

Minutes	A-1
<hr/>	
Regular Meeting – December 20, 1999	
Study Session - January 5, 2000	

Introduction of High School Student Appointee to the Library Board	A-2
<hr/>	

Student nominee Robin Jankowiak will be present at this meeting.

TABLED ITEMS

Proposed Rezoning – Section 3 – West of Rochester, South of South Blvd., from R-1C to R-1T	D-1
<hr/>	

Because of written objections filed by surrounding property owners, a two-thirds vote of Council is required to approve this request. The City Council could apply E-P (Environmental Protection) zoning to a portion of the property, even though such was not recommended by the Planning Commission.

Suggested Resolution

Moved by:

Seconded by:

(a) Resolution to Table as Requested by City Management

RESOLVED, that this item be TABLED to March 6, 2000 to allow for wetland delineation and a natural features study by Dr. Jaworski.

(b) As Requested (5 votes required)

BE IT RESOLVED, that the request for the rezoning of two ten (10) acre parcels on the south side of South Boulevard, west of Rochester Road, from R-1C (One Family Residential) to R-1T (One Family Attached Residential), be approved, a copy of which shall be attached to and made a part of the original minutes of this meeting.

(c) As Recommended by the Planning Commission (5 votes required)

BE IT RESOLVED, that the request for the rezoning of approximately 23.4 acres south of South Boulevard, west of Rochester Road, from R-1C (One Family Residential) to R-1T (One Family Attached Residential), be approved as recommended by the Planning Commission, a copy of which shall be attached to and made a part of the original minutes of this meeting.

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 remove an item from the Consent

Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. (*Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.*)

Approval of Consent Agenda

E-1

Suggested Resolution

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 (E) items, as printed.

Yes:

No:

Approval of the Summer Maintenance Contract with the Road Commission for Oakland County

E-2

Suggested Resolution

RESOLVED, that the Summer Maintenance Agreement between the Road Commissioner for Oakland County and the City of Troy, providing for the sweeping of Big Beaver Road between Adams and Dequindre by the City of Troy, is hereby approved, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original minutes of this meeting.

Approval to Pay Relocation Benefits – Storm Seal, Inc., Parcel 26, 27a & 27b - Rochester Road Improvements, I-75 to Torpey, Project No. 89.206.5

E-3

Suggested Resolution

RESOLVED, that as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits on a fixed payment basis in the amount of \$20,000 to Storm Seal, Inc, the business displaced from property at 2771 Rochester Road.

Bid Award - Annual Bedding Plants

E-4

Suggested Resolution

RESOLVED, that a contract for annual flowers and bedding plants is hereby awarded to Shemin Nurseries, Inc., the sole bidder, for an estimated total cost of \$15,743.50 and at unit prices contained in the bid tabulation opened December 10, 1999, a copy of which shall be attached to the original minutes of this meeting, contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

Acceptance of Permanent Easement – for Chopin Storm Drain, from Barry P. Castelloux & Deane M. Castelloux, Sidwell #88-20-27-357-010 E-5

Suggested Resolution

RESOLVED, that the Permanent Easement from Barry P. Castelloux and Deane M. Castelloux, being part of property having Sidwell #88-20-27-357-010, is hereby accepted for public storm drain and related public purposes; and

BE IT FUTHER RESOLVED, that the City Clerk is hereby directed to record said Permanent Easements with the Oakland County Register of Deeds, a copy of which shall be attached to the original minutes of this meeting.

Amendment to Computer Equipment for City Council E-6

Suggested Resolution

RESOLVED, that the administration is hereby authorized to purchase printers and Internet access for City Council members at a cost of approximately \$2,800.

Accept Resignation of Andrew Pollock from the Board of Review E-7

Suggested Resolution

RESOLVED, that the resignation of Andrew Pollock from the Board of Review is hereby accepted, with regrets.

Appointment of Gary Shripka as the Alternate Delegate to the Southeast Oakland County Resource Recovery Authority E-8

Suggested Resolution

RESOLVED, that Tom Gary Shripka is hereby appointed to be the alternate delegate of the City of Troy to serve on the Southeast Oakland County Resource Recovery Authority.

Approval of Selection Process for Construction Manager, Architect and Environmental Consultant E-9

Suggested Resolution

RESOLVED, that the City Council approves of the City staff and Rossetti Associates reviewing proposals, selecting and interviewing for a Community Center construction manager, with final approval by City Council; and

BE IT RESOLVED, that City staff will recommend an architectural contract with Ehresman Associates for the Police/Fire Training Center, as well as Fire Station #3 for City Council approval; and

BE IT FURTHER RESOLVED, that the City staff develop a contract with a wetlands/natural features consultant, Dr. Eugene Jaworski, for City Council approval.

Approval of Funding for Moving the City Clerk's Office, Risk Management and Duplicating to the Vacated Court Space **E-10**

Suggested Resolution

RESOLVED, that the recommendation of administration to relocate the City Clerk's office, Risk Management and Duplicating to a portion of the vacated court space in accordance with the report and recommendation dated December 15, 1999, is hereby approved at an estimated cost of \$ 140,768.30.

Resolution to Establish Load Restrictions for Frost Law Enforcement **E-11**

Suggested Resolution

RESOLVED, that axle load limits of 6,000 pounds per axle and 8,500 pounds per tandem assembly are hereby established and imposed upon vehicles traveling upon streets and roads of the City of Troy, during periods prescribed in Chapter 94, Axle Load Ordinance, of the Code of the City of Troy for "frost law" limitations, which streets are listed in Attachment "A" of a report from the Director of Public Works dated January 6, 2000 and a copy of said report and attachments shall be attached to the original minutes of this meeting.

Closed Session **E-12**

Suggested Resolution

RESOLVED, that the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections 8 (d) and (e) (Troy v Zebraki), after adjournment of this meeting.

REGULAR BUSINESS

Nominations/Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) CATV Advisory Committee; (c) Historic District Commission; (d) Troy Daze; (e) Board of Canvassers; (f) Election Commission; (g) Student Representative to the Library Board; (h) Board of Review; (i) Board of Zoning Appeals **F-1**

(a) Advisory Committee for Persons with Disabilities

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(b) CATV Advisory Committee

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(c) Historic District Commission

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(d) Troy Daze

Bill Hall has been nominated by Councilman Kaszubski to fill this vacancy.

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(e) Board of Canvassers

The terms of Rolland Ersin and Carole Webb expired December 31, 1999.

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(f) Election Commission

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(g) Student Representative to the Library Board

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that Robin Jankowiak is hereby appointed to serve as the Student Representative to the Library Board for a one year term ending December 31, 2000.

Yes:

No:

(h) Board of Review

A vacancy exists due to the resignation of Andrew Pollock.

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

(i) Board of Zoning Appeals

A vacancy exists due to the unexpected death of Dr. Sosnowski.

Suggested Resolution

Moved by:

Seconded by:

The following persons are hereby nominated by members of the City Council, as indicated, to serve on this committee:

Nominee

Nominated By

Resolution Authorizing The Issuance Of Not To Exceed \$5,600,000 Michigan Transportation Fund Bonds (Rochester Road)

F-2

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, this City Council does hereby determine that it is necessary to acquire and construct major street system improvements in the City, which include the widening, reconstruction and repaving of Rochester Road between I-75 and Torpey Road, including water, sewer and storm system improvements, acquisition of rights of way and other costs necessary for completion of said improvements (the "Improvements"); and

WHEREAS, the cost of the Improvements is estimated to be Fifteen Million Five Hundred Forty Six Thousand Two Hundred Twenty Six Dollars (\$15,546,226); and

WHEREAS, to finance a portion of the cost of the Improvements, the City Council deems it necessary to borrow the sum of Five Million Six Hundred Thousand Dollars (\$5,600,000) and issue bonds therefor as authorized by the provisions of Act 175, Public Acts of Michigan, 1952, as amended ("Act 175"); and

WHEREAS, the Improvements are in accordance with the purposes enumerated in Act 51, Public Acts of Michigan, 1951, as amended ("Act 51"); and

WHEREAS, the revenues received by the City from the Michigan Transportation Fund pursuant to Act 51 in the year preceding this contemplated borrowing are more than sufficient to comply with all of the requirements specified in Section 4 of Act 175;

WHEREAS, prior to issuance of the bonds the City must either receive prior approval of the bonds from the Michigan Department of Treasury ("Treasury") or be exempt from prior approval as provided in Chapter III, Section 11 of the Municipal Finance Act, Act 202, Public Acts of Michigan, 1943, as amended; and

WHEREAS, in order to be exempt from prior approval, the City must notify Treasury of the City's intent to issue the bonds; and

WHEREAS, the City has, by resolution duly adopted by the City Council on September 13, 1999 (the "Reimbursement Resolution"), stated its intention to be reimbursed from proceeds of the bonds for certain preliminary expenditures undertaken by the City for the aforescribed Improvements prior to issuance of the bonds and wishes to restate at this time its intention to be reimbursed from the proceeds of the bonds authorized hereof for said expenditures; and

WHEREAS, the City Council desires to make certain declarations for the purpose of complying with the reimbursement rules of Treas. Reg. §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended (the "Code").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. APPROVAL OF PLANS AND ESTIMATES OF COSTS: The plans and estimates of cost of the Improvements are hereby approved and adopted.

2. PERIOD OF USEFULNESS: The period of usefulness of the Improvements is estimated to be not less than twenty (20) years.

3. AUTHORIZATION OF BONDS – PURPOSE: The City Council hereby determines to borrow the sum of Five Million Six Hundred Thousand Dollars (\$5,600,000) and issue bonds of the City therefor pursuant to the provisions of Act 175 (the "Bonds"), for the purpose of providing funds to pay the cost of the Improvements and the costs of issuance incurred with respect to the Bonds.

4. BOND DETAILS: The Bonds shall be designated MICHIGAN

TRANSPORTATION FUND BONDS (ROCHESTER ROAD); shall be dated as of February 1, 2000, or such other date as shall be approved by the City Council in the resolution authorizing the sale of the Bonds (the "Sale Resolution"); shall be in denominations 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 be fully registered, shall be numbered consecutively in order of registration from 1 upwards; shall bear interest at a rate or rates to be determined upon public sale thereof but not to exceed 7% per annum, first payable on November 1, 2000 and semiannually on May 1 and November 1 thereafter, or such interest payment dates as shall be provided in the Sale Resolution; shall be sold at not less than 99% of their par value; and shall mature on May 1 in the years 2001 to 2014 inclusive as follows:

<u>Year</u>	<u>Amount</u>
2001	\$1,100,000
2002	1,200,000
2003	1,300,000
2004	125,000
2005	150,000
2006	175,000
2007	175,000
2008	175,000
2009	175,000
2010	175,000
2011	175,000
2012	200,000
2013	225,000
2014	250,000

5. PAYMENT OF PRINCIPAL AND INTEREST: The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Bonds to the Transfer Agent (as defined in Section 8 hereof) as they severally mature. Interest shall be payable commencing on November 1, 2000, and semiannually thereafter, or such interest payment dates as provided in the Sale Resolution, by check or draft mailed by the Transfer Agent to the person or entity which is, as of the 15th day of the month preceding the interest payment date, the registered owner at the registered address as shown on the registration books maintained by the Transfer Agent. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future.

6. PRIOR REDEMPTION: The Bonds are subject to redemption prior to maturity at the times and prices and in the manner set forth in the Bond Form in Section 15 of this resolution.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers, and in the case of partial redemption, the called amounts of each certificate; the redemption date; the

redemption price or premium; the place where Bonds called for redemption are to be surrendered for payment; and shall state that interest on Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

7. BOOK-ENTRY SYSTEM. Initially, one fully-registered bond for each maturity of the 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 Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the Transfer Agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the Transfer 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 Bonds at any time by giving notice to the City and the Transfer 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 Transfer 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 Transfer Agent to do so, the City and the Transfer Agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Bonds to any Participant having Bonds certified to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the 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 Bonds and all notices with respect to the Bonds shall be made and given, respectively, to DTC as provided in the Letter of Representations relating to the Bonds among DTC, the City and the Transfer Agent. The City Manager and/or the Assistant City Manager/Finance is authorized to sign the Letter of Representations on behalf of the City in such form as the City Manager and/or the Assistant City Manager/Finance deems necessary or appropriate in order to accomplish the issuance of the Bonds in accordance with law and this resolution.

8. BOND REGISTRAR, TRANSFER AGENT AND PAYING AGENT: The City Manager and/or the Assistant City Manager/Finance shall designate, and may enter into an agreement with, Old Kent Bank, Grand Rapids, Michigan as bond registrar, transfer

agent and paying agent (the "Transfer Agent") for the Bonds. From time to time as required, the City Manager and/or the Assistant City Manager/Finance may designate a similarly qualified successor bond Transfer 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.

9. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS: The Bonds shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the City Clerk, shall have the City's seal or a facsimile thereof printed or affixed on them, and shall be authenticated by the manual signature of an authorized representative of the Transfer Agent designated in the notice of sale of the Bonds. The Bonds shall be delivered to the Transfer Agent for authentication and shall be delivered by the Transfer Agent to the purchaser in accordance with instructions from the City Manager and/or the Assistant City Manager/Finance of the City upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees may simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

10. EXCHANGE AND TRANSFER OF BONDS. Any Bond, upon surrender thereof to the Transfer Agent with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for a Bond or 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 Bond.

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

Upon the exchange or transfer of any Bond, the Transfer Agent on behalf of the City shall cancel the surrender Bond and shall authenticate and deliver to the transferee a new 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 Bond. If, at the time the Transfer Agent authenticates and delivers a new Bond pursuant to this section, payment of interest on the Bonds is in default, the Transfer Agent shall endorse upon the new 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 Transfer Agent may deem and treat the person in whose name any Bond shall be registered upon the books of the City as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provision of Section 5 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Transfer Agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the Transfer 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 Bonds, the City or the Transfer 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 Transfer Agent shall not be required to transfer or exchange Bonds or portions of Bonds which have been selected for redemption.

11. SECURITY AND APPROPRIATION OF CITY'S MICHIGAN TRANSPORTATION FUND PAYMENT: There is hereby made an irrevocable appropriation of the amount necessary to pay the principal of and interest on the Bonds from the moneys to be derived from state-collected taxes returned to the City for road purposes pursuant to law to provide moneys to pay the principal of and interest on the Bonds and in accordance with the provisions of Act 175, until payment in full of the principal of and interest on the Bonds or until this resolution is defeased as provided in Section 14 hereof.

Until this resolution is defeased as provided in Section 14 hereof, the City Manager and/or the Assistant City Manager/Finance of the City is directed, each year that any of the principal of and interest on the Bonds remains unpaid, to set aside in a separate fund, to be designated MICHIGAN TRANSPORTATION FUND BONDS (ROCHESTER ROAD) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), sufficient moneys from revenues received during such year from the Michigan Transportation Fund pursuant to law, which, together with moneys already on deposit in the Debt Retirement Fund, shall be sufficient to pay the principal of and interest on the Bonds next maturing. The City Manager and/or the Assistant City Manager/Finance of the City shall transfer moneys in the Debt Retirement Fund to the Transfer Agent for the Bonds as necessary for the payment of the principal and interest on the Bonds. There shall also be set aside in the Debt Retirement Fund, from the proceeds of the sale of the Bonds, any premium and accrued interest received from the purchaser at the time of delivery of the Bonds.

The Bonds of this issue are of equal standing and priority of lien as to said state collected taxes returned to the City for road purposes pursuant to law with the City's outstanding 1995 Michigan Transportation Fund Bonds, in the original principal amount of \$3,125,000 (the "1995 Bonds"). The 1995 Bonds remain outstanding in the aggregate principal amount of \$2,550,000, mature in various principal amounts on November 1 in the years 2000 to 2009 inclusive and bear interest at rates per annum which vary from 4.800% to 5.500%.

The City reserves the right to issue additional bonds of equal standing and priority of lien as to said state collected taxes with the Bonds of this issue and the 1995 Bonds within the limitations prescribed by law.

12. CONSTRUCTION FUND. The City Manager and/or the Assistant City Manager/Finance is further directed to open a separate account, to be designated

MICHIGAN TRANSPORTATION FUND BONDS (ROCHESTER ROAD) CONSTRUCTION FUND into which the proceeds of the Bonds, less accrued interest and premium, if any, shall be deposited, which account shall be used to pay the costs of constructing the Improvements and the costs of issuance incurred with respect to the Bonds. Proceeds remaining after completion of the Improvements shall be applied as permitted by law.

13. PLEDGE OF FULL FAITH AND CREDIT: Pursuant to Act 175, and as additional security for the prompt payment of the principal of and interest on the Bonds, there is hereby irrevocably pledged the limited tax full faith and credit of the City, and in the event of insufficiency of funds primarily pledged to the payment thereof, the City covenants and agrees to provide for such insufficiency from such resources as are lawfully available to it.

14. 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 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 Bonds, shall have been deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

15. FORM OF BONDS: The Bonds shall be in substantially the following form:
[DTC LEGEND]

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND**

**CITY OF TROY
MICHIGAN TRANSPORTATION FUND BOND
(ROCHESTER ROAD)**

R- _____

\$ _____

		Date of Original Issue	
<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Issue</u>	<u>CUSIP</u>

Registered Owner:

Principal Amount:

The City of Troy, County of Oakland, State of Michigan (the "City"), for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on

the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on November 1, 2000, and semiannually thereafter. Principal of this bond is payable at the designated office of Old Kent Bank, Grand Rapids, Michigan or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the City maintained by the Transfer Agent, by check or draft mailed to the registered owner at the registered address.

This bond is one of a series of bonds of even original issue date and like tenor, aggregating the principal sum of \$5,600,000, issued for the purpose of defraying the costs of major street system improvements in the City in accordance with resolutions duly and regularly adopted by the City Council of said City (said resolutions herein collectively referred to as the "Resolution"), and pursuant to and in full conformity with the Constitution and Statutes of Michigan including the provisions of Act 175, Public Acts of Michigan, 1952, as amended and Act 202, Public Acts of Michigan, 1943, as amended.

Bonds of this issue maturing in the years 2001 to 2007, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the years 2008 to 2014, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in such order as the City shall determine, on any one or more interest payment dates on or after May 1, 2007, at par and accrued interest to the date fixed for redemption, plus a premium expressed as a percentage of par, as follows:

½% of the principal amount of each bond called for redemption on or after May 1, 2007, but prior to May 1, 2010.

No premium shall be paid on bonds or portions thereof called for redemption on or after May 1, 2010.

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. In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for in the redemption.

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption to the registered address of the registered owner of record. Bonds or portions of bonds so called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the Transfer Agent to redeem said bonds.

This bond and the interest thereon are payable from the proceeds of state collected taxes

returned to the City for road purposes pursuant to law, or in case of insufficiency of said funds, out of the general funds of the City, and the resolution authorizing the bonds contains an irrevocable appropriation of the amount necessary to pay the principal of and interest on the bonds of this issue from moneys derived from such state collected taxes so returned to the City for road purposes which have not been theretofore specifically allocated and pledged for the payment of indebtedness. As additional security, the City has pledged its full faith and credit to the payment of the principal of and interest on the bonds. If the payments from the said state-collected taxes are insufficient to pay the principal of and interest on the bonds, then the City is obligated to make such payments as a first budget obligation from its general funds, including any collections of ad valorem taxes, but the ability of the City to levy such taxes is subject to charter, statutory and constitutional limitations. The City has reserved the right to issue additional bonds of equal standing and priority of lien as to said state-collected taxes with the bonds of this issue within the limitations prescribed by law.

This bond is not a general obligation of the State of Michigan.

This bond is transferable, as provided in the Resolution, only upon the books of the City kept for that purpose by the Transfer Agent, by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's 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 therefor as provided in the Resolution authorizing the bonds of this issue, and upon the payment of the charges, if any, therein prescribed. 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 Transfer Agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

It is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of said series of bonds of which this is one, in order to make them valid and binding obligations of the City, have been done, exist and have happened in regular and due form and time as required by law, and that the total indebtedness of the City, including the series of bonds of which this is one, does not exceed any constitutional, statutory or charter limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been manually executed by an authorized representative of the Transfer Agent.

IN WITNESS WHEREOF, the City of Troy, County of Oakland, State of Michigan, by its City Council, has caused this bond to be signed in the name of said City with the original or facsimile signatures of its Mayor and its City Clerk and its corporate seal of a facsimile thereof to be imprinted hereon, all as of the Date of Original Issue.

CITY OF TROY

By: _____
Mayor

CITY OF TROY
[Seal]

And:

By: _____
City Clerk

[FORM OF CERTIFICATE OF AUTHENTICATION]

Date of Registration:

Certificate of Authentication

This bond is one of the bonds described in the within mentioned Resolution.
_____, Transfer Agent

By: _____
Authorized Representative

[FORM OF 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 FORM

16. TAX COVENANT: The City covenants, to the extent permitted by law, to comply with all requirements of and to take all actions within its control necessary to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes (as opposed to any alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond

proceeds. The Mayor, the City Clerk, the City Manager and/or the Assistant City Manager/Finance 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 Bonds will be and will remain excludable from gross income for federal income tax purposes.

17. NOT DESIGNATED AS QUALIFIED TAX-EXEMPT OBLIGATIONS: The City has NOT designated the Bonds as "qualified tax-exempt obligations" for purposes of interest deduction by financial institutions pursuant to the Code.

18. CONTINUING DISCLOSURE: The City Manager and/or the Assistant City Manager/Finance of the City are hereby authorized to execute a continuing disclosure undertaking of the City, and such amendments thereto from time to time as may be required in accordance with the terms thereof, so as to comply with the requirements of Rule 15c2-12 paragraph (b)(5) promulgated by the Securities and Exchange Commission, (the "Continuing Disclosure Undertaking"). The City hereby covenants and agrees that it will comply with and carry out all of the terms of the Continuing Disclosure Undertaking.

19. APPROVAL OF DEPARTMENT OF TREASURY: The City Clerk, the City Manager and/or the Assistant City Manager/Finance are authorized to notify Treasury of the City's intent to issue the Bonds described in the preamble to this resolution, to pay the related fee and to request an order or orders providing an exception from prior approval for the Bonds or to apply for prior approval if an exception therefrom is not available. The City Clerk, the City Manager and/or the Assistant City Manager/Finance further are authorized to apply for such additional approvals or waivers from Treasury as may be necessary or advisable to accomplish the issuance and sale of the Bonds described in the preamble to this resolution.

20. REIMBURSEMENT: The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. §1.150-2 pursuant to the Code:

- (a) As of the date hereof, the City reasonably expects to reimburse the general fund of the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Improvements described in the preamble to this resolution which were or will be paid subsequent to sixty (60) days prior to the date of the Reimbursement Resolution.
- (c) The maximum principal amount of debt expected to be issued for the Improvements, including issuance costs, is not to exceed \$5,600,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is

an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to the Reimbursement Resolution.

- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. §1.150 (b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. §1.150-2(c) under general federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the City as reimbursement pursuant to this resolution or the Reimbursement Resolution will be used in a manner described in Treas. Reg. §1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. §1.148-1) within one year of the reimbursement allocation described in (d) above.
- (g) Expenditures for the Improvements to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include costs for the issuance of the debt or an amount not in excess of the lesser of \$100,000 or 5 percent (5%) of the proceeds of the borrowing, or preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. §1.150-2(f) (such preliminary expenditures include architectural engineering, surveying, soil testing and similar costs incurred prior to construction of the Improvements, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

21. OFFICIAL STATEMENT: The City Manager and/or the Assistant City Manager/Finance is authorized to cause the preparation of an official statement for the 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 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 purchaser to enable the purchaser of the Bonds to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

22. PUBLICATION OF BOND RESOLUTION: A copy of this resolution shall be published once in full in *The Somerset Gazette*, a newspaper of general circulation in the City, before this resolution becomes effective.

CONFLICTING RESOLUTIONS: All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Yes:

No:

Exceed \$5,600,000 Michigan Transportation Fund Bonds (Rochester Road)

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, by resolution adopted on even date herewith, the City Council has authorized the issuance and sale of Five Million Six Hundred Thousand Dollars (\$5,600,000) MICHIGAN TRANSPORTATION FUND BONDS (ROCHESTER ROAD) of the City, and it is necessary to approve sale procedures for said bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

- The notice of sale for the bonds shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$5,600,000
CITY OF TROY
County of Oakland, State of Michigan
MICHIGAN TRANSPORTATION FUND BONDS
(ROCHESTER ROAD)

SEALED BIDS: Sealed bids for the purchase of the above bonds will be received by the undersigned at the City Clerk's Office in the City of Troy (the "City") City Hall, 500 W. Big Beaver Road, Troy, Michigan 48084-5285, on _____, the _____ day of _____, until _____ a.m./p.m., Eastern Standard Time, at which time and place said bids will be publicly opened and read. Bids will also be received simultaneously and publicly opened and read at the offices of Bendzinski & Co., Municipal Finance Advisors, 607 Shelby, Suite 600, Detroit, Michigan 48226-3333. The bids will be awarded to the successful bidder no later than _____ a.m./p.m. on that date.

BOND DETAILS: Said bonds will be fully-registered bonds of the denomination of \$5,000 each, or multiples thereof up to the amount of a single maturity, dated as of _____, 2000, numbered in order of registration and will bear interest from their date payable on November 1, 2000 and semiannually thereafter.

Said bonds will mature on the 1st day of May of each year in the amounts, as follows:

<u>Year</u>	<u>Amount</u>
2001	\$1,100,000
2002	1,200,000
2003	1,300,000
2004	125,000
2005	150,000
2006	175,000
2007	175,000
2008	175,000
2009	175,000
2010	175,000

2011	175,000
2012	200,000
2013	225,000
2014	250,000

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. The book-entry only system is described further in the Preliminary Official Statement for the bonds.

PRIOR REDEMPTION: Bonds maturing in the years 2001 to 2007, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the years 2008 to 2014, inclusive, shall be subject to redemption prior to maturity, at the option of the City, in such order as the City shall determine, on any interest payment date on or after May, 1, 2007, at par and accrued interest to the date fixed for redemption, plus a premium expressed as a percentage of par, as follows:

½% of the principal amount of each bond called for redemption on or after May 1, 2007, but prior to May 1, 2010.

No premium shall be paid on bonds or portions thereof called for redemption on or after May 1, 2010.

In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon proof of ownership of the bond called for redemption, shall re-register in the name of the registered owner of record a new principal amount for the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. Bonds or portions of bonds so called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the transfer agent to redeem said bonds.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 7% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid on the bonds shall not exceed two percent (2%) per annum. No proposal for the purchase of less than all of the bonds or at a price less than 99% of their par value will be considered.

TRANSFER AGENT AND REGISTRATION: Principal and interest shall be payable at the principal corporate trust office of Old Kent Bank, Grand Rapids, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the

registered owner not less than 60 days prior to any interest payment date. Interest shall be paid by check mailed to the owner of record as shown on the registration books of the City, maintained by the transfer agent, as of the fifteenth (15th) day of the month preceding any interest payment date. The bonds will be transferable only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are being issued pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, as amended (the "Act"), for the purpose of defraying the cost of constructing major street system improvements in the City and are issued in anticipation of Michigan Transportation Fund (the "Fund") payments from the State of Michigan to be received by the City. The bonds, however, are not general obligations of the State of Michigan. The bonds will pledge the limited tax full faith and credit of the City as additional security for payments of the principal and interest thereon. If the payments from the Fund are insufficient to pay the principal of and interest on the bonds, then the City is obligated to make such payments as a first budget obligation from its general funds, including any collections of ad valorem taxes it may be authorized to levy, but the ability of the City to levy such taxes is subject to constitutional, statutory and charter limitations. The Bonds of this series are of equal standing and priority of lien as to payments from the Fund with the City's 1995 Michigan Transportation Fund Bonds which remain outstanding in the aggregate principal amount of \$2,550,000 maturing in various principal amounts on November 1 in the years 2000 to 2009 inclusive and bearing interest rates per annum which vary from 4.800% to 5.500%. The City has the right to issue additional bonds payable from Fund payments within the limitations prescribed by law. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles or equity, including those relating to equitable subordination.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a Financial Surety Bond, in the amount of \$56,000 and payable to the order of the Treasurer/Finance Director of the City is required for each bid as a guaranty of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid is accepted and the bidder fails to take up and pay for the bonds. If a check is used, it must accompany each bid. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Michigan and such bond must be submitted to Bendzinski & Co., Municipal Financial Advisors. The Financial Surety Bond must identify each bidder whose good faith deposit is guaranteed by such Financial Surety Bond. If the bonds are awarded to a bidder utilizing a Financial Surety Bond, then that purchaser (the "Purchaser") is required to submit its good faith deposit to the City or its financial advisor in the form of a cashier's check (or wire transfer such amount as instructed by the City or its Financial Advisor) not later than 12:00 noon, Eastern Standard Time, on the next business day following the award. If such good faith deposit is not received by that time, the Financial Surety Bond may be drawn upon by the City to satisfy the good faith deposit requirement. The good faith deposit will be applied to the purchase price of the bonds. In the event the Purchaser fails to honor its accepted bid, the good faith deposit will be retained by the City. No interest shall be allowed on the good faith check and checks of the unsuccessful bidders will be returned to each bidder's representative or by overnight mail. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the

lowest interest cost computed by determining, at the rate or rates specified in the bid, the total dollar value of all interest on the bonds from _____, 2000 to their maturity and deducting therefrom any premium and adding thereto any discount.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miro Weiner & Kramer, A Professional Corporation, of Bloomfield Hills, Michigan ("Bond Counsel") the original of which will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Bond Counsel for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue their opinion as to the validity of the above bonds, Bond Counsel has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by 12:00 noon, Eastern Standard Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery. Payment for the bonds must be made in immediately available funds. Unless the purchaser furnishes the transfer agent with a list giving the denominations and names in which it wishes to have the certificates issued within ten (10) business days after sale of the bonds, the bonds may be delivered in the form of a single certificate for each maturity registered in the name of the purchaser. The successful bidder will be required to furnish, prior to the delivery of the bonds, a certificate in a form acceptable to Bond Counsel as to the "issue price" of the bonds within the meaning of section 1273 of the Internal Revenue Code of 1986, as amended.

TAX MATTERS: In the opinion of Bond Counsel, assuming compliance with certain covenants, interest on the bonds is excluded from gross income for federal income tax purposes, as described in Bond Counsel's opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan, except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

NOT QUALIFIED AS TAX EXEMPT OBLIGATIONS: The City has **NOT** designated the bonds as "qualified tax-exempt obligations" for purposes of deduction of interest by financial institutions.

OFFICIAL STATEMENT: A preliminary official statement which the City deemed to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from Bendzinski & Co., Municipal Finance Advisors, the financial advisors to the

City, at the address listed under FINANCIAL ADVISORS below. The City will furnish, upon request of the successful bidder, copies of the final Official Statement relating to the above described issue within seven days from the date of sale specified above, in sufficient amounts to permit the successful bidder to comply with Rule 15c2-12 of the Securities and Exchange Commission. The first 200 copies will be delivered at the expense of the City. Additional copies will be supplied upon the bidder's agreement to pay the reasonable copying charges of the City for those copies. Any such request for additional copies should be made to Bendzinski & Co. within 24 hours of the date and time of the sale, and should set forth the number of copies requested and the person and place to whom the final Official Statements should be delivered.

CONTINUING DISCLOSURE: The City will agree in the resolution awarding the bonds to the winning bidder to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, on or prior to the last day of the sixth month after the end of the fiscal year of the City commencing with the fiscal year ending June 30, 2000, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the bonds, but neither the failure to print the numbers nor any error with respect thereto shall constitute cause for refusal by the purchaser to accept delivery of the bonds. All expenses in relation to the printing of CUSIP numbers shall be paid for by the City except that the CUSIP Service Bureau charge for the assignment of numbers shall be the responsibility of and paid for by the Purchaser.

BOND INSURANCE AT PURCHASER'S OPTION: If the bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/Purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the Purchaser of the bonds. Any increased costs of issuance of the bonds resulting from such purchase of insurance shall be paid by the Purchaser, except that, if the City has requested and received a rating on the bonds from a rating agency, the City will pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the Purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER, SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

FINANCIAL ADVISORS: Additional information may be obtained from Bendzinski & Co., Municipal Finance Advisors, 607 Shelby, Suite 600, Detroit, Michigan 48226-3333. Telephone: (313) 961-8222, Facsimile: (313) 961-8220.

ENVELOPES: Envelopes containing the bids should be plainly marked "Proposal for City of Troy Michigan Transportation Fund Bonds (Rochester Road)"

Tamara A. Renshaw, City Clerk
City of Troy

2. The City Manager, City Clerk and/or the Assistant City Manager/Finance are each authorized to arrange a date for sale of the bonds and to cause the notice of sale to be published in *The Bond Buyer*, New York, New York, in accordance with law.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Yes:

No:

Request of New Venture Gear Regarding MEGA Grant Credits

F-4

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, the request from New Venture Gear for permission to transfer employment from the City of Troy in conjunction with MEGA grant credits, is hereby approved/disapproved.

Yes:

No:

Designation of Big Beaver Road as "Korean War Veterans Memorial Highway"

F-5

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that Big Beaver Road from Dequindre to Adams in the City of Troy is hereby designated as "Korean War Veterans Memorial Highway".

Yes:

No:

Approval of Post Retirement Adjustment

F-6

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the recommendation of the Employees Retirement System Board of Trustees at its meeting held December 8, 1999, that a thirteen-month retirement check be issued to City employees who retired prior to 1991 is hereby approved.

Yes:

No:

Renewal of Testing Service for William Beaumont Hospital**F-7**Suggested Resolution

Moved by:

Seconded by:

WHEREAS, as a result of a 1988 Troy Police Officers Association/ City of Troy arbitration ruling, physical fitness tests and pre-test physicals for the City of Troy Police Officers are required every two years, with all costs being absorbed by the City; and

WHEREAS, a City/Union Joint Committee selected William Beaumont Executive Health Service to conduct the pre-test physicals; and

WHEREAS, a waiver of bids was approved by the Troy City Council for 1997-98 testing (Resolution #97-736-C-7); and

WHEREAS, the 1999-00 testing is commencing due to the arbitration ruling requirement which includes a two year testing frequency; and

WHEREAS, it is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that formal bidding procedures are hereby waived and a contract to conduct pre-test physicals is hereby awarded to William Beaumont Executive Health Service at unit prices provided in the Pricing Schedule attachment (dated December 28, 1999), a copy of which shall be attached to the original minutes of this meeting. An estimated total of \$62,500 will be spent for the pre-test physicals.

Yes:

No:

Bid Award - Gasoline**F-8**Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that a two year contract, with an option to renew for two additional years, to provide gasoline and diesel fuel on an as needed basis is hereby awarded to the low bidders as follows:

VendorItem

Barrick Enterprises of Royal Oak Truck Transport Delivery

Atlas Oil Company of Taylor Tank Wagon Delivery

at the factors contained in the bid tabulation opened November 30, 1999, a copy of which shall be attached to the original minutes of this meeting, contingent upon

contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

Yes:

No:

Amendment to Chapter 41 – Subdivision Control

F-9

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that an Ordinance to amend Chapter 41, Subdivision Control, of the Code of the City of Troy to require a natural features report to be submitted with a subdivision preliminary plat, as outlined in a memorandum from the City Attorney dated January 7, 2000, is hereby approved and a copy shall be attached to the original minutes of this meeting.

Yes:

No:

Approval of Ballot Language to Establish a Compensation Commission for Elected Persons Serving the City of Troy

F-10

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the following Charter Amendment questions be placed on the ballot of the City Election to be held Monday, April 3, 2000:

CHARTER AMENDMENT #1

“Shall Chapter 3, Section 3.6 of the Charter of the City of Troy be amended to create a Compensation Board to make bi-annual recommendations on the stipends of the Mayor and members of City Council, such recommendations will be required to be voted upon in a public meeting of City Council; and to remove the phrase ‘Members of the Council and the Mayor shall receive as compensation for their services the sum of one hundred seventy-five (\$175.00) dollars per member per month’, which shall be effective only upon City Council’s approval of a recommendation of the Compensation Board?”

CHARTER AMENDMENT #2

“Shall Chapter 6, Section 6.8 of the Charter of the City of Troy be amended to delete the phrase ‘The salary of any elective officer shall not be increased or decreased from the time of his election until the end of the term of office for which he was elected.’?”

Yes:

No:

COUNCIL COMMENTS**COUNCIL REFERRALS****VISITORS**

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council, Article 12, as amended April 12, 1999*).

REPORTS AND COMMUNICATIONS

<u>Presentation from Tom Waffen of SOCRRA</u>	G-1
Communication from General Manager Tom Waffen of SOCRRA Addressing Concerns Raised by City of Royal Oak (Mr. Waffen will be giving a 10 minute presentation on this issue. SOCRRA's corporate counsel, Mr. Mike Sugameli, will also be available to answer questions.)	
<u>Minutes – Boards and Committees</u>	G-2
Parks and Recreation Advisory Board.....November 11, 1999	
Troy Daze MinutesNovember 23, 1999	
Advisory Committee for Senior CitizensDecember 2, 1999	
Zoning Board of Appeals MinutesDecember 21, 1999	
<u>Department Reports</u>	G-3
<u>Announcements of Public Hearings</u>	G-4
<u>Proposed Proclamations</u>	G-5
<u>Report from Parks and Recreation Regarding Museum Staffing</u>	G-6
<u>Report from Building Department on Code Enforcement Regarding Snow Plowing</u>	G-7
<u>Report from Traffic Engineering Regarding Petition to Not Open Marcus Drive in Morel East Subdivision</u>	G-8

Report from Mayor Regarding Council Members' Attendance at Citizen Advisory Board Meetings	G-9
<hr/>	
Report from Traffic Engineering Regarding School Bus Enforcement Pilot Program	G-10
<hr/>	
Report from City Manager Regarding Request by Chamber of Commerce for Joint Meeting on April 18, 2000	G-11
<hr/>	
Communication from Kerri M. Larkin of Madison Heights Expressing Appreciation for Troy's Parks and Recreation	G-12
<hr/>	
Communication from Carol E. Wright, 1999 Chairman of the Board, Troy Chamber of Commerce, in Appreciation for Troy Hosting Dinner	G-13
<hr/>	
Communication from Gail Whitty of Intergovernmental Cable Communications Authority Regarding Public, Education, Government (PEG) Cable TV Access Fee	G-14
<hr/>	
Homeowner's Do-it-Yourself Rear Yard Drain Petition from Owners at 90 Chopin	G-15
<hr/>	

Respectfully submitted,

John Szerlag
City Manager