREAS, As a result of entering into an interlocal agreement to further improve Fire Services, the Parties are creating the Oakland County Mutual Aid Association, as a separate legal entity and as a non-profit public body corporate (the "Association"), pursuant to the Cooperation Act;

WHEREAS, The City of Troy has the authority to execute this Agreement pursuant to resolution of its governing body; and

WHEREAS, The City of Troy desires to commit personnel and equipment to another Party if deemed reasonable upon the request of another Party;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **FINDS** it is the best interest of its citizens from a safety and fiscal standpoint to enter into the Interlocal Agreement creating the Oakland County Mutual Aid Association and agrees to **APPOINT** one member to the Association Board.

Yes:

No:

E-6 Traffic Committee Recommendation – Parking Restrictions on Ivy Lane

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** exempting a portion of the south side of Ivy Lane west of Carlson Park from TCO #79-15-P that prohibits parking on the fire hydrant side of all City streets, and restricting parking in the same section of Ivy Lane on the north side of the street.

Yes:

No:

E-7 Traffic Committee Recommendations – October 17, 2007

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

(a) Installation of Sign – Yield Sign on the North End of Sandshores at Walker

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of yield sign on the north end of Sandshores at Walker.

(b) Installation of Sign – Yield Sign on Woodcrest at Hilltop

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of yield sign on Woodcrest at Hilltop.

Yes:

No:

CONSENT AGENDA:

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 12 "F".

F-1a Approval of "E" Items NOT Removed for Discussion

Suggested Resolution

Resolution #2007-11-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes:

No:

F-1b Address of "F" Items Removed for Discussion by City Council and/or the Public

F-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2007-11-

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of November 12, 2007 be **APPROVED** as submitted.

F-3 Proposed City of Troy Proclamation:

Suggested Resolution

Resolution #2007-11-

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamation:

- a) National Family Caregivers Month – November, 2007

F-4 Standard Purchasing Resolutions: None Submitted

F-5 2007/08 Budget Amendment No. 1

Suggested Resolution

Resolution #2007-11-

RESOLVED, That Troy City Council hereby **APPROVES** 2007/08 Budget Amendment No. 1 as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-6 Contract Award: Informal Quote Process – Snow Removal Rental Equipment Including Operators

Suggested Resolution

Resolution #2007-11-

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide seasonal requirements of snow removal rental equipment including operators with an option to renew for one (1) additional season utilizing an informal quote process to the following vendors at the hourly rates contained in Appendix A, a copy of which shall be **ATTACHED** to the original Minutes of this meeting:

<u>COMPANY NAME</u>	<u>LOCATION</u>
Florence Cement Company	Shelby Township, MI
Deano Mac's Services, LLC	Oxford, MI
Diponio Contracting	Shelby Township, MI
Sterling Topsoil and Grading	Fraser, MI
Agra Landscaping LLC	Birmingham, MI

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** City staff to extend the hourly contract prices to other contractors, after the successful bidders have been employed, to speed the snow removal process during times of snow emergencies; and

BE IT FINALLY RESOLVED, That the contracts will expire April 15, 2008, and are **CONTINGENT** upon contractors' submission of properly executed contract documents, including insurance certificates and all other specified requirements.

F-7 Application for Transfer of SDD and SDM License for Konja 1

- (a) New License

Suggested Resolution

Resolution #2007-11-

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Konja 1, d/b/a Carl's Liquor, to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. located at 5945 John R, Troy, MI 48085, Oakland County; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

(b) AgreementSuggested Resolution

Resolution #2007-11-

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council of the City of Troy hereby **APPROVES** an agreement with Konja 1, d/b/a Carl's Liquor, to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. located at 5945 John R, Troy, MI 48085, Oakland County; and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-8 Application for Transfer of Class C License to TKE Restaurants**(a) New License**Suggested Resolution

Resolution #2007-11-

RESOLVED, That Troy City Council **CONSIDERS** for **APPROVAL** the request from TKE Restaurants, Inc., to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and a new Official Permit (Food); and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

(b) AgreementSuggested Resolution

Resolution #2007-11-

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with TKE Restaurants, Inc to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.; transfer location to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food) Oakland County, and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-9 Application for Transfer of Class C License to Capital Grille Holdings, Inc. and Application for New SDM and Add Space

(a) New License

Suggested Resolution
Resolution #2007-11-

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Capital Grille Holdings, Inc., to transfer ownership thru merger of 2007 Class C licensed business with official permit (food) located at 2800 W. Big Beaver, from Capital Grille of Troy and a new SDM license and add space; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

(b) Agreement

Suggested Resolution
Resolution #2007-11-

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Capital Grille Holdings, Inc., to transfer ownership thru merger of 2007 Class C licensed business with official permit (food) located at 2800 W. Big Beaver, from Capital Grille of Troy and a new SDM license and add space, and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Planning Commission Special/Study/Draft – October 23, 2007
- b) Building Code Board of Appeals/Final – October 24, 2007

J-2 Department Reports:

- a) City of Troy Monthly Financial Report – October 31, 2007

J-3 Letters of Appreciation: None Submitted

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

J-5 Calendar

J-6 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Customers of the Detroit Edison Company – Case No. U-15417

J-7 Southeastern Oakland County Resource Recovery Authority (SOCRRA) – Quarterly Report for October, 2007

J-8 Michigan Department of Environmental Quality (MDEQ) Approval of Troy’s Soil Erosion and Sedimentation Program

J-9 Submittal of the 2007 Comprehensive Annual Financial Report (CAFR)

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

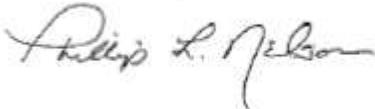
Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. 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.

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

Monday, December 17, 2007

1. Seco Tools, Inc., 2805 Bellingham – Request for Industrial Development District (IDD)
2. Seco Tools, Inc., 2805 Bellingham – Issuance of an Industrial Facilities Exemption Certificate (IFEC)

SCHEDULED CITY COUNCIL MEETINGS:

Monday, December 3, 2007	Regular City Council
Monday, December 17, 2007	Regular City Council
Monday, January 7, 2008	Regular City Council
Monday, January 28, 2008	Regular City Council
Monday, February 4, 2008	Regular City Council
Wednesday, February 13, 2008 (Liquor Violation Hearing)	Regular City Council
Monday, February 18, 2008	Regular City Council
Wednesday, February 20, 2008 (Liquor Violation Hearing)	Regular City Council
Monday, March 3, 2008.....	Regular City Council
Monday, March 17, 2008.....	Regular City Council

From: Cynthia A Stewart
Sent: Wednesday, November 14, 2007 4:02 PM
To: Laura D Campbell
Subject: RE: 11.19.07 - Three Presentations

Planning Award

Andrea Brown, MI Association of Planning will present the Best Plan Award for the Big Beaver Corridor Study to Mark Miller, Planning Director

From: Cynthia A Stewart
Sent: Wednesday, November 14, 2007 11:30 AM
To: Mary F Redden; agenda
Subject: City Council Mtg November 19 Presentations - Red Ribbon Campaign

National Red Ribbon Campaign – Bridget Fluegge, Troy Families for Safe Homes & Student representatives and teachers from the Troy School District will be on hand to bring their signed petitions to the City Council.

Cindy Stewart

**Service Commendation
DAVE LAMBERT**

WHEREAS, Dave Lambert is a valued citizen of Troy and has dedicated much of his time to the betterment of the community; and

WHEREAS, Dave began his work with the City of Troy while serving on the City's Traffic Committee, Cable Advisory Board, old Troy High School Advisory Committee and the Troy Futures Task Force; and

WHEREAS, Dave was first elected to the Troy City Council on April 2, 2001, and was re-elected on April 5, 2004. **Dave** served on the National League of Cities' Leadership Training Council and on the Michigan Municipal League's Elected Officials Academy Advisory Board; and

WHEREAS, Dave's commitment to the Troy community is to be commended for his service as past president of the Troy Rotary Club; and board member on the Troy Community Coalition, Council of Troy Homeowners Association, Troy Republicans, Troy Jaycees, Golf Trail Homeowners Association, Oakland County Lincoln Republican Club, and Oakland County Young Republicans; and

WHEREAS, Beyond his dedication to the City of Troy, **Dave** also has a successful career working in financial regulatory compliance and legislative advocacy. Currently Dave is the Communications & Compliance Manager for Central Corporate Credit Union; and

WHEREAS, As **Dave's** City Council term comes to an end, he will now have more time to spend with his wife Mary Ellyn, and children Jill and Alex; and

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Dave Lambert** for his many contributions to the Troy community; and

BE IT FURTHER KNOWN That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Dave** and his family.

Signed this 19th day of November 2007.

Subject: Presentation

From: Mary F Redden
Sent: Thursday, November 08, 2007 4:02 PM
To: agenda

Presentation of Government Finance Officers Association Awards for the Comprehensive Annual Financial Report (CAFR), the Popular Annual Financial Report (PAFR) and the Annual Budget – by Thelma Kubitskey, Finance Director for Northville Charter Township and MGFOA President

Mary Redden,
Administrative Assistant to the City Manager
City of Troy
500 W. Big Beaver
Troy, MI 48084
(248) 524-3329

Subject: Presentation

Presentation of the Independent Auditor's Report for the Fiscal Year Ended June 30, 2007 – by
Tom Darling of the Rehmann Robson Group

Mary Redden,
Administrative Assistant to the City Manager
City of Troy
500 W. Big Beaver
Troy, MI 48084
(248) 524-3329

Subject: Presentation

From: Mary F Redden
Sent: Thursday, November 08, 2007 4:02 PM
To: agenda

Presentation of an Audit Recap – by John M. Lamerato, Assistant City Manager/Finance & Administration

Mary Redden,
Administrative Assistant to the City Manager
City of Troy
500 W. Big Beaver
Troy, MI 48084
(248) 524-3329



CITY COUNCIL ACTION REPORT

November 12, 2007

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration

SUBJECT: General Obligation Unlimited Tax Refunding Bonds

Background:

- After reviewing the City's outstanding bonds with our financial advisor, we have determined that it would be in the best interest of the City to refinance the callable maturities of the 2000 Street Improvement Bonds. The bonds to be refunded bear interest at rates in the 4.75% to 5.50% range.
- The process entails purchasing governmental securities tied to the maturity dates of the bonds. The securities and interest earnings will then be used to pay the principal and interest on the refunded bonds.

Financial Considerations:

- It is estimated that the net present value benefit of this transaction to the City will be approximately \$200,000.00 in saved interest cost, after paying the cost of completing this transaction.

Legal Considerations:

- City Attorney Lori Grigg Bluhm has reviewed the resolution authorizing the issuance of general obligation unlimited refunding bonds prepared by bond counsel Dickinson Wright, PLLC.

Policy Considerations:

- Refunding the 2000 Streets, Roads and Streetscape Improvement Bonds relates to Goal II "Minimize the cost and increase the efficiency and effectiveness of City government", by upholding fiscal integrity.

Options:

- It is recommended that City Council approve the attached resolution, prepared by bond counsel and reviewed by our city attorney to authorize the issuance of general obligation unlimited tax refunding bonds.

Reviewed as to form and legality:

Lori Grigg Bluhm, City Attorney



CITY COUNCIL ACTION REPORT

November 7, 2007

TO: Phillip L. Nelson, City Manager
FROM: Cindy Stewart, Community Affairs Director
SUBJECT: Annual Appreciation Banquets

Background:

- As in previous years, the City Council appoints a master of ceremonies for the annual Boards & Committees Appreciation Banquet (March 1, 2008) and the annual Fire Fighters Appreciation Banquet (May 17, 2008).

The Community Affairs Department has already begun the planning process for the annual banquets to ensure a first class event. Please have City Council appoint a councilperson that will act as the official master of ceremonies that evening and work with the Community Affairs Department. Responsibilities include selecting a minister or priest to give the invocation, greeting all guests and distributing party favors that evening, and serving as master of ceremonies for the program.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

- There are no legal considerations associated with this item.

Policy Considerations:

- There are no policy considerations associated with this item.

Options:

- It is recommended that Troy City Council appoint a council member to act as the official master of ceremonies for the Board and Committee Appreciation banquet and one for the Fire Fighters Appreciation Banquet.



CITY COUNCIL ACTION REPORT

November 14, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director

SUBJECT: Preliminary Site Condominium Approval – Crestwood Site Condominium, Phase 2, 4 Units/Lots proposed on 2.3512 acres, North side of Wattles, East of Livernois, Section 15, Zoned R-1B

Background:

- The Planning Commission recommended Preliminary Site Condominium Approval of the development at the October 9, 2007 Regular meeting.
- The applicant proposes a 4-unit site condominium developed under the provisions of Section 34.30.00 Unplatted One-Family Residential Development.
- The petitioner is proposing to develop Phase 2 of the 23-unit Crestwood Site Condominium, by extending Tanner Drive and adding 4 units. Phase 1 received Final Approval in 2004.

Financial Considerations:

- There are no financial considerations for this item.

Legal Considerations:

- City Council has the authority to act on this application.

Policy Considerations:

- Approval of the Preliminary Site Condominium application would be consistent with City Council Goal III (Retain and attract investment while encouraging redevelopment).

Options:

- City Council can approve or deny the Preliminary Site Condominium application.

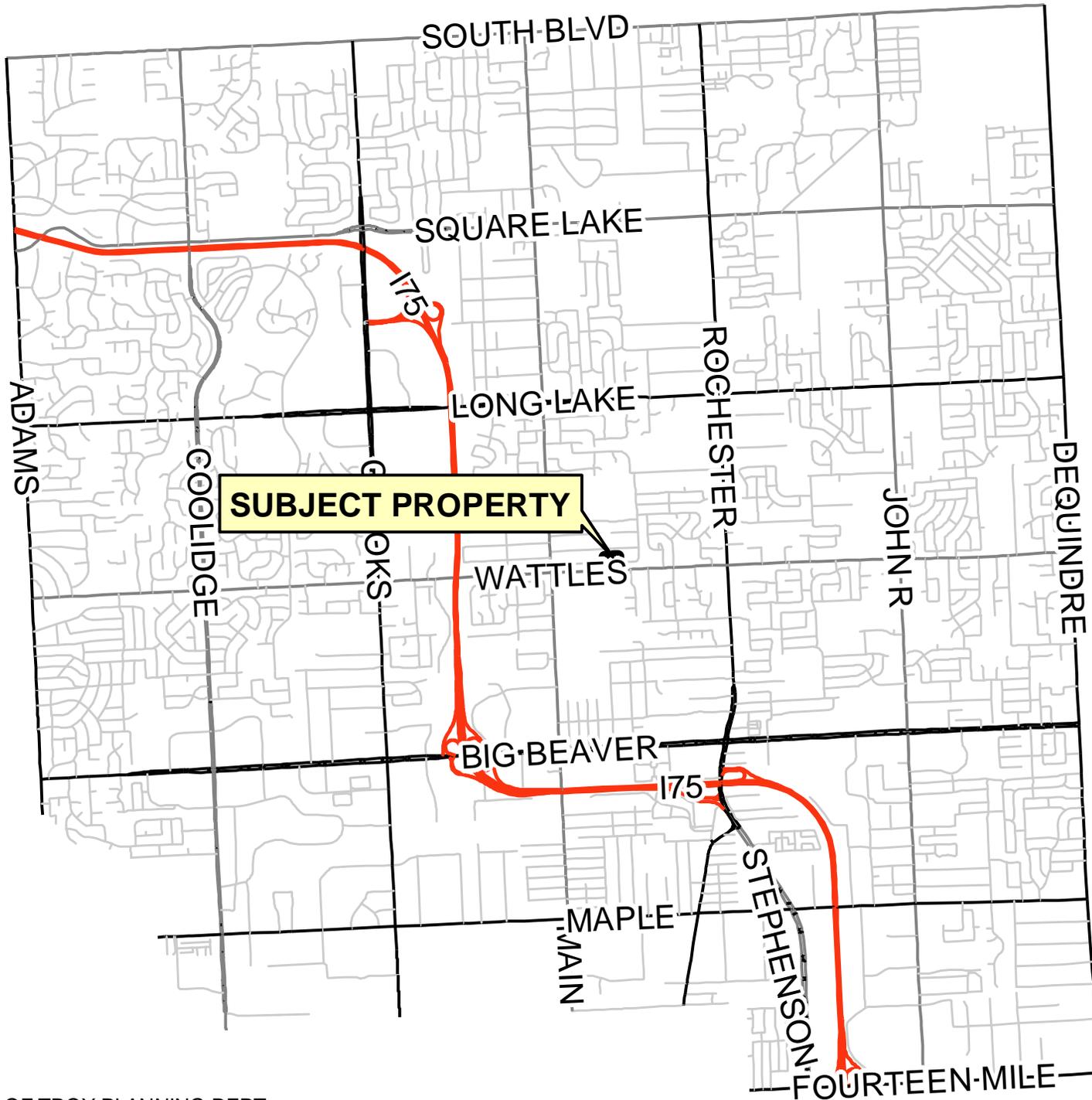
Attachments:

1. Maps.
2. Planning Commission Report
3. Minutes from the October 9, 2007 Planning Commission Regular meeting.

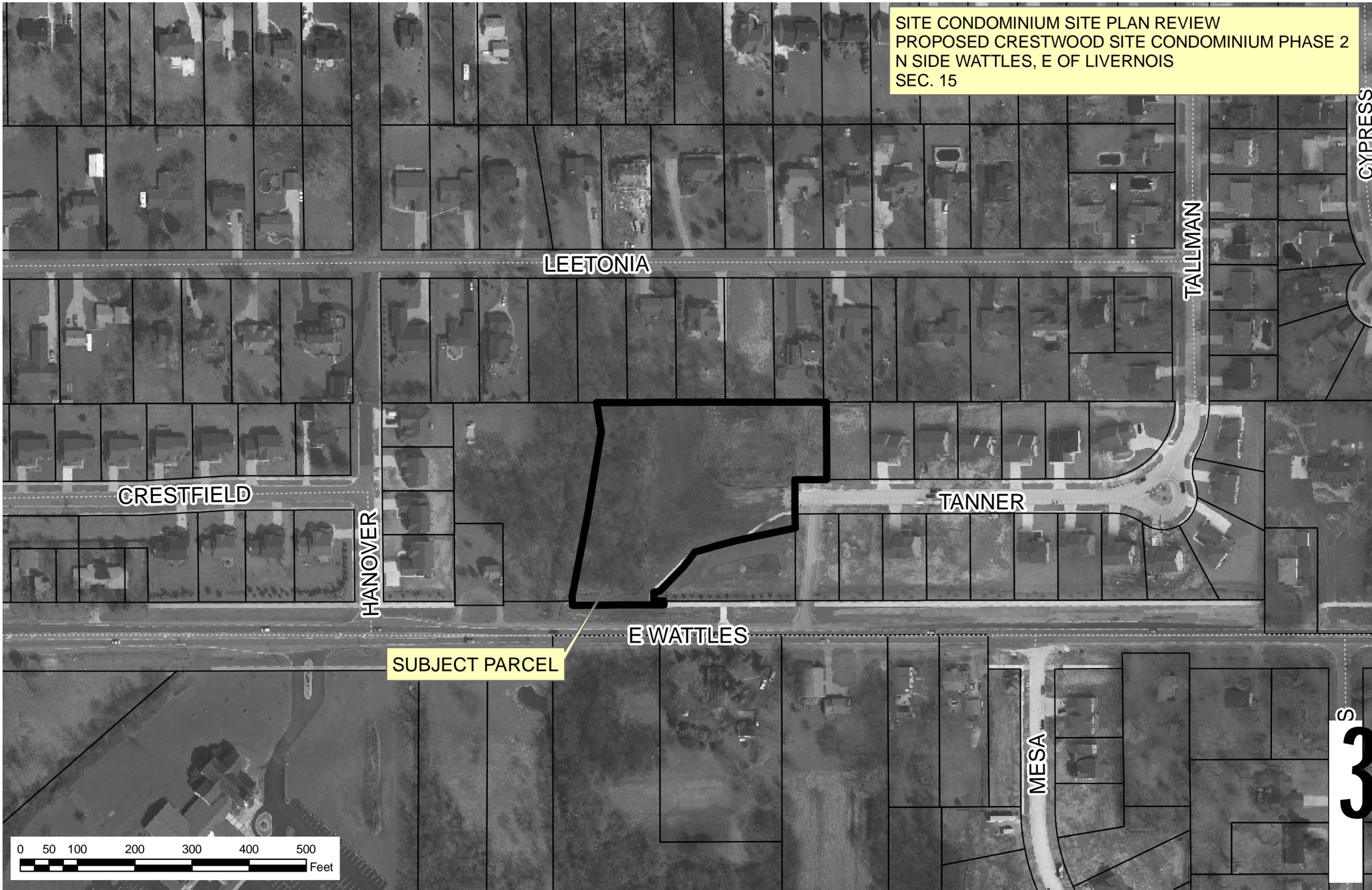
Prepared by RBS/MFM

cc: Applicant
File /Crestwood Site Condo

CITY OF TROY



SITE CONDOMINIUM SITE PLAN REVIEW
PROPOSED CRESTWOOD SITE CONDOMINIUM PHASE 2
N SIDE WATTLES, E OF LIVERNOIS
SEC. 15



LEETONIA

CRESTFIELD

HANOVER

TANNER

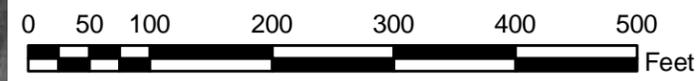
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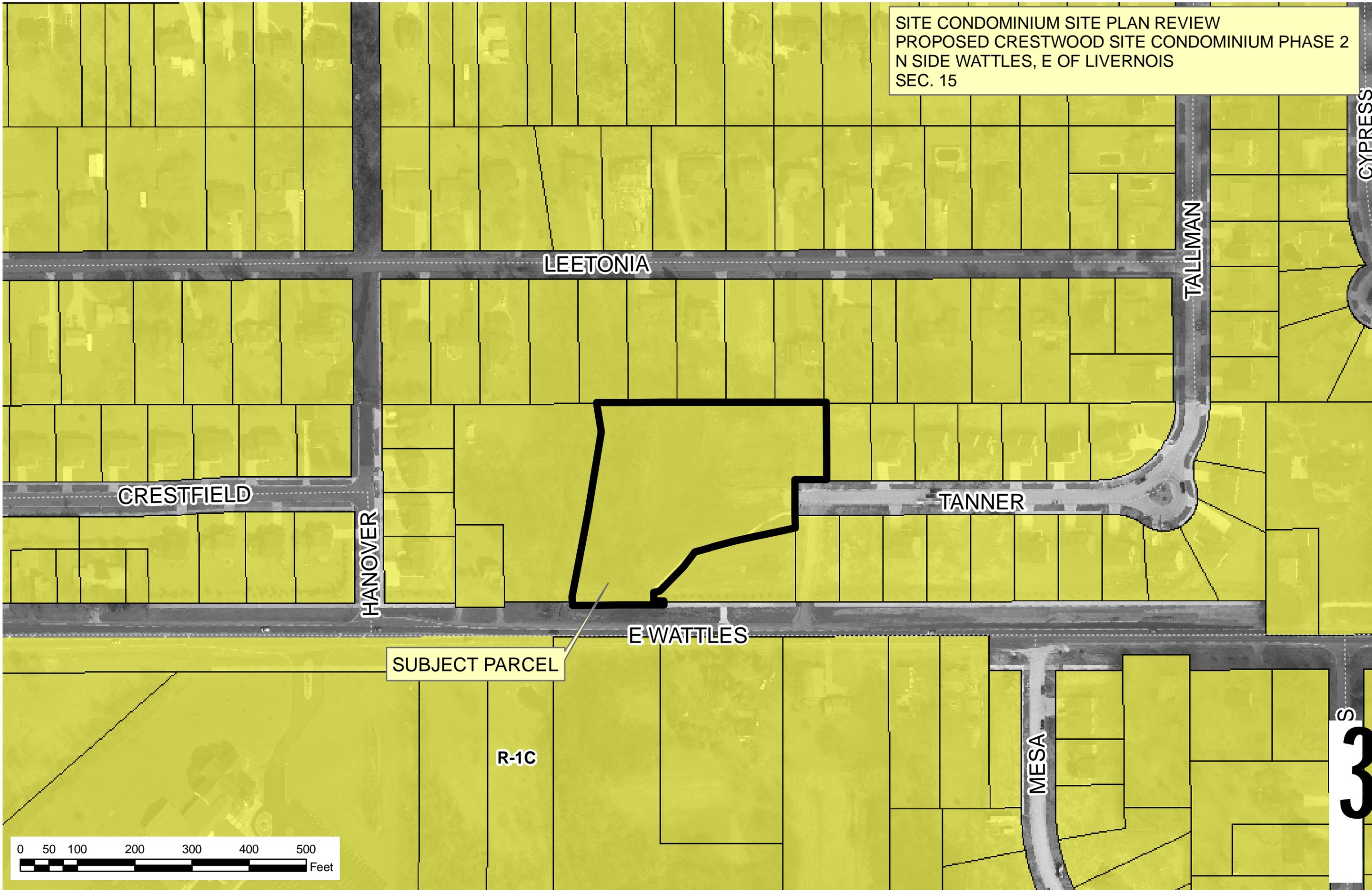
SUBJECT PARCEL

MESA

CYPRESS



SITE CONDOMINIUM SITE PLAN REVIEW
PROPOSED CRESTWOOD SITE CONDOMINIUM PHASE 2
N SIDE WATTLES, E OF LIVERNOIS
SEC. 15



LEETONIA

CRESTFIELD

HANOVER

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E WATTLES

SUBJECT PARCEL

R-1C

MESA

S
3



CYPRESS

DATE: October 3, 2007

TO: The Planning Commission

FROM: Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Ronald Figlan, Planner
Paula Preston Bratto, Planner

SUBJECT: PRELIMINARY SITE CONDOMINIUM SITE PLAN REVIEW – Crestwood Site Condominium, Phase 2, 4 Additional Units/Lots Proposed, North side of Wattles, East of Livernois, Section 15, Zoned R-1B

GENERAL INFORMATION

Name of Owner / Petitioner:

The owner and applicant is R.W.T. Building, LLC.

Location of subject property:

The property is located on the north side of Wattles Road, east of Livernois and west of Rochester.

Size of subject parcel:

2.5312 acres.

Description of proposed development, including number and density of units:

The petitioner is proposing to develop Phase 2 of the Crestwood Site Condominium, by extending Tanner Drive and adding 4 units.

Current use of subject property:

The parcel is presently vacant.

Current use of adjacent parcels:

North: Single family residential.

South: Single family residential.

East: Single family residential.

West: Single family residential.

Current zoning classification:

R-1C One Family Residential

Zoning classification of adjacent parcels:

North: R-1C One Family Residential
South: R-1C One Family Residential
East: R-1C One Family Residential
West: R-1C One Family Residential

Future Land Use Designation:

The parcel is designated as Low Density Residential on the Future Land Use Plan.

ANALYSIS

Compliance with area and bulk requirements:

Lot Area: The minimum lot area in the R-1C district is 10,500 square feet. The applicant has utilized the lot averaging option, with minimum 9,450 square feet lots. The applicant meets this standard.

Lot Width: The lot averaging option allows lots to be reduced to 76.5-foot width on interior lots and 100 feet on corner lots. The applicant meets this standard.

Height: The maximum height in the R-1C district is 25 feet.

Setbacks: Front: 30 feet.
Rear: 40 feet.
Side: 10 feet.

Section 10.60.03 requires a yard setback of 50 feet for parcels abutting a major thoroughfare.

Minimum Floor Area: The minimum floor area per unit is 1,200 square feet.

The applicant meets the minimum standards of the R-1C One Family Residential District.

Off-street parking and loading requirements:

The development will be required to provide two (2) off-street parking spaces per unit.

Storm Water detention:

Storm water detention is provided south of the Tanner Drive cul-de-sac.

Natural features and floodplains:

There are significant natural features located on the site. The lot is heavily wooded. The Sturgis Drain flows northerly through the eastern half of the parcel. Proposed units 24 through 26 contain wetlands.

The Preliminary Environmental Impact Statement and site plan indicate that the entire parcel lies within the 100-year floodplain. The Wetlands Determination Report indicates that there are two MDEQ-regulated wetlands on the parcel.

Subdivision Control Ordinance, Article IV Design Standards

Blocks: The applicant proposes to extend Tanner Drive.

Lots: Proposed lots conform to the minimum requirements of the Zoning Ordinance.

Topographic Conditions: The 4 proposed units lie within the 100-year floodplain boundary. The applicant must receive MDEQ approval prior to beginning any construction within a floodplain or altering a floodplain. Furthermore, the applicant requires MDEQ approval prior to the filling or altering of any state regulated wetland

Streets: The applicant proposes to extend Tanner Drive with a cul-de-sac.

Sidewalks: The applicant proposes a 5-foot wide sidewalk on both sides of the cul-de-sac. The applicant is required to provide a sidewalk on the north side of Wattles, including providing a bridge over the Sturgis Drain. The site plan indicates that a MDEQ permit is in process for the construction of the bridge over the Sturgis Drain.

Utilities: The parcel is served by public water and sewer.

CITY MANAGEMENT RECOMMENDATION

City Management recommends approval of the preliminary site plan application, as submitted.

Attachments:

1. Maps.
2. Preliminary Environmental Impact Statement.
3. Wetland Delineation Report.

cc: Applicant
File

SITE CONDOMINIUM SITE PLANS

5. **SITE CONDOMINIUM SITE PLAN REVIEW** – Crestwood Site Condominium – Phase 2, 4 Additional Units/Lots Proposed, North side of Wattles Road, East of Livernois, Section 15, Zoned R-1C (One Family Residential) District

Mr. Miller presented a summary of the Planning Department report on the proposed site condominium, and reported it is the recommendation of City Management to approve the preliminary site plan application as submitted.

Chair Schultz addressed site plan approval procedure as relates to floodplain and wetlands.

Ms. Lancaster confirmed that approvals from State agencies such as MDEQ and FEMA would supersede the Planning Commission authority.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Jeff Huhta of Nowak & Fraus, 46777 Woodward Avenue, Pontiac, was present to represent the petitioner. Mr. Huhta provided additional information relating to the floodplain jurisdiction, MDEQ application, completion of the cul de sac, and tree survey.

Mr. Strat addressed the storm water management on site, and said it lacked creative ingenuity.

Ms. Kerwin shared the same concern and addressed the condition and care of the existing trees on site.

Resolution # PC-2007-10-156

Moved by: Hutson

Seconded by: Littman

RESOLVED, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Crestwood Site Condominium Phase 2, including 4 units, located on the north side of Wattles, east of Livernois, Section 15, within the R-1C zoning district, be granted, subject to the following condition:

1. That the Michigan Department of Environmental Control approve the plan.

Yes: All present (9)

MOTION CARRIED

Crestwood Site Condominium
Preliminary Site Plan
is included with Council's agenda packets
and available for public viewing at the
City Clerk's Office and the Troy Public Library



CITY COUNCIL ACTION REPORT

November 14, 2007

TO: Phillip L. Nelson, City Manager
FROM: William S. Nelson, Fire Chief
SUBJECT: Oakland County Fire Mutual Aid Agreement

Background:

- Historically, there have been multiple overlapping fire mutual aid agreements in Oakland County.
- Many of these agreements date back to the 1970's or before and have not been updated.
- The Oakland County Fire Chiefs Association created a committee to develop a new countywide fire mutual aid agreement in May, 2006.
- The committee members, representing all of the existing fire mutual aid groups in the county, developed an interlocal agreement for fire mutual aid.
- Creating the Fire Mutual Aid Association through an interlocal agreement makes it possible for the mutual aid association to apply for and receive grants.
- The fire service in Oakland County has created a number of special operations teams including: technical rescue (building collapse and trench rescue) and hazardous materials utilizing grant and local funds.
- The mutual aid agreement includes provisions for establishing a Mutual Aid Box Alarm System (MABAS) for Oakland County.
- The MABAS system has been designated as the statewide fire mutual aid system in Michigan.

Financial Considerations:

- In order to provide sustainment of special operations equipment purchased with grant funding, the fire mutual aid association has created a dues structure.
- The dues schedule per department is as follows:
 - 2008 - \$1,000.00 per year
 - 2009 - \$2,000.00 per year
 - 2010 and beyond \$3,000.00 per year
- The funds generated by the dues will be used to sustain special operations capabilities throughout the county.
- Troy currently spends approximately \$20,000 annually to sustain special operations equipment that was purchased through Homeland Security grants. It is anticipated that this cost will be funded by the mutual aid association.

- Special operations and fire mutual aid response will be available to member communities at a minimal cost for replacing consumable supplies. Non-member communities requesting special operations or fire mutual aid will be billed the actual cost of the response. The actual cost will include vehicles, personnel, and supplies.

Legal Considerations:

- The City Attorney has reviewed the interlocal agreement and bylaws for form and substance and approves same.

Policy Considerations:

- This agreement addresses the following goals:
 - Enhance the livability and safety of the community.
 - Minimize the cost and increase the efficiency and effectiveness of City government.
 - Emphasize regionalism and incorporate creativity into the annual strategic planning process.

Options:

- City management recommends that the resolution for the interlocal agreement for participation in the Oakland County Mutual Aid Association be approved.

INTERLOCAL AGREEMENT

Effective: _____, 2007

BETWEEN

**PARTICIPATING POLITICAL SUBDIVISIONS AS SIGNATORIES TO THIS
INTERLOCAL AGREEMENT**

CREATING THE

**OAKLAND COUNTY FIRE MUTUAL AID ASSOCIATION
AND MUTUAL AID BOX ALARM SYSTEM AGREEMENT**

A Michigan Public Body Corporate

THIS INTERLOCAL AGREEMENT (the "Agreement") is entered into by and between [insert city names], referred to in this Agreement individually as a "Party" and collectively as "Parties".

RECITALS:

WHEREAS, each Party has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency medical services, technical rescue, hazardous incident response, and other emergency response services ("Fire Services");

WHEREAS, Fire Services can further be improved by cooperation between political subdivisions during times of public emergency, conflagration or disaster ("Incidents");

WHEREAS, the Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501 et seq. (the "Act"), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately;

WHEREAS, the Parties desire to enter into an interlocal agreement, pursuant to the Act, to further improve Fire Services;

WHEREAS, as a result of entering into an interlocal agreement to further improve Fire Services, the Parties are creating the Oakland County Mutual Aid Association, as a separate legal entity and as a non-profit public body corporate (the "Association"), pursuant to the Act;

WHEREAS, each Party has the authority to execute this Agreement pursuant to resolution of its governing body; and

WHEREAS, each Party desires to commit personnel and equipment to another Party upon the request of another Party;

WHEREAS, the Michigan Constitution and the people of the State of Michigan have long recognized the value of cooperation by and among the state and its political subdivisions;

NOW, THEREFORE, in consideration of the mutual covenants, undertakings, understandings and agreements set forth in this Agreement, it is hereby agreed as follows:

ARTICLE I DEFINITIONS AND EXHIBITS

Section 1.01. Definitions. The Parties agree that the following words and expressions, as used in this Agreement, whenever initially capitalized, whether used in the singular or plural, possessive or non-possessive, either within or without quotation marks, shall be defined and interpreted as follows:

(a) "Agreement" means this Agreement creating the Oakland County Mutual Aid Association and Mutual Aid Box Alarm System Agreement;

(b) "Mutual Aid Box Alarm System" ("MABAS") means a definite and prearranged plan whereby response and assistance is provided to a Requesting Party by an Assisting Party in accordance with the system established and maintained by MABAS Members;

(a) "Association Board" means the Board of the Association created by this Agreement.

(b) "Bylaws" means such rules and procedures for the operation of the Association as established by the Association Board and as may from time to time be amended.

(c) "Days" means calendar days.

(d) "Effective Date" means the date on which the Agreement is first filed with the Department of State, the Office of the Great Seal, and each county where Parties are located, which filing shall occur after the first meeting of the Association as described in Section 7.03 of this agreement.

(e) "Fire Apparatus" means vehicles and equipment of a Party used in performing Fire Services.

(f) "Fire Chief" means the chief of a Fire Department or a director of public safety.

(g) "Fire Department" means the operating department of a Party providing Fire Services.

(h) "Fire Fighters" means personnel qualified and trained in providing Fire Services.

(i) "Fire Services" means providing fire protection, fire suppression, emergency medical services, hazardous incident response, technical rescue and such other services as may be set forth in the Bylaws.

(j) "Fiscal Year" means October 1 to September 30.

(k) "Hazardous Materials (HAZMAT) Team" means a team which includes Fire Fighters qualified and trained in hazardous materials incidents.

(l) "Technical Rescue Team" means a team that includes Fire Fighters who have been trained to respond to rope, trench, confined space, building collapse and other technical rescue emergencies.

(m) "Incident" means a public emergency, conflagration, serious threat to public safety or disaster.

(n) "Party" means a political subdivision. For purposes of Article V, the term "Party" means a political subdivision including, but not limited to, elected and appointed officials, board members, fire department and public safety personnel, volunteers, employees, agents, sub-contractors and other related staff, which has entered into this Agreement.

(o) "State" means the State of Michigan.

Section 1.02. Agreement Exhibits. The Exhibits listed below and their properly promulgated amendments are attached hereto and incorporated into this Agreement.

(a) Exhibit A - The Oakland County Mutual Aid Association Bylaws.

ARTICLE II ESTABLISHMENT OF THE ASSOCIATION

Section 2.01. Establishment and Legal Status of the Association. The Parties intend and agree that Oakland County Mutual Aid Association is established as a separate legal entity and public body corporate pursuant to the Act and this Agreement.

Section 2.02. Name of Association. The name of the Association is "Oakland County Mutual Aid Association."

Section 2.03. Federal Tax Status. The Parties intend that the Association shall be exempt from federal income tax under Section 115(1) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future tax code.

Section 2.04. State and Local Tax Status. The parties intend that the Association shall be exempt from all State and local taxation including, but not limited to, sales, use, income, single business, and property taxes under the applicable provisions of the laws of the State.

Section 2.05. Title to Association Property. All property is owned by the Association as a separate legal entity. The Association may hold any of its property in its own name or in the name of one (1) or more of the Parties, as determined by the Parties.

Section 2.06. Principal Office. The principal office of the Association ("Principal Office") shall be at such locations determined by the Association Board.

ARTICLE III PURPOSE

Section 3.01. General Purpose. The general purpose of the Association is for the joint exercise of the shared and essential governmental power, privilege or authority of the Parties set forth in this Agreement in order to provide for the mutual protection of persons and property without regard to boundary lines between the Parties during times of public emergencies, including multiple casualty incidents, conflagrations or

disasters. Additional detail regarding the foregoing purposes may be provided in the Bylaws.

Section 3.02. Primary and Secondary Activities. In exercising this shared power, the primary activities of the Association shall be the cooperative efforts of the Parties in lending personnel and equipment for Fire Services. Secondary activities may include, but are not limited to, cooperative efforts of the Parties in planning, developing standard operating procedures for the Association, preparedness, exercising and training for major emergency incidents during which these shared powers may be utilized. Additional detail regarding the foregoing activities may be provided in the Bylaws.

ARTICLE IV SHARED POWERS

Section 4.01. Shared Powers of the Association. In carrying out the purpose as set forth in Article III of this Agreement, the Association, either independently or with any individual or legal entity, possesses all powers, set forth in the Urban Cooperation Act (MCL 124.501).

ARTICLE V RESERVATION OF RIGHTS, INSURANCE AND LIABILITY ASSURANCES

Section 5.01. No Waiver of Governmental Immunity. All of the privileges and immunities from liability, and exemptions from laws, ordinances and rules, and all pensions, relief, disability, worker's compensation and other benefits which apply to the activity of Parties, officers, agency, or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies, shall apply to the same degree and extent to the performance of such functions and duties of such Parties, officers, agents or employees extraterritorially under the provision of this Agreement. No provision of the Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver by any Party of any governmental immunity as provided by the Act or otherwise under law.

Section 5.02. Independent Contractor. The Parties agree that at all times and for all purposes under the terms of this Agreement each Party's relationship to any other Party shall be that of an independent contractor. No liability, right or benefit arising out of any employer/employee relationship, either express or implied, shall arise or accrue to any Party as a result of this Agreement. Personnel dispatched to aid a Party are entitled to receive benefits and/or compensation to which they are otherwise entitled under the Michigan Workers' Disability Compensation Act of 1969, any pension law, or any act of Congress.

Section 5.03. Liability. Each Party will be solely responsible for the acts of its own employees, agents, and subcontractors, the costs associated with those acts and the defense of those acts. The Parties shall not be responsible for any liability or costs associated with those acts and the defense of those acts for Parties outside of their political jurisdictions. It is agreed that none of the Parties shall be liable for failure to respond for any reason to any request for Fire Services or for leaving the scene of an Incident with proper notice after responding to a request for service.

Section 5.04. Insurance. Insurance covering the activities of the Association will be obtained, if possible and feasible. However, it is recognized that such insurance may be financially untenable or non-existent. Therefore, each Party shall be responsible for insuring its activities as they relate to the Association. The Association may choose to require each Party to provide Certificates of Insurance or Self-Insurance demonstrating the Party's proper coverage and limits. In the event any Party has a lapse in proper insurance coverage, as determined by the Board, the Party may be suspended from participation in the Association.

ARTICLE VI DURATION, WITHDRAWAL, AND TERMINATION OF INTERLOCAL AGREEMENT

Section 6.01. Duration. The existence of the Association commences on the Effective Date and continues until terminated in accordance with Section 6.03.

Section 6.02. Withdrawal by a Party. Any Party may withdraw, at any time, from this Agreement for any reason, or for no reason at all, upon thirty (30) days written notice to the Association. The withdrawal of any Party shall not terminate or have any effect upon the provisions of this Agreement so long as the Association remains composed of at least two (2) Parties. Parties withdrawing from the Association and subsequently requesting a mutual aid resource from an Association member may be subject to reasonable fees for that resource according to the fee schedule established, and periodically reviewed and updated, by the Association Board.

Section 6.03. Termination. This Agreement shall continue until terminated by the first to occur of the following:

- (a) The Association consists of less than two (2) Parties; or
- (b) A unanimous vote of termination by the total membership of the Association Board.

Section 6.04. Disposition upon Termination. As soon as possible after termination of this Agreement, the Association shall wind up its affairs as follows:

(a) All of the Association's debts, liabilities, and obligations to its creditors and all expenses incurred in connection with the termination of the Association and distribution of its assets shall be paid first.

(b) Any remaining assets shall be distributed equally to the remaining Parties.

ARTICLE VII ASSOCIATION BOARD

Section 7.01. Association Board Composition. The governing body of each Party shall appoint one (1) individual from its Fire Department to serve as a member of the Association Board, who shall serve at the pleasure of the governing body of the appointing Party. In the absence of a specific appointment by a Party's governing body, its Fire Chief is hereby declared to be its appointed representative on the Association Board.

Section 7.02. Association Board Authority. The Association Board shall have the powers of the Association, including adopting and amending needed rules, procedures, bylaws and any other matters deemed necessary by the Parties. The Association Board shall elect a President, Vice-President, Secretary, and Treasurer and such other officers as it deems necessary from the membership. The Association Board shall elect a member and an alternate to serve as the voting representative on the Michigan MABAS Executive Board. The Association Board Officers shall serve without compensation. The Association Board may establish committees as it deems necessary.

Section 7.03. Association Bylaws. At its first meeting, to occur 6 months after the Association is first established by the adoption of this agreement by 2 or more members, the Board shall adopt the Association Bylaws attached hereto, without modification, and shall review them thereafter on a regular basis. After initial adoption, the Board may approve amendments of such Bylaws upon a 2/3 vote of the total Board membership, and any such amendment shall not be effective for a period of at least sixty (60) days following approval of the amendment.

ARTICLE VIII FIRE SERVICES

Section 8.01. Requests for Fire Services. The Fire Chief, the ranking officer on duty, or other officer as designated by the Fire Chief, shall have the right to initiate requests for Fire Services at such times as deemed to be in the best interests of the

Party to do so. Response of mutual aid resources shall be in accordance with the Mutual Aid Box Alarm System in place at the time of the request. Nothing within this agreement shall prohibit a Party from activating existing mutual aid agreements.

Section 8.02. Response to Request for Fire Services. Upon a Fire Department's receipt of a request from another Party for Fire Services, the Fire Chief, the ranking officer on duty or other officer as designated by the Fire Chief shall have the right to commit the requested Fire Fighters, other personnel, and Fire Apparatus to the requesting Party. A Party shall provide Fire Services to any other Party upon request provided that the assisting Party shall have the right to maintain the operational capability of their own jurisdiction. An authorized representative of the Party which has withheld or refused to provide requested assistance under this Agreement shall immediately notify the requesting Party, and shall submit an explanation for the refusal to the Association Board in writing to the requesting Party within ten (10) days of the refusal. A Party responding to a request for Fire Services shall not be required to maintain Fire Fighters or Fire Apparatus within the boundaries of the requesting Party for a period longer than is necessary or until such time the Responding Party needs its resources to maintain the operational capacity of its own jurisdiction. Additional response guidelines may be established by the Association Board or by the Bylaws.

Section 8.03. Dispute Resolution and Recourse Regarding Mutual Aid Requests. In the interest of fostering a fair and sustainable mutual aid arrangement between the Parties, the following methods of dispute resolution shall be available to the Parties:

(a) If a Party believes their resources have been requested by another Party on multiple occasions in abuse of the intent of this Agreement, or if a Party believes the refusal to respond to a request was unreasonable, it may file a complaint with the Association Board for resolution under subsection (b), below.

(b) Without waiving the rights, powers, privileges and authority of individual jurisdictions to address issues at the direction and discretion of their governing body, upon receipt of a complaint under (a), above, the Association Board, shall appoint a panel of three Association Board members that will investigate the complaint and make recommendations for resolution, and the Association Board shall thereafter determine the resolution of the complaint. For purposes of considering such complaints, the Association representatives of the complaining Party and the Party that is the subject of the complaint, shall not participate in and shall abstain from any vote concerning the complaint, but shall be given an opportunity to submit statements and materials to the Association Board for its consideration. The determination of the Association Board shall not be at the same meeting at which the panel's recommendation concerning the complaint is first discussed. An unreasonable refusal of service may constitute

grounds for removal from the Association, as determined by the Association Board. An abuse of the intent of this Agreement may constitute grounds for cost recovery or removal from the Association, as determined by the Association Board.

Section 8.04. Mutual Aid Box Alarm System. All Parties shall utilize the Mutual Aid Box Alarm System as specified by the Association.

Section 8.05. Incident Management System. Command, control and coordination at an Incident shall be conducted in accordance with the National Incident Management System (NIMS). The Fire Chief, the ranking officer on duty or other officer of the requesting Party shall be the officer in charge of the Incident. All Fire Fighters, other personnel and Fire Apparatus of the responding Party shall be under the command and control of the highest commanding officer of the responding Party. All directives and orders by the officer in charge of operations at the Incident regarding Fire Fighters, other personnel and Fire Apparatus shall be directed to the highest ranking officer of the responding Party.

Section 8.06. Obligations to Non-Parties. This Agreement shall not release any Party from any agreements such Party may have with any individual or legal entity relating to Fire Services who is not a Party to this Agreement. This Agreement shall not preclude, supersede or negate the activation or the fulfillment of the terms of any local, regional or state mutual aid or reciprocal aid compacts or agreements.

ARTICLE IX ADMISSION AND REMOVAL OF PARTIES

Section 9.01. Admission. A political subdivision may become a Party upon approval of two-thirds of the total Association Board.

Section 9.02. Removal. A Party may be removed from the Association upon a vote of two-thirds of the Association Board.

Section 9.03. Active Members. The Board shall maintain a current list of parties after the effective date, to include any new party as approved by the Board.

ARTICLE X FINANCES

Section 10.01 Dues, Fees and Assessments. The Association Board shall determine any dues, fees and assessments to each Party, the amount of which and payment procedure shall be set forth in the Bylaws. Approval of an assessment shall require an affirmative vote of two-thirds of the total membership as of the date of the vote, and such an approval shall not be effective until sixty (60) days after the date of Board approval, unless a longer period of time is designated in the motion.

SECTION XI MISCELLANEOUS

Section 11.01. Entire Agreement. This Agreement sets forth the entire agreement between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any party. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement.

Section 11.02. Severability of Provisions. If a Court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.

Section 11.03. Governing Law/Consent to Jurisdiction and Venue. This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced and governed under the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret or decide any claim arising under this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan or the United States District Court for the Eastern District of Michigan, Southern Division as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.

Section 11.04. Captions. The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement.

Section 11.05. Terminology. All terms and words used in this Agreement, regardless of the numbers or gender in which they are used, are deemed to include any other number and any other gender as the context may require.

Section 11.06. Recitals. The Recitals shall be considered an integral part of this Agreement.

Section 11.07. Amendment. The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement and approval of the governing bodies of all Parties, except an amendment to remove a Party shall not require agreement or approval of the governing body of the Party being removed. Amendments to this Agreement shall be filed with the Department of State, the Office of the Great Seal, each county of the State where a Party is located, and any other governmental agency, office and official required by law.

Section 11.08. Compliance with Law. The Association shall comply with all federal and State laws, rules, regulations, and orders applicable to this Agreement.

Section 11.09. No Third Party Beneficiaries. Except as expressly provided herein, this Agreement does not create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right of indemnification (i.e., contractual, legal, equitable, or by implication) right of subrogation as to any Party's rights in this Agreement, or any other right of any kind in favor of any individual or legal entity.

Section 11.10. Counterpart Signatures. This Agreement may be signed in counterpart. The counterparts taken together shall constitute one (1) agreement.

Section 11.11. Permits and Licenses. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees/and/or agents necessary to perform all its obligations under this Agreement. Upon request, a Party shall furnish copies of any permit, license, certificate or governmental authorization to the requesting party.

Section 11.12. No Implied Waiver. Absent a written waiver, no fact, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

Section 11.13. Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the person appointed to the governing board by the governing body of the participating agency.

IN WITNESS WHEREOF, this Agreement is executed by the Parties on the date hereafter set forth.

WITNESSES:

_____	BY: _____
_____	ITS: _____
	DATE: _____
_____	BY: _____
_____	ITS: _____
	DATE: _____

[Insert added signatories, as necessary, in final]

Exhibit A

OAKLAND COUNTY MUTUAL AID ASSOCIATION

AND MABAS DIVISION BYLAWS

ARTICLE I

NAME, PURPOSE AND DEFINITIONS

Section 1. Name - This organization shall be known as Oakland County Mutual Aid Association, hereinafter referred to as the "Association."

Section 2. Purpose and Activities - The purpose and activities of this Association are stated in the Agreement and further detailed below:

- a) To render reciprocal aid between the member communities or agencies in fire protection, emergency medical service, hazardous incident response, technical rescue and other emergency services.
- b) To provide professional leadership and training in the fire service.
- c) To promote fire prevention, education, and safety in the fire service.
- d) To establish and implement cooperative programs and activities in the field of fire protection, fire prevention and emergency medical service that will enhance public safety.
- e) To provide a forum for the free exchange of ideas by Fire Department personnel.

Section 3. Definitions – To the extent any of the words and expressions defined in the Interlocal Agreement are set forth in these Bylaws, they shall have the meanings ascribed to them in the Interlocal Agreement.

ARTICLE II MEMBERSHIP

Section 1. Request for membership – Requests for membership in the Association subsequent to the establishment of the Association shall be made by the Chief Executive or Administrative Officer or the Fire Chief of the prospective political subdivision. Such request shall be made in writing to the Secretary of the Association stating the political subdivision's ability to meet all requirements as set forth in the Oakland County Mutual Aid Association Agreement and the Bylaws. Political subdivisions wishing to join the Association and benefit from its services shall be

required to pay a fee, determined by the Association Board at the time of the request. Any political subdivision within or in close proximity to Oakland County that has a Fire Department and provides Fire Services shall be eligible for membership in the Association.

Section 2. Receipt of request for membership - The Secretary shall send a copy of the request for membership to the Fire Chief of each Party. The request shall appear on the agenda for discussion at the first regular or special meeting held after receipt of the request.

Section 3. Approval – Approval of membership shall be granted by affirmative vote of 2/3 or more of the total membership at the time of such vote.

Section 4. Removal – Removal from membership shall be by affirmative vote of 2/3 or more of the total membership at the time of such vote.

Section 5. Representation - Each member shall be represented on the Board by the Fire Department Chief Officer or other representative of the Fire Department approved by the governing body of the member.

Section 6. Voting - Each member present at a meeting, through its designated representative, shall have one (1) vote on all issues brought before the Board. This vote shall be cast only by the Fire Department Chief Officer or other designated representative at scheduled meetings. Presence in person at the meeting shall be required for voting. Unless otherwise specified in the Interlocal Agreement or these Bylaws, a majority vote of those present at a duly constituted meeting of the Board shall be necessary for the transaction of business.

Section 7. Compensation. No member of the Board, including its elected officers, shall receive compensation from the Association for the performance of their duties, but each member may be reimbursed by the Association for his or her reasonable expenses in carrying out those duties.

ARTICLE III OFFICERS

Section 1. Officers – The officers of this Association shall consist of: President, Vice-President, Secretary and Treasurer.

Section 2. Term of office – The terms of office of all officers of the Association shall be from January 1 to December 31 of each year.

Section 3. Election of officers – The election of officers shall be conducted at the first regular scheduled meeting where a quorum is present after September 30th of each year. If there is not a quorum at a regular scheduled meeting between September 30th and December 31st of any year, the officers of the Association shall be elected at the first regular meeting when a quorum is present after January 1st, and officers shall commence their terms in all respects as if they had been elected prior to January 1st. Officers shall be elected by a majority vote of those present and voting at a duly constituted meeting. If an officer vacates his or her position mid-term for any reason, nominations shall be made and voted upon at the next scheduled meeting or a special meeting called by the President or, in the President’s absence, the Vice-President of the Association.

Section 4. Duties of officers - The President shall be the Chief Officer of the Association. The President shall preside at all meetings of the Association. The President shall call meetings as necessary or as requested by a simple majority of the membership.

The Vice-President shall assume the duties of the President in his absence or unavailability for any cause.

The Secretary shall assume the duties of President in the absence of the President and Vice-President at any duly constituted meeting. The Secretary shall keep the records and minutes of the Association and shall maintain the roster of members, the Mutual Aid Agreement, Bylaws, and all other documents. It shall be the Secretary’s duty to receive and acknowledge all communications of the Association, and perform such duties as assigned by the President.

The Secretary shall provide each member of the Association a copy of the minutes of each past meeting at least ten days prior to the next regular scheduled meeting.

The Treasurer shall be custodian and sole depositor of the funds of the Association and shall disburse such funds by check as herein authorized or upon approval of the Board. The Treasurer shall render a complete summary of all income, disbursements and balances whenever requested by the Board, and to the membership at each regular meeting. A written copy shall be made available to any member upon request. The Treasurer shall invoice and collect all dues, assessments and fees from the membership.

ARTICLE IV

MEETINGS

Section 1. Regular meetings – The regular meetings of the Association shall be on the third Wednesday of each month, except the months specifically omitted by a majority vote of the members present at a regular scheduled meeting.

Section 2. Special meetings –Special meetings of the Association may be called by the President of this Association, or by a majority of the members who petition the President. The place and time shall be determined by the President. Proper notice of at least five days shall be given to all members.

Section 3. Rules of Order – All meetings shall be conducted in compliance with Robert's Rules of Order.

Section 4. Motions requiring special procedures. All motions for termination and assessment and dues changes must be made at meetings at least one month prior to the meeting where the vote on the motion is taken.

Section 5. Quorum - A quorum shall be required for the conduct of any business at regular and special meetings. A quorum shall be a majority of the total membership of the Association at the time of the meeting. A quorum for removal proceedings or for a waiver of annual dues shall be two-thirds of the total membership of the Association at the time of the meeting.

Section 6. Attendance - Any member whose board representative fails to attend three regular meetings of the Association within one calendar year shall be notified of such absences in writing by the Secretary. Such notification shall be sent to the Fire Chief of such member community. Failure to attend regular meetings will result in the loss of participation point values and additional assessments may be charged.

Section 7. Fiduciary Duties – The members are under a fiduciary duty to conduct the activities and affairs of the Association in the best interests of the Association. The members of the Association shall discharge this duty in good faith. In the event that any members of the Association Board are faced with a conflict between their fiduciary duty to the Association and the duty owed to their respective political subdivision, those members should refrain from voting on the issue presenting the conflict of interest.

**ARTICLE V
DUES, ASSESSMENTS, AND FEES**

Section 1. Dues – The annual dues for the Association shall be \$_____ per member (political subdivision).

Section 2. Assessments – Assessments may be levied in the following manner:

- a) An assessment proposal may be submitted, in writing, by any member to the Secretary.
- b) This proposal shall be placed on the agenda at the next regular scheduled meeting. The proposal shall be read and placed on the floor for discussion, but no vote shall be taken.
- c) The proposal shall be entered in the minutes and published.
- d) The proposal shall be brought to the floor for further discussion and voted upon at the next regular scheduled meeting.
- e) Assessment motions must indicate a commencement date at least sixty (60) days after approval and indicate when the assessment expires.

Section 3. Deposits and Investments. The Association shall deposit and invest all funds of the Association not otherwise employed in carrying out the purposes of the Association, in accordance with an investment policy established by the Association Board and consistent with laws regarding investment of public funds.

Section 4. Fees – Fees or other charges shall be brought before the membership for approval in the same manner as assessments.

Section 5. Timeliness of Payments – Dues, fees, assessments and other charges are due in advance by each member.

Section 6. Failure to pay – The failure of any member to pay all dues, assessments, or fees within 90 days of the start of the fiscal year shall forfeit membership in the Association. Reinstatement is conditioned on approval of the membership and payment of all arrears.

Section 7. Prorating of Charges - When new members are accepted for membership, dues and assessments shall be prorated in accordance with their official fiscal year. All other fees, however, shall be paid in full.

Section 8. Expenditures – Expenditures exceeding \$1,000.00 shall be approved at a regularly scheduled meeting.

ARTICLE VI COMMITTEES

Section 1. Special committees –The Association Board may establish such committees as are necessary to conduct the business of the Association. Ad hoc committees may be established by majority vote of the Association Board for short term purposes as may be necessary to the Association, however any committee whose active work continues for greater than one (1) year shall be considered a standing committee except by majority vote of the Association Board. Standing committees may be established by majority vote of the Association as may be necessary to the Association.

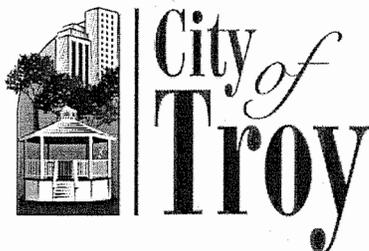
Section 2. Standing committees - Committee Composition and Membership. Standing committees established by majority vote of the Association shall be comprised of a Chief Officer, nominated and elected by the Association from each of the geographic mutual aid areas represented within the Association. Additional technical expertise from members may be added to such committees as necessary to conduct the business of the committee upon majority vote of the committee.

ARTICLE VII AMENDMENT

Section 1. Requirements - These Bylaws may be amended at any regular or special meeting of the Association by an affirmative vote of two-thirds of the members present in the following manner:

- a) Any member in good standing at a regular meeting may propose an amendment, alteration, revision or addition to the Bylaws of this Association.
- b) A written copy of the proposed amendment, alteration, revision or addition shall be filed with the Secretary.
- c) The Secretary shall publish the proposed amendment, alteration, revision or addition in the minutes, and read the proposal at two successive meetings, and it shall be voted upon at the second successive meeting.

Section 2. Effective date - Amendments of the Bylaws shall be effective sixty (60) days after the vote, unless a longer period of time is designated by a majority vote of the Board.



CITY COUNCIL ACTION REPORT

November 6, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
 Steven J. Vandette, City Engineer *[Signature]*
 John K. Abraham, Deputy City Engineer/Traffic Engineer *[Signature]*

SUBJECT: Traffic Committee Recommendation - Parking Restrictions on Ivy Lane

Background:

At the September 19, 2007 meeting of the Traffic Committee, the US Postal Service requested moving the parking restrictions on Ivy Lane from the south side of the street (as per 1979 City Council resolution that the fire hydrant side of all residential roads shall be marked no parking) to the north side of the street for safer and more efficient mail delivery, since the mailboxes are on the north side. The committee recommended no changes to parking restrictions on Ivy Lane, and City Council referred the item back to City management. The section of Ivy under consideration is west of Carlson Park Drive and the nearest fire hydrant is around 60 feet east of Carlson Park. The Fire Department was consulted on this issue, and has no objection to moving the parking restrictions from the south to the north side (memo attached). At the Traffic Committee meeting, there was one resident of the street who objected to moving the parking restrictions, and the committee recommended no changes (meeting minutes attached).

Financial Considerations:

- Changing the parking restrictions will involve removing two No Parking signs from the south side and installing three No Parking signs on the north side of Ivy at a cost of around \$250.

Legal Considerations:

- This will involve issuing a new Traffic Control Order exempting the subject portion of Ivy Lane west of Carlson Park from TCO #79-15-P that restricts parking on the fire hydrant side of City streets.

Policy Considerations:

- Goal I – Enhance livability and safety of the community.

Options:

- Council can approve or deny the recommendations.

Meeting Minutes from the September 19, 2007 meeting of the Traffic Committee

9. Install NO PARKING Signs on the North Side of Ivy Lane

Betty Brown-York, from the Troy Post Office, called regarding Ivy Lane. The NO PARKING signs are not all on the same side of the street. Cars park on the north side in front of #394, 370 and 346, and block the mailboxes (see attached sketch and photos). It has been an inconvenience for the mail carrier to deliver mail and so they request the parking restriction be moved from the south side to the north side of the street.

The parking restrictions on Ivy Lane are in accordance with the City Council resolution that all water main sides of residential streets should be marked NO PARKING as shown in the picture. This is for easy access to fire hydrants in case of emergencies. The parking restriction extends from the west side of Ivy Lane (in the north-south section) and continues on the south side of the east-west portion of Ivy Lane. The mailboxes are along the west and north sides of the street.

Mr. Feng Lin, 3465 Ivy, thinks it would be better to move the mailboxes to the south side of Ivy Lane and have the NO PARKING signs follow the hydrants in the usual way.

It can also be seen that there is no fire hydrant on Ivy Lane west of Carlson Park and the change requested may not affect access to fire hydrants.

David Boyle, Supervisor at the Troy Post Office, addressed the committee. He said when mailboxes are blocked by parked cars, postal workers have to dismount from their trucks and cross the street on foot to make deliveries. If the problem persists, the post office can discontinue delivery. He also mentioned that mail carriers experience kids darting from between parked vehicles, causing potential conflicts with mail vehicles.

Mr. Diefenbaker suggested that the mailboxes be moved from the north side to the south side of the road where parking is restricted already.

Mr. Boyle indicated that due to the configuration of the street the mail carrier will have to make a "U" turn on Ivy Lane to service the mailboxes if they are moved to the south side. He also mentioned that making "U" turns also presents a safety hazard, particularly in snowy/icy conditions especially when snow is plowed and piled at the sides of the road.

Mr. Lin indicated that the 90-degree curve on Ivy offers wider pavement, or an "eyebrow," where "U" turns can be completed safely.

Mr. Kilmer suggested signs prohibiting parking only during the day; e.g., from 8 a.m. to 5 p.m. to allow easy access to mailboxes during delivery time.

RESOLUTION #2007-09-56

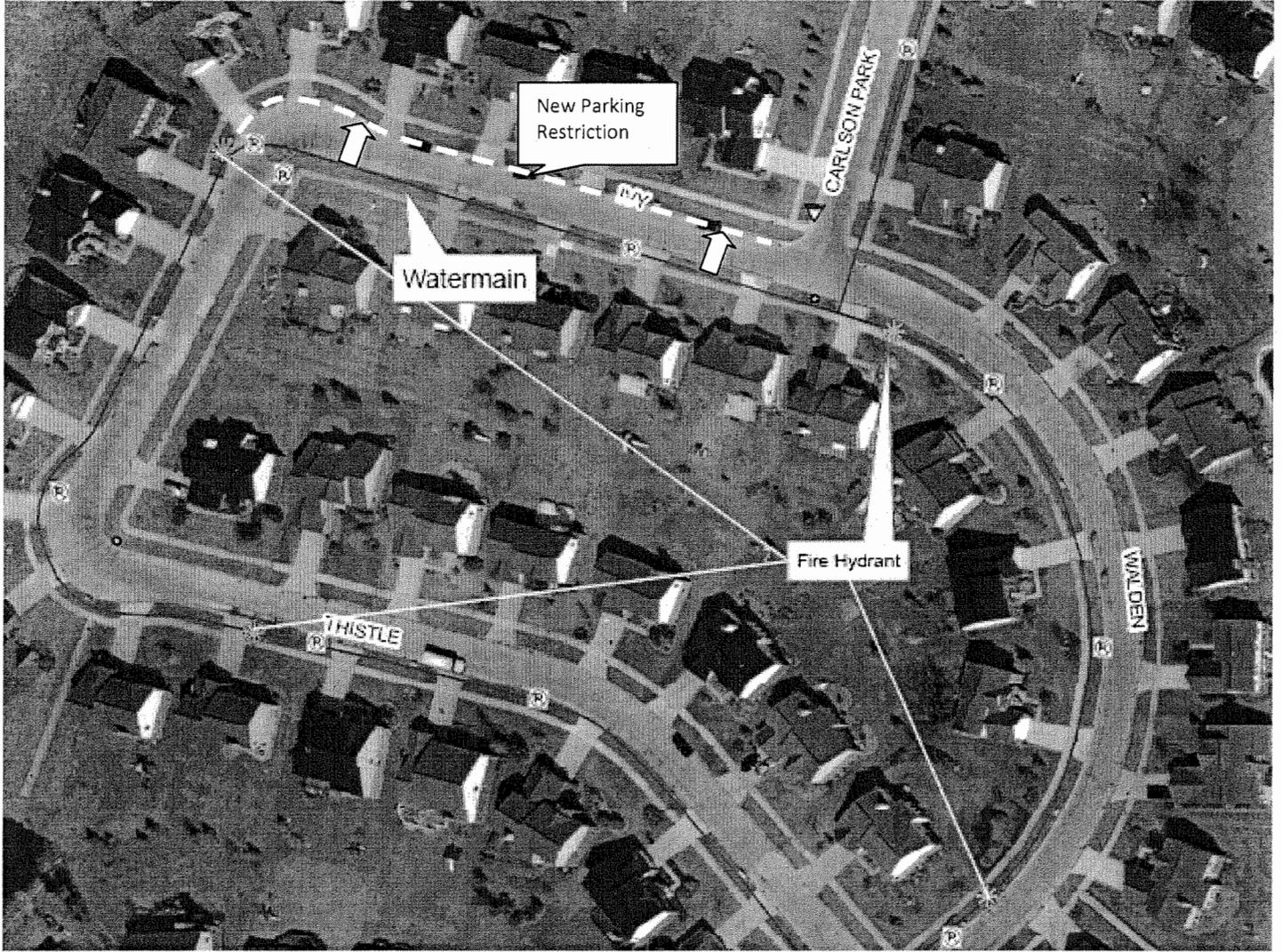
Moved by Schepke

Seconded by Diefenbaker

To recommend no changes to parking regulations on Ivy Lane.

YES: 6
NO: 1 (Kilmer)
ABSENT: None
MOTION CARRIED

Mr. Kilmer prefers signs prohibiting parking only during the day; e.g., from 8 a.m. to 5 p.m.





City of
Troy

Fire Department

500 West Big Beaver Road

Troy, Michigan 48084

Phone: 248-524-3419

Fax: 248-689-7520

To: John Abraham

Re: Ivy Drive, No Parking Sign Posting

I have checked the posting of the water main side of the street on Ivy Drive. The Fire Department would not have a problem in keeping the No Parking on the south side of Ivy up to the East property line of 337 Ivy, with a sign 50' from fire hydrant stating No Parking stops at that point and move the No Parking signs to the North side of Ivy Drive where the mailboxes are located.

Lt. Robert Matlick



CITY COUNCIL ACTION REPORT

November 5, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer
John K. Abraham, Deputy City Engineer/Traffic Engineer

SUBJECT: Traffic Committee Recommendations
October 17, 2007

Background:

The Traffic Committee considered these items at the October 17, 2007 meeting and made the following recommendations (minutes attached):

- Recommend installing a YIELD sign on the north end of Sandshores at Walker (Item 4).
- Recommend installing a YIELD sign on Woodcrest at Hilltop (Item 5).

Financial Considerations:

- The cost of installing a YIELD sign is approximately \$100.

Policy Considerations:

- Goal I – Enhance livability and safety of the community.
- Goal V – Maintain relevance of public infrastructure to meet changing public needs.

Options:

- Council can approve or deny the recommendations.

A regular meeting of the Troy Traffic Committee was held Wednesday, October 17, 2007 in the City Council Boardroom at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:30 p.m.

1. Roll Call

PRESENT: Sara Binkowski
Ted Halsey
Jan Hubbell
Gordon Schepke
Pete Ziegenfelder

ABSENT: John Diefenbaker
Richard Kilmer
Ted Hwang, Student Rep.

Also present: Indra Saini, 4337 Bender Court
Inder Saini, 4337 Bender Court
Jayant Patel, 6668 Woodcrest
Donna Green, 6950 Killarny Lane
Greta & Bob Nixon, 6905 Limerick Lane
Pat Guibord, 6323 Walker
RamaRao Cherukuri, 6850 Adams Road

and John Abraham, Traffic Engineer
Lt. Scott McWilliams, Police Department
Lt. David Livingston, Police Department
Lt. Robert Matlick, Fire Department

RESOLUTION #2007-10-61

To excuse Mr. Diefenbaker and Mr. Kilmer.

YES: All-5
NO: None
ABSENT: 2 (Diefenbaker, Kilmer)
MOTION CARRIED

2. Minutes – September 19, 2007

RESOLUTION ##2007-10-62

Moved by Hubbell
Seconded by Schepke

To approve the September 19, 2007 minutes as printed.

Daniel Popplestone, 6612 Woodcrest, emailed the Traffic Engineer that he and his wife do not want waivers granted anywhere in the City. They would like to be able to walk anywhere in the City via a sidewalk. They also notice increasing use of sidewalks by residents for walking, running and bike riding.

Mike Moss, 2808 Donegal, left a message for the Traffic Engineer saying that he is strongly opposed to a sidewalk waiver at this location.

Christine Moss, 2808 Donegal, emailed the Traffic Engineer asking that the waiver be denied, particularly on the South Boulevard side of the property.

RESOLUTION #2007-10-63

Moved by Hubbell

Seconded by Schepke

WHEREAS, the Traffic Committee has determined, after a public hearing, that Petitioner failed to establish the standards justifying the granting of a waiver on South Boulevard,

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee denies a waiver of the sidewalk requirement for the South Boulevard (north) side of the property at 6850 Adams, which is owned by Bharatiya Temple.

YES: All-5

NO: None

ABSENT: 2 (Diefenbaker, Kilmer)

MOTION CARRIED

RESOLUTION #2007-10-64

Moved by Hubbell

Seconded by Schepke

WHEREAS, City of Troy Ordinances, Chapter 34, Section 8(D) allows the Traffic Committee to grant temporary waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Bharatiya Temple has requested a temporary waiver of the requirement to construct sidewalk on the property, and

WHEREAS, the Traffic Committee has determined the following:

a. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and

b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and

c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

5. Install YIELD sign at Woodcrest and Hilltop

Elaine Neckrock, 6633 Woodcrest, requests a YIELD sign on Woodcrest at Hilltop. She lives on the corner and has witnessed several near crashes due to the traffic southbound on Woodcrest not yielding to the Hilltop traffic. Ms. Neckrock was unable to attend the meeting but she sent a letter (attached) supporting her request.

Jayant Patel, 6668 Woodcrest, said that since the new part of their subdivision has been completed, traffic volumes and speeding have increased. Woodcrest is a long stretch of road and it's easy to gather speed. He thinks a STOP sign would be better than a YIELD.

The Traffic Engineer received an email (attached) from Daniel Popplestone stating that he does not see a need for any traffic control signs at this location.

Pete Ziegenfelder mentioned that he is in favor of traffic control devices at every intersection.

Mr. Schepke and Mr. Halsey stated that they have never seen a subdivision with so few STOP and YIELD signs. The Traffic Engineer mentioned that traffic control devices do not automatically go in unless they are warranted. All traffic control devices have to be approved by City Council and have an official Traffic Control Order for the Police Department to enforce the signs. Also, even with few traffic control devices in the subdivision, there are no noticeable safety concerns such as a high incidence of traffic crashes.

Lt. McWilliams said the police officers like to see traffic control devices at intersections; in the event of a collision, it's easier to determine fault.

Traffic crash studies show that there have been no reported crashes at the intersection in the past 5 years. Traffic volumes study shows that Woodcrest carries around 460 vehicles per day while Hilltop carries 550 vehicles in a day. No major sight obstructions exist at the location.

RESOLUTION #2007-10-66

Moved by Schepke

Seconded by Hubbell

Recommend installing a YIELD sign on Woodcrest at Hilltop.

YES: All-5

NO: None

ABSENT: 2 (Diefenbaker, Kilmer)

MOTION CARRIED

6. Visitors' Time

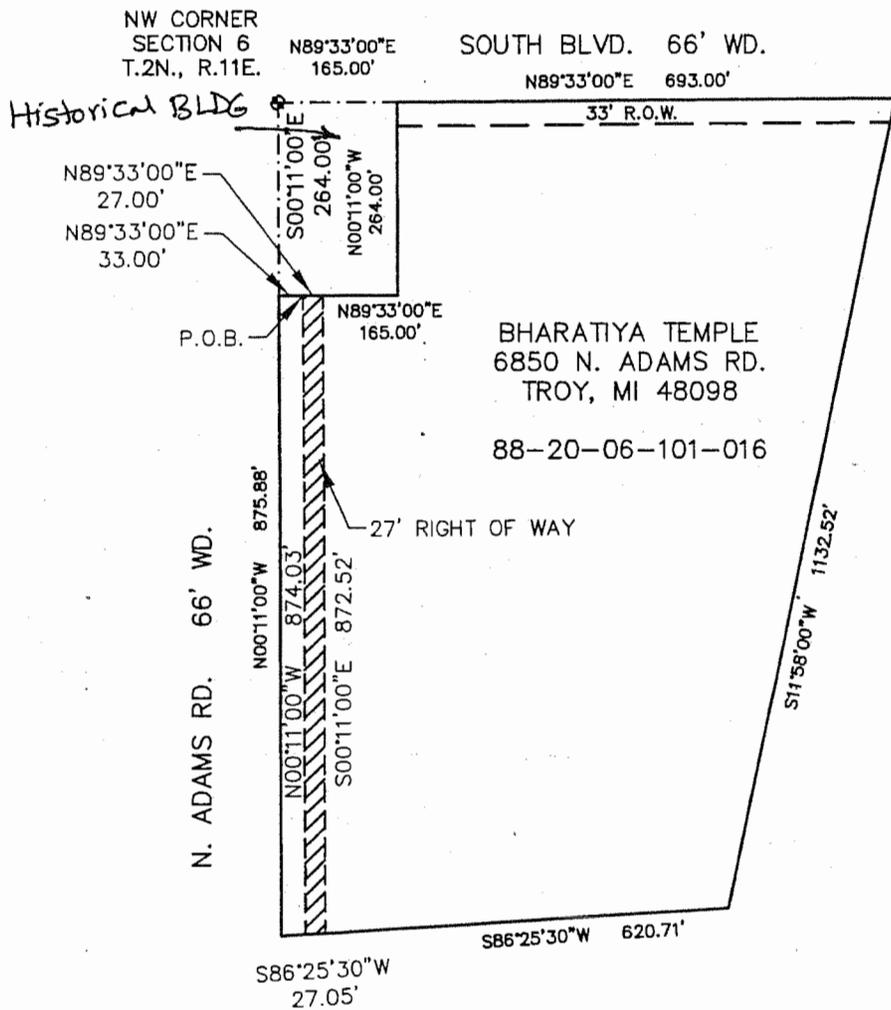
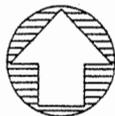
No one else wished to address the committee.



23917 Cass Street, Farmington, MI 48335
TEL - (248) 478-3423 • FAX (248) 478-5656
www.metcoservices.com

EXHIBIT B

27' N. ADAMS RD. RIGHT OF WAY



CLIENT: Bharatiya Temple

ADDRESS: 6850 N. Adams Rd.

CITY, STATE & ZIP: Troy, MI 48084

CITY/TWP: Troy SEC./P.C.: 6 COUNTY: Oakland

DATE: August 29, 2007 DRAWN BY: GAT

JOB NO.: 0509 SHEET NO.: xxx

SCALE: 1" = 200'

BOOK/PAGE: N/A



STEPHEN R. JACOBI PROFESSIONAL SURVEYOR #43057

From: Daniel H. Popplestone [mailto:dan@popplestone.com]

Sent: Tuesday, October 16, 2007 4:17 PM

To: John K Abraham

Subject: Side Walk Waiver-Adams Road

Dear Mr. Abraham:

We noted with the agenda sent regarding a stop sign request for our corner there was also a sidewalk waiver request.

In general, we would urge that side walk waivers not be granted anywhere in the City.

We find personally and also have observed an increasing usage of sidewalks by residents for walking, running and bike riding.

We do look forward to the day we can go anywhere in the City via a sidewalk. Therefore, we would urge that sidewalk waivers not be granted. It will only cost us all a lot more in the future to end up connecting the waived parts together.

Daniel H. And Gail B. Popplestone

6612 Woodcrest Drive // Troy, Michigan 48098-6518

Tel: 248.828.1463 // Fax: 248.828.4013 // Email: dan@popplestone.com and gail@popplestone.com

ITEM 3

From: Christine K. Moss-President [mailto:cmoss@mail.mossworld.com]
Sent: Tuesday, October 16, 2007 9:50 AM
To: John K Abraham
Subject: Request for Sidewalk Waiver-6850 Adams Rd

Mr. Abraham:

I am Christine Moss, I live at 2808 Donegal Dr, Troy, MI, 48098, in the Lake Chamwood Subdivision.

I cannot make the hearing tomorrow night, but would like to express my wish that the Request for the Sidewalk Waiver be denied by the city. As a resident of this neighborhood, I feel this sidewalk is appropriate, particularly along South Blvd. The Bharatiya Temple was generously granted permission to greatly expand their center in an obviously residential area, and I believe the sidewalk will help blend the Temple into the community more AND be a big benefit to the surrounding neighborhoods. PLEASE DENY THIS REQUEST FOR THE SIDEWALK WAIVER.

Thank you,

Christine Moss

ITEM 4

From: Jim Zoellner [mailto:jzoellner2387@wideopenwest.com]
Sent: Wednesday, October 17, 2007 12:55 PM
To: John K Abraham
Subject: Request for yield sign - Sandshores at Walker

To: Troy Traffic Committee

Attention: John K. Abraham, Traffic Engineer

Dear Mr. Abraham,

At the annual meeting of the Emerald Lakes Village Homeowners Association on October 16th, it was unanimously agreed to support the request of homeowner Pat Guibord for a yield sign at the subject intersection.

There is an ongoing dangerous situation as drivers turn at this corner without slowing to a safe speed. In addition because of the active nature of our subdivision (a lake access lot is within 200 feet of the intersection), there is significant pedestrian and biking traffic which is more difficult to see and avoid.

Thank you for your consideration,

James Zoellner, President
Emerald Lakes Village Homeowners Association
P.O. Box 113
Troy, MI 48099

MEMORANDUM

DATE: October 17, 2007
TO: Traffic Committee
FROM: Elaine Neckrock *Elaine*
SUBJECT: **October 17, 2007 Meeting Agenda
#5 Regular Business**

I received my notice for the meeting but had a prior commitment and am unable to attend this evening.

I did, however, want to state my reasons for requesting a STOP sign at the junction of Woodcrest and Hilltop.

My kitchen window faces Hilltop and I can view the corner very easily and I continuously see individuals not being able to determine who has the right of way and the majority of people don't even acknowledge that it is any type of intersection. It appears to me to be "an accident" waiting to happen.

During the winter I have seen many vehicles slide right into the snow bank because they cannot stop of yield.

Additionally, since I made the call, this current school year, 2007, the junior high students gather at the corner at 7:30 a.m. to get the bus. I am concerned – no worried that they could be in jeopardy.

I had initially asked if a STOP sign could be installed but I think even a YIELD would make people more aware of the intersection.

Thank you very much for taking the time to hear me out thru a letter.

Elaine Neckrock

RECEIVED

OCT 17 2007

ENGINEERING

ITEM 7 -- OTHER BUSINESS
SIDEWALK WAIVER
REQUEST FOR RECONSIDERATION

To: John Abraham
From: Kris & Jeanette Parker
Date: October 15, 2007
Re Sidewalk Waivers for 5940/42 and 5960/62 Niles

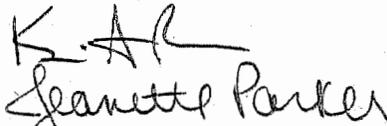
First, I need to apologize for not being present at the Traffic Committee review of our request on September 19, 2007. We had a family crisis that precluded my wife and I from being able to attend on that evening.

We are asking that the committee give us another opportunity to state our case and avoid having to put in sidewalks that come from, and go nowhere. The basis for the original request, and this plea for a second look at this request, is the fact that there are no other sidewalks on our street, and ours are the last houses to be built on the street.

Attached are pictures looking down both sides of Niles showing that our houses are along the middle of the street, and that no other sidewalks are present along the street.

Thank you in advance for your consideration.

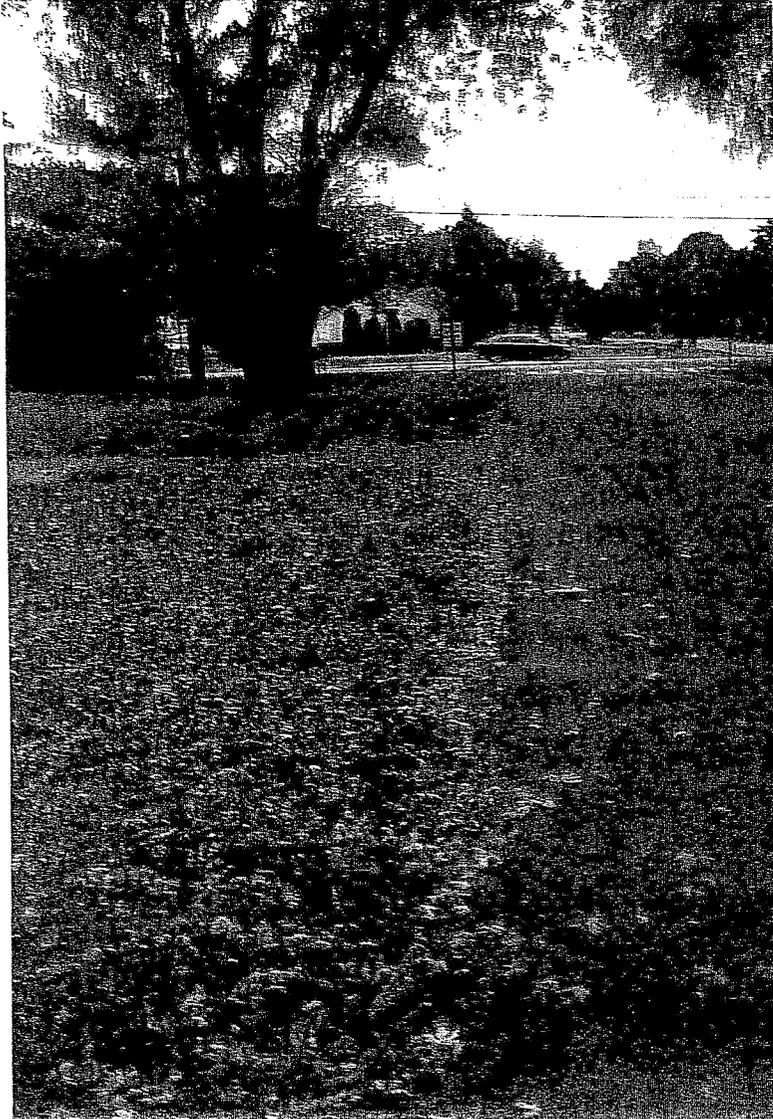
Sincerely,


Kris & Jeanette Parker

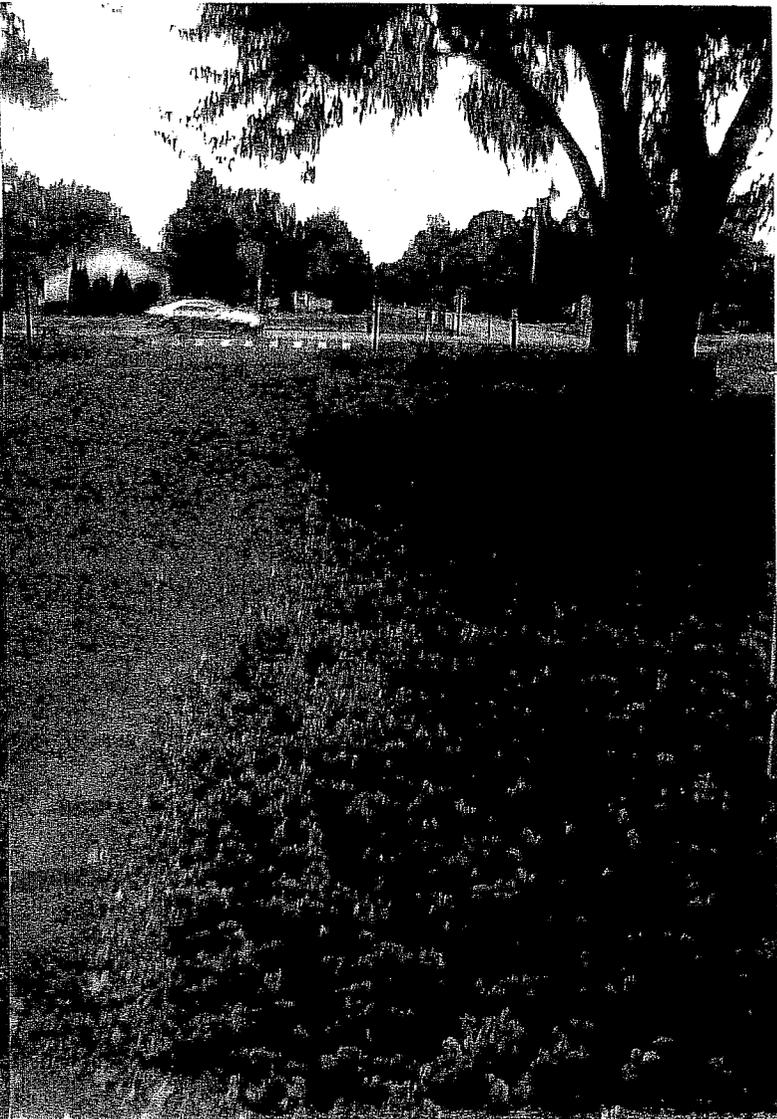
NILES - LOOKING NORTH FROM 5962 NILES.

PLEASE NOTE - NO SIDEWALKS ON EITHER SIDE OF THE STREET.

WEST SIDE



EAST SIDE



SIGN AT
5962 NILES

KLUS + JEANETTE PALLER

10/15/07

A Regular Meeting of the Troy City Council was held Monday, November 12, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:35 PM.

Mayor Pro Tem Broomfield gave the Invocation and the Pledge of Allegiance to the Flag was given.

Father John J. Mech of St. Anastasia Catholic Church offered an additional Invocation.

INSTALLATION CEREMONY: 2007-2009 City Council Convenes: a) Installation of New Members; b) Adoption of Rules of Procedure; c) Appointment of Mayor Pro Tem

(a) Installation of New Members

The Oath of Office was administered to the newly elected Council Members Robin Beltramini, Martin Howrylak, Mary Kerwin and David Eisenbacher, and Mayor Louise E. Schilling by the City Clerk.

ROLL CALL

Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Martin Howrylak
Mary Kerwin

(b) Adoption of Rules of Procedure

Resolution #2007-11-302
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **ADOPTS** the Rules of Procedure of the City Council of the City of Troy **AMENDED** as follows:

A. Reorganize and renumber Sections 9, 10, 11, and 12 as indicated below:

9. **Public Comment** – Limited to Items Not on the Agenda in accordance with the Rules of Procedure of the City Council, Article 16 – Members of the Public and Visitors.

10. E. **Regular Business**

- Council will move forward all of the “E” items on which members of the audience would like to address City Council, in accordance with the Rules of Procedure of the City Council, Article 16 – Members of the Public and Visitors.

11. E. **Regular Business**

- Address Remaining “E” Items

12. F. **Consent Agenda**

1. Approval of "F" items NOT Removed for Discussion
2. Address of "F" Items Removed for Discussion
 - Council will move forward all of the "F" items on which members of the audience would like to address City Council, in accordance with the Rules o Procedure of the City Council, Article 16 – Members of the Public and Visitors.

B. **REVISE** Section 4. REGULAR MEETINGS by **STRIKING** in its entirety and **INSERTING**:

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

Yes: All-7

(c) **Appointment of Mayor Pro Tem**

Council's Rules of Procedure address the appointment of Mayor Pro Tem as follows:

1. **Appointment of Mayor Pro Tem**

The selection of Mayor Pro Tem shall proceed in a linear fashion based on seat rotation in the following order: Martin Howrylak, Wade Fleming, Robin Beltramini, David Eisenbacher, Mary Kerwin, and Cristina Broomfield.

Resolution #2007-11-303

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPOINTS** Martin Howrylak to serve as Mayor Pro Tem for the City Council of the City of Troy.

Yes: All-7

CERTIFICATES OF RECOGNITION:**A-1 Presentations:**

- a) State Representative Marty Knollenberg presented a letter of recognition to Council Member Beltramini on behalf of himself and Senator John Pappageorge recognizing her new position as incoming Vice President of the Michigan Municipal League (MML). State Representative Knollenberg then provided a presentation explaining the state budget deficit figure.
- b) On behalf of the City of Troy Employee's *Casual for a Cause* program, Carol Anderson, Parks & Recreation Director, presented a check to Cathy Killian of Troy Foundation for Educational Excellence in the amount of \$370.22.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Rezoning Application – Proposed Office/Retail Development, South Side of Big Beaver, West of Rochester Road, Section 27 – O-1 to B-2 (File Number Z-728)

The Mayor opened the Public Hearing for public comment.
Dan McLeish - Support
The Mayor closed the Public Hearing after receiving comment from the public.

Resolution #2007-11-304
Moved by Howrylak
Seconded by Broomfield

WHEREAS, The City is in receipt of a rezoning request, from O-1 to B-2, File Number Z-728, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy;

WHEREAS, The application is consistent with the Future Land Use Plan, and is compatible with surrounding zoning districts and land uses; and

WHEREAS, The rezoning is recommended for approval by the Planning Commission;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed rezoning from O-1 to B-2.

BE IT FINALLY RESOLVED, That Troy City Council hereby **AMENDS** the Zoning District Map.

Yes: All-7

C-2 Rezoning Application – Proposed Office Building, East of Livernois, South Side of Wattles, Section 22 – R-1C to O-1 (File Number: Z-725)

The Mayor opened the Public Hearing for public comment.
Tony Haddad - Petitioner
Richard Peters – Opposed
Lee Davey - Opposed
The Mayor closed the Public Hearing after receiving comment from the petitioner and the public.

Resolution
Moved by Kerwin
Seconded by Beltramini

WHEREAS, The City is in receipt of a rezoning request, from R-1C to O-1, File Number Z-725, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy;

WHEREAS, The application is inconsistent with the Future Land Use Plan, and the application constitutes an undesirable spot zone; and

WHEREAS, The rezoning is recommended for denial by the Planning Commission;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DENIES** the proposed rezoning from R-1C to O-1.

Vote on Resolution to Amend by Substitution

Resolution #2007-11-305
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the resolution to deny the rezoning for Proposed Office Building, East of Livernois, South Side of Wattles, Section 22 – R-1C to O-1 (File Number: Z-725) by **STRIKING** it in its entirety and **INSERTING**, “RESOLVED, That Troy City Council hereby **REFERS** the proposed rezoning request, from R-1C to O-1, File Number Z-725 for Proposed Office Building, East of Livernois, South Side of Wattles, Section 22 to the Planning Commission for further deliberation”.

Yes: All-7

Vote on Resolution as Amended by Substitution

Resolution #2007-11-306
Moved by Kerwin
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **REFERS** the proposed rezoning request, from R-1C to O-1, File Number Z-725 for Proposed Office Building, East of Livernois, South Side of Wattles, Section 22 to the Planning Commission for further deliberation.

Yes: All-7

The meeting **RECESSED** at 9:55 PM.

The meeting **RECONVENED** at 10:10 PM.

C-3 Community Development Block Grant (CDBG) 2008 Application

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

Resolution #2007-11-307
Moved by Beltramini
Seconded by Kerwin

WHEREAS, The City of Troy will receive approximately \$165,141.00 for Community Development Block Grant funds for the year 2008;

WHEREAS, On November 12th, 2007 at which Public Hearing, persons were given an opportunity to provide written and oral views to the Troy City Council, the authority responsible for enacting the budget, and to ask questions about the entire budget and the relationship of the Flood Drain Improvements, Home Chore Program, and Administration; and

WHEREAS, The City Council of the City of Troy, after conclusion of the Public Hearing on this date has determined that funding should be provided through the 2008 Community Development Block Grant (CDBG) Program for Flood Drain Improvements, the Home Chore Program, and Administration;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DESIGNATES** Flood Drain Improvements, the Home Chore Program and Administration as Community Development Block Grant (CDBG) Projects for 2008; and

BE IT FINALLY RESOLVED, That the Mayor of the City of Troy is **AUTHORIZED** to sign the Application and Subrecipient Agreement and **SUBMIT** them to Oakland County.

Yes: All-7

POSTPONED ITEMS:

D-1 Zoning Ordinance Text Amendment (File Number: ZOTA 230) – Articles X and XVIII – Wireless Communication Towers on School Property in the R-1A through R-1E (One Family Residential) and C-F (Community Facilities) Districts

Resolution
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **AMENDS** Article X (R-1A – R-1E ONE FAMILY RESIDENTIAL DISTRICT) and XVIII (C-F COMMUNITY FACILITIES DISTRICT) of the City of Troy Zoning Ordinance, pertaining to the permitting of Wireless Communication Towers in the R-1A – R-1E and C-F Districts, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 230), City Council Public Hearing Draft, as recommended by the Planning Commission.

Vote on Amendment

Resolution #2007-11-308
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **AMENDS** the resolution amending Article X (R-1A – R-1E ONE FAMILY RESIDENTIAL DISTRICT) and XVIII (C-F COMMUNITY FACILITIES DISTRICT) of the City of Troy Zoning Ordinance, pertaining to the permitting of Wireless

Communication Towers in the R-1A – R-1E and C-F Districts, by **RETAINING** the language in Section I. “and shall not be permitted on developed city park sites”.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Fleming, Howrylak
No: Eisenbacher

MOTION CARRIED

Vote on Resolution as Amended

Resolution #2007-11-309
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **AMENDS** Article X (R-1A – R-1E ONE FAMILY RESIDENTIAL DISTRICT) and XVIII (C-F COMMUNITY FACILITIES DISTRICT) of the City of Troy Zoning Ordinance, pertaining to the permitting of Wireless Communication Towers in the R-1A – R-1E and C-F Districts, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 230), City Council Public Hearing Draft, as recommended by the Planning Commission **SUBJECT** to **RETAINING** the language in Section I. “and shall not be permitted on developed city park sites”.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

E-5 Preliminary Site Condominium Approval – Villas of Troy Site Condominium, South of Wattles, East Side of Finch, Section 21, 11 Units/Lots on 5.532 Acres – R-1B

Resolution #2007-11-310
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the preliminary site condominium plan, as submitted under Section 34.60.00 of the Zoning Ordinance (Open Space Preservation Option) for the development of a One-Family Residential Site Condominium, known as Villas of Troy Site Condominium, located south of Wattles, east side of Finch, in Section 21, including 11 home sites, within the R-1B zoning district, being 5.532 acres in size.

Yes: All-7

E-1 **Appointments to Boards and Committees: a) Mayoral Appointments: Downtown Development Authority b) City Council Appointments: Advisory Committee for Persons with Disabilities; Cable Advisory Committee (Postponed); Parks & Recreation Board; Southeastern Michigan Council of Governments (SEMCOG); and Troy Daze Committee**

(a) **Mayoral Appointments**

Resolution
Moved by Schilling
Seconded by Kerwin

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

Downtown Development Authority

Appointed by Mayor (13-Regular) – 4-Year Terms

Al Aceves Term Expires 09/30/2011

Planning Commission

Appointed by Mayor (9-Regular) – 3-Year Terms

Tom Krent Unexpired Term 12/31/2008

Vote on Resolution to Separate the Vote

Resolution #2007-11-311
Moved by Howrylak
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for the proposed appointments to the Downtown Development Authority and the Planning Commission.

Yes: All-7

Vote on Mayoral Appointment to Downtown Development Authority

Resolution #2007-11-312
Moved by Schilling
Seconded by Kerwin

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

Downtown Development Authority

Appointed by Mayor (13-Regular) – 4-Year Terms

Al Aceves Term Expires 09/30/2011

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini

No: Howrylak, Broomfield

MOTION CARRIED

Vote on Mayoral Appointment to the Planning Commission

Resolution #2007-11-313

Moved by Schilling

Seconded by Kerwin

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

Planning Commission

Appointed by Mayor (9-Regular) – 3-Year Terms

Tom Krent Unexpired Term 12/31/2008

Yes: Kerwin, Schilling, Beltramini

No: Fleming, Howrylak, Broomfield, Eisenbacher

MOTION FAILED

(b) City Council Appointments

Resolution

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) – 3 Year Terms

Cynthia Buchanan Term Expires 11/01/10

Cable Advisory Committee

Appointed by Council (7-Regular) – 3 Year Terms

W. Kent Voigt Unexpired Term 02/28/09

Parks & Recreation Board

Appointed by Council (7-Regular) –3 Year Terms; (1-Troy School Board)-1 Year Term; (1-Troy Daze Committee) -1 Year Term; (1-Advisory Committee for Sr. Citizens)-1 Year Term)

Jeffrey Stewart (Troy Daze Committee Rep.) Term Expires 11/30/08

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council (1-Delegate & 1-Alternate) – Reappointed Every Odd Year Election

Robin E. Beltramini (Delegate) Term Expires 11/09/09

Mark Miller (Alternate) Term Expires 11/09/09

Troy Daze Committee

Appointed by Council (9-Regular) - 3 Year Terms

Daniel O'Brien Term Expires 11/30/10

Vote on Resolution to Separate the Vote for the Proposed Appointment to the Cable Advisory Board

Resolution #2007-11-314

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for the proposed appointment to the Cable Advisory Board.

Yes: All-7

Vote on Council Appointments to Advisory Committee for Persons with Disabilities, Parks & Recreation Board, Southeastern Michigan Council of Governments (SEMCOG) and Troy Daze Committee

Resolution #2007-11-315

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) – 3 Year Terms

Cynthia Buchanan Term Expires 11/01/10

Parks & Recreation Board

Appointed by Council (7-Regular) –3 Year Terms; (1-Troy School Board)-1 Year Term; (1-Troy Daze Committee) -1 Year Term; (1-Advisory Committee for Sr. Citizens)-1 Year Term)

Jeffrey Stewart (Troy Daze Committee Rep.) Term Expires 11/30/08

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council (1-Delegate & 1-Alternate) – Reappointed Every Odd Year Election

Robin E. Beltramini (Delegate) Term Expires 11/09/09

Mark Miller (Alternate) Term Expires 11/09/09

Troy Daze Committee

Appointed by Council (9-Regular) - 3 Year Terms

Daniel O'Brien Term Expires 11/30/10

Yes: All-7

Proposed Council Appointment to the Cable Advisory Board**Pending Resolution**

Moved by Howrylak

Seconded by Broomfield

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

Cable Advisory Committee

Appointed by Council (7-Regular) – 3 Year Terms

W. Kent Voigt Unexpired Term 02/28/09

Vote on Resolution to Postpone the Vote for the Proposed Appointment to the Cable Advisory Board

Resolution #2007-11-316

Moved by Beltramini

Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES** the proposed appointment to the Cable Advisory Board until the Regular City Council meeting scheduled for Monday, December 13, 2007.

Yes: All-7

E-2 Rescind Bid Award/Re-Award Contract – Rifle Accessories

Resolution #2007-11-317

Moved by Eisenbacher

Seconded by Broomfield

WHEREAS, On October 1, 2007, a contract to purchase firearm accessories, Item #2) Surefire suppressor adapters was awarded to the low bidder, Interstate Arms Corporation of Billerica, MA, (Resolution # 2007-10-284-E-4c); and

WHEREAS, Interstate Arms Corporation has defaulted on the contract due to their inability to supply the adapters at the quoted price;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **RESCINDS** with prejudice the contract to purchase firearm accessories, Item #2) Surefire suppressor adapters from Interstate Arms Corporation, and hereby **RE-AWARDS** to the next lowest bidder, Vance Outdoors, Inc. dba Vance's Law Enforcement of Columbus, OH, at unit prices contained in the bid tabulation opened September 12, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

E-3 William Beaumont Hospital Parking Agreement

Resolution #2007-11-318

Moved by Eisenbacher

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** the Addendum to the agreement between the City of Troy and William Beaumont Hospital for the use of Flynn Park Roadway, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

E-4 Agreement to Provide Fleet Maintenance Services – City of Birmingham

Resolution #2007-11-319

Moved by Eisenbacher

Seconded by Beltramini

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 Birmingham, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

E-6 Alcohol Sales on Golf CoursesPending Resolution

Resolution

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **DIRECTS** staff to pursue options to allow alcohol to be sold on the Golf Courses; and

BE IT FURTHER RESOLVED, That Troy City Council **DIRECTS** staff to prepare addendums to the agreements with Kosch Special Events, LLC and Gallatin, Inc. (Camp Ticonderoga) that would allow alcohol sales on the golf courses.

Vote on Resolution to Postpone Proposed Resolution for Alcohol Sales on Golf Courses

Resolution #2007-11-320

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **POSTPONES** proposed resolution E-6 Alcohol Sales on Golf Courses until the Regular City Council meeting scheduled for Monday, December 17, 2007.

Yes: All-7

E-7 Continued Automatic Mailing of Absentee Voter Ballot Applications to Troy Voters on the Permanent Absentee List and Voters 60-Years of Age and Older

Resolution #2007-11-321

Moved by Broomfield

Seconded by Howrylak

WHEREAS, The City of Troy has maintained a Permanent Absentee Voters List in excess of ten-years and has mailed *Absentee Voter Ballot Applications* prior to every election to the voters on the list as well as mailed applications to voters age 60 and over, one of the statutory reasons to be eligible to receive an Absentee Ballot, for the past 7 elections;

WHEREAS, The City of Troy believes that this is a service provided to its residents and eliminating the mailings would be a disservice to voters accustomed to receiving *Absentee Voter Ballot Applications*;

WHEREAS, The Michigan Court of Appeals issued a decision on October 25, 2007, as result of an appeal by the City of Detroit to the Wayne County Circuit Court's ruling in 2005 that then Detroit City Clerk Jackie Currie had exceeded her authority to mail *Absentee Voter Ballot Applications* to Detroit voters on her Permanent Absentee Ballot Voter List, which were generally voters 60-years or older;

WHEREAS, Detroit City Clerk Jackie Currie was an elected City Clerk and was a candidate for re-election listed on the ballot when the case was filed against her;

WHEREAS, The Troy City Clerk is an appointed official and has no personal gain in the distribution of unsolicited *Absentee Voter Ballot Applications* to Troy Registered Voters;

WHEREAS, The Michigan Court decision contains language that municipal clerks are not authorized by Michigan Election Law to mail unsolicited *Absentee Voter Ballot Applications* to voters, based on the Election Law provision cited in Section 168.759(5) which states that “The clerk of the city, township, or village shall have *Absentee Voter Ballot Applications* forms available in the office of the clerk at all times and shall furnish an *Absentee Voter Ballot Application* form to anyone upon a verbal or written request”;

WHEREAS, Under Michigan Election Law, there are 478 times that the Legislature has used the words “shall not”, but no similar limitation of unsolicited mailing of *Absentee Voter Ballot Applications* is expressed in Section 168.759(5);

WHEREAS, The Home Rule City Act, MCL 117.1 et seq., gives a broad range of authority to Home Rule Cities;

WHEREAS, The Troy City Charter, Section 2.1, General Powers, states, in part, “City and its officers shall have and be vested with any and all powers which Home Rule Cities”;

WHEREAS, The Troy City Council believes that providing services to the residents of the City of Troy is a right and responsibility of local government;

WHEREAS, The City of Troy will be penalized financially by a per piece distribution of applications and ballots at the verbal or written request by qualified voters as the City will not be eligible to utilize their special Election Logo Bulk Mailing rate;

WHEREAS, The current City of Troy staffing levels will not be sufficient to handle the anticipated dramatic increase of in-person contacts for Absentee Voter Ballots;

WHEREAS, Every election administered by the City of Troy will have a dramatic increase in staffing and postage expenses;

WHEREAS, The November 2008 General Election will have an added expenditure for postage in an estimated amount of \$17,000.00 and an undetermined expenditure for an increase in part-time staffing needs;

WHEREAS, It is in the best interest for the City of Troy to encourage its voters to participate in the Election process;

WHEREAS, Troy voters are accustomed to receiving automatic mailings of *Absentee Voter Ballot Applications*, and the elimination of this practice may lead to disenfranchising voters who have previously relied upon the automatic mailing to exercise their right to vote;

WHEREAS, Discontinuing the automatic mailing of *Absentee Voter Ballot Applications* to Troy voters, who have received applications for several elections and in excess of ten-years, is a disservice to those voters; and

WHEREAS, The right to vote is one of the very fundamental provisions of the United States Constitution and it is the belief of the Troy City Council that every effort should be made to assure that right is not disturbed;

THEREFORE, BE IT RESOLVED, That Troy City Council, under the Authority given to Home Rule Cities through MCL 117.1 et seq., hereby **DIRECTS** the Troy City Clerk to continue to automatically mail *Absentee Voter Ballot Applications* to voters of the City of Troy in the manner that has been established as a practice and precedent of the Troy City Clerk's Office.

Yes: All-7

CONSENT AGENDA:

F-1a Approval of "E" Items NOT Removed for Discussion

Resolution #2007-11-322
Moved by Beltramini
Seconded by Fleming

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-2, F-4 and F-9 which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

F-3 Proposed City of Troy Proclamation(s): None Submitted

F-5 Acceptance of a Warranty Deed and Four Permanent Easements, Mayapple, LLC – Timbercrest Farms Site Condominium, Section 24, Sidwell #88-20-24-201-035 and - 019

Resolution #2007-11-322-F-5

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed for right-of-way and four Permanent Easements for water main, pedestrian walkway, sanitary sewer and storm sewer, from Mayapple, LLC, owner of the property having Sidwell #88-20-24-201-035 and 019; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the Warranty Deed and four Permanent Easements with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-6 Acceptance of Two Warranty Deeds – V3M Associates, LLC, Section 27, Sidwell #88-20-27-357-002

Resolution #2007-11-322-F-6

RESOLVED, That Troy City Council hereby **ACCEPTS** the two Warranty Deeds for right-of-way from V3M Associates, LLC, owner of the property having Sidwell# 88-20-27-357-002; and

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

F-7 Acceptance of a Permanent Easement for Public Utilities – Wayne Chow, Section 36, Sidwell #88-20-36-100-069

Resolution #2007-11-322-F-7

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easement for Public Utilities from Wayne Chow, owner of property having Sidwell #88-20-36-100-069; and

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

F-8 Acceptance of a Permanent Easement for Public Utilities – King Y. Chow Declaration of Trust Dated March 21, 2007, Section 36, Sidwell #88-20-36-100-070

Resolution #2007-11-322-F-8

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easement for Public Utilities signed by King Y. Chow, Trustee of the King Y. Chow Declaration of Trust Dated March 21, 2007, on behalf of the Declaration of Trust, owner of the property having Sidwell #88-20-36-100-070; and

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

F-10 Private Agreement for AAA Insurance Building – Project No. 07.933.3

Resolution #2007-11-322-F-10

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Ms. Marcy Galka, for the installation of water main, sanitary sewer service, and concrete sidewalk on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-11 2007 Request to Waive Recapture Form

Resolution #2007-11-322-F-11

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th);

WHEREAS, The Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years to help comply with this regulation;

WHEREAS, All unobligated 2005 and older funds are at risk of recapture December 31, 2007;

WHEREAS, Troy may protect unobligated 2005 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate Waiver request form must be submitted for each 2005 line item to the Manager of the Oakland County Community & Home Improvement Division no later than Friday, November 23, 2007;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REQUESTS** to waive recapture of 2005 CDBG funds as follows:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
730744	Flood Drain Improvements	\$82,795.00
731521	Public Services	6,749.00
731815	Special Assessment	4,703.43

F-12 City of Troy Investment Policy and Establishment of Investment Accounts

Resolution #2007-11-322-F-12

RESOLVED, That Troy City Council hereby **APPROVES** the Investment Policy and Establishment of Investment Accounts outlined in the memorandum from Assistant City Manager/Finance & Administration John M. Lamerato, dated November 2, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-13 Animal Care Service and Disposal Agreement for Fiscal Years 2008-2010

Resolution #2007-11-322-F-13

WHEREAS, The City of Troy has contracted with Oakland County Animal Care Center who has been authorized to house, care for, maintain, feed, and/or dispose of animals since January 1, 1999;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Animal Care Center Services and Disposal Interlocal Agreement by and between Oakland County and the City of Troy effective October 1, 2007 through September 30, 2010 and **AUTHORIZES** the

Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-14 Private Agreement for 6951 Rochester Road – Gas Station Project No. 06.926.3

Resolution #2007-11--322-F-14

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Sharrak Petroleum, for the installation of concrete and asphalt approaches, aggregate base, concrete curb and gutter, and concrete walkway on the site and in the adjacent right of way, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-15 Approval of Subdivision Entrance Signs/Agreement Mount Vernon Estates Subdivision

Resolution #2007-11-322-F-15

RESOLVED, That Troy City Council hereby **APPROVES** as to the design and materials proposed, the sign application submitted by the Mount Vernon Estates Homeowners Association for the placement of signs within the medians of Colonial at the intersection of Wattles, Ramblewood at the intersection of Wattles and at Mt. Vernon at the intersection of John R; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the agreement regarding the maintenance and liability coverage for the sign, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-1b Address of “E” Items Removed for Discussion by City Council and/or the Public

F-2 Approval of City Council Minutes

Resolution #2007-11-323

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of October 15, 2007 be **APPROVED** as corrected.

Yes: All-7

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Avondale Youth Assistance**

Resolution #2007-11-324-F-4a

Moved by Beltrami

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **GRANTS** approval to expend funds budgeted in the 2007/2008 fiscal year to the Avondale Youth Assistance to provide counseling and community services to prevent youth offender recidivism to the residents of Troy who reside in the Avondale School District at a cost of \$2,210.00, and **AUTHORIZES** the Mayor and City Clerk to execute the agreements, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

b) Standard Purchasing Resolution 3: Exercise Renewal Option – Fertilization Services at Sylvan Glen and Sanctuary Lake Golf Courses

Resolution #2007-11-324-F-4b

Moved by Beltrami

Seconded by Kerwin

WHEREAS, On February 5, 2007, a one-year contract with an option to renew for one additional year to provide fertilization services to the City golf courses was awarded to the lowest bidder meeting specifications, Turfgrass, Inc. of South Lyon, MI (Resolution #2007-02-031-E-4a); and

WHEREAS, Turfgrass, Inc. has agreed to exercise the one-year option to renew under the same prices, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract for one additional year to provide fertilization services to the City golf courses with Turfgrass, Inc. of South Lyon, MI, under the same contract prices, terms and conditions expiring December 31, 2008.

Yes: All-7

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

Resolution #2007-11-324-F-4c

Moved by Beltrami

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase four (4) 2008 Ford Expedition 4X4's from Signature Ford of Owosso, MI, through a Macomb County Cooperative Purchasing Agreement for an estimated total cost of \$103,247.50.

Yes: All-7

d) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tactical Vests**

Resolution #2007-11-324-F-4d

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase Tactical Vests for the Troy Police Department from grant monies made available through the Department of Justice, Bulletproof Vest Partnership Grant Program to the lowest bidder meeting specifications, Michigan Police Equipment Company of Charlotte, MI, at the unit price detailed in the bid tabulation opened May 30, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of June 30, 2009; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the expenditure of matching City funds for one-half the cost of the vests.

Yes: All-7

e) **Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder – Ice Melt Compound**

Resolution #2007-11-324-F-4e

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of ice melt compound with an option to renew for one (1) additional year for the City of Troy and participating MITN (Michigan Intergovernmental Trade Network) Purchasing Cooperative Members to the lowest acceptable bidder, Washington Elevator Co., Inc., of Washington, MI, at the unit price contained in the bid tabulation opened October 9, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of October 31, 2008.

Yes: All-7

f) **Standard Purchasing Resolution 4: MITN Cooperative Award – City of Rochester Hills Single Axle Dump Truck**

Resolution #2007-11-324-F-4f

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2008 Sterling L 8500 5-7 yard dump truck with snow plow and salt spreader from Wolverine Truck Sales, Inc. of Dearborn, MI, through a MITN Cooperative Award hosted by the City of Rochester Hills for an estimated total cost of \$129,605.00.

Yes: All-7

g) Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidder – Annual Flowers and Bedding Plants

Resolution #2007-11-324-F-4g

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide seasonal requirements of annual flowers and bedding plants for 2008 to the lowest acceptable bidder, Meiring Greenhouse & Farms of Carleton, MI, at unit prices contained in the bid tabulation opened October 29, 2007, for an estimated total cost of \$11,017.50; and

BE IT FURTHER RESOLVED, If additional annuals or bedding plants are required, such additional materials are **AUTHORIZED** in an amount not to exceed 20% of the estimated total cost or \$2,203.50.

Yes: All-7

F-9 Approval of Purchase Agreement for Right-of-Way – Sidewalk Gap Completion Project – Olive Peters, 115 Wattles – Sidwell #88-20-15-355-048, -049 and -050

Resolution #2007-11-325

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** the Purchase Agreement in the amount of \$21,818.00 between Olive Peters, owner of the property having Sidwell #88-20-15-355-048, -049 and -050, and the City of Troy, for the acquisition of right-of-way for a Sidewalk Gap Completion project in the amount of \$21,818.00, plus closing costs.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Seco Tools, Inc. – 2805 Bellingham – Request for Industrial Development District (IDD) and the Issuance of an Industrial Facilities Exemption Certificate (IFEC) – December 17, 2007

Noted and Filed

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals Advanced**COUNCIL COMMENTS:**

Council Member Kerwin reported that several members of City Council and City Staff were able to attend the Troy Community Coalition's *Youth Dialogue Day* facilitated by a representative of the World Café. Council Member Kerwin suggested that it would be beneficial for City Council to hold a policy meeting once a month to discuss the same principles offered by this group.

In addition, Council Member Kerwin asked that everyone mark their calendars for the annual *Taste of Troy* event scheduled for March 2, 2008 benefitting the Boys & Girls Club and sponsored, once again, by National City Bank.

Mayor Louise Schilling stated she looks forward to working with the newly elected City Council.

Council Member Beltramini provided a new Michigan Municipal League publication that provides an updated overview of what the League does to all council members. Council Member Beltramini added that she has also ordered copies of two other publications. The first is *Restoring our Cities Building by Building* addressing the issue of blight and what types of ordinances can be developed to address that issue. The second publication is *Empty Houses* which addresses the foreclosure issue.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Troy Cable Advisory Committee/Final – April 19, 2007
- b) Troy Daze Festival Committee/Final – August 28, 2007
- c) Troy Daze Festival Committee Special/Final – September 5, 2007
- d) Advisory Committee for Senior Citizens/Final – September 6, 2007
- e) Library Advisory Board/Final – September 6, 2007
- f) Employees' Retirement System Board of Trustees/Final – September 12, 2007
- g) Board of Zoning Appeals/Final – September 18, 2007
- h) Parks and Recreation Advisory Board/Final – September 20, 2007
- i) Historic Commission/Final – September 25, 2007
- j) Planning Commission Special/Study/Final – September 25, 2007
- k) Planning Commission Special/Study/Draft – October 2, 2007
- l) Planning Commission Special/Study/Final – October 2, 2007
- m) Building Code Board of Appeals/Final – October 3, 2007
- n) Advisory Committee for Senior Citizens/Draft – October 4, 2007
- o) Advisory Committee for Senior Citizens/Final – October 4, 2007
- p) Planning Commission/Draft – October 9, 2007

- q) Planning Commission/Final – October 9, 2007
- r) Board of Zoning Appeals/Draft – October 16, 2007
- s) Cable Advisory Committee/Draft – October 18, 2007
- t) Building Code Board of Appeals/Draft – October 24, 2007
- u) Advisory Committee for Senior Citizens/Draft – November 1, 2007

Noted and Filed

J-2 Department Reports:

- a) Council Member Stine's Travel Expense Report – Annual MML Convention
- b) Council Member Beltramini's Travel Expense Report – Annual MML Convention
- c) City of Troy Quarterly Financial Report – September 30, 2007
- d) Purchasing Department – Final Reporting – BidNet On-Line Auction Services – September 2007
- e) Police Department – 2007 Year-To-Date Calls for Police Service Report
- f) Building Department – Permits Issued During the Month of October, 2007
- g) City Attorney's Office – 2007 Third Quarter Litigation Report

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Thanks to Chief Craft from Daniel T. McCaw, Waterford Twp. Chief of Police Regarding Assistance Received from Lt. Frye and Sgt. Salter with an Investigation
- b) Letter of Thanks to Chief Craft from Daniel T. McCaw, Waterford Twp. Chief of Police Regarding Assistance Received from Sgt. Daniel and Officers Schultz and Garcher in a Motorcycle Memorial Ride
- c) Letter of Thanks to Brian Murphy from JoAnn Gibson, GirlBiz Planner and Lead Facilitator Regarding the Efforts of Pam Valentik and the Troy Community Center Staff
- d) Letter of Appreciation to Lt. Scherlinck from Dr. Judy Garrett Regarding the Assistance of Officers Kaptur and Kowalski during the Wattles Elementary School Annual Walk to School Day
- e) Letter of Thanks to Jennifer Lawson from Michael Stafford, Cranbrook Institute of Science Director and John McCulloch, Oakland County Drain Commissioner for Participation in the Rouge River Water Festival

Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Correspondence from State Senator John Pappageorge Congratulating the City of Troy on Being Named One of the Top 25 Cities to Live in and go to School in the Nation by RelocateAmerica.com

Noted and Filed

J-7 Troy Youth Assistance Board Meeting Draft Minutes from October 18, 2007

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **ADJOURNED** at 11:37 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk

**PROCLAMATION
NATIONAL FAMILY CAREGIVERS MONTH
NOVEMBER 2007**

WHEREAS, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed on us as individuals and as a City, we are especially grateful for the love of our families and friends; and

WHEREAS, One of the most profound ways in which that love is expressed is through the generous support provided by **family caregivers** to loved ones who are chronically ill, elderly or disabled. **Caregivers** reflect family and community life at its best. They are among Michigan's most important natural resources; and

WHEREAS, The need for **family caregivers** is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are a fast growing segment of our population. Family caregivers can be found in every city and town in America and it is likely that we all know at least one family caregiver; and

WHEREAS, **Family caregivers** deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, business and other organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities;

NOW, THEREFORE, BE IT RESOLVED That the Troy City Council does hereby proclaim **November 2007 as National Family Caregivers Month** in Troy and calls upon government officials, businesses, educators, religious leaders, volunteers and the citizens of Troy to acknowledge the invaluable efforts of caregivers this month and throughout the year; and

BE IT FURTHER RESOLVED, That the City Council joins the citizens of this community in appreciation and celebration of the dedication of all **Caregivers** throughout Troy and our surrounding communities.

Signed this 19th day of November 2007.



CITY COUNCIL ACTION REPORT

November 2, 2007

TO: Phillip L. Nelson, City Manager
FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
SUBJECT: 2007/08 Budget Amendment No. 1

Background:

- Upon completion of the audit, we review all on going capital projects and outstanding purchase orders at year-end, to determine if a budget amendment is necessary. Capital projects are individually reviewed and compared to the projected completed status contained in the 2007/08 budget amendments are then made to reconcile any differences.

Financial Considerations:

- The amendments will provide the necessary funding in the 2007/08 Budget to complete various capital projects and open purchase orders.

Legal Considerations:

- The budget amendment will keep us in compliance with P.A. 621 of 1978 Uniform Budgeting Act, which calls for budgets to be amended when necessary.

Policy Considerations:

- The budget amendment conforms to Goal II, "Minimize the cost and increase the efficiency and effectiveness of City government", by upholding fiscal integrity.

Options:

- It is requested that City Council approve 2007/08 Budget Amendment No. 1 as recommended by City Management.

2007-08 BUDGET AMENDMENT NO. 1

	<u>CURRENT BUDGET</u>	<u>AMENDMENT</u>	<u>AMENDED BUDGET</u>
<u>CAPITAL PROJECTS FUND</u>			
REVENUE:			
FUND BALANCE UNRESERVED/UNDESIGNATED	\$ 4,855,000	\$ 2,985,000	\$ 1,870,000
TOTAL AMENDMENT TO REVENUES		<u>\$ 2,985,000</u>	
EXPENDITURES:			
ELECTIONS			
OFFICE EQUIPMENT & FURNITURE	\$ -	\$ 65,000	\$ 65,000
CITY HALL			
BUILDINGS & IMPROVEMENTS	\$ 4,288,000	\$ 170,000	\$ 4,458,000
FIRE			
BUILDINGS & IMPROVEMENTS	\$ 58,200	\$ 72,000	\$ 130,200
POLICE			
EQUIPMENT - OFFICE - COMM.	\$ 683,450	\$ 145,000	\$ 828,450
PUBLIC WORKS			
BUILDINGS & IMPROVEMENTS	\$ 238,000	\$ 65,000	\$ 303,000
LAND IMPROVEMENTS	100,000	25,000	125,000
MAJOR ROADS	10,150,000	1,338,000	11,488,000
LOCAL ROADS	2,500,000	57,000	2,557,000
TRAFFIC SIGNALS	100,000	100,000	200,000
DRAINS	1,260,930	<u>87,000</u>	1,347,930
		<u>\$ 1,672,000</u>	

	<u>CURRENT BUDGET</u>	<u>AMENDMENT</u>	<u>AMENDED BUDGET</u>
PARKS AND RECREATION			
PARKS & RECREATION ADMIN.			
EQUIPMENT - GENERAL	\$ 80,000	\$ 34,000	\$ 114,000
LAND IMPROVEMENTS	1,560,000	60,000	1,620,000
COMMUNITY CENTER			
LAND IMPROVEMENTS	100,000	9,000	109,000
BUILDING & IMPROVEMENTS	43,000	9,000	52,000
PARK DEVELOPMENT			
FIREFIGHTERS PARK	100,000	100,000	200,000
JAYCEE PARK	100,000	121,000	221,000
OEC	159,000	7,000	166,000
RAINTREE PARK	50,000	59,000	109,000
MUNICIPAL GROUNDS			
LAND IMPROVEMENTS	1,566,000	50,000	1,616,000
		<u>\$ 449,000</u>	
MUSEUM			
EQUIPMENT - GENERAL	\$ 10,000	\$ 28,000	\$ 38,000
BUILDINGS & IMPROVEMENTS	246,000	238,000	484,000
		<u>\$ 266,000</u>	
LIBRARY			
BUILDING & IMPROVEMENTS	\$ 325,000	\$ 125,000	\$ 450,000
OFFICE EQUIPMENT & FURNITURE	-	21,000	21,000
		<u>\$ 146,000</u>	
TOTAL AMENDMENT TO EXPENDITURES		<u><u>\$ 2,985,000</u></u>	
 <u>MOTOR EQUIPMENT FUND</u>			
REVENUE:			
UNRESERVED FUND BALANCE	\$ 4,609,210	\$ 440,000	\$ 4,169,210
TOTAL AMENDMENT TO REVENUES		<u>\$ 440,000</u>	
EXPENSES:			
VEHICLES	\$ 1,346,000	\$ 433,000	\$ 1,779,000
BUILDING & IMPROVEMENTS	-	7,000	7,000
TOTAL AMENDMENT TO EXPENSES		<u>\$ 440,000</u>	

Amendment requested to provide funds for outstanding purchase orders at June 30, 2007, and to reconcile capital projects in various stages of completion at June 30, 2007.



CITY COUNCIL ACTION REPORT

November 5, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Susan A. Leirstein, Purchasing Director
Timothy L. Richnak, Public Works Director

SUBJECT: Contract Award: Informal Quote Process – Snow Removal Rental Equipment Including Operators

Background

- In September 2007, Purchasing began conducting market surveys to gather pricing information in order to establish snow removal equipment rates.
- Based on the outcome of the market survey, an informal quote process was conducted using the MITN system.
- 115 vendors were notified via the MITN System.
- On October 16, 2007, quotes were received for seasonal requirements of snow removal rental equipment including operators with an option to renew for one (1) additional season.
- Combined with the market survey and the MITN responses, a total of six (6) vendors responded. One vendor requested to withdraw due to prior contract commitments.
- Contract pricing was set by the company(s) offering the lowest price for each piece of equipment. All five (5) vendors agreed to meet the set contract prices.

Financial Considerations

- Funds are available in the operating budgets of the Streets Division for snow and ice control for local, major and county roads.
- Contract prices are the same as last year with the exception of the pick-up truck with minimum 8ft blade whose hourly rate dropped from \$85.00 to \$75.00 per hour.

Legal Considerations

- RFQ-COT 20710070, Seasonal Requirements of Snow Removal Rental Equipment including Operators with an option to renew for one (1) additional season was opened on October 16, 2007. The informal quote process and market survey resulted in five (5) vendors responding.
- Due to the variability of weather and fluctuating equipment availability, many companies do not bid on snow removal services. Therefore, the City hires additional contractors based upon the emergency provision powers of the City Manager.

November 5, 2007

To: Phillip L. Nelson, City Manager

Re: Contract Award – Snow Removal Rental Equipment Including Operators

Policy Considerations

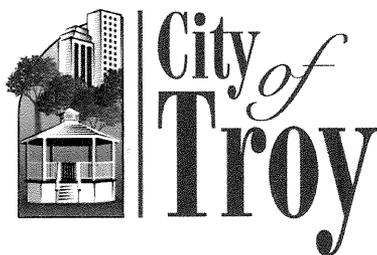
- Snow emergencies often require hiring additional companies to assist in the snow removal effort. (Goal I)
- All vendors were given the opportunity to respond with their level of interest in supplying services for the City of Troy. (Goal II)
- Pre-approval to extend contract prices to other contractors in times of snow emergencies, after the successful bidders have been employed, could speed the snow removal process. (Goal I, II)

Options

- City management recommends awarding contracts for one (1) season of snow removal rental equipment including operators with an option to renew for one (1) additional season to the following responsive vendors: Florence Cement Company, Deano Mac's Services LLC, Diponio Contracting, Sterling Topsoil and Grading, and Agra Landscaping, LLC at unit prices listed in Appendix A.

APPENDIX A

Equipment	Hourly Rate/Unit	Number of Units Company Can Provide				
		Florence Cement Company	Deano Mac's Services	Diponio Contracting	Sterling Topsoil and Grading	Agra Landscaping
Road Grader - 20,000 GVW	\$ 150.00	3			1	
Front end Loader - 3 yd Capacity	\$ 130.00			1	2	
Front end Loader - 5 yd Capacity	\$ 140.00	5		2	1	
Pick up w/minimum 8ft Blade	\$ 75.00	2	4			4



CITY COUNCIL ACTION REPORT

November 13, 2007

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police *CT*
 Captain Colleen Mott, Support Services Division *CCM*
 Sergeant Robert Cantlon *RC*

SUBJECT: Application for transfer of SDD and SDM license for Konja 1

Background:

- Konja 1 requests to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. located at 5945 John R, Troy. It will operate as Carl's Liquor there.
- On November 12, 2007, applicant Danial Konja of Konja 1 answered questions for the Liquor Advisory Committee.
- Mr. Konja explained to the Committee that he has worked in the retail store business for the past 30 years, with the 13 years as the owner of his own business, Republic Liquor, Inc. in Highland Park.
- Carl's Liquor will continue to operate as a small market with deli and grocery items along with beer, wine and spirits.
- The Committee unanimously approved this request.

Financial Considerations:

- There are no financial considerations for the City.

Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC does not require local government approval for the transfer of SDD and SDM licenses; however, it has been the policy of the City of Troy to review such requests.

Policy Considerations:

- City Goal III: "Retain and attract investment while encouraging redevelopment".

Options:

- City Council can approve or deny the request.



FOR MLCC USE ONLY

Request ID # 429800

Business ID # 201036

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

KONJA 1, INC. 5945 JOHN R, TROY, MI 48085, OAKLAND COUNTY
 REQUEST: TRANSFER OWNERSHIP OF 2007 SDD AND SDM LICENSED BUSINESS FROM TROY PARADISE, INC.

Section 1. APPLICANT INFORMATION

APPLICANT #1: DANIAL KONJA
 5146 PARKSIDE, WEST BLOOMFIELD, MI
 48323 (248) 738-9258-H (248) 514-2304-W

APPLICANT #2:

DATE FINGERPRINTED: **NO FINGERPRINTS REQUIRED**

DATE FINGERPRINTED:

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
 No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)
 TROY POLICE DEPARTMENT

Date

A regular meeting of the Liquor Advisory Committee was held on Monday, November 12, 2007 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:55 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
W. Stan Godlewski
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukrainec
Allan Motzny, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: Clark Yuan, Student Representative

Resolution to Approve Minutes of September 17, 2007 Meeting

Resolution #LC2007-11-022
Moved by Allemon
Seconded by Payne

RESOLVED, that the Minutes of the September 17, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 7
No: 0
Absent: None

Agenda Items

1. **Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County** requests transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. {MLCC Request #429800}

Present to answer questions from the Committee were Danial Konja and Louay Joulakh. Mr. Konja is purchasing this business from Mr. Joulakh. Mr. Konja has owned a similar business in Highland Park for over 13 years. Mr. Konja will attend TIPS/TAMS training, as will any future employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-023

Moved by Allemon

Seconded by Ukrainec

RESOLVED, that Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County be allowed to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc.

Yes: 7
No: 0
Absent: None

-
2. **Capital Grille Holdings, Inc.** requests to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space. {MLCC Request #62150}

Present to answer questions from the Committee was Kelly Allen, attorney for Capital Grille Holdings, Inc. Ms. Allen stated this is a merger issue that has been held up at the MLCC for approximately three years. She also advised the Committee of the space that has been added to the restaurant. Capital Grille Holdings is also requesting an SDM license to enable them to sell wine for off-premise consumption.

Sgt. Cantlon advised the Committee that Capital Grille has had only one violation (2001) since they opened for business. He confirmed the paperwork processing problems with an investigator at the MLCC. The delay was not the fault of the licensee

Resolution #LC2007-11-024

Moved by Allemon

Seconded by Ogg

RESOLVED, that Capital Grille Holdings, Inc. be allowed to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space.

Yes: 7

No: 0

Absent: None

-
3. **TKE Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food). {MLCC Request #430628}

Present to answer questions from the Committee were Kelly Allen, attorney, and Ted Evans, owner. Ms. Allen advised the Committee that Mr. Evans has leased the former Hooters location, has purchased a liquor license from a bar in Madison Heights, and will open a franchised restaurant called Rib City Grill. Rib City Grill has a strong training program and Mr. Evans will also attend the TIPS training. Approximately 50 employees will be hired. The restaurant will have 150 seats and has ample parking.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-025

Moved by Ogg

Seconded by Godlewski

RESOLVED, that **TKE Restaurants, Inc.** be allowed to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food).

Yes: 7
No: 0
Absent: None

4. **Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees)** request to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees). {MLCC Request #426097}

Present to answer questions from the Committee were John Carlin, attorney, and James Miskulin. This is a transfer of ownership and management of the Embassy Suites Hotel. Mr. Miskulin advised the Committee that Hospitality Ventures Management operates specifically under Hilton and Marriott franchised hotels. This location will undergo major cosmetic renovations beginning in December.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-026
Moved by Allemon
Seconded by Ukrainec

RESOLVED, that Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees) be allowed to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees).

Yes: 7
No: 0
Absent: None

5. **Hospitality Wal-Mart Stores East**, Limited partnership requests new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain) {MLCC Request #431440}

Present to answer questions from the Committee were Sandra Cotter, attorney, Nicole Chase, store manager, and Diane Behnke, market manager. Ms. Cotter explained that Wal-Mart is requesting an SDM license in order to sell self-serve beer and wine from their grocery department. Wal-Mart has an extensive computer-based learning module that will train all cashiers and managers. Also, the cash registers are programmed to allow only those transactions with a legal birth date of the purchaser, legal day of week/time of day, and will prohibit sales by underage employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors. Also, he has reviewed the computer-based learning module that will be used for training and agrees that it meets the City's requirements.

Resolution #LC2007-11-027
Moved by Allemon
Seconded by Ogg

RESOLVED, **Wal-Mart Stores East**, Limited partnership be granted new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain)

Yes: 7
No: 0
Absent: None

The Committee discussed the informational items on the agenda, as well as the recent sale-to-minor violations.

The meeting adjourned at 7:40 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

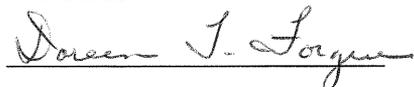
This Agreement, made this ____ day of _____, 200__, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and KONJA 1. whose address is 5945 JOHN R, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the request for a new SDD / SDM licensed business located at 5945 John R.
2. In consideration of the City of Troy's recommendation for approval of the request, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
 - (d) It agrees to immediately require all employees who serve/sell alcohol to attend a recognized alcohol awareness program, and forward the names of each certified employee to the Troy Police Department. The alcohol awareness program must either be recognized by the Troy Police Department (i.e. TIPS, TAMS), or the program must be reviewed by the Troy Police Department to insure that the program is comparable to the recognized programs.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.



Danial Konja

Witnesses:



Clairne E. Cummings

Subscribed and sworn to before me
this 13th day of November, 2007

Stacy M. Lubeski

Notary Public, Macomb
County, Acting in Oakland County
My commission expires: June 15, 2011

Stacy M. Lubeski
Notary Public, Macomb County, MI
Commission Expires June 15, 2011
Acting in Oakland County

CITY OF TROY

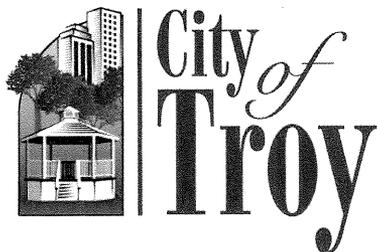
By: _____
Louise Schilling, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

Subscribed and sworn to before me
this _____ day of _____, 200 _____

Notary Public, Oakland
County, Michigan
My commission expires:



CITY COUNCIL ACTION REPORT

November 13, 2007

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police *CTC*
 Captain Colleen Mott, Support Services Division *CCM*
 Sergeant Robert Cantlon *RC*

SUBJECT: Application for transfer of Class C license to TKE Restaurants.

Background:

- TKE Restaurants, Inc. requests to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food).
- On November 12, 2007, applicant Ted Evans, of TKE Restaurants answered questions for the Liquor Advisory Committee.
- Mr. Evans explained to the Committee that he has owned and operated his business for upwards of 30 years and will operate this establishment as Rib City Grill.
- Rib City is a national franchise that has recently expanded into Michigan.
- The Committee unanimously approved this request.

Financial Considerations:

- There are no financial considerations for the City.

Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC requires local government approval for the transfer of Class C licenses.

Policy Considerations:

- City Goal III: "Retain and attract investment while encouraging redevelopment".

Options:

- City Council can approve or deny the request.



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 430628

Business ID # 201553

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

TKE RESTAURANTS, INC. REQUESTS TO TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS, LOCATED IN ESCROW AT 1811 E. TEN MILE, MADISON HEIGHTS, MI 48071, OAKLAND COUNTY, FROM DAILY DOUBLE LOUNGE, INC.; TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 1686 JOHN R, TROY, MI 48084, OAKLAND COUNTY; AND REQUESTS A NEW OFFICIAL PERMIT (FOOD).

Section 1. APPLICANT INFORMATION

APPLICANT #1:
TED EVANS - STOCKHOLDER
3504 WEST HIGGINS LAKE
ROSCOMMON, MI 48653
H(248)202-7663/B(248)852-4966

APPLICANT #2:

DATE FINGERPRINTED:

DATE FINGERPRINTED:

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
Yes No*

*Does the applicant have permanent Resident Alien status?
Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission

ARREST RECORD: Felony Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: Felony Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

- From your investigation:
1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 430628

Business ID # 201553

LAW ENFORCEMENT RECOMMENDATION

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

September 20, 2007

TO:

Re: TKE RESTAURANTS, INC.

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: FOOS
 Weekdays _____ A.M. to _____ A.M.
 Sundays 9:00 A.M. to 12:00 P.M.

Recommended Recommended, subject to final inspection Not Recommended

NOTE: If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR:
 Weekdays _____ A.M. to _____ A.M.
 Sundays _____ A.M. to _____ A.M./P.M.

Recommended Recommended, subject to final inspection Not Recommended

DANCE PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ENTERTAINMENT PERMIT

Recommended Recommended, subject to final inspection Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended Recommended, subject to final inspection Not Recommended

<input type="checkbox"/> OUTDOOR SERVICE <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> PARTICIPATION PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> ADDITIONAL BAR PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> OTHER <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended

Signed:

Signature and Title

Print Name and Title

TROY POLICE DEPARTMENT

Date: _____

sfs

A regular meeting of the Liquor Advisory Committee was held on Monday, November 12, 2007 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:55 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
W. Stan Godlewski
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukrainec
Allan Motzny, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: Clark Yuan, Student Representative

Resolution to Approve Minutes of September 17, 2007 Meeting

Resolution #LC2007-11-022
Moved by Allemon
Seconded by Payne

RESOLVED, that the Minutes of the September 17, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 7
No: 0
Absent: None

Agenda Items

1. **Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County** requests transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. {MLCC Request #429800}

Present to answer questions from the Committee were Danial Konja and Louay Joulakh. Mr. Konja is purchasing this business from Mr. Joulakh. Mr. Konja has owned a similar business in Highland Park for over 13 years. Mr. Konja will attend TIPS/TAMS training, as will any future employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-023

Moved by Allemon

Seconded by Ukrainec

RESOLVED, that Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County be allowed to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc.

Yes: 7
No: 0
Absent: None

-
2. **Capital Grille Holdings, Inc.** requests to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space. {MLCC Request #62150}

Present to answer questions from the Committee was Kelly Allen, attorney for Capital Grille Holdings, Inc. Ms. Allen stated this is a merger issue that has been held up at the MLCC for approximately three years. She also advised the Committee of the space that has been added to the restaurant. Capital Grille Holdings is also requesting an SDM license to enable them to sell wine for off-premise consumption.

Sgt. Cantlon advised the Committee that Capital Grille has had only one violation (2001) since they opened for business. He confirmed the paperwork processing problems with an investigator at the MLCC. The delay was not the fault of the licensee

Resolution #LC2007-11-024

Moved by Allemon

Seconded by Ogg

RESOLVED, that Capital Grille Holdings, Inc. be allowed to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space.

Yes: 7
No: 0
Absent: None

-
3. **TKE Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food). {MLCC Request #430628}

Present to answer questions from the Committee were Kelly Allen, attorney, and Ted Evans, owner. Ms. Allen advised the Committee that Mr. Evans has leased the former Hooters location, has purchased a liquor license from a bar in Madison Heights, and will open a franchised restaurant called Rib City Grill. Rib City Grill has a strong training program and Mr. Evans will also attend the TIPS training. Approximately 50 employees will be hired. The restaurant will have 150 seats and has ample parking.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-025

Moved by Ogg

Seconded by Godlewski

RESOLVED, that **TKE Restaurants, Inc.** be allowed to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food).

Yes: 7
No: 0
Absent: None

-
4. **Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees)** request to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees). {MLCC Request #426097}

Present to answer questions from the Committee were John Carlin, attorney, and James Miskulin. This is a transfer of ownership and management of the Embassy Suites Hotel. Mr. Miskulin advised the Committee that Hospitality Ventures Management operates specifically under Hilton and Marriott franchised hotels. This location will undergo major cosmetic renovations beginning in December.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-026
Moved by Allemon
Seconded by Ukrainec

RESOLVED, that Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees) be allowed to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees).

Yes: 7
No: 0
Absent: None

5. **Hospitality Wal-Mart Stores East**, Limited partnership requests new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain) {MLCC Request #431440}

Present to answer questions from the Committee were Sandra Cotter, attorney, Nicole Chase, store manager, and Diane Behnke, market manager. Ms. Cotter explained that Wal-Mart is requesting an SDM license in order to sell self-serve beer and wine from their grocery department. Wal-Mart has an extensive computer-based learning module that will train all cashiers and managers. Also, the cash registers are programmed to allow only those transactions with a legal birth date of the purchaser, legal day of week/time of day, and will prohibit sales by underage employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors. Also, he has reviewed the computer-based learning module that will be used for training and agrees that it meets the City's requirements.

Resolution #LC2007-11-027
Moved by Allemon
Seconded by Ogg

RESOLVED, **Wal-Mart Stores East**, Limited partnership be granted new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain)

Yes: 7
No: 0
Absent: None

The Committee discussed the informational items on the agenda, as well as the recent sale-to-minor violations.

The meeting adjourned at 7:40 p.m.

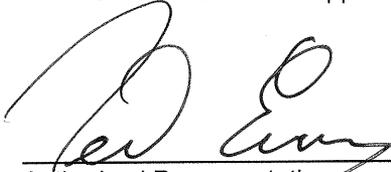
Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 200____, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and TKE Restaurants, Inc. dba Rib City Grill, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the transfer of ownership of 1997 Class C licensed business (in escrow), Daily Double Lounge, Inc, 1811 E. Ten Mile, Madison Hts. To TKE Restaurants, Inc dba Rib City Grill at 1686 John R.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
 - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

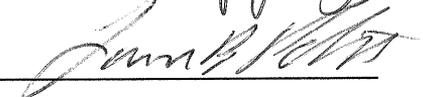


Authorized Representative

TKE Restaurants

Witnesses:





Subscribed and sworn to before me
this 23rd day of October, 2007

Marsha J. Calve

Notary Public, Macomb

County, State of Michigan

My commission expires: 10-29-2012

Acting in Oakland County

CITY OF TROY

By: _____
Louise Schilling, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

Subscribed and sworn to before me
this _____ day of _____, 200____

Notary Public, Oakland
County, Michigan
My commission expires:

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS, LOCATED IN ESCROW AT 1811 E. TEN MILE, MADISON HEIGHTS, MI 48071, OAKLAND COUNTY, FROM DAILY DOUBLE LOUNGE, INC. TO TKE RESTAURANTS, INC.; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 1686 JOHN R, TROY, MI 48084, OAKLAND COUNTY.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



CITY COUNCIL ACTION REPORT

November 13, 2007

TO: ^{RN} Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police ^{CTC}
 Captain Colleen Mott, Support Services Division ^{CCM}
 Sergeant Robert Cantlon ^{RC}

SUBJECT: Application for transfer of Class C license to Capital Grille Holdings, Inc. and application for new SDM and Add Space.

RECEIVED

NOV 14 2007

CITY OF TROY
 CITY MANAGER'S OFFICE

Background:

- Capital Grille Holdings, Inc, requests to transfer ownership thru merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space.
- On November 12, 2007, Kelly Allen, attorney for the applicant answered questions for the Liquor Advisory Committee.
- Ms. Allen explained to the Committee Capital Grille Holdings, Inc. is a subsidiary of Rare Hospitality Management, Inc., which is a subsidiary of Rare Hospitality International, Inc. This request a merger of the current licensee, Capital Grille of Troy into Capital Grille Holdings, Inc.
- Collectively, this entity owns and operates numerous restaurants throughout the United States.
- The Committee unanimously approved this request.

Financial Considerations:

- There are no financial considerations for the City.

Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC requires local government approval for the transfer of Class C licenses.

Policy Considerations:

- City Goal III: “Retain and attract investment while encouraging redevelopment”.

Options:

- City Council can approve or deny the request.



FOR MLCC USE ONLY

Request ID # 62150

Business ID # 132719

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

CAPITAL GRILLE HOLDINGS, INC. (A NORTH CAROLINA CORPORATION) REQUESTS TO TRANSFER OWNERSHIP THRU MERGER OF 2007 CLASS C LICENSED BUSINESS WITH OFFICIAL PERMIT (FOOD), LOCATED AT SOMERSET COLLECTION NORTH, 2800 W. BIG BEAVER, SPACE #Q 123, TROY, MI 48084, OAKLAND COUNTY, FROM THE CAPITAL GRILLE OF TROY, INC.; REQUESTS A NEW SDM LICENSE TO BE HELD IN CONJUNCTION; AND REQUESTS TO ADD SPACE.

Section 1. APPLICANT INFORMATION

APPLICANT #1:
 RARE HOSPITALITY MANAGEMENT, INC. (A DELAWARE COPORATION) STOCKHOLDER
 8215 ROSWELL ROAD, BUILDING 600
 ATLANTA, MI 30350

APPLICANT #2:

DATE FINGERPRINTED: **NO FINGERPRINTS REQUIRED**

DATE FINGERPRINTED:

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
 Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

****Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission****

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: **Felony** **Misdemeanor**
 Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
 No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No

4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 62150
 Business ID # 132719

LAW ENFORCEMENT RECOMMENDATION

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

October 8, 2007

TO:

Re: CAPITAL GRILLE HOLDINGS, INC. (A NORTH CAROLINA CORPORATION)

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: FOOD
 Weekdays _____ A.M. to _____ A.M. _____
 Sundays 9:00 A.M. to 12:00 P.M.

Recommended Recommended, subject to final inspection Not Recommended

NOTE: If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR:
 Weekdays _____ A.M. to _____ A.M. _____
 Sundays _____ A.M. to _____ A.M./P.M.

Recommended Recommended, subject to final inspection Not Recommended

DANCE PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ENTERTAINMENT PERMIT

Recommended Recommended, subject to final inspection Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended Recommended, subject to final inspection Not Recommended

<input type="checkbox"/> OUTDOOR SERVICE <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> PARTICIPATION PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> ADDITIONAL BAR PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> OTHER <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended

Signed:

Signature and Title

Print Name and Title

TROY POLICE DEPARTMENT

Date: _____

sfs

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 200____, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and Capital Grille Holdings, Inc. dba Capital Grille, the Applicant, hereinafter known as APPLICANT.

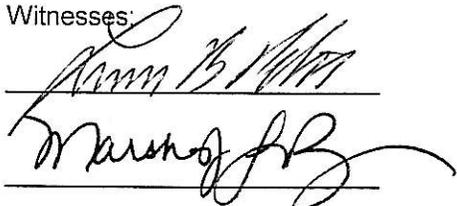
1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the transfer of ownership thru merger of 2007 Class C licensed business, from The Capital Grille of Troy, Inc, to Capital Grille Holdings, Inc dba Capital Grille at Somerset Collection North, 2800 W Big Beaver, Space Q123, Troy, MI.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
 - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.



Kelly A. Allen
Authorized Representative

Capital Grille Holdings, Inc.

Witnesses:



Subscribed and sworn to before me
this 25th day of August, 2007

Laura B Peters
Notary Public, Oakland
County, Michigan
My commission expires: 5/5/2011

CITY OF TROY

By: _____
Louise Schilling, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

Subscribed and sworn to before me
this _____ day of _____, 200____

Notary Public, Oakland
County, Michigan
My commission expires:

A regular meeting of the Liquor Advisory Committee was held on Monday, November 12, 2007 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:55 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Henry W. Allemon
W. Stan Godlewski
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukrainec
Allan Motzny, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: Clark Yuan, Student Representative

Resolution to Approve Minutes of September 17, 2007 Meeting

Resolution #LC2007-11-022

Moved by Allemon

Seconded by Payne

RESOLVED, that the Minutes of the September 17, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 7
No: 0
Absent: None

Agenda Items

1. **Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County** requests transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc. {MLCC Request #429800}

Present to answer questions from the Committee were Danial Konja and Louay Joulakh. Mr. Konja is purchasing this business from Mr. Joulakh. Mr. Konja has owned a similar business in Highland Park for over 13 years. Mr. Konja will attend TIPS/TAMS training, as will any future employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-023
Moved by Allemon
Seconded by Ukraineec

RESOLVED, that Konja 1, Inc, 5945 John R, Troy, MI 48085, Oakland County be allowed to transfer ownership of 2007 SDD and SDM licensed business from Troy Paradise, Inc.

Yes: 7
No: 0
Absent: None

-
2. **Capital Grille Holdings, Inc.** requests to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space. {MLCC Request #62150}

Present to answer questions from the Committee was Kelly Allen, attorney for Capital Grille Holdings, Inc. Ms. Allen stated this is a merger issue that has been held up at the MLCC for approximately three years. She also advised the Committee of the space that has been added to the restaurant. Capital Grille Holdings is also requesting an SDM license to enable them to sell wine for off-premise consumption.

Sgt. Cantlon advised the Committee that Capital Grille has had only one violation (2001) since they opened for business. He confirmed the paperwork processing problems with an investigator at the MLCC. The delay was not the fault of the licensee

Resolution #LC2007-11-024
Moved by Allemon
Seconded by Ogg

RESOLVED, that Capital Grille Holdings, Inc. be allowed to transfer ownership through merger of 2007 Class C licensed business with official permit (food) located at Somerset Collection North, 2800 W. Big Beaver, space #Q 123, Troy, MI 48084, Oakland County, from the Capital Grille of Troy, Inc.; requests a new SDM license to be held in conjunction; and requests to add space.

Yes: 7
No: 0
Absent: None

-
3. **TKE Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food). {MLCC Request #430628}

Present to answer questions from the Committee were Kelly Allen, attorney, and Ted Evans, owner. Ms. Allen advised the Committee that Mr. Evans has leased the former Hooters location, has purchased a liquor license from a bar in Madison Heights, and will open a franchised restaurant called Rib City Grill. Rib City Grill has a strong training program and Mr. Evans will also attend the TIPS training. Approximately 50 employees will be hired. The restaurant will have 150 seats and has ample parking.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-025
Moved by Ogg
Seconded by Godlewski

RESOLVED, that **TKE Restaurants, Inc.** be allowed to transfer ownership of 2007 Class C licensed business located in escrow at 1811 E. Ten Mile, Madison Heights, MI 48071, Oakland County, from Daily Double Lounge, Inc.: transfer location (governmental unit) (MLC 436.1531(1) to 1686 John R, Troy, MI 48084, Oakland County and requests a new Official Permit (Food).

Yes: 7
No: 0
Absent: None

-
4. **Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees)** request to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees). {MLCC Request #426097}

Present to answer questions from the Committee were John Carlin, attorney, and James Miskulin. This is a transfer of ownership and management of the Embassy Suites Hotel. Mr. Miskulin advised the Committee that Hospitality Ventures Management operates specifically under Hilton and Marriott franchised hotels. This location will undergo major cosmetic renovations beginning in December.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors.

Resolution #LC2007-11-026

Moved by Allemon

Seconded by Ukrainec

RESOLVED, that Hospitality Ventures Management, Inc. (A Georgia Corporation) and RBHV Troy, LLC (A Delaware Limited Liability Company) (Co-Licensees) be allowed to transfer ownership of 2007 B-Hotel licensed business with Dance Permit, Official Permit (Food), Outdoor Service (1 Area), Direct Connection-1, 3 bars, and 251 rooms, located at 850 Tower, Troy, MI 48098, Oakland County, from DJONT/JPM Troy Leasing, LLC. (A Delaware Limited Liability Company); Felcor/JPM Troy Hotel, LLC (A Delaware Limited Liability Company) and Promus Hotels, Inc. A Delaware Corporation (Co-Licensees).

Yes: 7
No: 0
Absent: None

5. **Hospitality Wal-Mart Stores East**, Limited partnership requests new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain) {MLCC Request #431440}

Present to answer questions from the Committee were Sandra Cotter, attorney, Nicole Chase, store manager, and Diane Behnke, market manager. Ms. Cotter explained that Wal-Mart is requesting an SDM license in order to sell self-serve beer and wine from their grocery department. Wal-Mart has an extensive computer-based learning module that will train all cashiers and managers. Also, the cash registers are programmed to allow only those transactions with a legal birth date of the purchaser, legal day of week/time of day, and will prohibit sales by underage employees.

Sgt. Cantlon stated that his background investigation revealed no disqualifying factors. Also, he has reviewed the computer-based learning module that will be used for training and agrees that it meets the City's requirements.

Resolution #LC2007-11-027
Moved by Allemon
Seconded by Ogg

RESOLVED, **Wal-Mart Stores East**, Limited partnership be granted new SDM license with 2 new Direct Connections to be located at 2001 W Maple, Troy, MI 48084, Oakland County. (Public Chain)

Yes: 7
No: 0
Absent: None

The Committee discussed the informational items on the agenda, as well as the recent sale-to-minor violations.

The meeting adjourned at 7:40 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP THRU MERGER OF 2007 CLASS C LICENSED BUSINESS, LOCATED AT SOMERSET COLLECTION NORTH, 2800 W. BIG BEAVER, SPACE #Q 123, TROY, MI 48084, OAKLAND COUNTY, FROM THE CAPITAL GRILLE OF TROY, INC. TO CAPITAL GRILLE HOLDINGS, INC. (A NORTH CAROLINA CORPORATION).

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

i hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:31 p.m. on October 23, 2007 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
Mary Kerwin
Robert M. Schultz
Kathleen Troshynski
Mark J. Vleck
Wayne Wright

Absent:

Lawrence Littman
Thomas Strat
John J. Tagle

Also Present:

Mark F. Miller, Planning Director
R. Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Zak Branigan, Carlisle/Wortman Associates, Inc.

Resolution # PC-2007-10-159

Moved by: Wright
Seconded by: Troshynski

RESOLVED, That Members Littman, Strat and Tagle are excused from attendance at this meeting for personal reasons.

Yes: All present (6)
Absent: Littman, Strat, Tagle

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2007-10-160

Moved by: Wright
Seconded by: Kerwin

RESOLVED, To approve the Agenda as printed.

Yes: All present (6)
Absent: Littman, Strat, Tagle

MOTION CARRIED

3. MINUTES

Resolution # PC-2007-10-161

Moved by: Wright
Seconded by: Kerwin

RESOLVED, To approve the minutes of the October 2, 2007 Special/Study meeting and the October 9, 2007 Regular meeting as distributed.

Yes: All present (6)
Absent: Littman, Strat, Tagle

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Wright gave a brief report on the October 16, 2007 Board of Zoning Appeals meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported that there was no October DDA meeting.

7. PLANNING AND ZONING REPORT

Mr. Miller reported on the following:

- PUD-9 (“The Pavilions”) received Concept Development Plan (CDP) approval from City Council on October 15, 2007.
- Adams Road Site Condominium received Preliminary Approval from City Council on October 15, 2007.
- Timbercrest Farms Site Condominium received Final Approval from City Council on October 1, 2007.
- ZOTA 230, pertaining to wireless communication towers at school sites and parks, was postponed to provide the Parks and Recreation Board an opportunity for input.

STUDY ITEM8. **CITY OF TROY MASTER PLAN – LAND PATTERNS: FUTURE LAND USE**

Mr. Miller introduced Zak Branigan of Carlisle/Wortman Associates, Inc. Mr. Branigan presented Chapter 9, Land Patterns: Future Land Use.

General discussion followed.

It was determined that the Existing Land Use section would be removed from Chapter 9 and added to the Appendix. Further, the Implementation chapter would be rolled into the Future Land Use chapter.

OTHER ITEMS9. **PUBLIC COMMENTS** – Items on Current Agenda

There was no one present who wished to speak.

10. **PLANNING COMMISSION COMMENTS**

Ms. Troshynski complimented the City on its tree planting program implemented throughout the City. She also complimented the Open House program organized by the City.

Mr. Hutson commented on correspondence all Planning Commissioners received from T-Mobile, requesting to meet individually with Planning Commissioners. He indicated that meeting individually with a potential applicant is inappropriate.

Chair Schultz presented a copy of the City of St. Louis Master Plan, which is printed on one large piece of paper and includes photographs of the type of redevelopment desired in the City.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 9:55 p.m.

Respectfully submitted,

Robert M. Schultz, Chair

R. Brent Savidant, Principal Planner

G:\Planning Commission Minutes\2007 PC Minutes\Draft\10-23-07 Special Study Meeting_Draft.doc

The special meeting of the Building Code Board of Appeals was brought to order by the Chairman, Ted Dziurman, at 8:30 A.M., on Wednesday, October 24, 2007 in Conference Room C of the Troy City Hall.

PRESENT: Ted Dziurman
Rick Kessler
Bill Nelson
Tim Richnak
Frank Zuazo

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Paul Evans, Housing & Zoning Inspector Supervisor

ITEM #1 – APPROVAL OF MINUTES – MEETING OF OCTOBER 3, 2007

Motion by Kessler
Supported by Richnak

MOVED, to approve the minutes of the meeting of October 3, 2007 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES CARRIED

ITEM #2 – VARIANCE REQUEST. SIGNGRAPHIX, 900 TOWER, for relief of Chapter 85 to erect two (2) wall signs.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect two (2) wall signs. Chapter 85.02.05 allows one wall sign for each building, not to exceed a maximum of 200 square feet in area. The plans submitted indicate a total of two (2) wall signs, each measuring 324 square feet in area.

Mr. William Lutz and Mr. Keith Murray of Signgraphix were present. Mr. Tony Antone of Kojaian Management Corporation was also present. Mr. Lutz stated that the bank had revised their corporate logo. The new signs have been designed so that they would be readable at a one-half mile line of sight from the freeway. The proposed signs would be proportional to the building. This building has a wall area of approximately 26,000 square feet.

Mr. Kessler asked what the hardship was that would justify granting this variance.

Mr. Lutz stated that this request is based on a study done by the University of Pennsylvania that indicates the letters in a sign such as this must be at least 6' high in order to be visible for one-half mile.

ITEM #2 – con't.

Mr. Kessler stated that in his opinion the reason the petitioner is asking for this variance is to increase marketing rather than to aid people in locating the building.

Mr. Antone stated that while the named tenant may use the sign for marketing, the other tenants in the building use it for identifying which building they are in to clients.

Mr. Lutz stated that this would also be a tool used by other tenants to help people find the building.

Mr. Nelson asked what type of illumination would be used.

Mr. Lutz stated that the old sign is neon and the proposed sign would be LED.

The Chairman opened the public hearing. No one wished to be heard and the public hearing was closed.

There are no written approvals or objections on file.

Mr. Kessler asked if there was a standard alternate sign available that was smaller.

Mr. Lutz stated that this is a custom sign.

Mr. Stimac noted that upon reviewing the sign layout that was submitted that the sign area shown is larger than the Sign Ordinance would calculate the area to be. He noted that it is quite possible that the sign area would be significantly reduced when properly calculated in accordance with the Ordinance.

Motion by Richnak
Supported by Nelson

MOVED, to postpone the request of Signgraphix, 900 Tower, for relief of Chapter 85 to erect two (2) wall signs each measuring 324 square feet in area, until the next regular meeting of the Building Code Board of Appeals.

- To allow the petitioners the opportunity to present the Board Members with the data from the University of Pennsylvania study.
- To allow the Building Department to recalculate the area of the signs as presented by Signgraphix.

Yeas: All – 5

MOTION TO POSTPONE REQUEST UNTIL THE MEETING OF NOVEMBER 7, 2007
CARRIED

The Building Code Board of Appeals meeting adjourned at 9:07 am.

Ted Dziurman, Chairman

Pamela Pasternak, Secretary

CITY OF TROY
MONTHLY FINANCIAL REPORT
31-Oct-07

CITY OF TROY
 Monthly Financial Report
 General Fund
 For the Period Ending October 31, 2007

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	35,679,836	36,308,690	102,456	35,896,786	98.87
BUSINESS LICENSES & PERMITS	38,993	42,000	2,289	6,380	15.19
NON-BUS. LICENSES & PERMITS	1,452,966	1,705,500	166,382	517,279	30.33
FEDERAL GRANTS	198,102	55,900	0	0	.00
STATE AGENCIES	6,800,242	6,784,000	23,281	84,012	1.24
CONTRIBUTIONS-LOCAL	171,189	180,000	32,458	41,828	23.24
CHARGES FOR SERVICES - FEES	1,455,402	1,159,000	175,434	260,456	22.47
CHARGES FOR SERVICES - REND.	2,346,725	1,717,500	69,480	299,115	17.42
CHARGES FOR SERVICES - SALES	154,366	157,000	20,832	48,397	30.83
CHARGES FOR SERVICES - REC	3,740,024	3,565,200	201,813	1,160,492	32.55
FINES & FORFEITS	1,243,286	1,027,000	36,828	164,365	16.00
INTEREST AND RENTS	2,363,543	2,081,600	225,742	572,353	27.50
OTHER REVENUE	546,469	510,550	2,996	12,814	2.51
OTHER FINANCING SOURCES	4,635,622	8,161,480	0	0	.00
TOTAL GENERAL FUND REVENUE	60,826,765	63,455,420	1,059,991	39,064,277	61.56
EXPENDITURES					
LEGISLATIVE	1,839,175	2,033,040	137,262	544,575	26.79
FINANCE	4,726,731	5,054,990	344,334	1,439,434	28.48
OTHER GEN GOVERNMENT	2,552,515	2,700,750	187,170	708,056	26.22
POLICE	23,147,967	24,060,510	1,804,099	6,908,380	28.71
FIRE	4,376,861	4,317,390	239,293	1,754,587	40.64
BUILDING INSPECTION	2,051,078	2,243,190	155,982	611,296	27.25
STREETS	4,754,158	5,606,460	342,623	1,255,817	22.40
ENGINEERING	2,676,718	3,136,960	192,369	758,016	24.16
RECREATION	8,424,151	9,225,600	749,254	2,967,900	32.17
LIBRARY	4,805,280	5,066,530	312,187	1,278,110	25.23
TRANSFERS OUT	3,510,000	10,000	0	0	.00
TOTAL GEN FUND EXPENDITURES	62,864,634	63,455,420	4,464,573	18,226,171	28.72

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending October 31, 2007

REFUSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	4,254,241	3,572,670	0	3,562,562	99.72
CHARGES FOR SERVICES - REND.	0	0	0	0	.00
CHARGES FOR SERVICES - SALES	2,275	1,500	150	940	62.67
INTEREST AND RENTS	162,643	175,000	17,250	34,005	19.43
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	4,419,159	3,749,170	17,400	3,597,507	95.95
EXPENDITURES					
CONTRACTORS SERVICE	4,380,060	3,577,000	290,608	1,058,466	29.59
OTHER REFUSE EXPENSE	47,855	55,230	1,529	4,996	9.05
RECYCLING	101,047	116,940	7,245	36,338	31.07
TOTAL EXPENDITURES	4,528,962	3,749,170	299,382	1,099,800	29.33

CITY OF TROY
 Monthly Financial Report
 Downtown Development Authority Fund
 For the Period Ending October 31, 2007

DOWNTOWN DEV AUTHORITY FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,516,210	3,793,000	0	3,740,758	98.62
STATE GRANTS	0	0	0	0	.00
INTEREST AND RENTS	519,215	400,000	66,210	142,929	35.73
OTHER FINANCING SOURCES	0	2,844,590	0	0	.00
TOTAL REVENUE	4,035,425	7,037,590	66,210	3,883,687	55.18
EXPENDITURES					
ECONOMIC DEVELOPMENT	41,011	350,000	7,222	15,390	4.40
TAX TRIBUNAL REFUNDS	8,242	0	0	9,213	.00
CAPITAL OUTLAY	0	3,000,000	0	0	.00
DEBT SERVICE	3,021,460	3,285,000	2,429,899	2,429,899	73.97
TRANSFER TO GENERAL FUND	311,944	402,590	0	0	.00
TOTAL EXPENDITURES	3,382,657	7,037,590	2,437,121	2,454,502	34.88

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending October 31, 2007

CAPITAL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	8,200,947	8,440,000	0	8,382,498	99.32
FEDERAL GRANTS	650	0	0	0	.00
STATE AGENCIES	519,811	4,464,000	0	244,620	5.48
CHARGES FOR SERVICES - REND.	327,744	75,000	12,649	9,153	12.20
INTEREST AND RENTS	1,181,962	807,200	112,363	268,396	33.25
FINES & FORFEITS	0	246,180	0	0	.00
OTHER REVENUE	1,262,421	0	11	24,117	.00
OTHER FINANCING SOURCES	5,700,000	15,709,560	0	0	.00
TOTAL REVENUE	17,193,535	29,741,940	125,023	8,928,784	30.02
EXPENDITURES					
FINANCE	33,464	55,000	0	9,735	17.70
OTHER GEN GOVERNMENT	90,439	4,457,600	18,270	131,228	2.94
POLICE	411,940	1,129,210	11,368	11,368	1.01
FIRE	856,110	536,200	0	0	.00
BUILDING INSPECTION	440	10,000	232-	0	.00
STREETS	7,879,499	13,708,000	1,417,328	3,868,435	28.22
ENGINEERING	369,372	0	0	0	.00
RECREATION	1,708,773	7,255,000	1,246,805	1,505,835	20.76
LIBRARY	105,525	325,000	24,794	33,098	10.18
MUSEUM	82,068	256,000	0	0	.00
STORM DRAINS & RET PONDS	536,741	1,260,930	3,219	129,614	10.28
INFORMATION TECHNOLOGY	1,150,000	749,000	0	0	.00
TOTAL EXPENDITURES	13,224,371	29,741,940	2,721,552	5,689,313	19.13

CITY OF TROY
 Monthly Financial Report
 Sanctuary Lake Golf Course
 For the Period Ending October 31, 2007

SANCTUARY LK GOLF COURSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	37,416	38,500	1,806	18,526	48.12
CHARGES FOR SERVICES - REC	1,007,452	1,249,090	72,006	536,415	42.94
INTEREST AND RENTS	6,988	6,500	0	0	.00
OTHER REVENUE	4,279	0	2	159	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,056,135	1,294,090	73,814	555,100	42.90
EXPENDITURES					
SANCTUARY LAKE GREENS	792,102	885,280	59,872	306,222	34.59
SANCTUARY LAKE PRO SHOP	888,113	1,165,390	30,203	114,580	9.83
SANCTUARY LAKE CAPITAL	0	40,000	0	0	.00
TOTAL EXPENDITURES	1,680,215	2,090,670	90,075	420,802	20.13

CITY OF TROY
 Monthly Financial Report
 Sylvan Glen Golf Course
 For the Period Ending October 31, 2007

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	28,566	38,500	2,174	15,887	41.26
CHARGES FOR SERVICES - REC	936,929	1,092,630	68,461	488,760	44.73
INTEREST AND RENTS	227,644	200,400	13,732	132,545	66.14
OTHER REVENUE	400	0	1,639	1,436	.00
OTHER FINANCING SOURCES	0	0	0	0	.00
TOTAL REVENUE	1,193,539	1,331,530	86,006	638,628	47.96
EXPENDITURES					
SYLVAN GLEN GREENS	729,347	766,160	53,112	273,808	35.74
SYLVAN GLEN PRO SHOP	352,687	322,020	25,748	118,760	36.88
SYLVAN GLEN CAPITAL	0	187,100	6,772	27,087	14.48
TOTAL EXPENDITURES	1,082,034	1,275,280	85,632	419,655	32.91

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending October 31, 2007

AQUATIC CENTER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	462,469	445,950	236	171,856	38.54
INTEREST AND RENTS	29,257	31,600	2,449	19,711	62.38
OTHER REVENUE	4-	0	0	1-	.00
TOTAL REVENUE	491,722	477,550	2,685	191,566	40.11
EXPENDITURES					
AQUATIC CENTER	684,334	628,670	38,101	278,121	44.24
CAPITAL	0	110,000	0	0	.00
TOTAL EXPENDITURES	684,334	738,670	38,101	278,121	37.65

CITY OF TROY
 Monthly Financial Report
 Sewer Fund
 For the Period Ending October 31, 2007

SEWER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
FEDERAL GRANTS	17,081	0	0	0	.00
CHARGES FOR SERVICES - FEES	423,810	400,000	23,498	79,198	19.80
CHARGES FOR SERVICES - REND	10,867,704	11,836,000	1,432,384	2,774,115	23.44
INTEREST AND RENTS	1,187,038	820,000	111,844	251,948	30.73
OTHER REVENUE	426,738	0	0	0	.00
TOTAL REVENUE	12,922,371	13,056,000	1,567,726	3,105,261	23.78
EXPENDITURES					
ADMINISTRATION	9,186,528	9,743,900	1,453,071	3,604,070	36.99
MAINTENANCE	1,151,136	1,532,140	61,582	239,210	15.61
CAPITAL	0	4,628,000	333,617	795,451	17.19
TOTAL EXPENDITURES	10,337,664	15,904,040	1,848,270	4,638,731	29.17

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending October 31, 2007

WATER FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	707,790	885,000	138,502	295,411	33.38
CHARGES FOR SERVICES - SALES	13,847,856	15,432,000	1,870,744	3,702,081	23.99
INTEREST AND RENTS	987,721	648,000	65,465	202,013	31.17
OTHER REVENUE	569,010	0	0	0	.00
TOTAL REVENUE	16,112,377	16,965,000	2,074,711	4,199,505	24.75
EXPENDITURES					
ADMINISTRATION	11,552,161	12,147,070	2,339,213	4,443,994	36.58
TRANS AND DISTRIBUTION	220,659	224,930	10,915	43,839	19.49
CUSTOMER INSTALLATION	101,647	92,720	7,521	24,291	26.20
CONTRACTORS SERVICE	148,717	217,360	10,550	47,306	21.76
MAIN TESTING	56,893	121,940	2,097	5,441	4.46
MAINTENANCE OF MAINS	362,261	447,950	45,773	139,300	31.10
MAINTENANCE OF SERVICES	196,788	272,480	9,947	56,719	20.82
MAINTENANCE OF METERS	471,767	709,860	123,412	153,520	21.63
MAINTENANCE OF HYDRANTS	310,130	392,070	41,152	89,685	22.87
METERS AND TAP-INS	300,220	388,720	15,268	90,665	23.32
WATER METER READING	106,366	103,290	20,608	68,304	66.13
ACCOUNTING AND COLLECTING	95,296	106,400	7,594	32,574	30.61
CAPITAL	0	8,715,000	2,822	850,991	9.76
TOTAL EXPENDITURES	13,922,905	23,939,790	2,636,872	6,046,629	25.26

CITY OF TROY
 Monthly Financial Report
 Motor Pool
 For the Period Ending October 31, 2007

MOTOR POOL FUND

Description	Last Year Actual	2007-08 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REND	0	5,000	91	91	1.82
INTEREST AND RENTS	3,870,828	3,913,400	311,480	1,185,451	30.29
OTHER REVENUE	612,792	380,000	31,237	152,928	40.24
OTHER FINANCING SOURCES	0	1,473,090	0	0	.00
TOTAL REVENUE	4,483,620	5,771,490	342,808	1,338,470	23.19
EXPENDITURES					
ADMINISTRATION	543,477	586,650	37,433	145,295	24.77
OPERATION AND MAINTENANCE	3,366,597	3,417,450	267,306	990,364	28.98
DPW FACILITY MAINTENANCE	361,706	392,890	37,338	98,834	25.16
CAPITAL	0	1,374,500	1,751	168,628	12.27
TOTAL EXPENDITURES	4,271,780	5,771,490	343,828	1,403,121	24.31

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2007	11	1	7	HUNT BANK	2007	7	26	5.350	CD	2,300,412		2,300,411.54
	2007	11	1	7	HUNT BANK	2007	8	9	5.350	CD	2,197,797		2,197,796.91
	2007	11	8	7	HUNT BANK	2007	7	26	5.350	CD	1,165,347		1,165,347.47
	2007	11	8	7	FITB	2007	8	9	5.160	CD	2,098,261		2,098,260.76
	2007	11	15	7	HUNT BANK	2007	8	9	5.370	CD	1,052,090		1,052,090.49
	2007	11	15	7	FITB	2007	8	9	5.160	CD	1,080,331		1,080,330.66
	2007	11	15	7	CITIZENS	2007	8	30	5.300	CD	1,103,687		1,103,687.33
	2007	11	21	7	FLAGSTAR	2007	9	6	5.750	CD	2,109,292		2,109,292.06
	2007	11	29	7	COMERICA	2007	8	20	5.300	CD	1,000,000		1,000,000.00
	2007	11	29	7	CITIZENS	2007	8	30	5.300	CD	2,201,212		2,201,212.03
	2007	11	29	7	FLAGSTAR	2007	9	13	5.620	CD	2,000,000		2,000,000.00
	2007	11	30	8	FITB	2003	2	27	5.000	MAX SAVER	70,987,147		7,097,146.59
	2007	11	30	8	FITB	2004	1	1	4.200	MM	139,309		139,309.15
	2007	11	30	8	HUNT BANK	2004	8	27	4.302	MM	580,382		580,381.67
	2007	11	30	8	MBIA	2005	11	18	5.120	MBIA	1,623,878		1,623,878.08
	2007	11	30	7	CITIZENS	2006	5	4	4.800	MMIA	1,122,775		1,122,775.31
	2007	11	30	8	ML	2006	8	31	4.000	MM	3,324		3,324.48
	2007	11	30	8	FITB	2006	9	8	5.000	MAXSAVER+	2,063,944		2,063,943.83
	2007	11	31	8	FITB	2006	8	25	5.500	FNMA 73	744,891		744,890.63
	2007	12	6	7	FLAGSTAR	2007	8	23	5.490	CD	2,103,735		2,103,734.93
	2007	12	6	7	FLAGSTAR	2007	8	23	5.490	CD	1,000,000		1,000,000.00
	2007	12	6	7	HUNT BANK	2007	8	23	5.500	CD	1,000,000		1,000,000.00
	2007	12	6	7	FITB	2007	8	23	5.200	CD	1,000,000		1,000,000.00
	2007	12	13	9	ML	2007	9	6	4.290	TBILL	2,855,000		2,822,513.27
	2007	12	13	7	JPM CHASE	2007	9	13	5.430	CD	2,000,000		2,000,000.00
	2007	12	13	7	TCF BANK	2007	9	20	4.750	CD	2,109,539		2,109,539.20
	2007	12	20	7	TCF BANK	2007	9	13	5.300	CD	2,212,124		2,212,124.13
	2007	12	20	7	CHART ONE	2007	9	13	5.260	CD	2,000,000		2,000,000.00
	2007	12	20	9	ML	2007	9	13	3.950	TBILL	2,837,000		2,807,266.65
	2007	12	27	7	CITIZENS	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2007	12	27	7	HUNT BANK	2007	9	27	4.720	CD	2,218,083		2,218,083.10
	2007	12	27	7	CITIZENS	2007	10	4	4.800	CD	2,215,910		2,215,910.17
	2007	12	30	8	FITB	2007	2	9	6.000	3243	205,500		205,446.51
	2007	12	31	8	FITB	2005	7	27	4.500	FHLM 2687	4,085,000		4,084,941.25
	2008	1	3	7	FITB	2007	9	13	5.220	CD	2,000,000		2,000,000.00
	2008	1	3	9	ML	2007	9	26	3.790	TBILL	2,277,000		2,253,862.83
	2008	1	3	8	ML	2007	10	4	4.750	ML & CO	2,432,000		2,402,799.11
	2008	1	10	7	HUNT BANK	2007	9	13	5.590	CD	2,000,000		2,000,000.00
	2008	1	10	8	ML	2007	9	27	4.730	G E CAP	2,394,000		2,360,972.78
	2008	1	16	9	ML	2007	11	18	4.820	TBILL	2,151,000		2,125,080.45
	2008	1	17	7	NATL CITY	2007	9	13	5.400	CD	2,000,000		2,000,000.00
	2008	1	24	7	PRIV BANK	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2008	1	25	8	NATL CITY	2007	10	25	4.603	BASF	1,140,000		1,126,744.33
	2008	1	30	8	FITB	2004	1	30	4.250	FHR 2537LA	23,500		23,172.43
	2008	1	30	8	FITB	2005	5	25	5.000	FHLM 2808	60,000		59,901.30
	2008	1	31	7	TCF	2007	9	13	5.300	CD	2,000,000		2,000,000.00
	2008	2	7	7	NAT CITY	2007	9	21	5.050	CD	2,000,000		2,000,000.00

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Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2008	2	7	7	FLAGSTAR	2007	10	4	5.000	CD	2,285,654		2,285,654.15
	2008	2	14	7	FLAGSTAR	2007	9	21	5.380	CD	2,000,000		2,000,000.00
	2008	2	28	7	FLAGSTAR	2007	9	21	5.350	CD	2,000,000		2,000,000.00
	2008	2	28	7	COMERICA	2007	9	21	4.900	CD	2,000,000		2,000,000.00
	2008	3	6	7	JPM CHASE	2007	9	21	4.840	CD	2,000,000		2,000,000.00
	2008	3	13	7	FITB	2007	9	21	4.680	CD	2,000,000		2,000,000.00
	2008	3	20	7	FLAGSTAR	2007	9	21	5.310	CD	2,000,000		2,000,000.00
	2008	3	27	7	JPM CHASE	2007	9	21	4.790	CD	2,000,000		2,000,000.00
	2008	4	3	7	TCF BANK	2007	10	11	4.750	CD	2,118,553		2,118,552.62
	2008	4	3	7	CHART ONE	2007	10	18	4.600	CD	2,120,548		2,120,548.39
	2008	4	3	7	PRIV BANK	2007	10	25	4.950	CD	1,633,089		1,633,089.14
	2008	4	3	7	HUNT BANK	2007	10	25	4.680	CD	1,063,144		1,063,143.58
	2008	4	3	7	FITB	2007	10	25	4.720	CD	1,082,035		1,082,034.99
	2008	4	10	7	CITIZENS	2007	10	11	4.800	CD	2,118,504		2,118,503.69
	2008	4	10	7	CITIZENS	2007	10	18	4.800	CD	2,120,671		2,120,671.21
	2008	4	17	7	HUNT BANK	2007	10	11	4.990	CD	2,119,641		2,119,640.94
	2008	4	17	7	REPUBLIC	2007	10	18	4.800	CD	2,302,631		2,302,631.22
	2008	4	25	8	FITB	2005	1	11	4.000	FNMA 42	636,000		635,781.89
	2008	4	25	8	FITB	2005	8	26	4.500	31	851,000		850,694.32
	2008	4	25	8	FITB	2006	6	30	5.000	86	311,000		310,074.20
	2008	4	25	8	FITB	2007	1	9	5.500	FNMA 80	250,000		249,708.19
	2008	4	25	8	FITB	2007	3	21	5.000	FNMA 17	862,375		862,375.00
	2008	5	30	8	FITB	2003	5	19	5.000	FHLMC95237	416,000		415,186.47
	2008	5	30	8	FITB	2004	1	30	4.000	FHR 2535LK	486,000		485,053.84
	2008	5	30	8	FITB	2004	3	25	4.500	FHR 2669DT	199,000		198,840.65
	2008	5	30	8	FITB	2004	10	7	2.250	FHR 2625	95,000		94,019.50
	2008	5	30	8	FITB	2004	10	8	3.250	FHR 2564CN	382,000		381,467.94
	2008	5	30	8	FITB	2006	1	30	4.500	FHLM 2557	582,000		581,470.25
	2008	5	30	8	FITB	2008	5	30	3.600	FHR03 2640	359,000		358,139.74
	2008	6	15	8	FITB	2005	11	30	5.000	2802	607,000		606,706.82
	2008	6	25	8	FITB	2007	5	25	4.500	FHLM 2693	756,000		755,597.17
	2008	6	28	8	FITB	2004	10	12	4.000	FHR 2617	2,044,000		2,043,289.41
	2008	6	28	8	FITB	2005	8	30	4.500	2545	176,000		175,643.10
	2008	6	29	8	FITB	2006	11	24	3.250	FHLM 2568	445,000		444,398.14
	2008	7	31	8	FITB	2005	9	29	4.500	FHLM 2618	528,000		527,319.78
	2008	8	25	8	FITB	2007	4	25	4.500	2569	454,000		453,182.12
	2008	9	25	8	FITB	2007	9	28	5.500	FNMA 3061	550,000		550,000.00
	2008	10	30	8	FITB	2007	7	17	4.500	FNMA 37	656,000		655,408.57
	2008	11	30	8	FITB	2007	8	27	4.500	2003-36	990,000		987,312.50
	2008	11	30	8	FITB	2007	8	27	5.500	2549	600,000		599,633.33
	2008	12	30	8	FITB	2007	10	24	4.000	2594	414,904		414,904.18
	2008	12	31	8	FITB	2007	9	15	5.500	FHLM 3145	1,578,000		1,577,179.24
										TOTAL			131,994,027.71
591	2007	12	15	8	FITB	2005	8	26	4.500	FHLM 2687	1,000,000		991,000.00
	2007	12	26	8	LA SALLE	2007	7	31	4.500	MMA	2,032,943		2,032,943.12

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Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
591	2007	12	30	8	FITB	2006	3	3	5.000	FHLM 2561	46,000		45,554.50
	2007	12	31	8	FITB	2007	2	9	6.000	3243	155,000		154,655.36
	2007	12	31	8	FITB	2007	3	26	4.000	2780	253,000		252,562.26
	2008	1	3	7	CITIZENS	2007	10	4	4.800	CD	157,472		157,471.79
	2008	1	3	7	HUNT BANK	2007	10	4	5.030	CD	172,335		172,335.05
	2008	1	3	7	LASALLE	2007	10	4	4.800	CD	1,018,998		1,018,998.20
	2008	1	4	8	NAT CITY	2007	9	4	5.292	MORG STAN	1,597,000		1,569,087.99
	2008	3	25	8	FITB	2006	8	9	5.500	FNMA 73	125,000		124,451.22
	2008	6	30	7	COMERICA	1997	7	1	4.990	GOV'T POOL	2,077,245		2,077,245.67
	2008	6	30	8	FITB	2005	8	31	4.500	MM	158,119		158,119.08
	2008	6	30	8	FITB	2005	9	29	4.500	FHLM 2618	222,000		221,553.46
	2008	8	15	8	FITB	2007	5	25	4.500	FHLM 2693	190,000		189,649.29
	2008	12	31	8	FITB	2007	8	25	3.000	2659	88,000		87,896.96
	2008	12	31	8	FITB	2007	9	25	5.000	2898	1,178,000		1,177,594.65
										TOTAL			10,431,118.60
688	2008	6	30	7	CHASE	1997	7	1	4.660	GOV'T POOL	1,469,045		1,469,045.36
										TOTAL			1,469,045.36
										TOTAL			143,894,191.67

*** END OF REPORT ***

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November 2007

November 2007							December 2007						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3					1:00pm Advisory Comn 7:00pm Parks & Recrea		
	4	5	6	7	8	9	10
Nov 4 - 10			Election Day 7:30pm Historic District	8:30am Building Code f 7:00pm Persons with D	7:30pm Library Advisor		
	11	12	13	14	15	16	17
Nov 11 - 17		7:00pm Liquor Advisor 7:30pm City Council Me	7:00pm Ethnic Issues A 7:30pm Planning Comn	12:00pm Employee's Ret			
	18	19	20	21	22	23	24
Nov 18 - 24		7:30pm City Council Me	7:30pm BZA (Chambers 7:30pm Historic District	7:30am DDA Meeting;	City Hall Closed		
	25	26	27	28	29	30	Dec 1
Nov 25 - Dec 1			7:00pm Troy Daze; Con 7:30pm Planning Comn	7:00pm Youth Council; 7:30pm Traffic Commit			

December 2007

December 2007							January 2008						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Nov 25 - Dec 1	Nov 25	26	27	28	29	30	Dec 1
Dec 2 - 8	2	3 7:30pm City Council Me	4 7:30pm Planning Comn 7:30pm Historic District	5 7:00pm Persons with D	6 1:00pm Advisory Comn	7	8
Dec 9 - 15	9	10 7:00pm Liquor Advisor	11 7:30pm Planning Comn	12 8:30am Building Code F 12:00pm Employee's Re 1:00pm Retiree Health	13 7:30pm Library Advisor	14	15
Dec 16 - 22	16	17 7:30pm City Council Me	18 7:30pm BZA (Chambers 7:30pm Historic District	19 7:30am DDA Meeting; 7:00pm Youth Council;	20 7:00pm CANCELLED Pa	21	22
Dec 23 - 29	23	24 City Hall Closed	25	26	27	28	29
Dec 30 - Jan 5	30	31 City Hall Closed	Jan 1, 08	2	3	4	5

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
THE DETROIT EDISON COMPANY
CASE NO. U-15417

- The Detroit Edison Company may implement a maximum power supply cost recovery (PSCR) factor of \$0.00923 per kilowatt-hour (kWh) or 9.23 mills per kWh; including an amount reflecting the projected 2007 PSCR plan year undercollection in its retail electric customers' bills for the 12-month period beginning January 1, 2008 through December 31, 2008, if the Michigan Public Service Commission approves its request.
- The information below describes how a person may participate in this case.
- You may call or write The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226-1279, (800) 477-4747, for a free copy of its application. Any person may review the application at the offices of The Detroit Edison Company.
- The first public hearing in this matter will be held:

DATE: November 28, 2007, at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Barbara A. Stump

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the September 28, 2007 application of The Detroit Edison Company (Detroit Edison), which seeks approval of a power supply cost recovery PSCR plan for the 12-month period January 1, 2008 through December 31, 2008. The request includes a 5-year forecast and a PSCR factor of \$0.00923 per kWh or 9.23 mills per kWh on retail electric customers' bills in 2008, including an amount reflecting the projected 2007 PSCR plan year undercollection. Detroit Edison also seeks pre-approval of capacity charges associated with certain power purchases, approval of an emission allowance pre-purchase strategy, and approval of other regulatory requests.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets Website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6170 or by e-mail at mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 21, 2007. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Detroit Edison's attorney, Jon P. Christinidis, 2000 2nd Avenue, 688 WCB, Detroit, MI 48226-1279.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's Web site, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Detroit Edison's request may be reviewed on the Commission's Web site at michigan.gov/mpscedockets, and at the office of The Detroit Edison Company, 2000 Second Avenue, Detroit, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6170.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in 1982 P.A. 304 proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Labor & Economic Growth, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.51 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

October 29, 2007



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

QUARTERLY REPORT

OCTOBER 2007

BOARD OF TRUSTEES	
Representative	Municipality
J. Bais-DiSessa	City of Berkley
R. Spallasso	Village of Beverly Hills
T. M. Markus	City of Birmingham
R. Haberman	City of Clawson
B. A. Photiades	City of Ferndale
A. LeCureaux	City of Hazel Park
A. R. Allie	City of Huntington Woods
J. Mueller	City of Lathrup Village
M. L. McReynolds	City of Oak Park
S. W. Ball	City of Pleasant Ridge
G. Rassel	City of Royal Oak
B. P. Murphy	City of Troy

OFFICERS	
Chair:	M. L. McReynolds
Vice Chair:	B. P. Murphy
Secretary:	S. W. Ball
Advisory Committee:	M. L. McReynolds A. R. Allie B. P. Murphy A. LeCureaux

J. A. McKeen	General Manager
M. A. Czuprenski	Operations Director
J. Schandavel	Authority Engineer

Board of Trustees
SOCRRA

Subject: Quarterly Report - October 2007

Board Members:

Attached is a copy of SOCRRA's Quarterly Report covering the first three months operation of the fiscal year 2007/08. The report contains a financial statement of the Authority'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 this Authority.

BOARD OF TRUSTEES

The governing body of the Authority is a Board of Trustees, consisting of one representative from each constituent municipality. The Board held its Organization Meeting on July 11, 2007, and members were elected to serve as Officers for the fiscal year beginning July 2007. Following is a list of the current officers:

Chairman: M. L. McReynolds
 Vice Chairman: B. P. Murphy
 Secretary: S. W. Ball

Representatives on the Board are entitled to one vote for each 3,000 tons, or fraction thereof, of material delivered to the Authority during the preceding fiscal year. The number of votes of each constituent member for the fiscal year, beginning July 2007, is as follows:

Municipality	Votes
Berkley	4
Beverly Hills	3
Birmingham	6
Clawson	4
Ferndale	6
Hazel Park	4
Huntington Woods	2
Lathrup Village	1
Oak Park	5
Pleasant Ridge	1
Royal Oak	14
Troy	16
Total:	66

The Board meets in regular session once each month for the purpose of conducting all business coming before the Board.

The Authority is responsible for collecting recyclables, refuse and yard waste from the member communities and then recycling, disposing, or composting these materials. The Authority has entered into contracts with the individual members for a period extending to July 1, 2027. These contracts obligate the Authority to handle this material, charging rates sufficient to pay the operating costs and capital improvements.

FINANCIAL STATEMENT

The total net income for the first 3 months of 2007/08 was -\$152,253.46, before depreciation.

	<u>Actual</u>	<u>Compared to Budget</u>
Revenue	\$4,475,503.63	- \$43,939.37
Expenses	\$4,427,757.09	+ \$ 384,866.09
Net Income	\$- 152,253.46	-\$428,805.46

The decrease in revenue was due primarily to the lower than planned proceeds from the sale of recycled material (-\$58,000), reduced non-member refuse tonnage (-\$13,000), lower interest earned (-\$9,000) and lower rental property payments (-\$6,000), partially offset by receiving higher member revenue than budgeted (+\$29,000) and higher miscellaneous income (+\$11,000). Actual revenue was within 1% of the budgeted revenue. The prices we received for our recycled products have increased over the prices we budgeted, but we have received less recycling tonnage than planned. The sale of recycled material generated \$470,000, which is a 17% increase over the amount generated for the first quarter of 2006/07.

Expenses were above budget primarily due to settlement in the Waste Management arbitration on landfill surcharges (+\$133,000), higher than planned contractor expenses, which are largely an issue of timing (+\$100,000), maintenance expenses (+\$98,000), non-labor Administrative and General expenses (+\$35,000) and labor expenses (+\$16,000). Additional financial detail is attached.

MATERIAL HANDLED

SOCRRA processed 44,625 tons of refuse, yard waste and recyclables during the first three months of the current fiscal year. This represents a decrease of 1.4% or 652 total tons compared to the same period last year. This is the fourth year in a row for which we have seen a decrease in the total tonnage handled. We are continuing to observe a substantial decrease in the amount of refuse tonnage delivered by the member communities. The amount of member refuse decreased by 5.6% compared to the previous fiscal year and by 12.0% compared to the first quarter of 2005/06. For this quarter, the decline in member refuse tonnage was partially offset by a 5.6% increase in member yard waste. Non-member tonnage decreased by 28%.

Our recent history of tonnage handled is displayed in the table below:

	2003/04	2004/05	2005/06	2006/07	2007/08
Member Refuse	39,854	37,534	34,972	32,604	30,765
Non-Member Refuse	2,388	2,898	2,798	2,872	2,006
Recycling	4,324	4,324	4,030	4,013	3,925
Yard Waste	<u>5,152</u>	<u>5,496</u>	<u>5,741</u>	<u>5,879</u>	<u>7,929</u>
TOTAL	51,718	50,252	47,541	45,278	44,625

CAPITAL EXPENDITURES

Capital expenditures for the quarter totaled \$67,168 and were for the purchase of yard trucks and partial payment for the new loader for the Troy Transfer Station.

MAJOR PROJECTS

IMPLEMENTATION OF 2007 CONTRACTS

The new collection and disposal contracts were successfully implemented on July 1, 2007. The extensive preparation of the contractors and the member communities resulted in a very smooth transition period, with very few problems. The collection contractors have performed very well. We have received very few complaints and several communities have noticed an improvement in their level of service. The implementation of the new contracts went much better than we anticipated.

REVISION OF ARTICLES OF INCORPORATION

We have begun a process to revise our Articles of Incorporation. This document, which outlines how SOCRRA is to be governed, has not been substantively revised since 1960. Mr. Davis and I are developing a draft of the revised Articles, which will then be reviewed by a committee established by the Board before being referred to the Board as a whole. The revised Articles will then be presented to the City Council of each member community for their approval. The approval of each member community is required for the new articles to be effective. We anticipate bringing the revised Articles to the City Councils in the first quarter of 2008.

PLAN FOR MADISON HEIGHTS FACILITY

We have begun a process to develop a plan for our Madison Heights facility. With the new collection contracts that went into effect on July 1, 2007, this facility is no longer being routinely used for refuse transfer. We are continuing to use this facility for transfer of leaves from the member communities in the fall months and as a backup refuse transfer facility in case of a problem with the Troy Transfer Station. As the first step in this process, the Board will be participating in a strategic planning session following the November Board meeting in order to discuss and evaluate possible uses of this facility. Our plan calls for this process to be completed by the end of May, 2008.

EXPANSION OF RECYCLING PROGRAMS

We are continuing our effort to expand our recycling programs in order to get more material processed by our MRF and to return more revenue to the member communities. The new collection contracts allow us to offer recycling using 95 gallon carts on wheels in addition to the typical 18 gallon curbside bins. These carts have proven very popular with schools and businesses and allow us to easily add these locations to our curbside recycling routes. If you receive any inquiries about recycling in businesses, schools or churches, please forward them to the SOCRRA office. In addition, the Recycling Committee is used as a monthly sounding board to assess the feasibility of adding new items to our list of recyclable materials.

WASTE MANAGEMENT ISSUES

We reached agreement with Waste Management regarding payment for the issues decided by the arbitration. The final payment was made during September. Waste Management also made all of the repairs to the Troy Transfer Station required under our contract. Our contract with Waste Management ended as of June 30, 2007 and all of our contract issues have been resolved.

ANNUAL AUDIT

Our auditors have begun the preparation of our annual audit and have completed their field work. The significant change this year is that SOCRRA, rather than the auditors, prepared a draft of our financial statements for review by the auditors. This change was discussed when last year's audit was presented to the Board and is being done to increase SOCRRA's responsibility for our financial statements.

LEGAL OPINION-STATE ENABLING LAWS

As part of our study to develop a plan for the use of our Madison Heights facility, Mr. Davis prepared a legal opinion regarding the functions that SOCRRA can perform under the state enabling laws. In summary, SOCRRA can undertake any lawful function which any individual SOCRRA member community is authorized to do on its own. This allows SOCRRA to perform a wide range of functions for its member communities.

RECYCLING COMMITTEE

Vickie Richardson, of Troy, has agreed to chair the Recycling Committee for the 2007/08 fiscal year. We will be rotating the chair of the Committee among the member communities on an annual basis. Claire Galed, of Huntington Woods, was recognized by the Committee for her lengthy service as Chair of the Committee. The Committee meets on the third Wednesday of every month at 9:30 at the MRF Education Center to discuss recycling issues and to address any collection issues that occur.

Respectfully submitted,

Jeffrey A. McKeen, P.E.
General Manager

SOCRRA
STATEMENT OF INCOME
JULY 1,2007 THROUGH SEPTEMBER 30,2007

<u>REVENUES</u>	<u>ESTIMATED</u>	<u>ACTUAL</u>	<u>VARIANCES</u>
MEMBER SERVICES	\$3,759,276.00	\$3,788,525.61	\$29,249.61
NON-MEMBER REFUSE	170,000.00	158,149.78	(11,850.22)
NON MEMBER YARD WASTE	7,920.00	6,925.60	(994.40)
<u>RECYCLING</u>			
CARDBOARD	\$36,978.00	\$16,230.81	(\$20,747.19)
PLASTICS	116,217.00	100,825.82	(15,391.18)
SCRAP METAL	4,743.00	38,128.43	33,385.43
NEWSPAPERS	348,648.00	283,254.48	(65,393.52)
GLASS	5,283.00	5,641.92	358.92
BATTERIES	540.00	460.00	(80.00)
TIN CANS	10,566.00	14,259.12	3,693.12
NON FERROUS METAL	5,283.00	11,111.83	5,828.83
	<u>\$528,258.00</u>	<u>\$469,912.41</u>	<u>(\$58,345.59)</u>
<u>OTHER</u>			
REVENUES-COMPOST	\$9,800.00	\$12,712.76	\$2,912.76
INTEREST ON INVESTMENTS	17,400.00	8,051.05	(9,348.95)
GRANT FUNDS	0.00	0.00	0.00
RENTAL INCOME	24,789.00	18,725.00	(6,064.00)
MISC. INCOME	2,000.00	12,501.42	10,501.42
	<u>\$53,989.00</u>	<u>\$51,990.23</u>	<u>(\$1,998.77)</u>
TOTAL REVENUES	<u>\$4,519,443.00</u>	<u>\$4,475,503.63</u>	<u>(\$43,939.37)</u>

<u>EXPENSES</u>	<u>BUDGET APPROPRIATIONS</u>	<u>ACTUAL EXPENDITURES</u>	<u>VARIANCES</u>
TROY TRANSFER STATION	\$587,737.00	\$677,478.18	\$89,741.18
MADISON HEIGHTS OPERATION	9,910.00	8,216.23	(1,693.77)
HOUSEHOLD WASTE	30,410.00	43,137.42	12,727.42
MATERIAL RECOVERY FACILITY	169,220.00	193,911.67	24,691.67
COMPOST/LANDFILL OPERATION	83,010.00	166,901.59	83,891.59
ADMINISTRATIVE & GENERAL	384,988.00	421,470.34	36,482.34
COLLECTION FEES	1,848,935.00	1,950,259.02	101,324.02
COLLECTION & DISPOSAL FEES IN TRANSIT	1,128,681.00	1,166,382.64	37,701.64
	<u>\$4,242,891.00</u>	<u>\$4,627,757.09</u>	<u>\$384,866.09</u>
REVENUES OVER EXPENSES	\$276,552.00	(\$152,253.46)	(\$428,805.46)
NET INCOME BEFORE DEPRECIATION	<u>\$276,552.00</u>	<u>(\$152,253.46)</u>	<u>(\$428,805.46)</u>

SOCRRA
STATEMENT OF INCOME
JULY 1,2007 THROUGH SEPTEMBER 30,2007

<u>REVENUE</u>	<u>TOTAL TONS</u>	<u>AMOUNT</u>
MEMBER SERVICES	30,764.65	\$3,788,525.61
NON-MEMBER REFUSE	2,005.94	158,149.78
<u>YARD WASTE</u>		
MEMBERS	7,841.05	0.00
OTHERS	87.79	6,925.60
<u>RECYCLABLES</u>		
MEMBERS	3,797.07	0.00
OTHERS	128.41	0.00
	44,624.91	\$3,953,600.99
<u>RECYCLING</u>		
CARDBOARD		\$16,230.81
PLASTICS		100,825.82
SCRAP METAL		38,128.43
NEWSPAPERS		283,254.48
GLASS		5,641.92
BATTERIES		460.00
TIN CANS		14,259.12
NON FERROUS METAL		11,111.83
		\$469,912.41
<u>OTHER</u>		
REVENUES-COMPOST		\$12,712.76
INTEREST ON INVESTMENTS		8,051.05
GRANT FUNDS		0.00
RENTAL INCOME		18,725.00
MISC. INCOME		12,501.42
		51,990.23
TOTAL REVENUE		\$4,475,503.63
<u>EXPENSES</u>		
TROY TRANSFER STATION		\$677,478.18
MADISON HEIGHTS OPERATION		8,216.23
HOUSEHOLD WASTE		43,137.42
MATERIAL RECOVERY FACILITY		193,911.67
COMPOST/LANDFILL OPERATION		166,901.59
ADMINISTRATIVE & GENERAL		421,470.34
COLLECTION FEES		1,950,259.02
COLLECTION & DISPOSAL FEES IN TRANSIT		1,166,382.64
		\$4,627,757.09
NET INCOME BEFORE DEPRECIATION		(\$152,253.46)
DEPRECIATION		106,165.50
NET INCOME		(\$258,418.96)

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1,2007 THROUGH SEPTEMBER 30,2007

<u>REVENUES</u>	<u>TOTAL BUDGET 2007/08</u>	<u>ACTUAL 3 MONTHS</u>	<u>BALANCE</u>
MEMBERS SERVICES	\$15,037,108.00	\$3,788,525.61	\$11,248,582.39
NON-MEMBER REFUSE	680,000.00	158,149.78	521,850.22
<u>YARD WASTE</u>			
NON-MEMBERS	66,000.00	6,925.60	59,074.40
<u>RECYCLABLES</u>			
CARDBOARD	\$136,955.00	\$16,230.81	\$120,724.19
PLASTICS	430,430.00	100,825.82	329,604.18
SCRAP METAL	17,405.00	38,128.43	(20,723.43)
NEWSPAPERS	1,291,290.00	283,254.48	1,008,035.52
GLASS	19,565.00	5,641.92	13,923.08
BATTERIES	2,160.00	460.00	1,700.00
TIN CANS	39,130.00	14,259.12	24,870.88
NON FERROUS METAL	19,565.00	11,111.83	8,453.17
	<hr/> \$1,956,500.00	<hr/> \$469,912.41	<hr/> \$1,486,587.59
<u>OTHER</u>			
REVENUES-COMPOST	\$28,000.00	\$12,712.76	\$15,287.24
INTEREST ON INVESTMENTS	60,000.00	8,051.05	51,948.95
GRANT FUNDS	0.00	0.00	0.00
RENTAL INCOME	99,156.00	18,725.00	80,431.00
MISC. INCOME	25,000.00	12,501.42	12,498.58
	<hr/> \$212,156.00	<hr/> \$51,990.23	<hr/> \$160,165.77
TOTAL REVENUES	<hr/> <hr/> \$17,951,764.00	<hr/> <hr/> \$4,475,503.63	<hr/> <hr/> \$13,476,260.37

SOCRRA
 STATEMENT OF REVENUES & EXPENDITURES
 COMPARED WITH TOTAL BUDGET
 JULY 1,2007 THROUGH SEPTEMBER 30,2007

<u>EXPENSES</u>	<u>TOTAL BUDGET 2007/08</u>	<u>ACTUAL 3 MONTHS</u>	<u>BALANCE</u>
TROY TRANSFER STATION	\$2,951,667.00	\$677,478.18	\$2,274,188.82
MADISON HEIGHTS OPERATION	123,000.00	8,216.23	114,783.77
HOUSEHOLD WASTE	146,000.00	43,137.42	102,862.58
MATERIAL RECOVERY FACILITY	773,000.00	193,911.67	579,088.33
COMPOST/LANDFILL OPERATION	410,000.00	166,901.59	243,098.41
ADMINISTRATIVE & GENERAL	1,334,660.00	421,470.34	913,189.66
COLLECTION & DISPOSAL FEES	11,093,614.00	1,950,259.02	9,143,354.98
COLLECTION & DISPOSAL FEES IN TRANSIT	0.00	1,166,382.64	(1,166,382.64)
	<hr/> \$16,831,941.00	<hr/> \$4,627,757.09	<hr/> \$12,204,183.91
TOTAL EXPENDITURES	<hr/> <hr/> \$16,831,941.00	<hr/> <hr/> \$4,627,757.09	<hr/> <hr/> \$12,204,183.91
 NET INCOME	 <hr/> <hr/> \$1,119,823.00	 <hr/> <hr/> (\$152,253.46)	 <hr/> <hr/> \$1,272,076.46

S O C R R A
 COMPARATIVE STATEMENT
 JULY 1,2007 THROUGH SEPTEMBER 30,2007

	<u>2007/08**</u>	<u>2006/07</u>	<u>VARIANCES</u>
<u>REVENUES</u>			
MEMBER SERVICES	\$3,788,525.61	\$1,105,640.32	\$2,682,885.29
NON MEMBER REFUSE	158,149.78	191,930.36	(33,780.58)
<u>YARD WASTE</u>			
MEMBERS	0.00	179,637.60	(179,637.60)
OTHERS	6,925.60	10,469.56	(3,543.96)
<u>RECYCLABLES</u>			
CARDBOARD	\$16,230.81	\$15,454.15	\$776.66
PLASTICS	100,825.82	69,030.70	31,795.12
SCRAP METAL	38,128.43	22,591.96	15,536.47
NEWSPAPERS	283,254.48	237,075.42	46,179.06
GLASS	5,641.92	5,778.36	(136.44)
BATTERIES	460.00	658.00	(198.00)
TIN CANS	14,259.12	6,052.17	8,206.95
NON FERROUS METAL	11,111.83	10,984.31	127.52
	<u>\$469,912.41</u>	<u>\$367,625.07</u>	<u>\$102,287.34</u>
<u>OTHER</u>			
REVENUES-COMPOST	\$12,712.76	\$10,267.00	\$2,445.76
INTEREST ON INVESTMENTS	8,051.05	4,623.99	3,427.06
GRANT FUNDS	0.00	0.00	0.00
HOUSEHOLD WASTE	0.00	36,321.00	
RENTAL INCOME	18,725.00	24,724.95	(5,999.95)
MISC. INCOME	12,501.42	138,798.68	(126,297.26)
	<u>\$51,990.23</u>	<u>\$214,735.62</u>	<u>\$78,150.29</u>
TOTAL REVENUES	\$4,475,503.63	\$2,070,038.53	\$2,646,360.78
OPERATING EXPENSES	\$3,487,794.09	\$1,776,632.57	\$1,711,161.52
EXCESS	<u>\$987,709.54</u>	<u>\$293,405.96</u>	<u>\$935,199.26</u>

**Reflects first year of refuse, recyclables & Yard waste collection

SOCRRA
TOTAL DISPOSAL CHARGES
JULY 1,2007 THROUGH SEPTEMBER 30,2007

<u>MUNICIPALITY</u>	<u>TOTAL TONS</u>	<u>DISPOSAL CHARGES</u>
BERKLEY	2,177	\$195,500.50
BEVERLY HILLS	1,710	138,150.00
BIRMINGHAM	3,437	310,570.00
CLAWSON	1,989	161,522.00
FERNDALE	3,621	362,482.00
HAZEL PARK	2,628	240,334.00
HUNTINGTON WOODS	1,032	78,030.00
LATHRUP VILLAGE	804	61,425.75
OAK PARK	3,596	343,181.22
PLEASANT RIDGE	545	38,672.00
ROYAL OAK	8,848	959,918.02
TROY	12,016	898,740.12
	<hr/>	<hr/>
SUB-TOTAL	42,403	\$3,788,525.61
	<hr/>	<hr/>
OTHER CUSTOMERS	2,076	\$165,074.84
DROP OFF CENTERS	146	0.00
	<hr/>	<hr/>
TOTAL	44,625	\$3,953,600.45

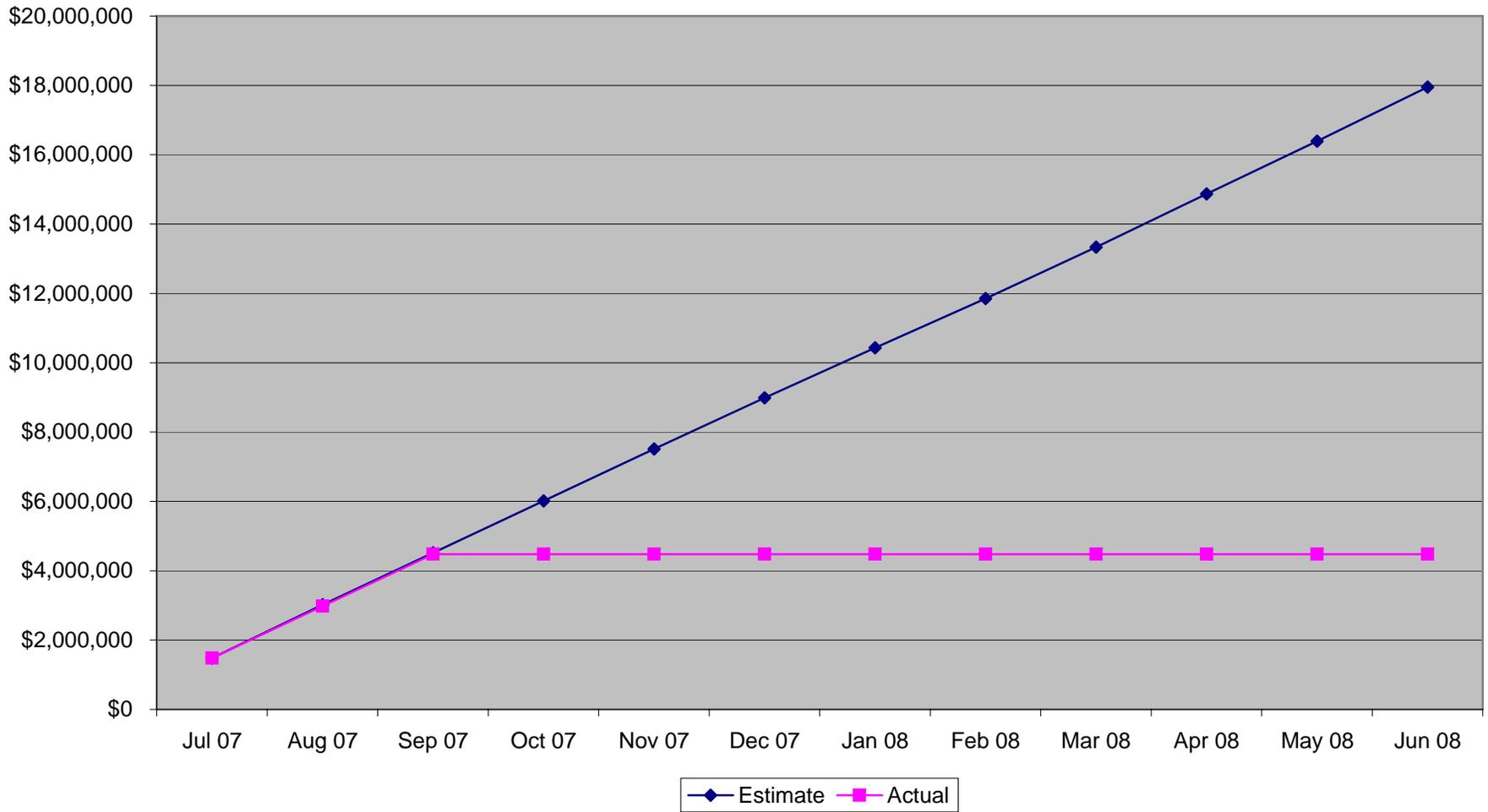
EXPENDITURES

TS Heavy Equipment (Yard Trucks & CAT 950 Loader) \$67,168.03

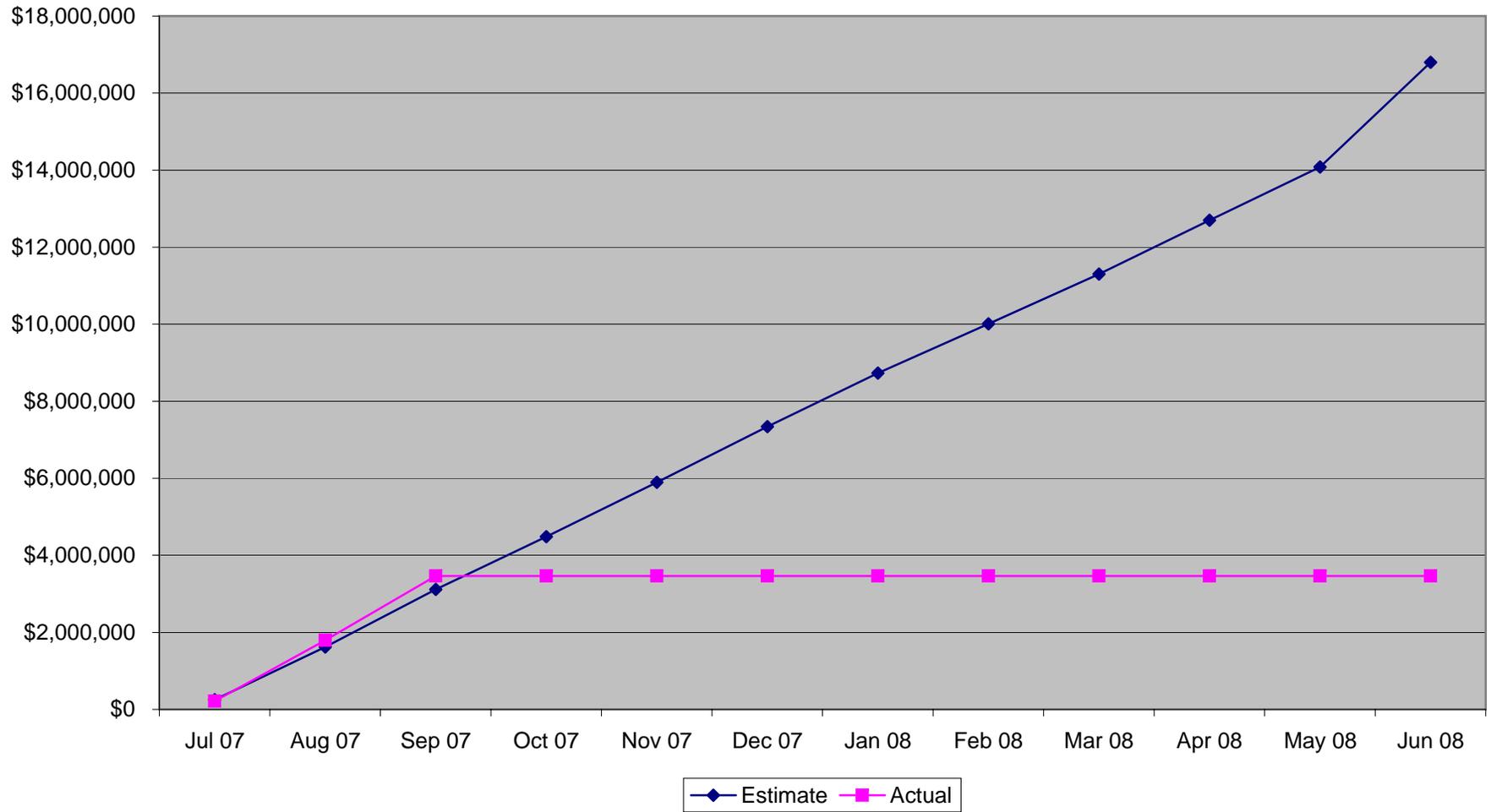
TOTAL

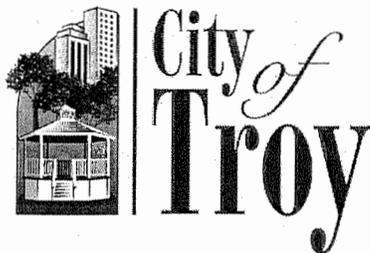
\$67,168.03

SOCRRA REVENUES 2007/08



SOCRRA EXPENSES 2007/08





CITY COUNCIL REPORT

November 5, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer *[Signature]*

SUBJECT: MDEQ Approval of Troy's Soil Erosion and Sedimentation Program

After working with the Michigan Department of Environmental Quality (MDEQ) for several years to update the City's Soil Erosion and Sedimentation Control (SESC) Ordinance and recertify our permit and inspection programs, we are happy to report that the MDEQ has given its approval to our Soil Erosion and Sedimentation Control Program (see attached). Since 2001 when the MDEQ notified Troy of their recertification audit, the Engineering Department has worked diligently to update the City's program and achieve the goals and objectives set forth by the MDEQ for an acceptable soil erosion control program.

Although under Michigan Department of Environmental Quality (DEQ) regulations, local Soil Erosion and Sedimentation Control (SESC) programs are required to be audited every five (5) years, it has taken nearly that long to go through MDEQ's audit process. The task was complicated by several factors including several MDEQ staff changes resulting in inconsistent rules and requirements and the need to completely rewrite the city's Soil Erosion and Sedimentation Control ordinance, Chapter 86, to conform to new state environmental laws that took effect in 1994 and 2001 after the previous ordinance was adopted.

New permits, inspection and enforcement procedures also had to be designed and adopted, which required the building community to learn many new rules and regulations of this new program. Frequently, builders commented on how different and somewhat more rigorous our requirements were as compared to other communities. That comment was absolutely true, considering that very few of our surrounding communities have updated their programs and gone through the MDEQ audit process. Given the slow rate at which the MDEQ conducts its audits, it may be several more years until other communities come into compliance with Act 451 of Public Acts of 1994, as amended in 2001, of the Natural Resources and Environmental Protection Act, Part 91, which pertains to Soil Erosion and Sedimentation Control. Meanwhile, the Troy Engineering Department will be working with other communities and will present to the Metro Detroit Chapter of the American Public Works Association information on Troy's experience with the MDEQ and how they can update their Soil Erosion and Sedimentation Control Programs.

I'd like to take this opportunity to thank all those that contributed significantly to updating Troy's program and achieving MDEQ certification: Jennifer Lawson, Environmental Specialist; Lance Oakley, Engineering Technician; Joe Lietaert, Inspector Supervisor; Dane Lawicki, Eng. Specialist, Janet Parsons, Clerk-Typist; Mike Bastien, Engineering Assistant; and Spalding DeDecker Associates, Consulting Engineers.



DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



JENNIFER M. GRANHOLM
GOVERNOR

STEVEN E. CHESTER
DIRECTOR

September 17, 2007

Mr. Steven Vandette, P.E.
City of Troy
500 W Big Beaver Road
Troy, Michigan 48084

Dear Mr. Vandette:

A review of the City of Troy Municipal Enforcing Agency (MEA) Soil Erosion and Sedimentation Control (SESC) Program was conducted by the Department of Environmental Quality (DEQ), Water Bureau (WB), on September 4, 2007. The review was conducted pursuant to Section 9106(3) of Part 91, SESC, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Based on the review of the City of Troy MEA SESC Program on September 4, 2007, the City of Troy MEA SESC Program is granted "approved" status.

It is important that the City of Troy not assume that the granting of the approved status is the end of the process for program improvement. Findings of the most recent follow-up review are detailed in Enclosure 1.

The WB appreciates the action taken by the City of Troy to comply with the requirements of Part 91. If you have any questions, please contact me or Cheryl Petroski at Petrosc1@michigan.gov.

Sincerely,

Hae-Jin Yoon
District Supervisor
Southeast Michigan District Office
Water Bureau
586-753-3750

Enclosure

cc: Ms. Cheryl Petroski, WB
Mr. Dick Mikula, DEQ - WB



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ENGINEERING



CITY COUNCIL REPORT

November 15, 2007

TO: Mayor and City Council

FROM: Phillip L. Nelson, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration

SUBJECT: Submittal of the 2007 Comprehensive Annual Financial Report (CAFR)

We are pleased to present the Comprehensive Annual Financial Report (CAFR) prepared by the City's auditors, the Rehmann Robson Group, for the period ending June 30, 2007.

Hard copies of the CAFR are attached to your agenda materials, and are available for public viewing at the City Clerk's Office and in the Library.

If you have any questions about the information contained within this document, please contact us.