

CITY COUNCIL

AGENDA

September 17, 2001 – 7:30 P.M.
Council Chambers – City Hall
500 West Big Beaver, Troy, Michigan 48084
(248) 524-3300

CALL TO ORDER **1**

Invocation & Pledge Of Allegiance – Rev. Sarhad Jammo – St. Joseph Catholic Chaldean **1**

ROLL CALL **1**

A-1 Minutes: Special Meeting of [September 6, 2001](#) and Regular Meeting of [September 10, 2001](#) 1

A-2 Government Finance Officers Association to the Finance and Community Affairs Departments for Obtaining the Certificate of Achievement for Excellence in Financial Reporting for the City's June 30, 2000 Comprehensive Annual Financial Report and An Award for Outstanding Achievement in Popular Annual Financial Reporting for the City's 2000 Financial Summary 1

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NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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CALL TO ORDER

Invocation & Pledge Of Allegiance – Rev. Sarhad Jammo – St. Joseph Catholic Chaldean

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

A-1 Minutes: Special Meeting of [September 6, 2001](#) and Regular Meeting of [September 10, 2001](#)

Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That the Minutes of the 7:30 PM Special Meeting of September 6, 2001 and the Minutes of the 7:30 PM Regular Meeting of September 10, 2001 be approved.

Yes:

No:

A-2 Government Finance Officers Association to the Finance and Community Affairs Departments for Obtaining the Certificate of Achievement for Excellence in Financial Reporting for the City's June 30, 2000 Comprehensive Annual Financial Report and An Award for Outstanding Achievement in Popular Annual Financial Reporting for the City's 2000 Financial Summary

PUBLIC HEARING**C-1 Request for Commercial Vehicle Appeal – 3911 Kingspoint**Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

(a) Resolution A For Approval

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance;

NOW, THEREFORE, BE IT RESOLVED, That the request from Bruce Simpson, 3911 Kingspoint, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van in a residential district is hereby approved for up to two years.

(b) Resolution B For Denial

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).

- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance.

NOW, THEREFORE, BE IT RESOLVED, That the request from Bruce Simpson, 3911 Kingspoint, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van in a residential district is hereby denied.

Yes:
No:

C-2 Request for Commercial Vehicle Appeal – 6704 Livernois

Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

(a) Resolution A For Approval

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance;

NOW, THEREFORE, BE IT RESOLVED, That the request from Michael Brennan, 6704 Livernois, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van and an Isuzu cube van in a residential district is hereby approved for up to two years.

(b) Resolution B For Denial

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance;

NOW, THEREFORE, BE IT RESOLVED, That the request from Michael Brennan, 6704 Livernois, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van and an Isuzu cube van in a residential district is hereby denied.

Yes:

No:

VISITOR COMMENTS

Any person not a member of the Council may address the Council with recognition of the Chair, 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, said

matter may be acted upon immediately. 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. (Rules of Procedure for the City Council, Article 15, as amended May 7, 2001.)

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 business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended May 7, 2001.)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2001-09-

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 (E) items, as printed.

Yes:

No:

E-2 Standard Purchasing Resolution 4: Oakland County Road Commission (OCRC) – Asphalt Compactor and Trailer

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a contract for one (1) CAT CB224D Double Drum Vibratory Asphalt Compactor and one (1) Towmaster T10P Trailer from Michigan CAT is hereby approved in accordance with the Oakland County Road Commission bid tabulation sheets dated March 7, 2001, at a total cost of \$37,145.00.

E-3 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Haworth Furniture ContractSuggested Resolution

Resolution #2001-09-

RESOLVED, That a contract to purchase Haworth furniture for the new Police/Fire Training Center Building from University Business Interiors is hereby approved through the Oakland County Cooperative Purchasing Program at an estimated total cost of \$40,025.66.

E-4 Employment ContractSuggested Resolution

Resolution #2001-09-

WHEREAS, The City Council and Lori Grigg Bluhm have agreed to the terms and conditions of employment as City Attorney;

NOW, THEREFORE, BE IT RESOLVED, That the Employment Agreement between the City of Troy and Lori Grigg Bluhm, dated September 17, 2001, is hereby approved, and the Mayor and City Clerk are authorized and directed to execute said document on behalf of the City of Troy, a copy of which shall be attached to the original Minutes of this meeting.

E-5 Transfer of Cable Franchise Agreement to WOWSuggested Resolution

Resolution #2001-09-

WHEREAS, Ameritech NewMedia is a current cable franchisee for the Local Franchise Authorities within the Intergovernmental Cable Communications Authority (ICCA); and,

WHEREAS, Ameritech NewMedia and WideOpen West Michigan, LLC submitted an application on June 11/12, 2001 for Franchise Authority Consent to assignment of transfer of control of the cable television franchise; and,

WHEREAS, The Local Franchising Authority is relying upon such information as contained in the FCC Form 394 application, documents and additional information provided by WideOpen West Michigan, LLC, and acted upon the application for franchising authority consent. The Local Franchising Authority intends to consent to the transfer of control subject to the acceptance of the terms and conditions set forth herein with the hope that such consent is in the best interest of the local franchising authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) The Local Franchising Authority, City of Troy, does hereby consent to the transfer of control of the franchise granted to Ameritech NewMedia by the local franchising authority to WideOpen West Michigan, LLC, in the manner described in the Asset Exchange Agreement dated May 23, 2001 subject to the following conditions:
-

- a) The automatic revocation of the Local Franchising Authority's approval if the Asset Purchase Agreement is not consummated by December 31, 2001 or such Agreement is terminated prior to that time without the same having been consummated; and
- b) The written undertaking by WideOpen West Michigan LLC that it will promptly notify the Local Franchising Authority, in writing, of any change in service or operation in the Local Franchising Authority's cable system and change the personnel directly responsible for the operation of the Local Franchising Authority's system; and
- c) The prompt furnishing to Local Franchising Authority in writing by WideOpen West Michigan, LLC of the local personnel designated to manage the Local Franchise Authority system. The name of the contact person, their telephone numbers for their governmental relations, the department, the person's supervisor, the Technical Operations Manager and Field Technician Manager shall also be provided. In addition, copies of WideOpen West Michigan, LLC's guidelines regarding service procedures; average wait for service; handling cable outages; handling customer complaints shall also be provided to the LFA; and
- d) The prompt remediation of all existing defaults under the current cable franchise agreement with the Local Franchising Authority, if any, as may be specified in writing by the Local Franchising Authority; the representation in writing by Ameritech NewMedia of existence of any such defaults or the written representation by Ameritech NewMedia that it has no knowledge of any such defaults; and
- e) Reimbursement within thirty (30 days) to the Local Franchising Authority by any of the parties to the Asset Exchange Agreement of May 23, 2001 for the reasonable out-of-pocket expenses incurred by ICCA or the Local Franchising Authority attributable to ICCA'S or the Local Franchising Authority's consideration of the transfer application not to exceed an aggregate of \$5,000.00 per LFA.
- f) WideOpen West Michigan, LLC will provide a statement that the transferor and the transferee will provide full and immediate cooperation with respect to the audit being conducted by the Local Franchising Authority, including, but not limited to the transmission of all necessary information to the auditors upon their request within 10 days from the auditor's request for said information; and
- g) A statement is provided that the parties to the May 23, 2001 Asset Exchange Agreement will agree to place in escrow with the escrow agent acceptable to the Local Franchising Authority the necessary funds to cover the reasonable costs recoverable pursuant to said audit, and costs incurred by the LFA pursuant to said audit, in the event the audit is not concluded and the funds not paid at the time set pursuant to the applicable provisions of federal law in

which the Local Franchise Authority had to act upon this application, or to make such other arrangements acceptable to the Local Franchise Authority.

- h) WideOpen West Michigan, LLC. will provide a statement that it will commit to inform customers prior to crossing over their property to perform work on the cable system, they will clean the site upon their departure and restore the property to its prior condition.
- i) The Local Franchising Authority hereby acknowledges that (i) the franchise is valid and outstanding and in full force and effect on the date hereof; and (ii) the current term of the franchise will expire on April 22, 2011.

The Local Franchising Authority's grant of consent to the transfer of WideOpen West Michigan, LLC herein provided shall be effective immediately subject to the above conditions, and to the further requirements that WideOpen West Michigan, LLC shall notify the Local Franchising Authority promptly upon the closing of the transaction described in the Asset Exchange Agreement of May 23, 2001. The Local Franchising Authority is hereby authorized to enter to, execute and deliver in the name all done on behalf of the Local Franchising Authority a certificate along with such other documents that may be necessary evidencing this Resolution without further act or Resolution of the governing body.

E-6 Resolution Authorizing the Issuance of Proposal A, B, and C: General Obligation Unlimited Tax Bonds, Series 2001

Suggested Resolution Resolution #2001-09-

WHEREAS, The City Council (the "City Council") and the electors of the City have determined that it is necessary to acquire, construct and reconstruct various street, roadway and streetscape improvements including but not limited to, Crooks Road, Livernois Road, Long Lake Road and Dequindre Road in the City and related site furnishings and improvements and all costs related thereto (the "Improvements"); and

WHEREAS, The cost of the improvements is estimated to be Six Million Eight Hundred Fifty Thousand Dollars (\$6,850,000.00); and

WHEREAS, To finance the cost of the improvements, as well as related legal and financing costs and contingencies related thereto, the City Council deems it necessary to borrow the sum of not to exceed Six Million Eight Hundred Fifty Thousand Dollars (\$6,850,000.00) and to issue general obligation unlimited tax bonds of the City therefore, as authorized by the provisions of Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"), the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999; and

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 ("Act 202"); and

WHEREAS, In order to be exempt from prior approval, the City must notify Treasury of the City’s intent to issue the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) APPROVAL OF PLANS AND ESTIMATES OF COSTS: The plans and estimates of cost of the improvements on file with the Assistant City Manager/Finance are hereby approved and adopted.
- 2) PERIOD OF USEFULNESS: The period of usefulness of the improvements, estimated to be not less than twenty (20) years, is hereby approved and adopted.
- 3) AUTHORIZATION OF BONDS – PURPOSE: Bonds of the City, aggregating the principal sum of not to exceed Six Million Eight Hundred Fifty Thousand Dollars (\$6,850,000.00) (the “Bonds”) shall be issued and sold, pursuant to the provisions of Act 279 and Act 202, for the purpose of defraying the cost of the acquisition, construction and reconstruction of the improvements and the costs incident thereto and incident to the issuance of said Bonds.
- 4) BOND DETAILS: The Bonds shall be designated CITY OF TROY, GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (STREETS, ROADS AND STREETScape IMPROVEMENTS); shall be dated as of October 1, 2001, or such other date as shall be approved by the City Council at the time of sale; shall be numbered from 1 upwards, shall be fully registered; shall be in denominations of \$5,000.00 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 8% per annum, to be determined upon the sale thereof first payable on April 1, 2002 and semiannually thereafter on the first days of April and October in each year, or on such other dates as shall be approved by the City Council at the time of sale; and shall mature on October 1 in each year as follows:

| <u>Year</u> | <u>Amount</u> | <u>Year</u> | <u>Amount</u> |
|-------------|---------------|-------------|---------------|
| 2002 | 150,000 | 2012 | 375,000 |
| 2003 | 175,000 | 2013 | 400,000 |
| 2004 | 200,000 | 2014 | 450,000 |
| 2005 | 225,000 | 2015 | 450,000 |
| 2006 | 250,000 | 2016 | 475,000 |
| 2007 | 250,000 | 2017 | 500,000 |
| 2008 | 300,000 | 2018 | 525,000 |
| 2009 | 300,000 | 2019 | 550,000 |
| 2010 | 325,000 | 2020 | 600,000 |
| 2011 | 350,000 | | |

1. BOND REGISTRAR, PAYING AGENT AND TRANSFER AGENT: The City Manager or the Assistant City Manager/Finance are each authorized to designate, and may enter into an agreement with, Bank One Trust Company, N.A., Detroit, Michigan as bond registrar, paying agent and transfer agent (the “Transfer Agent”) for the Bonds. From time to

time as required, the City Manager or the Assistant City Manager/Finance may designate a similarly qualified successor 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.

2. 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 they severally mature. Interest shall be payable commencing on April 1, 2002, and semiannually thereafter, or such interest payment dates as provided in the resolution of the City Council authorizing the sale of the Bonds, 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. Notwithstanding the foregoing, if the Bonds are held in book-entry-only form by DTC (as hereinafter defined), payment shall be made in the manner prescribed by DTC.

3. 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.

4. 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 delivery 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 or the Assistant City Manager/Finance are each authorized to sign the Letter of Representations on behalf of the City in such form as the City Manager 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.

5. 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. 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 or the Assistant City Manager/Finance upon receipt of the purchase price for the Bonds in accordance with the bid therefore 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. The Transfer Agent shall indicate on each Bond the date of its authentication.

6. 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 denomination 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 surrendered 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 6 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.

1. Security: The full faith and credit of the City are hereby pledged to the payment of the principal of and interest on the Bonds. There shall be levied upon all taxable property in the City upon the tax roll of the year 2002 and upon the tax roll of each year thereafter while any of the Bonds shall be outstanding, an amount such that the estimated collection therefrom will be sufficient to pay promptly at maturity the principal and interest maturing on the 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 Bonds shall be levied without limitation as to rate or amount.

2. DEBT RETIREMENT FUND: There shall be established and maintained a separate fund to be designated the Series 2001 Bonds (Streets, Roads and Streetscape Improvements) Debt Retirement Fund for the Bonds (the "Debt Retirement Fund"). The proceeds of the taxes (both current and delinquent) to be used to pay the principal and interest on the Bonds when due, shall be deposited as collected in the Debt Retirement Fund. The City Manager or the Assistant City Manager/Finance shall transfer moneys in the Debt Retirement Fund to the Transfer Agent for the Bonds as necessary for the payment of the principal of and interest on the Bonds as the same shall become due. So long as the principal or interest on the Bonds remains 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 Transfer Agent. 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.

3. CONSTRUCTION FUND: The City Manager or the Assistant City Manager/Finance is further directed to establish a separate account, to be designated Series 2001 Bonds (Streets, Roads and Streetscape Improvements) Construction Fund (the "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 acquisition, construction and reconstruction of the Improvements and the costs of issuance incurred with respect to the Bonds. Proceeds remaining in the Construction Fund after completion of the Improvements and payment of the costs of issuance of the Bonds shall be applied as permitted by law.

4. 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.

5. 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
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001
(STREETS, ROADS AND STREETSCAPE IMPROVEMENTS)**

R-_____
1

\$ _____

| | | | |
|----------------------|----------------------|-------------------------------|--------------|
| <u>Interest Rate</u> | <u>Maturity Date</u> | <u>Date of Original 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 April 1, 2002, and semiannually thereafter. Principal of this bond is payable at the designated office of Bank One Trust Company, N.A., Detroit, 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. Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest 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 \$6,850,000.00, issued for the purpose of defraying the costs of acquisition, construction and reconstruction of various street, roadway and streetscape 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 279, Public Acts of Michigan, 1909, as amended, Act 202, Public Acts of Michigan, 1943, as amended, the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999. 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 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 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 therefore as provided in the Resolution authorizing the bonds of this issue, and upon the payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000.00 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.

Bonds maturing prior to October 1, 2011, are not subject to redemption prior to maturity. Bonds maturing on or after October 1, 2011, 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 or after October 1, 2010. The redemption price shall be the principal amount of the bond or portion of the bond called to be redeemed plus accrued interest to the date fixed for redemption, plus a premium, as follows:

½% of the principal amount of each bond called for redemption on or after October 1, 2010, but prior to October 1, 2012.

No premium shall be paid on bonds or portions thereof called for redemption on or after October 1, 2012.

Bonds of a denomination greater than \$5,000.00 may be partially redeemed in the amount of \$5,000.00 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.

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, in order to make them valid and binding obligations of the City, existed, have happened and have been performed in regular and due form and manner 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.

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 the original or facsimile signatures of its Mayor and its City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon, all as of the Date of Original Issue. This bond shall not be valid or obligatory for any purpose unless the Certificate of Authentication has been manually executed by an authorized representative of the Transfer Agent.

CITY OF TROY

By: _____
Its: Mayor

CITY OF TROY

[Seal]

And:

By: _____
Its: 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.

Bank One Trust Company, N.A.
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

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

2. 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 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. The Bonds of this series are not designated as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions.

3. APPROVAL OF DEPARTMENT OF TREASURY: The City Manager or the Assistant City Manager/Finance are authorized to notify Treasury of the City's intent to issue the Bonds, 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 Manager 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.

4. OFFICIAL STATEMENT: The City Manager 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.

5. CONTINUING DISCLOSURE: The City Manager or the Assistant City Manager/Finance is hereby authorized to execute a certificate of the City to comply with the continuing disclosure undertaking of the City with respect to the 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.

6. PUBLICATION OF NOTICE: An Official Notice of Sale for the public sale of the Bonds to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in such bids, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the first day of the month following the date of sale, whichever is later, to their maturity and deducting therefrom any premium or adding thereto any discount, in the form prescribed by the City Manager or the Assistant City Manager/Finance, with such changes or additions thereto as shall be deemed necessary, shall be published in *The Bond Buyer* of New York, New York (the "Notice"), which Notice as published shall be evidence of any revisions to final Bond terms as permitted in this resolution.

7. SALE OF BONDS: The City shall receive bids for the Bonds in accordance with the Notice approved by the City Manager or the Assistant City Manager/Finance, award sale of the Bonds to the successful bidder determined in accordance with this Resolution, and take all further necessary steps to issue and deliver the Bonds, including but not limited to, the execution of a resolution awarding the Bonds to the purchaser whose bid is determined to produce the lowest interest cost to the City determined as provided in Section 21 of this resolution.

8. COMPLIANCE WITH REIMBURSEMENT RULES: The City intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Improvements prior to the issuance of the Bonds and hereby makes the following declarations for the purpose of complying with the reimbursement rules of Treasury Regulation §1.150-2 pursuant to the Code:

(a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of bonds to be issued 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 hereof.

(c) The maximum principal amount of bonds expected to be issued for the Improvements, including issuance costs, is not to exceed \$6,850,000.00.

(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 this 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 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: (i) costs for the issuance of the debt or (ii) amounts not in excess of the lesser of \$100,000.00 or 5 percent of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty (20%) percent of the issue price of the bond issue or issues reasonably expected by the City to finance the Improvements for which the preliminary expenditures may be incurred, 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).

9. **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.

CITY OF TROY
County of Oakland, State of Michigan

RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$1,170,000
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001
(PUBLIC SAFETY FACILITIES)

WHEREAS, The City Council (the "City Council") and the electors of the City have determined that it is necessary to acquire, construct and equip new public safety facilities for police and fire department services and the sites therefore, and all costs related thereto (the "Improvements"); and

WHEREAS, The cost of the Improvements is estimated to be One Million One Hundred Seventy Thousand Dollars (\$1,170,000.00); and

WHEREAS, To finance the cost of the Improvements, as well as related legal and financing costs and contingencies related thereto, the City Council deems it necessary to borrow the sum of not to exceed One Million One Hundred Seventy Thousand Dollars (\$1,170,000.00) and to issue general obligation unlimited tax bonds of the City therefore, as authorized by the provisions of Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"), the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999; and

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 ("Act 202"); and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

10. **APPROVAL OF PLANS AND ESTIMATES OF COSTS:** The plans and estimates of cost of the Improvements on file with the Assistant City Manager/Finance are hereby approved and adopted.

11. PERIOD OF USEFULNESS: The period of usefulness of the Improvements, estimated to be not less than twenty (20) years, is hereby approved and adopted.

12. AUTHORIZATION OF BONDS – PURPOSE: Bonds of the City, aggregating the principal sum of not to exceed One Million One Hundred Seventy Thousand Dollars (\$1,170,000.00) (the “Bonds”) shall be issued and sold, pursuant to the provisions of Act 279 and Act 202, for the purpose of defraying the cost of the Improvements and the costs incident thereto and incident to the issuance of said Bonds.

13. BOND DETAILS: The Bonds shall be designated CITY OF TROY, GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (PUBLIC SAFETY FACILITIES); shall be dated as of October 1, 2001, or such other date as shall be approved by the City Council at the time of sale; shall be numbered from 1 upwards, shall be fully registered; shall be in denominations of \$5,000.00 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 8% per annum, to be determined upon the sale thereof first payable on April 1, 2002 and semiannually thereafter on the first days of April and October in each year, or on such other dates as shall be approved by the City Council at the time of sale; and shall mature on October 1 in each year as follows:

| <u>Year</u> | <u>Amount</u> | <u>Year</u> | <u>Amount</u> |
|-------------|---------------|-------------|---------------|
| 2002 | 15,000 | 2012 | 65,000 |
| 2003 | 20,000 | 2013 | 75,000 |
| 2004 | 25,000 | 2014 | 75,000 |
| 2005 | 25,000 | 2015 | 85,000 |
| 2006 | 25,000 | 2016 | 95,000 |
| 2007 | 40,000 | 2017 | 100,000 |
| 2008 | 50,000 | 2018 | 100,000 |
| 2009 | 50,000 | 2019 | 100,000 |
| 2010 | 55,000 | 2020 | 110,000 |
| 2011 | 60,000 | | |

14. BOND REGISTRAR, PAYING AGENT AND TRANSFER AGENT: The City Manager or the Assistant City Manager/Finance are each authorized to designate, and may enter into an agreement with, Bank One Trust Company, N.A., Detroit, Michigan as bond registrar, paying agent and transfer agent (the “Transfer Agent”) for the Bonds. From time to time as required, the City Manager or the Assistant City Manager/Finance may designate a similarly qualified successor 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.

15. 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 they severally mature. Interest shall be payable commencing on April 1, 2002, and semiannually thereafter, or such interest payment dates as provided in the resolution of the City Council authorizing the sale of the Bonds,

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. Notwithstanding the foregoing, if the Bonds are held in book-entry-only form by DTC (as hereinafter defined), payment shall be made in the manner prescribed by DTC.

16. 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.

17. 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 delivery 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 and interest 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 or the Assistant City Manager/Finance are each authorized to sign the Letter of Representations on behalf of the City in such form as the City Manager 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.

18. 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. 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 or the Assistant City Manager/Finance upon receipt of the purchase price for the Bonds in accordance with the bid therefore 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. The Transfer Agent shall indicate on each Bond the date of its authentication.

19. 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 denomination 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 surrendered 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 6 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.

20. SECURITY: The full faith and credit of the City are hereby pledged to the payment of the principal of and interest on the Bonds. There shall be levied upon all taxable property in the City upon the tax roll of the year 2002 and upon the tax roll of each year thereafter while any of the Bonds shall be outstanding, an amount such that the estimated collection therefrom will be sufficient to pay promptly at maturity the principal and interest maturing on the 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 Bonds shall be levied without limitation as to rate or amount.

21. DEBT RETIREMENT FUND: There shall be established and maintained a separate fund to be designated the Series 2001 Bonds (Public Safety Facilities) Debt Retirement Fund for the Bonds (the "Debt Retirement Fund"). The proceeds of the taxes (both current and delinquent) to be used to pay the principal and interest on the Bonds when due, shall be deposited as collected in the Debt Retirement Fund. The City Manager or the Assistant City Manager/Finance shall transfer moneys in the Debt Retirement Fund to the Transfer Agent for the Bonds as necessary for the payment of the principal of and interest on the Bonds as the same shall become due. So long as the principal or interest on the Bonds remains 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 Transfer Agent. 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.

22. CONSTRUCTION FUND: The City Manager or the Assistant City Manager/Finance is further directed to establish a separate account, to be designated Series 2001 Bonds (Public Safety Facilities) Construction Fund (the "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 the Improvements and the costs of issuance incurred with respect to the Bonds. Proceeds remaining in the Construction Fund after completion of the Improvements and payment of the costs of issuance of the Bonds shall be applied as permitted by law.

23. 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.

24. 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
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001
(PUBLIC SAFETY FACILITIES)**

R-_____

\$_____

| | | | |
|----------------------|--------------------------|-----------------------------------|--------------|
| <u>Interest Rate</u> | <u>Maturity Date</u> | <u>Date of Original 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, 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 April 1, 2002, and semiannually thereafter. Principal of this bond is payable at the designated office of Bank One Trust Company, N.A., Detroit, 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. Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest 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 \$1,170,000.00, issued for the purpose of defraying the costs of acquiring, constructing and equipping new public safety facilities for police and fire department services and the sites therefore and all costs related thereto 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 279, Public Acts of Michigan, 1909, as amended, Act 202, Public Acts of Michigan, 1943, as amended, the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999. 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 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 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 therefore as provided in the Resolution authorizing the bonds of this issue, and upon the payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000.00 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.

Bonds maturing prior to October 1, 2011, are not subject to redemption prior to maturity. Bonds maturing on or after October 1, 2011, 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 or after October 1, 2010. The redemption price shall be the principal amount of the bond or portion of the bond called to be redeemed plus accrued interest to the date fixed for redemption, plus a premium, as follows:

½% of the principal amount of each bond called for redemption on or after October 1, 2010, but prior to October 1, 2012.

No premium shall be paid on bonds or portions thereof called for redemption on or after October 1, 2012.

Bonds of a denomination greater than \$5,000.00 may be partially redeemed in the amount of \$5,000.00 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.

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, in order to make them valid and binding obligations of the City, existed, have happened and have been performed in regular and due form and manner 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.

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 the original or facsimile signatures of its Mayor and its City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon, all as of the Date

of Original Issue. This bond shall not be valid or obligatory for any purpose unless the Certificate of Authentication has been manually executed by an authorized representative of the Transfer Agent.

CITY OF TROY

By: _____
Its: Mayor

CITY OF TROY

And:

[Seal]

By: _____
Its: 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.

Bank One Trust Company, N.A.
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

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

26. 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 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. The Bonds of this series are not designated as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions.

27. APPROVAL OF DEPARTMENT OF TREASURY: The City Manager or the Assistant City Manager/Finance are authorized to notify Treasury of the City's intent to issue the Bonds, 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 Manager 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.

28. OFFICIAL STATEMENT: The City Manager 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.

29. CONTINUING DISCLOSURE: The City Manager or the Assistant City Manager/Finance is hereby authorized to execute a certificate of the City to comply with the continuing disclosure undertaking of the City with respect to the 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.

30. PUBLICATION OF NOTICE: An Official Notice of Sale for the public sale of the Bonds to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in such bids, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the first day of the month following the date of sale, whichever is later, to their maturity and deducting therefrom any premium or adding thereto any discount, in the form prescribed by the City Manager or the Assistant City Manager/Finance, with such changes or additions thereto as shall be deemed necessary, shall be published in *The Bond Buyer* of New York, New York (the "Notice"), which Notice as published shall be evidence of any revisions to final Bond terms as permitted in this resolution.

31. SALE OF BONDS: The City shall receive bids for the Bonds in accordance with the Notice approved by the City Manager or the Assistant City Manager/Finance, award sale of the Bonds to the successful bidder determined in accordance with this Resolution, and take all further necessary steps to issue and deliver the Bonds, including but not limited to, the execution of a resolution awarding the Bonds to the purchaser whose bid is determined to produce the lowest interest cost to the City determined as provided in Section 21 of this resolution.

32. COMPLIANCE WITH REIMBURSEMENT RULES: The City intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Improvements prior to the issuance of the Bonds and hereby makes the following declarations for the purpose of complying with the reimbursement rules of Treasury Regulation §1.150-2 pursuant to the Code:

(h) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of bonds to be issued by the City.

(i) The expenditures described in this paragraph (b) are for the costs of acquiring, constructing, equipping and installing the Project described in the preamble to this resolution together with the sites therefore and all necessary appurtenances and attachments thereto which were or will be paid subsequent to sixty (60) days prior to the date hereof.

(j) The maximum principal amount of bonds expected to be issued for the Improvements, including issuance costs, is not to exceed \$1,170,000.00.

(k) 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 this resolution.

(l) 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).

(m) No proceeds of the borrowing paid to the City as reimbursement pursuant to this 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.

(n) Expenditures for the Improvements to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include: (i) costs for the issuance of the debt or (ii) amounts not in excess of the lesser of \$100,000.00 or 5 percent of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty (20%) percent of the issue price of the bond issue or issues reasonably expected by the City to finance the Improvements for which the preliminary expenditures may be incurred, 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).

33. 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.

CITY OF TROY

County of Oakland, State of Michigan

**RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$9,470,000
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001
(COMMUNITY CENTER AND RECREATIONAL FACILITIES)**

WHEREAS, The City Council (the “City Council”) and the electors of the City have determined that it is necessary to renovate and improve the City’s Community Center Building, the site therefore and any furnishings and facilities related thereto and to acquire and improve additional

park lands and open space for recreational and to pay all costs related thereto (the "Improvements"); and

WHEREAS, The cost of the Improvements is estimated to be Nine Million Four Hundred Seventy Thousand Dollars (\$9,470,000.00); and

WHEREAS, To finance the cost of the Improvements, as well as related legal and financing costs and contingencies related thereto, the City Council deems it necessary to borrow the sum of not to exceed Nine Million Four Hundred Seventy Thousand Dollars (\$9,470,000.00) and to issue general obligation unlimited tax bonds of the City therefore, as authorized by the provisions of Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"), the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999; and

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 ("Act 202"); and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

34. APPROVAL OF PLANS AND ESTIMATES OF COSTS: The plans and estimates of cost of the Improvements on file with the Assistant City Manager/Finance are hereby approved and adopted.

35. PERIOD OF USEFULNESS: The period of usefulness of the Improvements, estimated to be not less than twenty (20) years, is hereby approved and adopted.

36. AUTHORIZATION OF BONDS – PURPOSE: Bonds of the City, aggregating the principal sum of not to exceed Nine Million Four Hundred Seventy Thousand Dollars (\$9,470,000.00) (the "Bonds") shall be issued and sold, pursuant to the provisions of Act 279 and Act 202, for the purpose of defraying the cost of the Improvements and the costs incident thereto and incident to the issuance of said Bonds.

37. BOND DETAILS: The Bonds shall be designated CITY OF TROY, GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001 (COMMUNITY CENTER AND RECREATIONAL FACILITIES); shall be dated as of October 1, 2001, or such other date as shall be approved by the City Council at the time of sale; shall be numbered from 1 upwards, shall be fully registered; shall be in denominations of \$5,000.00 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 8% per annum, to be determined upon the sale thereof first payable on April 1, 2002 and semiannually thereafter on the first days of April and October in each year, or on such other dates as shall be approved by the City Council at the time of sale; and shall mature on October 1 in each year as follows:

| Year | Amount | Year | Amount |
|------|---------|------|---------|
| 2002 | 200,000 | 2012 | 550,000 |
| 2003 | 250,000 | 2013 | 575,000 |
| 2004 | 300,000 | 2014 | 600,000 |
| 2005 | 350,000 | 2015 | 600,000 |
| 2006 | 400,000 | 2016 | 620,000 |
| 2007 | 425,000 | 2017 | 625,000 |
| 2008 | 450,000 | 2018 | 650,000 |
| 2009 | 475,000 | 2019 | 675,000 |
| 2010 | 500,000 | 2020 | 700,000 |
| 2011 | 525,000 | | |

38. BOND REGISTRAR, PAYING AGENT AND TRANSFER AGENT: The City Manager or the Assistant City Manager/Finance are each authorized to designate, and may enter into an agreement with, Bank One Trust Company, N.A., Detroit, Michigan as bond registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds. From time to time as required, the City Manager or the Assistant City Manager/Finance may designate a similarly qualified successor 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.

39. 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 they severally mature. Interest shall be payable commencing on April 1, 2002, and semiannually thereafter, or such interest payment dates as provided in the resolution of the City Council authorizing the sale of the Bonds, 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. Notwithstanding the foregoing, if the Bonds are held in book-entry-only form by DTC (as hereinafter defined), payment shall be made in the manner prescribed by DTC.

40. 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.

41. 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 delivery 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 or the Assistant City Manager/Finance are each authorized to sign the Letter of Representations on behalf of the City in such form as the City Manager 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.

42. 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. 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 or the Assistant City Manager/Finance upon receipt of the purchase price for the Bonds in accordance with the bid therefore 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. The Transfer Agent shall indicate on each Bond the date of its authentication.

43. 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 denomination 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 surrendered 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 6 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.

44. SECURITY: The full faith and credit of the City are hereby pledged to the payment of the principal of and interest on the Bonds. There shall be levied upon all taxable property in the City upon the tax roll of the year 2002 and upon the tax roll of each year thereafter while any of the Bonds shall be outstanding, an amount such that the estimated collection therefrom will be

sufficient to pay promptly at maturity the principal and interest maturing on the 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 Bonds shall be levied without limitation as to rate or amount.

45. DEBT RETIREMENT FUND: There shall be established and maintained a separate fund to be designated the Series 2001 Bonds (Community Center and Recreational Facilities) Debt Retirement Fund for the Bonds (the "Debt Retirement Fund"). The proceeds of the taxes (both current and delinquent) to be used to pay the principal and interest on the Bonds when due, shall be deposited as collected in the Debt Retirement Fund. The City Manager or the Assistant City Manager/Finance shall transfer moneys in the Debt Retirement Fund to the Transfer Agent for the Bonds as necessary for the payment of the principal of and interest on the Bonds as the same shall become due. So long as the principal or interest on the Bonds remains 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 Transfer Agent. 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.

46. CONSTRUCTION FUND: The City Manager or the Assistant City Manager/Finance is further directed to establish a separate account, to be designated Series 2001 Bonds (Community Center and Recreational Facilities) Construction Fund (the "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 the Improvements and the costs of issuance incurred with respect to the Bonds. Proceeds remaining in the Construction Fund after completion of the Improvements and payment of the costs of issuance of the Bonds shall be applied as permitted by law.

47. 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.

48. 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
GENERAL OBLIGATION UNLIMITED TAX BONDS, SERIES 2001
(COMMUNITY CENTER AND RECREATIONAL FACILITIES)**

R-_____

\$ _____

| | | | |
|----------------------|--------------------------|-----------------------------------|--------------|
| <u>Interest Rate</u> | <u>Maturity Date</u> | <u>Date of Original 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 April 1, 2002, and semiannually thereafter. Principal of this bond is payable at the designated office of Bank One Trust Company, N.A., Detroit, 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. Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest 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 \$9,470,000.00, issued for the purpose of defraying the costs of renovation and improvements to the City's Community Center Building, the site therefore and any furnishings and facilities related thereto and the acquisition and improvement of additional park lands and open space for recreational use 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 279, Public Acts of Michigan, 1909, as amended, Act 202, Public Acts of Michigan, 1943, as amended, the City Charter of the City and the affirmative vote of the electors of the City at a general election held on April 5, 1999. 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 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 **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 therefore as provided in the Resolution authorizing the bonds of this issue, and upon the payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000.00 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.

Bonds maturing prior to October 1, 2011, are not subject to redemption prior to maturity. Bonds maturing on or after October 1, 2011, 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 or after October 1, 2010. The redemption price shall be the principal amount of the bond or portion of the bond called to be redeemed plus accrued interest to the date fixed for redemption, and a premium, as follows:

½% of the principal amount of each bond called for redemption on or after October 1, 2010, but prior to October 1, 2012.

No premium shall be paid on bonds or portions thereof called for redemption on or after October 1, 2012.

Bonds of a denomination greater than \$5,000.00 may be partially redeemed in the amount of \$5,000.00 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.

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, in order to make them valid and binding obligations of the City, existed, have happened and have been performed in regular and due form and manner 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.

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 the original or facsimile signatures of its Mayor and its City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon, all as of the Date of Original Issue. This bond shall not be valid or obligatory for any purpose unless the Certificate of Authentication has been manually executed by an authorized representative of the **Transfer Agent**.

CITY OF TROY

By: _____
Its: Mayor

CITY OF TROY

[Seal]

And:

By: _____
Its: 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

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

50. 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 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. The Bonds of this series are not designated as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions.

51. APPROVAL OF DEPARTMENT OF TREASURY: The City Manager or the Assistant City Manager/Finance are authorized to notify Treasury of the City's intent to issue the Bonds, 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 Manager 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.

52. OFFICIAL STATEMENT: The City Manager 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.

53. CONTINUING DISCLOSURE: The City Manager or the Assistant City Manager/Finance is hereby authorized to execute a certificate of the City to comply with the continuing disclosure undertaking of the City with respect to the 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.

54. PUBLICATION OF NOTICE: An Official Notice of Sale for the public sale of the Bonds to the bidder whose bid produces the lowest interest cost computed by determining, at the rate or rates specified in such bids, the total dollar value of all interest on the Bonds from the dated date of the Bonds or the first day of the month following the date of sale, whichever is later, to their maturity and deducting therefrom any premium or adding thereto any discount, in the form prescribed by the City Manager or the Assistant City Manager/Finance, with such changes or additions thereto as shall be deemed necessary, shall be published in *The Bond Buyer* of New York, New York (the "Notice"), which Notice as published shall be evidence of any revisions to final Bond terms as permitted in this resolution.

55. SALE OF BONDS: The City shall receive bids for the Bonds in accordance with the Notice approved by the City Manager or the Assistant City Manager/Finance, award sale of the Bonds to the successful bidder determined in accordance with this Resolution, and take all further necessary steps to issue and deliver the Bonds, including but not limited to the execution of a resolution awarding the Bonds to the purchaser whose bid is determined to produce the lowest interest cost to the City determined as provided in Section 21 of this resolution.

56. COMPLIANCE WITH REIMBURSEMENT RULES: The City intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Improvements prior to the issuance of the Bonds and hereby makes the following declarations for the purpose of complying with the reimbursement rules of Treasury Regulation §1.150-2 pursuant to the Code:

(o) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of bonds to be issued by the City.

(p) The expenditures described in this paragraph (b) are for the costs of acquiring, constructing, equipping and installing the Project described in the preamble to this resolution together with the sites therefore and all necessary appurtenances and attachments thereto which were or will be paid subsequent to sixty (60) days prior to the date hereof.

(q) The maximum principal amount of bonds expected to be issued for the Improvements, including issuance costs, is not to exceed \$9,470,000.00.

(r) 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 this resolution.

(s) 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).

(t) No proceeds of the borrowing paid to the City as reimbursement pursuant to this 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.

(u) Expenditures for the Improvements to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include: (i) costs for the issuance of the debt or (ii) amounts not in excess of the lesser of \$100,000.00 or 5 percent of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty (20%) percent of the issue price of the bond issue or issues reasonably expected by the City to finance the Improvements for which the preliminary expenditures may be incurred, 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).

57. 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.

REGULAR BUSINESS

Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 6, as amended May 7, 2001. Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Animal Control Appeal Board; (c) CATV Committee; (d) Civil Service Commission (Act 78); (e) Downtown Development Authority; (f) Economic Development Corporation; (g) Historical Commission; (g) Liquor Committee; (h) Parks and Recreation Committee; (i) Traffic Committee; and (j) Troy Daze Committee

Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons With Disabilities Council Appointment

_____ Student Rep Term Expires 07-01-2002

(b) Animal Control Appeal Board Council Appointment

_____ Term Expires 09-30-2004

(c) CATV Committee Council Appointment

_____ Vacant Term Expires 02-28-2004

(d) Civil Service Commission (Act 78) Council Appointment

_____ Vacant Term Expires 04-30-2002

Hold for Committee recommendation.

(e) Downtown Development Authority Mayor, Council Approval

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

_____ Term Expires 09-30-2005

(f) Historical Commission Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 07-01-2004

(g) Liquor Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(h) Parks and Recreation Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 09-30-2004

_____ Term Expires 09-30-2004

(i) Traffic Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(j) Troy Daze Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

Yes:

No:

F-2 Closed Session

Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Section (d), after adjournment of this meeting.

Yes:

No:

F-3 Troy School District – Special Education and Vocational Education Millage Election – September 25, 2001

F-4 Award of Contract for Construction Manager for the Fire Administration Police Department Renovation and Addition – J.M. Olson CorporationSuggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That the proposal for Construction Management Services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539.00 is hereby approved and the Troy City Manager is hereby authorized to negotiate a contract in accordance with their proposal dated July 23, 2001 and payments are hereby authorized for construction, furniture, fixtures, and equipment to be paid through J.M. Olson Corporation in the amount of \$11,209,846.00.

Yes:

No:

F-5 Retirement Board Recommendation re: Retiree Healthcare CoverageSuggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That Troy City Council approves adjusting the current City share of retiree health care to 3% per year of credited service or \$400.00 per month, whichever is greater.

Yes:

No:

F-6 Bid Waiver: Extension of Contract – Parking Lot MaintenanceSuggested Resolution

Resolution #2001-09-

Moved by

Seconded by

WHEREAS, On April 9, 2001, a contract to provide parking lot maintenance was awarded to Asphalt Specialists, Inc. (Resolution #2001-04-188-E-16); and

WHEREAS, Asphalt Specialists, Inc., has agreed to extend the contract for one-year under the same prices, terms, and conditions; and

WHEREAS, Asphalt Specialists, Inc., has provided additional pricing for items required at Raintree Park due to slight changes in the scope of work (Attachment I);

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby waived and a contract is hereby awarded to Asphalt Specialists, Inc. to provide parking lot

maintenance under the same terms and conditions, for one-year expiring June 30, 2002, at an estimated total cost of \$101,206.00.

BE IT FURTHER RESOLVED, The Department of Public Works may change the quantity of work by (+ or -) 25% during the construction season as needed.

Yes:

No:

F-7 Request for Approval of Purchase Agreement – Christ Church Cranbrook – Proposed Park Development – Sidwell #88-20-02-451-010

Suggested Resolution

Resolution #2001-09-

Moved by

Seconded by

RESOLVED, That the Agreement to purchase between Christ Church Cranbrook and the City of Troy, having Sidwell #88-20-02-452-010, for the acquisition of property for a proposed park development is hereby approved; and

BE IT FURTHER RESOLVED, That authorization is hereby granted to purchase property in the Agreement referenced above in the amount of \$230,000.00 plus closing costs.

Yes:

No:

COUNCIL COMMENTS/REFERRALS

VISITORS

Any person not a member of the Council who have not addressed Council during the 1st Visitors Comments may address the Council with recognition of the Chair, 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, said matter may be acted upon immediately. 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. (Rules of Procedure for the City Council, Article 5 (16) and Article 15, as amended May 7, 2001.)

REPORTS AND COMMUNICATIONS

G-1 Proposed City of Troy Proclamations:

G-2 Minutes – Boards and Committees:

- (a) Advisory Committee for Persons with Disabilities/Final – June 6, 2001
 - (b) Advisory Committee for Senior Citizens/Final – June 7, 2001
 - (c) Library Advisory Board/Draft – July 12, 2001
 - (d) Liquor Advisory Committee/Final – August 13, 2001
 - (e) Animal Control Board/Draft – September 5, 2001
 - (e) Building Code Board of Appeals/Draft – September 5, 2001
 - (f) Advisory Committee for Senior Citizens/Draft – September 6, 2001
 - (f) Liquor Advisory Committee/Draft – September 10, 2001
-

G-3 Department Reports:

- (a) Development Report – September 2001 and Permits Issued During the Month of August 2001
-

G-4 Announcement of Public Hearings:

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6 Letters of Appreciation

- (a) Letter from George and Elaine Samulski to Chief William Nelson Thanking Sergeant Joe Falcon and Firefighters Rob Bittner, Pete Dungjen and Greg McMenamin for Their Presentation at Their Annual Block Party
-

G-7 Froid Hurmoz v City of Troy

G-8 Study on Traffic Crash Experience at Stop- and Yield-Controlled Residential Street Intersections

G-9 Update on Section 1 Golf Course

G-10 Urban Density

G-11 Administrative Procedure Followed in Canceling Troy Daze

G-12 Review of IBM Real Estate and Construction Division - Architectural Procedure and Design Submittals

G-13 Calendar

G-14 Press Release: Arab-American and Chaldean Council Condemns the Act of Terrorism

Respectfully submitted,

John Szerlag, City Manager

A Special Meeting of the Troy City Council was held Monday, September 6, 2001, in the Lower Level Conference Room at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:34P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
Martin F. Howrylak (arrived 7:40 PM)
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

Preliminary Plat – Final Approval – Meadow Creek Subdivision

Resolution #2001-09-
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That Final Approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy which shall be attached to the original Minutes of this meeting.

Resolution to Amend Main Motion

Resolution #2001-09-439
Moved by Pallotta
Seconded by Lambert

RESOLVED, That the main Resolution be amended by requiring the developer to fund up to \$8,000.00 for tree plantings on the school district property.

Yes: All-7

Vote on Amended Resolution

#2001-09-440
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That Final Approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and the developer shall fund up to \$8,000 for tree plantings on the school district property.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy which shall be attached to the original Minutes of this meeting.

Yes: Schilling, Pryor, Beltramini, Kaszubski, Lambert, Pallotta
No: Howrylak

Civic Center Site

1. The revised mission statement for the civic center site is:
To serve as a community focal point to provide integrated civic, cultural, and commerce functions in an aesthetically pleasing, functional, professional, and cost-effective manner.
2. Staff should meet with individually with hotels as well as communicating with the hotel committee organized by the Chamber of Commerce.
3. Retail should be an ancillary part of the site; included perhaps in a hotel/conference center.
4. There should be no office buildings on the site.
5. There is interest in looking into housing on the site; perhaps in a vertical fashion (high-rises).
6. There is interest in having art integrated throughout the site and as part of the public elements (i.e. plaza, water elements, amphitheatre).
7. A 5,000 seat performing arts center is too big. We need to determine ideal size.
8. Combining conference center with performing arts center is desirable.
9. Staff should develop draft proposal for a consultant to review site components.

The meeting adjourned at 10:30 P.M.

Matt Pryor, Mayor

John M Lamerato
Assistant City Manager/Finance and Administration

A Regular Meeting of the Troy City Council was held Monday, September 10, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:40 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Mayor Pro Tem Kaszubski, and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor
Robin E. Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

A-1 Minutes: Regular Meeting of August 20, 2001 and Special Meetings of August 20, 2001 and August 27, 2001

Resolution #2001-09-441
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of August 20, 2001, and the Minutes of the 5:30 PM Special Meeting of August 20, 2001 and the Minutes of the 7:30 PM Special Meeting of August 27, 2001 be approved.

Yes: All-7

A-2 Presentations: Introduction of Proposed Student Representatives: 1) Sharon Lu – Advisory Committee for Persons with Disabilities; 2) Lusi Fang – CATV Committee; and 3) Sucheta Sikdar – Historical Commission

The three proposed student representatives for Boards and Committees introduced themselves to City Council and members of the audience.

PUBLIC HEARINGS

C-1 First Amendment to Grand/Sakwa Brownfield Plan

Resolution #2001-09-442
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That Troy City Council hereby approves the First Amendment Act 381 Brownfield Plan.

Yes: Beltramini, Kaszubski, Lambert, Pallotta, Schilling, Pryor
No: Howrylak

and

Resolution #2001-09-443
Moved by Pallotta
Seconded by Kaszubski

WHEREAS, Public Act 381 of 1996 allows for the establishment of local site remediation revolving funds by local units of government, as part of the Brownfield Redevelopment Authority (BRA) operations;

WHEREAS, Public Act 381 of 1996 allows for recapture of eligible tax increment revenues from captured taxable value of eligible properties with approved development plans for five years beyond the date necessary to meet all obligations of the development plan, if this tax increment is deposited into a local site remediation revolving fund; and

WHEREAS, This local site remediation revolving fund could provide the BRA with needed funds to provide the incentive of more timely reimbursement of eligible environmental clean up.

RESOLVED, The Troy Brownfield Redevelopment Authority hereby establishes a Local Site Remediation Revolving Fund as provided under Public Act 381 of 1996 and further that all reimbursements from funds shall be approved by the Authority and included in an approved Development Plan.

Yes: Beltramini, Kaszubski, Lambert, Pallotta, Schilling, Pryor
No: Howrylak

C-2 Request for Commercial Vehicle Appeal – 2493 E. Maple

Resolution #2001-09-
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That City Council approves a 90-day variance to permit the petitioner to begin the construction a garage or find an alternate location to house the commercial vehicles.

Resolution to Amend Main Motion

Resolution #2001-09-444
Moved by Howrylak
Seconded by Pryor

RESOLVED, That 90-days be stricken and 1-year be inserted.

Yes: Howrylak, Lambert, Pryor
No: Kaszubski, Pallotta, Schilling, Beltramini

MOTION FAILED

Vote on Main Motion

Resolution #2001-09-445
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That City Council approves a 90-day variance to permit the petitioner to investigate the feasibility of constructing a garage or find an alternate location to house the commercial vehicles.

Yes: All-7

C-3 Appeal of Provisions for Outdoor Special Events – Oakland Mall – “Amazing Mazes and Puzzling Puzzles”

Resolution #2001-09-446
Moved by Pallotta
Seconded by Schilling

RESOLVED, That the variance from the Oakland Mall Merchants Association to hold an outdoor special event called “Amazing Mazes and Puzzling Puzzles” in the parking lot of the Oakland Mall, 412 W. Fourteen Mile Road, Sidwell No. 88-20-35-400-020 for a period of 45 days where only seven days are permitted by Section 41.16.00 of the Zoning Ordinance, is hereby approved.

Yes: All-7

C-4 Request for Parking Variance – 627 E. Maple

Resolution #2001-09-447
Moved by Pallotta
Seconded by Kaszubski

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or
- D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from L. Mason Capitani for waiver of 23 parking spaces at the development at 627 E. Maple be approved for only the current use.

Yes: All-7

VISITOR COMMENTS

CONSENT AGENDA

RECESS: 8:59 PM – 9:16

E-1 Approval of Consent Agenda

Resolution #2001-09-448
Moved by Pallotta
Seconded by Schilling

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Items E-4, E-6, E-8, which shall be considered after Consent Agenda E items, as printed.

Yes: All-7

E-2 Request from CHC REIT LESSEE CORPORATION (Marriott-Troy): (a) To Drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and Add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as Co-licensees of 2000 B-Hotel license, Located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266}; (b) Approval of Agreement

(a) License Transfer

Resolution #2001-09-448-E-2 (a)

RESOLVED, That the request from CHC REIT LESSEE CORPORATION (Marriott-Troy) to drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as co-licensees of 2000 B-Hotel license, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266} be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

Resolution #2001-09-448-E-2 (b)

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;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with CHC REIT LESSEE CORPORATION, which shall become effective upon approval to drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as co-licensees of 2000 B-Hotel license, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266}; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

E-3 Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – Troy Youth Assistance

Resolution #2001-09-448-E-3

RESOLVED, That the Troy City Council does hereby authorize the Police Department to seek grants for expenses (salaries, office supplies, program supplies, etc.) through the Juvenile Accountability Incentive Block Grant to the Troy Youth Assistance for the 2001/2002 fiscal year at an estimated cost of \$36,980.00; and

BE IT FURTHER RESOLVED, That if the grants are approved, the expenditure of matching City funds at an estimated cost of \$4,108.00 is hereby authorized.

E-5 Request for Acceptance of Permanent Easements for Storm Drain/Sewer – Rochester Rear Yard Drain – South of Marengo – Sidwell #88-20-03-401-022, 023, 024, and 028

Resolution #2001-09-448-E-5

RESOLVED, That the permanent easements from Raymond K. Bisson and Jane M. Bisson, Thomas E. Thompson, Ralph Darge and Shirley I. Darge, and Dolores J. Merana, being parts of properties having Sidwell #88-20-03-401-022, 023, 024, and 028 respectively, are hereby accepted for public storm drain and related public purposes; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby directed to record said documents with the Oakland County Register of Deeds, a copy of which shall be attached to the original Minutes of this meeting.

E-7 Request for Temporary Sales/Office Trailer – Harrington Park Condominiums

Resolution #2001-09-448-E-7

RESOLVED, That the request from Richard Spehar of Cherry Creek Builders, to place and occupy a sales trailer during construction of Harrington Park condominiums, is hereby approved for a twelve month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(3), of the Code of the City of Troy.

E-9 Attorney General (ex. rel Aleta Curry) v Troy Police Department

Resolution #2001-09-448-E-9

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Attorney General (ex rel Aleta Curry) v Troy Police Department and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-10 Standard Purchasing Resolution 3: Exercise Renewal Option – Traffic Control Signs

Resolution #2001-09-448-E-10

WHEREAS, On October 2, 2000, one-year contracts with an option to renew for one additional year for traffic control signs was awarded to Vulcan Signs, Signs and Blancs, Inc., and Rocal, Inc. (Resolution #2000-441); and

WHEREAS, All awarded bidders have agreed to exercise the one-year option to renew under the same prices, terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contracts are hereby exercised with Vulcan Signs, Signs and Blanks, Inc., and Rocal, Inc. to provide traffic control signs under the same contract prices, terms, and conditions for one-year expiring November 1, 2002.

E-11 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Haworth Furniture Contract

Resolution #2001-09-448-E-11

RESOLVED, That a contract to purchase Haworth furniture for the new Lloyd A. Stage Nature Center building from University Business Interiors is hereby approved through the Oakland County Cooperative Purchasing Program at an estimated total cost of \$38,530.68.

E-12 Standard Purchasing Resolution 1: Award to Low Bidder SAD Paving Projects – Daley, Forthton, Finch and Harris, Contract No. 01-11

Resolution #2001-09-448-E-12

RESOLVED, That Contract No. 01-11, for SAD paving projects – Daley, Forthton, Finch and Harris, is hereby awarded to the low bidder, Thompson-McCully Company, at a cost of \$607,510.20, in accordance with bid tabulation opened August 30, 2001, 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.

E-13 Standard Purchasing Resolution 1: Award to Low Bidder – Survivair Air Packs Parts

Resolution #2001-09-448-E-13

RESOLVED, That a contract to furnish Survivair air pack parts, labor, and accessories is hereby awarded to the sole bidder, The Argus Group of Michigan, at unit prices contained in the bid tabulation opened August 16, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$126,056.93.

BE IT FURTHER RESOLVED, Item #2 – 2nd Stage Regulators are hereby rejected.

E-14 Marie Skirak v Schultz, City of Troy et. al

Resolution #2001-09-448-E-14

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Marie Skirak v Robert E. Schultz, Jr., Victoria T. Ko, Arthur C. Ko, and Karen M. Dubay, City of Troy and Steven Vaillancourt and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-15 Standard Purchasing Resolution 4: Tri-County Purchasing Cooperative – Copy Paper

Resolution #2001-09-448-E-15

RESOLVED, That a one-year cooperative contract for copy paper from Xpedx Paper & Graphics is hereby approved through the City of Sterling Heights bid process and extended to the Tri-County Purchasing Cooperative at unit prices contained in the bid tabulation opened June 26, 2001, a copy of which shall be attached to the original Minutes of this meeting expiring September 5, 2002.

E-16 Standard Purchasing Resolution 4: Oakland County Road Commission – 4-Ton Hot Asphalt Hauler

Resolution #2001-09-448-E-16

RESOLVED, That a contract for one (1) trailer mounted 4-ton hot asphalt hauler from Spaulding Mfg. Inc., is hereby approved through the Oakland County Road Commission bid tabulation dated November 30, 1999, at a total cost of \$13,500.00.

E-17 Information Requested Pertaining to Membership in The United States Conference of Mayors

Resolution #2001-09-448-E-17

RESOLVED, That payment of annual dues in the amount of \$2,294.00 be made to the United States Conference of Mayors for the City of Troy's full membership thereof.

ITEMS TAKEN OUT OF ORDER

E-4 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition

Resolution #2001-09-449
Moved by Pallotta
Seconded by Lambert

RESOLVED, That approval to expend funds budgeted in the 2001/2002 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$100,000.00 is hereby approved.

Yes: All-7

E-6 2002 City Council Meetings

Resolution #2001-09-450
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That the City Council shall hold Regular meetings on the first and third Mondays of each month at 7:30 p.m., in observance of a holiday or City general election day, then the Council shall meet on the second and fourth Mondays; and

BE IT FURTHER RESOLVED, That Study meetings may be scheduled as needed.

Yes: All-7

E-8 Standard Purchasing Resolution 1: Award to Low Bidder – Riding Mower

Resolution #2001-09-451
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That a contract to furnish one (1) rotary riding mower is hereby awarded to the low bidder, W.F. Miller Co., at an estimated total cost of \$59,178.00.

Yes: Kaszubski, Lambert, Pallotta, Schilling, Pryor, Beltramini
No: Howrylak

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Animal Control Appeal Board; (c) CATV Committee; (d) Civil

Service Commission (Act 78); (e) Downtown Development Authority; (f) Historical Commission; (g) Liquor Committee; (h) Parks and Recreation Committee; (i) Traffic Committee; and (j) Troy Daze Committee

Resolution #2001-09-452
Moved by Pallotta
Seconded by Howrylak

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons With Disabilities Council Appointment
Sharon Lu Student Rep Term Expires 07-01-2002

(c) CATV Committee Council Appointment
Lusi Fang Student Rep Term Expires 07-01-2002

(f) Historical Commission Council Appointment
Sucheta Sikdar Student Rep Term Expires 07-01-2002

Yes: All-7

Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for September 17, 2001:

(a) Advisory Committee for Persons With Disabilities Council Appointment
_____ Student Rep Term Expires 07-01-2002

(b) Animal Control Appeal Board Council Appointment
_____ Term Expires 09-30-2004

(c) CATV Committee Council Appointment
_____ Vacant Term Expires 02-28-2004

(d) Civil Service Commission (Act 78) Council Appointment
_____ Vacant Term Expires 04-30-2002

Hold for recommendation from Civil Service Commission.

(e) Downtown Development Authority Mayor, Council Approval
_____ Term Expires 09-30-2005
_____ Term Expires 09-30-2005
_____ Term Expires 09-30-2005

(f) Historical Commission Council Appointment
_____ Term Expires 07-01-2004

(g) Liquor Committee Council Appointment
_____ Student Rep Term Expires 07-01-2002

(h) Parks and Recreation Committee Council Appointment
_____ Student Rep Term Expires 07-01-2002
_____ Term Expires 09-30-2004
_____ Term Expires 09-30-2004

(i) Traffic Committee Council Appointment
_____ Student Rep Term Expires 07-01-2002

(j) Troy Daze Committee Council Appointment
_____ Student Rep Term Expires 07-01-2002

F-2 Amendment to Council Rules of Procedure

Resolution #2001-09-
Moved by Schilling
Seconded by Pallotta

RESOLVED, That the Troy City Council Rules of Procedure, dated May 7, 2001, are hereby amended as proposed; with the insertion of a new Item Number 24, Agenda Items Submitted by Council Members, and Item Number 24, Violations, renumbered as Item Number 25.

Motion to Amend Main Resolution

Resolution #2001-09-453
Moved by Howrylak
Seconded by Pryor

RESOLVED, That proposed resolution be amended to indicate that Section does not apply to Council Comments/Referrals.

Yes: Lambert, Pallotta , Schilling, Pryor, Howrylak, Kaszubski
No: Beltramini

Motion Carried

Vote on Amended Resolution

Resolution #2001-09-454
Moved by Schilling
Seconded by Pallotta

RESOLVED, That the Troy City Council Rules of Procedure, dated May 7, 2001, are hereby amended as proposed; with the insertion of a new Item Number 24, Agenda Items Submitted by Council Members, and Item Number 24, Violations, renumbered as Item Number 25 and does not apply to Council Comments/Referrals.

Yes: Pallotta, Schilling, Pryor, Beltramini, Kaszubski, Lambert
No: Howrylak

F-3 Police/Fire Administration Building – Architectural Proposal for Site Alternatives

Resolution #2001-09-455
Moved by Pallotta
Seconded by Kaszubski

RESOLVED, That the proposal from Redstone Architects, Inc. to prepare site drawings for the Police/Fire Administration Building site alternatives be approved at an amount not to exceed \$11,500.00.

Yes: All-7

F-4 Winter Maintenance Agreement – Road Commission for Oakland County

Resolution #2001-09-456

Moved by Schilling

Seconded by Pallotta

RESOLVED, That the Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of certain primary and local roads in accordance with the provisions of the 1951 PA 51, amended as described and outlined in Exhibit A, is hereby approved and the Mayor and City Clerk are authorized to execute the necessary documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

F-5 Bid Waiver/Sole Source- East Jordan Iron Works – Hydrant and Valve Repair Parts

Resolution #2001-09-457

Moved by Pallotta

Seconded by Lambert

WHEREAS, East Jordan Iron Works, the manufacturer, has agreed to provide East Jordan Hydrant and Valve Repair Parts for one year at a 40% discount off list.

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby approved with East Jordan Iron Works to provide East Jordan Hydrant and Valve Repair Parts at a 40% discount off list expiring October 16, 2002.

Yes: All-7

F-6 Designation of Voting Delegate and Alternate Voting Delegate at the Annual Business Meeting of the National League of Cities to be held December 4-8, 2001 in Atlanta, Georgia

Resolution #2001-09-458

Moved by Pallotta

Seconded by Howrylak

RESOLVED, That Council Member Robin Beltramini is hereby designated as Voting Delegate and Mayor Pro Tem Kaszubski is hereby designated as the Alternate Voting Delegate to cast the vote of the City of Troy at the Annual Business Meeting of the National League of Cities to be held December 4-8, 2001 in Atlanta, Georgia.

Yes: All-7

F-7 Change to Delete Chapter 81 of the City Code Relating to the Moving of Houses

Resolution #2001-09-459
Moved by Pallotta
Seconded by Howrylak

RESOLVED, That an ordinance amendment to Chapter 81, deleting the current text in its entirety, is hereby adopted as recommended by City Management. A copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes: All-7

F-8 Public Hearings for Wetlands and Natural Features Ordinances

Resolution #2001-09-460
Moved by Kaszubski
Seconded by Beltramini

RESOLVED, That the City Council of the City of Troy call Public Hearings for public input on the proposed Wetlands, and Natural Features Ordinances which includes the wetlands natural features map, to be scheduled for Tuesday, October 9, 2001, at the Troy Athens High School Auditorium, 4333 John R Road, Troy, Michigan, at 7:30 PM to 8:30 PM for property owners of platted parcels and 8:30 PM to 10:00 PM for property owners of non-platted lots.

Yes: All-7

F-9 Request to Waive Parking Restrictions

Resolution #2001-09-461
Moved by Pallotta
Seconded by Howrylak

RESOLVED, That the City Council of the City of Troy does hereby waive the no parking restrictions on the west side of Donaldson Street from Square Lake Road to Cotswold Street, on September 13, 2001, between the hours of 6:00 pm and 10:00 PM, and on November 19 and 20, 2001 between the hours of 1:00 PM and 4:00 PM, AND 6:00 PM and 9:00 PM.

Yes: All-7

F-10 Request for Closed Session

Resolution #2001-09-462
Moved by Beltramini
Seconded by Pallotta

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Section (d) after adjournment of this meeting.

Yes: Schilling, Pryor, Beltramini, Howrylak, Lambert, Pallotta

No: Kaszubski

COUNCIL COMMENTS/REFERRALS

Appointment of City Attorney

Resolution #2001-09-463
Moved by Pryor
Seconded by Pallotta

RESOLVED, That Acting City Attorney Lori Grigg Bluhm be appointed as City Attorney at an annual salary of \$97,292.00 effective September 10, 2001.

Yes: All-7

VISITORS

REPORTS AND COMMUNICATIONS

G-1 City of Troy Proclamation:

Resolution #2001-09-464
Moved by Schilling
Seconded by Howrylak

RESOLVED, That the following City of Troy Proclamation, be approved:

- (a) Bharatiya Temple of Troy Silver Jubilee – September 15, 2001

Yes: All-7

G-2 Minutes – Boards and Committees:

- (a) Board of Zoning Appeals/Final – June 19, 2001
- (b) Board of Zoning Appeals/Final – July 17, 2001
- (c) Planning Commission/Final – July 24, 2001
- (d) CATV Advisory Committee/Draft – July 26, 2001
- (e) Building Code Board of Appeals/Draft – August 1, 2001
- (e) Board of Zoning Appeals/Draft – August 21, 2001

Noted and Filed

G-3 Department Reports:

G-4 Announcement of Public Hearings:

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6 Letters of Appreciation:

- (a) Letter from F. Dean Campeau to Chief Craft Commending Officer Mulvihill for His Assistance Relating to a Traffic Violation He Received
- (b) Letter from Donna M. Sherwood – Professor of Law Enforcement-Macomb Community College to Wendell Moore Thanking Him for Participating in Their Summer Field Study Class
- (c) Letter from Michael A. Palchesko to William Need Expressing His Appreciation in the Manner the City’s DPW Responded to A Refuse Situation at His Residence
- (d) Letter from Sgt. Mark Rouland – Birmingham Police Department to Chief Charles Craft Thanking the Troy Police Department for Their Bike Patrol Assistance During the Dream Cruise
- (e) Letter from Chief Theodore H. Quisenberry – Royal Oak Police Department to Chief Charles Craft Thanking the Troy Police Department for Their Assistance During the Dream Cruise
- (f) Letter from Prosecuting Attorney David G. Gorcyca to Chief Charles Craft Complimenting Detective Don Tullock for His Professionalism While Assisting Them in a Case
- (g) Letter from David S. Leighton – Special Agent for the US Coast Guard to Chief Charles Craft Thanking Detective Jim Mork for His Forensic Investigative Excellence While Assisting Them With an Investigation

Noted and Filed

G-7 Resignation Letter Received from Frank M. Smith – CATV Advisory Committee

G-8 Letter from Michael Chaffee – President, and Charlene Calabro – Vice President of the Sylvan Glen Homeowners’ Association Regarding Concerns about the Shady Creek Estates Site

Noted and Filed

G-9 Byrne Memorial Grant

Noted and Filed

G-10 Assignments from August 27, 2001 Study Session

Noted and Filed

G-11 Awdish v Pappas

Noted and Filed

**G-12 Letter From Bendzinski & Co. to John M. Lamerato Re: Not to Exceed \$12,000,000
City of Troy Building Authority, County of Oakland, State of Michigan, Building
Authority (Golf Course)**

Noted and Filed

G-13 Adult Foster Care Facility Located at 6440 Livernois

Noted and Filed

G-14 Ditch Construction at 6336 Donaldson, Section 3 Water Main Project

Noted and Filed

G-15 Engineering Solution to Parking on Arlund Way–Section 7–East of Adams Road

Noted and Filed

**G-16 Award of Contract for Construction Manager for the Fire Administration Police
Department Renovation and Addition J.M. Olson Corporation**

Noted and Filed

The meeting adjourned at 10:20 P.M.

Matt Pryor, Mayor

Tonni L. Bartholomew, City Clerk

DATE: September 12, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
3911 Kingspoint

On June 11, 2001, follow up information was sent to Mr. Bruce Simpson that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Simpson has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of September 17, 2001.

Since there are no other accessory buildings on the site, The Zoning Ordinance would permit at least a 600 square foot detached garage to be constructed at the rear of this property.

A copy of the application, site plan and photo are attached for your reference.

Should you have any questions or require additional information, kindly advise.

City of Troy
Building and Inspection Division
Commercial Vehicle Violation Notice
500 West Big Beaver, Troy, MI 48084

June 12, 2001

RECEIVED

SEP 12 2001

BUILDING
DEPARTMENT

Bruce J. Simpson
3911 Kingspoint
Troy, MI 48083-5381

RE: 3911 Kingpoint - Commercial Vehicle

Dear Mr. Simpson:

I recently observed a commercial vehicle parked at the residence listed above and it appears you are in violation of the Zoning Ordinance. Chapter 39, section 40.66.00 restricts the type of commercial vehicles parked on residential property. I am enclosing a copy of relevant sections of the ordinance that define commercial vehicles, and list the restrictions.

As you can see, the white Chevrolet Vandurr 3500 (license #303DT) does not comply with Section 40.66.00 of the ordinance. Therefore, to correct the violation, you must remove the vehicle from the property.

You have the right to appeal for relief of the ordinance by submitting the enclosed appeal application for review. Your request would be heard before City Council. The application must be submitted within twenty (20) days of the date of this notice.

If you have any questions, please call me at 248 524-3359.

Sincerely,


Marlene Struckman
Housing & Zoning Inspector

MJS

7-1-01 is 20TH DAY

OVER
→



RECEIVED

AUG 03 2001

BUILDING DEPARTMENT

COMMERCIAL VEHICLE
APPEAL APPLICATION

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: Bruce Simpson

ADDRESS: 3911 Kingspoint

CITY: Troy MI. ZIP: 48083 PHONE: 248-528-0631

ADDRESS OF SITE: Same as Above

NUMBER OF VEHICLES: 1

VEHICLE IDENTIFICATION NUMBER(S) 1GEHG31K3TF507035

LICENSE PLATE NUMBER(S) 3030 DT

DESCRIPTION OF VEHICLE(S) Chevy Box Van

REASON FOR APPEAL (see A - D below) A, B, C, D - Always

parked on driveway. Used daily for work purposes.

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

**Photo to follow at later date. We will try to borrow a polaroid camera.*

Gene Lum
(signature of applicant)

STATE OF MICHIGAN
COUNTY OF *Wayne*

On this *2nd* day of *August*, 19*2001* before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Donald C. Vogler, Wayne, Michigan
Notary Public, County, Michigan

My Commission Expires: *DONALD C. VOGLER*
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Sep 21, 2005
ACTING IN OAKLAND COUNTY, MI



1523

1505

1593

MERRIWEATHER DRIVE

1524

1566

1594

0

1661

1731

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1608

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1515

1541

1563

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1641

WATTLES ROAD

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1516

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1652

1680

1692

1700

OAKCREST DRIVE

OAKCREST DRIVE

PUBLIC

OAKCREST DRIVE

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

Since Raintree village is a residential subdivision, allowing storage of commercial vehicle on a residential property is likely to set a precedence for future storage or usage of residential properties for commercial purposes.

RECEIVED

SEP 10 2001

BUILDING DEPARTMENT

NAME: ARUN K. RISHI

ADDRESS OR PROPERTY DESCRIPTION 3863 KINGS POINT

RECEIVED

SEP - 6 2001

BIDDING DEPARTMENT

TO: CITY COUNCIL

Please register my approval [] objection [X] to the request indicated on the reverse side.

My reason for this approval [] objection [X] is:

3911 Kings Point

We objective to ANY commercial vehicles parked in Troy.

We have also observed Storage VANS (commercial) parked on the street opposite their owners' homes.

This is creating an eyesore and decreasing property values.

We strongly oppose this request!

NAME: Kathleen and Robert Daze L (3887 Kings Point)

Re! ADDRESS OR PROPERTY DESCRIPTION 3911 Kings Point

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

THE CHEVY CUBE VAN IS PARKED ON MR. SIMPSONS' DRIVEWAY ONLY OCCASIONALLY AND DOESN'T OFFEND MY ^{OUR} SENSIBILITIES ON BT.

RECEIVED

SEP 10 2001

BUILDING DEPARTMENT

NAME: MICHAEL A. ATTAN-RAMONA ATTAN AND MICHAEL R. ATTAN

ADDRESS OR PROPERTY DESCRIPTION RESIDENTS OF 3912 KINGS POINT

TROY, MI.

ACROSS THE STREET FROM MR. SIMPSONS RESIDENCE.

5000

TO: CITY COUNCIL

Please register my approval [] objection [X] to the request described on the reverse side.

My reason for this approval [] objection [X] is:

Makes the neighborhood look ugly. Please let everyone abide by the rules. That's the reason why I moved into the neighborhood. Nobody should use their business from their house. It's going to start looking like Warren! PI

RECEIVED

SEP - 6 2001

BUILDING DEPARTMENT

NAME: JAY BOTARDO

ADDRESS OR PROPERTY DESCRIPTION 1499 ABBEY DR.

RECEIVED

SEP - 7 2001

TO: CITY COUNCIL

BUILDING
DEPARTMENT

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

The truck on the reverse side of this sheet has been parked at 3911 Kingspoint evenings and week-ends for the last 2 yrs. I'm surprised he was not notified long before this. There are many more business people in this sub of Raintree who would like to have a commercial vehicle parked on the driveway but the restriction guarantees us the proper residential environment to maintain property values. We had a small pop-up travel trailer when we first moved to town and within 2 weeks were told to move it which cost us \$125⁰⁰ monthly to store. We are against approval of any extension.

NAME: Eileen & Arnold Sullivan

ADDRESS OR PROPERTY DESCRIPTION 1557 Abbey Dr.

Our objections to allowing Mr. Simpson to obtain a variance to park his truck at 3911 Kingspoint are as follows:

- It is a large commercial vehicle and is highly noticeable when parked at the residence.
- It cheapens the look of the neighborhood.
- If a variance is allowed to Mr. Simpson, it opens the door for other to follow suit as well.

We hope Mr. Simpson understands that this is not a personal affront to him. Perhaps he could find a local business that will allow him to store his vehicle while he is at home.

~~The City put this regulation in for a good reason. We feel it is important to abide by the rules and to maintain standards. Mr. Simpson should have checked city laws before he purchased his home here in Troy if he intended to keep this truck at his residence.~~

Tom & Jackie Tolonen
3901 Raintree
Troy, MI 48083

JM Tolonen

RECEIVED

SEP - 6 2001

**BUILDING
DEPARTMENT**

From: Keith Zerwas [mailto:kzdzad@home.com]
Sent: Thursday, September 13, 2001 10:11 PM
To: dave@lambertonline.net; mfhowryl@umich.edu; rbeltram@hotmail.com;
councilman.kaszubski@gte.net; matt@mattpryor.org; pallottaAN@wwnet.net;
council@ci.troy.mi.us
Cc: Howard Dennis; kzdzad@home.com
Subject: Council meeting 9-17-01 on item G-4

Greeting Mayor and Council,

I too would like to share my concern in regards to the appeal listed below by Howard Dennis. To keep our subdivision in its great shape we all must abide by some basic rules applying to all neighbors. Vehicles like this are in violation of the residential Zoning Ordinance as I am sure you are aware. As a board member of the Raintree Homeowners Association (volunteer) I wish that the ordinance be followed. All other RHA members express this same view point.

I have attached a picture of the truck with its advertisement.

Thank you for your time,

Keith Zerwas
1564 Abbey Drive
Troy, MI 48083
248-619-9868



DATE: September 12, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
6704 Livernois

On April 26, 2001, follow up information was sent to Mr. Michael Brennan that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van and Isuzu cube van parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Simpson has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of September 17, 2001.

Based upon the size of the existing house (1128 square feet) and the size of the existing detached garage (624 square feet), no additional accessory buildings could be constructed on the site. A significant attached garage could be constructed on the site whose size would only be limited by the setbacks and a 30% maximum lot coverage.

A copy of the application, site plan and photo are attached for your reference. I should note that the photo shows only one of the trucks. We have not been able to obtain a photo of the Chevy cube van, but I am told it is similar in size and type to the Isuzu van shown.

Should you have any questions or require additional information, kindly advise.



Commercial Vehicle Appeal
6704 Livernois
City Council: 09/10/01



COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

JUL 26 2001

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

BUILDING
DEPARTMENT

NAME: MICHAEL J. BRENNAN

ADDRESS: 6704 LIVERNOIS RD.

CITY: TROY MI. ZIP: 48098 PHONE: 248.813.0398

ADDRESS OF SITE: 6704 LIVERNOIS RD. TROY, MI. 48098

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S) JALB4B1KOT7001135-1996
J8BC4B1K6P7007444-1993

LICENSE PLATE NUMBER(S) 0239 HU-1996
BRENNAN 1993

DESCRIPTION OF VEHICLE(S) WHITE CHEVY-1993, WHITE ISUZU-1996

REASON FOR APPEAL (see A - D below) PLEASE SEE ATTACHED . PICTURES WILL BE PROVIDED

ON THE DAY OF THE APPEAL.

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

RECEIVED

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Michael J. Banner

(signature of applicant)

STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 18th day of MAY, 2001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Pamela R. Pasternak *Maeomb*
Notary Public, County, Michigan acting in Oakland

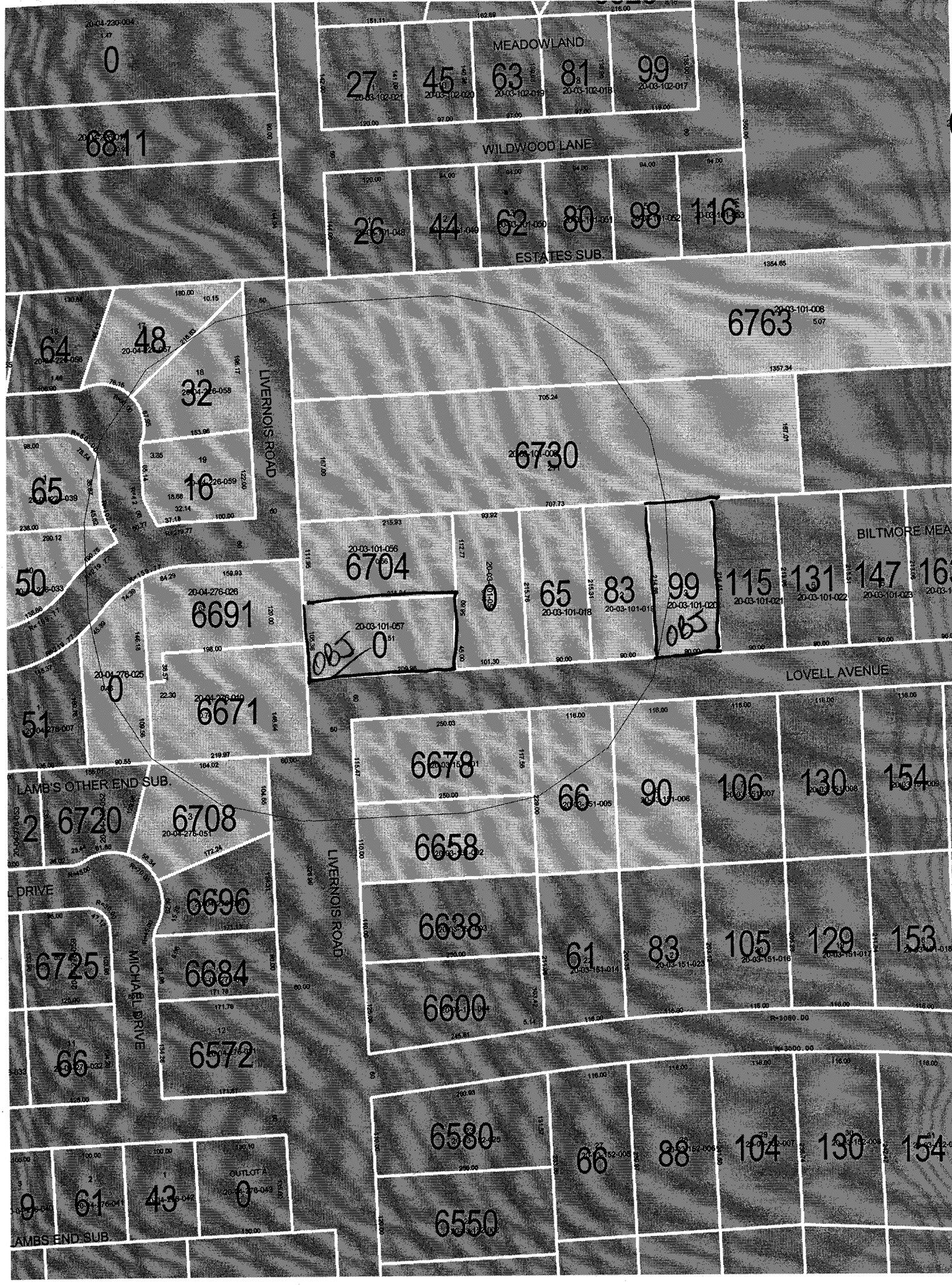
My Commission Expires: 09-01-03

Reason For Appeal

B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicles. Brennan Electrical Contractors is run out of the residence at, 6704 Livernois Rd, Troy, MI. 48098. All of The materials required for electrical work (incl. Tools, job supplies, and all other applicable items) are kept in the garage of the residence. Because of this, storing the vehicles at an alternate location would pose a hardship on the business.

C. A garage or accessory building on the subject site cannot accommodate, or reasonably be constructed or modified to accommodate the subject commercial vehicle. There is currently a garage on the site. It does not, however, have the capacity to store 2 commercial vehicles. There is no additional space available to add on to the current garage and have it be functional.

D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street. There is currently enough paved parking for both commercial vehicles in front of the garage, which does not block any vehicular movement along the frontage street. If esthetics are an issue, there are a couple of alternatives available, such as a privacy fence, or possibly the planting of large conifers to block the view for neighbors or car travelers.



0

6811

27

45

MEADOWLAND

63

81

99

WILDWOOD LANE

26

44

62

80

98

116

ESTATES SUB

6763

64

48

32

16

65

50

6704

65

83

99

115

131

147

163

6691

085 0

085

6671

51

6678

66

90

106

130

154

LAMB'S OTHER END SUB.
2 6720

6708

DRIVE
6725

6696

6684

6572

LVERNIOS ROAD

6638

61

83

105

129

153

6600

6580

66

88

104

130

154

6550

LAMB'S END SUB

61

43

OUTLOT A
0

6

TO: CITY COUNCIL

Please register my approval [] objection [] to the request described on the reverse side.

My reason for this approval [] objection [] is:

I AM BUILDING THE ^{new} HOUSE NEXT DOOR
AND I FEEL THAT IF SOMEONE IS
GOING TO PAY \$ 359,000 FOR A
HOME IN TROY THEY WILL NOT WANT
TO LIVE NEXT TO A HOME WITH 2
(LARGE) ENCLOSE VANS NEXT DOOR
THIS DECREASES THE SALEABILITY OF
MY NEWLY CONSTRUCTED HOME AT
6692 LIVENWOOD, THESE COMMERCIAL
VEHICLES ARE EYESORES TO THE
NEIGHBORHOOD.

RECEIVED

SEP - 6 2001

**BUILDING
DEPARTMENT**

NAME: Michael A. Johnson

ADDRESS OR PROPERTY DESCRIPTION 6704 LIVENWOOD

TO: CITY COUNCIL

Please register my approval objection to the request described on the reverse side.

My reason for this approval objection is:

WE DON'T WANT COMMERCIAL VEHICLES STORED
ON RESIDENTIAL PROPERTY.

RECEIVED

SEP 10 2001

**BUILDING
DEPARTMENT**

NAME: JANICE SCHLEICHER *Janice Schleicher*
ADDRESS OR PROPERTY DESCRIPTION 99 EAST LOVELL

TO: CITY COUNCIL

Please register my approval [] objection [X] to the request described on the reverse side.

My reason for this approval [] objection [X] is:

Commercial vehicles are detracting from a neighborhood appearance. Many people in our area are self employed and approval of this relief of the Ordinance could lead to a precedent that would have large service trucks in many driveways.

I firmly believe we should NOT allow outside storage of commercial vehicles in our neighborhood.

RECEIVED

SEP 12 2001

BUILDING
DEPARTMENT

NAME:

Darlene Klisz

ADDRESS OR PROPERTY DESCRIPTION

83 E. Lovell

September 7, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
William R. Need, Public Works Director

Subject: Standard Purchasing Resolution 4: Oakland County Road Commission (OCRC) – Asphalt Compactor And Trailer

RECOMMENDATION

The Public Works Department requests approval and authorization to purchase One (1) CAT CB224D Double Drum Vibratory Asphalt Compactor at the price of \$32,820.00 and one (1) Towmaster T10P Trailer at the price of \$4,325.00 based upon a bid prepared and awarded through the Oakland County Road Commission to the lowest acceptable bidder, Michigan CAT.

The low bid submitted by Rush Equipment Centers of Michigan was disqualified because the hitch on the trailer did not meet specifications. The City's other option is to start the bid process over and re-bid the items using City developed specifications. Staff believes that current prices would exceed the recommendation since the OCRC awarded bidder has extended a **1999** price.

BUDGET

Funds are available in the Streets Equipment account number 499.7978.010.

08/21/01 11:00 FAX T 810 987 3307 MI CAT MACOMB 2941501

**Corporate
Headquarters**
28004 Center Oaks Ct.
P.O. Box 1020
Wixom, MI 48393-1020

- With stores in:**
- Novi
 - Macomb
 - Grand Rapids
 - Saginaw
 - Lansing
 - Kalamazoo
 - Kalkaska
 - Brownstown Twp.



1-888-MICH CAT

August 21, 2001

City of Troy
4693 Rochester Rd.
Troy, MI 48098

Dear Mr. Tom Rosewarne:

Per our conversation, this signed document is to ensure you that Michigan CAT will honor the Oakland County Road Commission bid for the City of Troy. The two pieces you have expressed interest in are as follows:

1-New CAT CB224D Double Drum Vibratory Asphalt Compactor

Price: \$32,820.00

1-New Towmaster T10P Trailer

Price: \$4,325.00

Please feel free to contact me at (810) 292-6532 with any questions you may have.

Thank you,

Greg Pease
Sales Representative

Tabulation of Bids Opened and Read on Tuesday, March 6, 2001 for One (1) Steel Drum Asphalt Roller With Trailer

Bid typed on March 7, 2001

| | |
|--------------|--|
| VENDOR NAME | Michigan CAT |
| ADDRESS | 24800 Novi Rd. Novi, MI 48375 |
| PHONE NUMBER | (248) 349-4800 |
| FAX NUMBER | (248) 374-0142 |
| SIGNED | Stephanie Varner |
| TERMS | Net 30 Days |
| FOB | Novi |
| DELIVERY: | Oakland Co Rd Comm.-Yard Waterford Garag |

| ROCC STOCK NO. | DESCRIPTION 1 | DESCRIPTION 2 | QUANTITY ORDERED | UNIT OF MEASURE | SUPPLIER ITEM NUMBER | UNIT PRICE | EXTENDED AMOUNT |
|---------------------|-------------------|---------------|---------------------|--------------------|-------------------------|---------------|--------------------|
| | Steel Drum Roller | | 1 | EA | | \$ 32,820.00 | \$ 32,820.00 |
| | Trailer | | 1 | EA | | \$ 4,325.00 | \$ 4,325.00 |
| TOTAL NET BID PRICE | | | | | | \$ | 37,145.00 |

| | |
|--------------------------------|--------------------|
| Make & Model Steel Drum Roller | Caterpillar/CBZZAD |
| Make & Model Trailer | Towmaster/TIOP |

*Used throughout document to indicate a part number/ description/quantity was changed by Vendor. Please refer to Vendor's bid form for actual change.

ROAD COMMISSION FOR OAKLAND COUNTY - Beverly Hills, Michigan

Tabulation of Bids Opened and Read on Tuesday, March 6, 2001 for One (1) Steel Drum Asphalt Roller With Trailer

Bid typed on March 7, 2001

| | |
|--------------|--|
| VENDOR NAME | Wellon Rubber Company |
| ADDRESS | 25615 Dequindre Madison Heights, MI 48071 |
| PHONE NUMBER | (248) 548-7600 |
| FAX NUMBER | (248) 548-9419 |
| SIGNED | Paul Wilkin |
| TERMS | Net 30 Days |
| FOB | Madison Heights |
| DELIVERY: | 5 Weeks |

| RCCC STOCK NO. | DESCRIPTION 1 | DESCRIPTION 2 | QUANTITY ORDERED | UNIT OF MEASURE | SUPPLIER ITEM NUMBER | UNIT PRICE | EXTENDED AMOUNT |
|-----------------------|-------------------|---------------|------------------|--------------------------------|-------------------------|--------------|-----------------|
| | Steel Drum Roller | | 1 | EA | | \$ 34,500.00 | \$ 34,500.00 |
| | Trailer | | 1 | EA | | \$ 5,500.00 | \$ 5,500.00 |
| TOTAL NET BID PRICE | | | | | | \$ | 40,000.00 |
| ***Delivery Charge*** | | | | | | \$ | 500.00 |
| | | | | Make & Model Steel Drum Roller | Stone/Wolfpac 6400 | | |
| | | | | Make & Model Trailer | Hudson/HD 14 Tilt 5 Ton | | |

*Use description document to indicate a part/number/ description/quantity was changed by Vendor. Please refer to Vendor's bid form for actual change.

T-507 P 007/008 F-712
 248 658 2019
 FROM Carolyn Barber
 AUG-15-01 08:52

ROAD COMMISSION FOR OAKLAND COUNTY - Beverly Hills, Michigan

Tabulation of Bids Opened and Read on Tuesday, March 6, 2001 for One (1) Steel Drum Asphalt Roller With Trailer

Bid typed on March 7, 2001

| | |
|--------------|---|
| VENDOR NAME | AIS Construction Equipment Corp |
| ADDRESS | 55555 Pontiac Trail New Hudson, MI 48165 |
| PHONE NUMBER | (248) 437-8121 |
| FAX NUMBER | (248) 437-9750 |
| SIGNED | Chris Robinson |
| TERMS | Net 30 Days |
| FOB | Waterford, MI |
| DELIVERY: | 30-60 Days |

| ROCC STOCK NO. | DESCRIPTION 1 | DESCRIPTION 2 | QUANTITY ORDERED | UNIT OF MEASURE | SUPPLIER ITEM NUMBER | UNIT PRICE | EXTENDED AMOUNT |
|---------------------|-------------------|---------------|------------------|-----------------|----------------------|--------------|-----------------|
| | Steel Drum Roller | | 1 | EA | | \$ 37,500.00 | \$ 37,500.00 |
| | Trailer | | 1 | EA | | \$ 4,500.00 | \$ 4,500.00 |
| TOTAL NET BID PRICE | | | | | | \$ | 42,000.00 |

| | |
|--------------------------------|---------------|
| Make & Model Steel Drum Roller | Sakai/SW350-1 |
| Make & Model Trailer | Hudson/HA 18 |

*Used throughout document to indicate a part number/ description/quantity was changed by Vendor. Please refer to Vendor's bid form for actual change.

T-987 P. 008/008 F-112
 248 858 2619
 FROM-Carolyn Barber
 08:53
 AUG-15-01

Tabulation of Bids Opened and Read on Tuesday, March 6, 2001 for One (1) Steel Drum Asphalt Roller With Trailer

Bid typed on March 7, 2001

| | |
|--------------|--|
| VENDOR NAME | Rush Equipment Centers Of Michigan |
| ADDRESS | 7200 15 Mile Rd. Sterling Heights, MI 48312 |
| PHONE NUMBER | (810) 979-4500 |
| FAX NUMBER | (810) 979-4550 |
| SIGNED | Wayne P. Elkins |
| TERMS | Net 30 Days |
| FOB | Waterford Garage |
| DELIVERY: | 30 Days |

| RCOC STOCK NO. | DESCRIPTION 1 | DESCRIPTION 2 | QUANTITY ORDERED | UNIT OF MEASURE | SUPPLIER ITEM NUMBER | UNIT PRICE | EXTENDED AMOUNT |
|---------------------|-------------------|---------------|------------------|-----------------|----------------------|--------------|-----------------|
| | Steel Drum Roller | | 1 | EA | | \$ 30,100.00 | \$ 30,100.00 |
| | Trailer | | 1 | EA | | \$ 4,900.00 | \$ 4,900.00 |
| TOTAL NET BID PRICE | | | | | | \$ | \$ 35,000.00 |

| | |
|--|---------------------------------|
| Make & Model Steel Drum Roller Make & Model Trailer | BOMAG/120AD3 TOWMASTER/T10-P |
|--|---------------------------------|

*Used throughout document to indicate a part/number/ description/quantity was changed by Vendor. Please refer to Vendor's bid form for actual change.

AUG-15-01 08:51 FROM:Carolyn Barber 248 858 2619 T-567 P.005/008 F-712

September 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Jeanette Bennett, Director of Purchasing
Charles Craft, Chief of Police
William S. Nelson, Fire Chief

Subject: Standard Purchasing Resolution 4: Oakland County Cooperative
Purchasing Agreement – Haworth Furniture Contract

RECOMMENDATION

The Police and Fire Departments request approval to purchase Haworth furniture through the Oakland County contract with University Business Interiors to equip the Police/Fire Training Center at an estimated total cost of \$40,025.66.

DETAILS

The Police/Fire Training Center is scheduled to be completed on or about November 1, 2001. The furniture included in this order is to furnish the three classrooms, the break area, and five workstations for instructor preparation and police training personnel that will be housed in the new training center.

This order includes the following:

30 chairs and 15 tables per classroom (90/45 total)

20 chairs and 5 tables for the break room

2 videotape storage cabinets

5 workstations

BUDGET

Funds for this expenditure are available in Account number #406322.7975.160



University
BUSINESS INTERIORS

PROPOSAL: 26181
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
500 WEST BIG BEAVER ROAD
TROY, MI 48084

INSTALL AT:

CITY OF TROY FIRE DEPARTMENT
500 WEST BIG BEAVER ROAD
TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
~~10/11/01~~

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|--|---|--------|----------|
| 1 | 2 | LFRS-542-LD OH | 5-HI LATERAL FILE, RADIUS CASE 42 INCHES | 644.48 | 1,288.96 |
| | | (LDOH) ,TR- 00J ,TR- 00J | LOCK, DRAWER, STS HANGING BAR SURFACE 1 GRAPHITE SURFACE 2 GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 2 | 2 | SDF1-2460 | STEEL DESK 24" X 60" FULL MODESTY-NO GROMMETS | 384.18 | 768.36 |
| | | () (2) ,OH- 022 (1) ,TR- 00J ,TR- 00J | NO PEDESTAL LAMINATE TOP LAMINATE GREY SPEX TRIM EDGE EDGE GRAPHITE BASE/PED GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 3 | 3 | SDF1-2472-H | STEEL DESK 24" X 72" FULL MODESTY-NO GROMMETS | 595.08 | 1,785.24 |
| | | (H) (2) ,OH- | 6/6/12 W/LOCK LAMINATE TOP LAMINATE CONTINUED... | | |



University
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CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
~~10/11/01~~

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---|---|--------|----------|
| | | 022 (1) ,TR- 00J ,TR- 00J | GREY SPEX TRIM EDGE EDGE GRAPHITE BASE/PED GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 4 | 1 | SEF1-2460-H L | STEEL RETURN 24" X 60" DESK HEIGHT-FULL MODESTY-NO GROMMET | 486.02 | 486.02 |
| | | (HL) (2) ,OH- 022 (1) ,TR- 00J ,TR- 00J | 6/6/12 W/LOCK LEFT RETURN LAMINATE TOP LAMINATE GREY SPEX TRIM EDGE EDGE GRAPHITE BASE/PED GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 5 | 1 | SEF1-2460-H R | STEEL RETURN 24" X 60" DESK HEIGHT-FULL MODESTY-NO GROMMET | 486.02 | 486.02 |
| | | (HR) (2) ,OH- 022 | 6/6/12 W/LOCK RIGHT RETURN LAMINATE TOP LAMINATE GREY SPEX | | |

CONTINUED...



University
BUSINESS INTERIORS

PROPOSAL: 26181
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
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TROY, MI 48084

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TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
GREG BALLARD

CUSTOMER P/O:

QUOTE VALID THROUGH:
10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---|--|--------|----------|
| | | (1) ,TR- 00J ,TR- 00J | TRIM EDGE EDGE GRAPHITE BASE/PED GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 6 | 2 | STQ1-2442-0 B | TRANSITIONAL DESK - 24" X 42" NO GROMMETS - NO VSU-3/4 MOD | 322.62 | 645.24 |
| | | (0B) (2) ,OH- 022 (1) ,TR- 00J ,TR- 00J | BRIDGE LAMINATE TOP LAMINATE GREY SPEX TRIM EDGE EDGE GRAPHITE BASE/PED GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 7 | 1 | STQ1-2448-0 R | TRANSITIONAL DESK - 24" X 48" NO GROMMETS - NO VSU-3/4 MOD | 329.84 | 329.84 |
| | | (OR) (2) ,OH- 022 (1) | NO PEDESTAL RIGHT HAND RETURN LAMINATE TOP LAMINATE GREY SPEX TRIM EDGE | | |

CONTINUED...



University
BUSINESS INTERIORS

PROPOSAL: 26181
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
500 WEST BIG BEAVER ROAD
TROY, MI 48084

INSTALL AT:

CITY OF TROY FIRE DEPARTMENT
500 WEST BIG BEAVER ROAD
TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---------|-------------|------|----------|
|---|-----|---------|-------------|------|----------|

,TR- EDGE
00J GRAPHITE
,TR- BASE/PED
00J GRAPHITE

Tagging: C OF T FIRE/26181/BETSY

| | | | | | |
|---|---|-------------|---|--------|--------|
| 8 | 1 | SVN1-3672-1 | CONVERGENT WORK SURFACE-NO MOD 36" X 72" - END PNL SUPPORTED | 442.32 | 442.32 |
|---|---|-------------|---|--------|--------|

(1) SINGLE SUPPORT COLUMN
(2) LAMINATE TOP
,OH- LAMINATE
022 GREY SPEX
(1) TRIM EDGE
,TR- EDGE
00J GRAPHITE
,TR- LEG/SUPPORT
00J GRAPHITE

Tagging: C OF T FIRE/26181/BETSY

| | | | | | |
|---|----|----------------------|---|--------|-----------|
| 9 | 45 | 4TTC-2460-V 4F000 | TABLE, T BASE, RECTANGULAR 24"D X 60"W | 362.14 | 16,296.30 |
|---|----|----------------------|---|--------|-----------|

(V4F000) PVC EDG, 29"H, FOLD
(2) LAMINATE SURFACE 1
,OH- LAMINATE
022 GREY SPEX
,TR- SURFACE 2
00J GRAPHITE

CONTINUED...



PROPOSAL: 26181
 DATE: 09/11/01
 PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

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 TROY, MI 48084
 CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
 10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|----|-----|--|---|--------|----------|
| | | ,TR- OCD | SURFACE 3 BUMPY METAL | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 10 | 5 | 4TXQ-3636-V 4S00G (V4S00G) (2) ,OH- 022 ,TR- 00J ,TR- OCD | TABLE, X BASE, SQUARE 36"D X 36"W PVC EDG, 29"H, STAT, GNG LAMINATE SURFACE 1 LAMINATE GREY SPEX SURFACE 2 GRAPHITE SURFACE 3 BUMPY METAL | 226.48 | 1,132.40 |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 11 | 4 | HFDR-0060-P (P) ,HP- 022 ,TR- 00J | REGULAR FLIPPER DOOR 60" LAMINATE FRONT LAMINATE/T-MOLD GREY SPEX TOP/PULL GRAPHITE | 150.48 | 601.92 |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 12 | 4 | HSR-0060 () | REGULAR SHELF 60" PAINTED ENDS, PAINTED SHELF CONTINUED... | 69.12 | 276.48 |



University
BUSINESS INTERIORS

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DATE: 09/11/01
PROJECT #: 31-10

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SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|----|-----|--------------------|------------------------------------|---------|----------|
| | | ,TR- 00J | SURFACE 1 GRAPHITE | | |
| | | ,TR- 00J | SURFACE 2 GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 13 | 2 | HTB-6016 | TACKBOARD 60" X 16" | 67.32 | 134.64 |
| | | ,W5- 006 | TATAMI KAYAR | GRADE A | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 14 | 2 | HTL-0060-T | TASK LIGHT 60" | 78.48 | 156.96 |
| | | (T) ,TR- 00J | T-8 OPTIC SURFACE 1 GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 15 | 2 | WT-60 | WALL TRACK 60" | 28.80 | 57.60 |
| | | ,TR- 00J | SURFACE 1 GRAPHITE | | |
| | | ,TR- 00J | SURFACE 2 GRAPHITE | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |



University
BUSINESS INTERIORS

PROPOSAL: 26181
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
500 WEST BIG BEAVER ROAD
TROY, MI 48084

INSTALL AT:

CITY OF TROY FIRE DEPARTMENT
500 WEST BIG BEAVER ROAD
TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|----|-----|-----------|---|---------|----------|
| 16 | 90 | 1220-2100 | STACKER, UPHL SHELL, W/O ARMS NON-GANGING | 84.36 | 7,592.40 |
| | | ,NI-021 | CHR FAB - ZINGER | GRADE A | |
| | | ,TR-003 | TAR SHELL | | |
| | | (2) | PEBBLE GRAY | | |
| | | ,TR-001 | TRIM FRAME | | |
| | | | FRAME | | |
| | | | BLACK | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 17 | 1 | CART-12U | SYSTEM 12 CART UPHOLSTERED CHAIRS | 124.26 | 124.26 |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 18 | 20 | K600-2100 | STACKER, POLY SHELL, W/O ARMS GANGING | 72.67 | 1,453.40 |
| | | ,TR-00J | ARM & SHELL | | |
| | | ,TR-OCD | GRAPHITE | | |
| | | | FRAME | | |
| | | | BUMPY METAL | | |
| | | | Tagging: C OF T FIRE/26181/BETSY | | |
| 19 | 5 | M241-1642 | MB H.E., FRWD, BHA, FLIPPER W/VNL, HARD CASTERS, W/O BACK LOCK | 325.66 | 1,628.30 |
| | | ,NI- | CHR FAB - ZINGER | GRADE A | |

CONTINUED...



University
BUSINESS INTERIORS

PROPOSAL: 26181
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
500 WEST BIG BEAVER ROAD
TROY, MI 48084

INSTALL AT:

CITY OF TROY FIRE DEPARTMENT
500 WEST BIG BEAVER ROAD
TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
GREG BALLARD

CUSTOMER P/O:

QUOTE VALID THROUGH:
10/11/01

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---------|-------------|------|----------|
|---|-----|---------|-------------|------|----------|

021
,TR-
00J

TAR
PAINT/PVC
GRAPHITE

Tagging: C OF T FIRE/26181/BETSY

20 5

LSET-3

STANDARD LOCK PLUG & KEY LOCK
SET (QTY 3)

0.00

0.00

()
,LX-
OBL

STANDARD VERSION
LOCK COLOR
BLACK

Tagging: C OF T FIRE/26181/BETSY

LABOR TO RECEIVE, DELIVER &
INSTALL
NON-UNION STRAIGHT TIME LABOR

Tagging: C OF T FIRE/26181/BETSY



University

BUSINESS INTERIORS

PROPOSAL: 26101
DATE: 09/11/01
PROJECT #: 31-10

23305 Commerce Drive • Farmington Hills, MI 48335 • (248) 426-0100 • (248) 615-4739 Fax

PROPOSAL FOR:

CITY OF TROY
500 WEST BIG BEAVER ROAD
TROY, MI 48084

INSTALL AT:

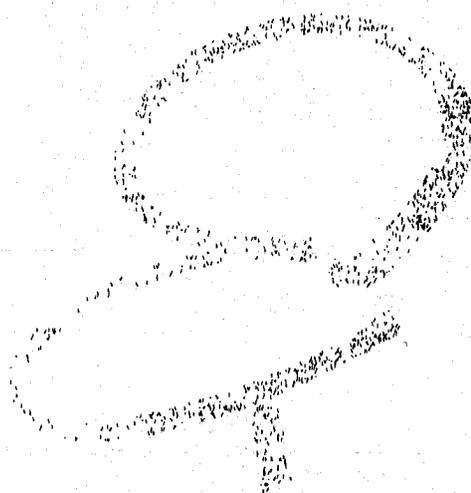
CITY OF TROY FIRE DEPARTMENT
500 WEST BIG BEAVER ROAD
TROY, MI 48084
CHIEF BILL NELSON 248-524-3419

SALESPERSON:
~~GREG BALLARD~~

CUSTOMER P/O:

QUOTE VALID THROUGH:
~~10/11/01~~

| # | QTY | PRODUCT | DESCRIPTION | SELL | EXTENDED |
|---|-----|---------|-------------|------|----------|
|---|-----|---------|-------------|------|----------|



Storage charges of \$0.65/sqft will apply after the first 30 days.
Thank you for the opportunity to quote on your requirements...

| | | | | |
|-------------------|-----------|--|----------------|-----------|
| | | | SUBTOTAL.....: | 35,686.66 |
| DEPOSIT REQUIRED: | 16,010.00 | | DEL/INSTALL.: | 4,339.00 |
| | | | TOTAL.....: | 40,025.66 |

Signature acknowledges & accepts terms and conditions on reverse side.

ACCEPTED BY: _____ TITLE: _____ DATE: _____



9/14/01

TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
RE: EMPLOYMENT CONTRACT

I want to express my gratitude to all of you for my recent appointment as City Attorney, and the corresponding salary increase. I also appreciate the support that you have given to me and to the City Attorney's Office, especially in very difficult times.

I have taken the liberty of modifying the previously used employment agreement for the City Attorney. The only modifications to this document are the insertion of the proper name (and gender) and the salary. If you have any questions concerning the agreement, please let me know.

Thank you, again, for your confidence in my abilities. I pledge to work very hard in order to fulfill your expectations and the expectations of the City of Troy constituency.

EMPLOYMENT AGREEMENT

THIS AGREEMENT made on the 17th day of September, 2001, by and between the City of Troy, Michigan, a municipal corporation, hereinafter referred to as the "City" and Lori Grigg Bluhm, hereinafter referred to as the "Attorney".

As the City desires to retain the Attorney as its City Attorney and as the Attorney desires to serve the City as its City Attorney, the City and the Attorney agree as follows:

SECTION 1. PERIOD OF EMPLOYMENT

This Agreement shall be effective as of September 10, 2001 and shall continue for an indefinite period, and may be terminated subject to the provisions of Section 13 of this Agreement.

SECTION 2. ATTORNEY'S DUTIES

During the period of employment with the City, the Attorney shall perform the duties of the City Attorney as set out in the applicable statutes of the State of Michigan, the Charter of the City of Troy, all ordinances and resolutions lawfully enacted, and other such duties as the Council of the City of Troy may lawfully assign to the Attorney.

SECTION 3. OTHER EMPLOYMENT

The Attorney shall devote full-time attention, knowledge and skills in the interest of the City of Troy, and the City shall be entitled to full-time benefits arising from or incident to the full-time work, services, and advice of the Attorney. The

Attorney may from time to time teach, lecture, or make presentations that will not conflict or interfere with her work for the City.

The Attorney agrees to execute all oaths and provide all bonds with surety as required by law.

SECTION 5. HOURS OF WORK

The parties realize that the position of City Attorney requires the Attorney holding such position, to work weekends, evenings, and other irregular hours at locations other than the City's administrative offices and during hours that said offices are not open. It is understood and agreed that the Attorney shall work whatever hours that may be necessary in order for her to fulfill the requirements of the position of Attorney, as described herein and otherwise, but in any event, no less than forty (40) hours per week.

SECTION 6. ATTORNEY'S SALARY

The Attorney shall receive a salary at an annual rate of \$97,292 for the period commencing September 10, 2001, and that salary shall be payable in installments as per the pay plan generally applicable to other City exempt employees. From time to time, the City shall review the Attorney's performance. The Attorney's annual salary may be adjusted from time to time as determined by resolution of the City Council.

SECTION 7. DEFERRED COMPENSATION

Prior to termination of this Agreement, and while the Attorney remains in the employ of the City as its City Attorney, the City of Troy shall contribute \$3,500 on or

before January 15th of each year to the ICMA Retirement Corporation Deferred Compensation Plan on behalf of the Attorney. This provision shall be effective for the calendar year of 2002 and thereafter.

**SECTION 8.
AUTOMOBILE ALLOWANCE**

The Attorney shall receive an automobile allowance of \$425 per month during the time she is actively working during the term of this Agreement as City Attorney for the City. This allowance shall be the total compensation to the Attorney for the use of his personal automobile in the course of the City's business and shall be paid in lieu of mileage or any other method of reimbursement. The Attorney shall use his vehicle for all City business that he performs. The Attorney shall provide proof of insurance to the City and name the City as an additional insured on his automobile insurance policy.

**SECTION 9.
OTHER BUSINESS EXPENSE**

The City shall reimburse the Attorney for all other reasonable employment related expenses, subject to the administrative policies concerning such expenses, as currently exist in the Exempt Employee's Handbook, Revised 2/00, as may be amended and otherwise. Such expenses may include, but are not limited to, the following: air travel, taxi and automobile rental, lodging, meals, memberships and subscriptions to the publications of the International Municipal Lawyers Association and the Michigan Association of Municipal Attorneys, registration fees for training programs offered by such organizations, and travel and incidental costs relating to

attending such programs or conferences and meetings of such organizations. It is specifically understood that such activities are to be undertaken by the Attorney as may be required by the City, and shall be considered part of the Attorney's duties. The Attorney shall be reimbursed for other such reasonable expenses as the City shall approve by resolution passed by the City Council.

**SECTION 10.
VACATION LEAVE**

Vacation benefits for the Attorney shall be as provided to the City's exempt employees.

**SECTION 11.
SICK LEAVE**

The Attorney shall accumulate sick leave pursuant to the plan for exempt employees as is provided in the Exempt Employee's Handbook, revised 2/00, which may be modified from time to time during the course of this Agreement.

**SECTION 12.
PUBLIC OFFICIAL LIABILITY INSURANCE
AND REPRESENTATION BY LEGAL COUNSEL**

The City shall provide the Attorney with public official liability insurance in accordance with that provided other officers of the City. In addition, the City shall provide the Attorney legal representation as otherwise provided for other city officials and as provided by ordinance, except for malicious, wanton criminal conduct arising from the Attorney's action or conduct and/or unless the City Council determines that the Attorney was clearly acting outside of the scope of his duties when engaged in the actions or conduct which forms the basis of such charges or claims.

SECTION 13. TERMINATION

The City or the Attorney may terminate this Agreement at any time with or without cause.

1. In the event the Attorney terminates this Agreement, he shall give no less than thirty days prior written notice to the City Clerk and in said notice advise the City of the date of termination. If the Attorney terminates this Agreement, all rights of the Attorney to compensation and benefits pursuant to this Agreement shall cease as of the effective date of such termination.

2. In the event the City terminates the Attorney's employment under provisions of this Agreement for "Cause" as defined below, all rights of the Attorney to compensation and benefits pursuant to this Agreement shall cease as of the effective date of such termination. The term "Cause" shall mean any of the following events:

(a) the Attorney's conviction of or plea of guilty or nolo contendere to a crime providing for a term of imprisonment (other than traffic violations and crimes not requiring the knowing involvement of the Attorney in the commission thereof.)

(b) the Attorney's (i) neglect of duties involving his bad faith; (ii) willful failure to act with respect to duties previously communicated to the Attorney in writing by the City Council; (iii) otherwise willful misconduct in connection with the performance of his duties hereunder, and in the case of any such neglect, failure or, to the extent curable, misconduct, only if it is not cured within 10 days from the receipt by the Attorney of written notice from the City Council.

If the City terminates the Attorney's employment under the provisions of this clause 2, all rights of the Attorney to compensation and benefits shall cease as of the effective date of such termination unless a final termination is thereafter made pursuant to the arbitration provisions hereof that the City did not have a right to terminate the Attorney under this clause 2.

3. In the event that the City terminates the Attorney's employment without Cause, as defined above, and the Attorney is willing, able, and ready to perform the duties as City Attorney, the City shall pay the Attorney one half of his annual salary, not including fringe benefits, as full satisfaction of the City's obligation under this Agreement, provided the Attorney executes a release in a form acceptable to the City's legal counsel.

**SECTION 14.
ELIGIBILITY FOR BENEFITS AFFORDED OTHER CITY OFFICIALS**

Except as otherwise provided in this Agreement, the Attorney shall receive the same benefits as provided to the City's exempt employees including; compensatory time, vacation leave, sick leave, Municipal Retirement Fund Contributions, Group Medical Insurance Benefits, life and other insurance, holidays and disability as is described in the City of Troy Exempt Employee's Handbook, revised 2/00, and which may be modified from time to time during the course of this Agreement.

**SECTION 15.
ARBITRATION**

It is mutually agreed between the Attorney and the City that arbitration shall be the sole and exclusive remedy to redress any dispute, claim or controversy

("grievance") involving the interpretation of this Agreement or the terms, conditions or termination of this Agreement. It is the intention of the parties that the arbitration decision will be final and binding and that any and all grievances shall be disposed of as follows:

1. Any and all grievances must be submitted in writing by the aggrieved party within 30 days from the date of termination of this Agreement;

2. Within 30 days following the submission of the written grievance, the party to whom the grievance is submitted shall respond in writing. If no written response is submitted within 30 days, the grievance shall be deemed denied;

3. If the grievance is denied, either party may, within 30 days of such denial, refer the grievance to arbitration in Troy, Michigan. The arbitrator shall be chosen in accordance with the Voluntary Labor Arbitration Rules of the American Arbitration Association then in effect, and the expense of the arbitration shall be shared equally by the City and the Attorney.

4. Any grievance shall be deemed waived unless presented within the time limits specified above. The arbitrator shall not have jurisdiction or authority to change, add to or subtract from any of the provisions of this Agreement. The arbitrator's sole authority shall be to interpret or apply the provisions of this Agreement. The parties hereby acknowledge that since arbitration is the exclusive remedy with respect to any grievance hereunder, neither party has the right to resort to any federal, state or local court or administrative agency concerning breaches of this Agreement and that the decision of the arbitrator shall be a complete defense to

any suit, action or proceeding instituted in any federal, state or local court or before any administrative agency with respect to any dispute which is arbitrable as herein set forth. The arbitration provisions hereof shall, with respect to any grievance, survive the termination or expiration of this Agreement.

**SECTION 16.
COMPLETE AGREEMENT**

This written Agreement embodies the whole agreement between the parties and there are no inducements, promises, terms, conditions or other obligations in this Agreement. Any amendments to this Agreement shall be in writing and executed by both the City and the Attorney.

CITY OF TROY, a Michigan
municipal corporation

By: _____
Matt Pryor, Mayor

Witnesses:

_____.

By: _____
Tonni Bartholomew, City Clerk

_____.

Attorney

By: _____
Lori Grigg Bluhm

_____.

_____.



September 14, 2001

TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
RE: TRANSFER OF CABLE FRANCHISE AGREEMENT TO WOW

On June 6, 2001, Wide Open West Michigan, LLC (WOW) announced the pending acquisition of the cable systems of Ameritech New Media. Before this acquisition can be finalized, there must be approval of the transfer of the franchise agreements with the local municipalities. The City of Troy entered into 15-year cable franchise agreement with Ameritech New Media on April 22, 1996. Under the terms of this agreement, the City of Troy must consent to any transfer of the franchise agreement.

The franchise agreement permits the local governmental entities to thoroughly investigate the new cable providers, to verify that adequate levels of service will be provided to the constituency. This investigation has been collaboratively completed by the Intergovernmental Cable Communications Authority (ICCA). The documentation from the ICCA, recommending approval of the transfer, is attached. Also attached is a proposed resolution, granting approval of the transfer of the franchise agreement.

If you have any questions concerning the above, please let me know.

August 29, 2001

Communities in the Intergovernmental
Cable Communications Authority

Re: Transfer to Ameritech NewMedia

Dear Members of The Intergovernmental
Communications Authority:

All of the members of ICCA, with the exception of Auburn Hills and Oakland Township have been using Ameritech NewMedia as one (1) of their two (2) cable television providers. As I am sure you are aware, recently ICCA and the communities have been in receipt of a request to the transfer control of the Ameritech NewMedia, Inc. cable television system to WideOne West, LLC. Enclosed you will find our report to ICCA regarding the review of the transfer documents as well as additional information, which we reviewed with respect to this matter.

ICCA has recommended that the transfer be approved with conditions. The Resolution adopted by ICCA and recommended by ICCA to your community for adoption is enclosed, and can be adopted by your community for use with one minor addition. On page 4, paragraph 1 i) the blank is left open for the date on which your franchise with Ameritech NewMedia will expire and should be added. Since each community passed their franchises separately, that date will vary from community to community and should be added by your Clerk.

From a review of our report, and from discussions with each of your individual delegates to ICCA, I am sure you will appreciate the difficulty and the effort that ICCA put in to review this matter resulting in this recommendation.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier
Attorney for the Intergovernmental
Communications Authority

TJC/jc

August 29, 2001

Intergovernmental Cable Communications Authority
26815 Scotia Road
Huntington Woods, MI 48070

**Re: Transfer Control of Ameritech New Media,
Inc. Cable Television System Franchise To
WideOpen West Michigan LLC**

Dear Members of the ICCA Board:

We have completed our review of the documents furnished by the parties of the above referenced transfer. This letter contains our report recommendation regarding this matter:

A. **Timing.** As you are aware, the Local Franchise Authority (LFA) must generally act upon an application for franchise authority consent to transfer control of cable television franchise (FCC Form 394), related exhibits and materials, prior to the expiration of 120 days of the LFA's receipt of Form 394.

WideOpen West Michigan, LLC, and Ameritech New Media, Inc.'s transmittal letter to form 394 is dated June 6, 2001. The LFA's received Form 394 on either June 11 or June 12, 2001, therefore, the LFA must act upon the application for consent on or before 120 days from whichever is the applicable date for your community. If the LFA fails to do so, it will be deemed to have given its unconditional consent to the transfer. We stated that the LFA must "generally" respond to the application prior to the expiration of the 120-day period. That period is subject to an extension that the applicants or either of them failed to file in a timely fashion information called for by Form 394 or information reasonably required by the LFA. Section 617 of the Communications Act of 1934, as amended (47 USC 537) states a franchise authority shall have 120 days to act upon a request for transfer of approval if the request "..... contains or is accompanied by such information as required in accordance with Commission regulations by the Franchising Authority."

The LFA may require, either in its regulatory ordinance, or in the Franchise Agreement, or otherwise, additional information which is relevant and reasonable to request. In this regard, you are in receipt of our written inquiries dated July 17, 2001 and the August 3, 2001 response thereto. Further, representatives from WideOpen West conferred with the undersigned and ICCA Chairman, Ms. Cindy Stewart, at the office of Mr. Steven

August 29, 2001

Page 2

Wells on August 13, 2001. Representatives of WideOpen West and Ameritech New Media appeared before the ICCA Board meetings of July 18, and August 22, 2001.

B. Possible Actions by the LFA. As we believe you are aware, but which is worth repeating, the possible actions of the LFA in response to an application for consent to transfer control are:

1. Consent to the Transfer;
2. Failure to take any action prior to the expiration of a 120 day period from the LFA's receipt of the application for consent in which case consent will be deemed unconditionally granted unless the LFA applicants agree to an extension of time;
3. Disapprove the application. It is expressly provided under the Franchise Agreement, and is presumed under application law, the LFA may not hold its consent unreasonably and hence must have reasonable grounds for this disapproval.
4. Consent, subject to reasonable conditions.

C. Parties involved in the transfer. The transferor and seller is Ameritech New Media, Inc., which is a Delaware Corporation, qualified to conduct business in the States of Ohio, Illinois, Michigan, and Indiana. The Buyer in this transaction is WideOpen West Holdings, a Delaware Limited Liability Company, which will be permitted to assign its interest at the closing to an assignee qualified to conduct business in the States of Illinois, Michigan, Indiana, or Ohio. In this case, the transferee or assignee of the franchise will be WideOpen West Michigan, Inc., a Delaware Corporation, who will in turn transfer the franchise to WideOpen West, Michigan a Delaware Limited Liability Company. WideOpen West Michigan, LLC is owned by OHCP WOW Networks One, a Delaware Limited Liability Company, which holds 43.86% of the votes of WideOpen West Holdings; Abry Broadcast Partners, III and Abry Investment Partnership LLP, both Massachusetts Limited Partnerships holding 43.8% of the votes, and Mr. Mark Haverkat, who holds the remaining 8.77 % of the votes.

D. Documents Reviewed. Documents furnished to the ICCA Communities in connection with the transfer and reviewed by our office include the following:

August 29, 2001

Page 3

1. Transmittal correspondence dated June 6, 2001 from David Mahachek, President of Ameritech New Media, Inc. and Mark Haverkate President & CEO of WideOpen West LLC to each of the member communities;

2. A proposed Resolution authorizing the transfer control of the LFA's cable franchise;

3. FCC Form 394 dated June 6, 2001 (application for Franchise Authority Consent to Assignment or Transfer of Control Cable Television Franchise) and related exhibits and documents.

4. The August 3, 2001 letter from Mr. D. Craig Martin, General Counsel of WideOpen West to the undersigned.

5. An unredacted copy of the Asset Purchase Agreement between Ameritech New Media, Inc. and WideOpen West, LLC including all exhibits thereto pursuant to the understanding of the confidentiality of the heretofore redacted material, which understanding was specified to the ICCA Board at its meeting of August 15, 2001.

E. Summary of Pertinent Information. Pertinent information furnished in various sections and exhibits of Form 394 may be summarized as set forth below:

1. Purchase Agreement (under Exhibit 2), which is dated May 23, 2001 is for an Asset Purchase of certain assets of Ameritech New Media, Inc. by WideOpen West Holdings, LLC. The purchase price, subject to adjustments set forth in the Agreement has been redacted from the 394 Application provided to the LFAs and pursuant to the Agreement of Confidentiality will not be discussed in this report.

In response to my inquiry of July 17, 2001, Mr. D. Craig Martin, WOW's general counsel advised that the "consummation of the transaction itself will not impact rates (subscriber prices). Any future increases will be dictated by market conditions that take into consideration a myriad of factors, including, but not limited to increased costs of overhead, programming and capital."

The Purchase Agreement states that closing of the transaction will take place on October 31, 2001.

August 29, 2001

Page 4

2. Statement regarding completeness. (Exhibit 1) This tab contains the following statement "in all instances the transferee will assume all current obligations and commitments set forth in the existing Franchise Agreement and will provide the level of service provided for therein."

This appears to us to constitute a guarantee by WideOpen West of the obligations of Ameritech New Media under the franchise.

3. Financial Data, Exhibits 9, 10, subexhibits 10a, 10b and 10c.

Under these tabs, the transferee explains that it is a privately held limited liability company that does not issue stock and that the assets in equity in the transferee may be pledged to secure indebtedness at sometime in the future. We are informed from our meetings that the transferee is attempting to raise Eighty-five Million Dollars in operating capital and through bank loans. WideOpen West has also provided a preliminary statement under Tab 10 regarding the financial statements of the transferee. This statement reads as follows:

"The transferee was formed on May 4, 2001, for purposes of acquiring, building and operating the cabletelevision and broad bank communication networks be acquired from Ameritech New Media, Inc. pursuant to the Asset Purchase Agreement and, therefore, financial statements from transferee do not exist. Upon consummation of the transaction, however, transferee will own and operate the system and franchise presently owned and operated by Ameritech New Media, Inc. As such, subscriber base and the revenue derived from it will be an asset of the transferee. Attachment of this Exhibit 10 sets forth the proforma balance sheet and income statement for the transferee and are giving effect of the consummation of the transaction. Attachment B to this Exhibit 10 sets forth the consolidated balance sheet and income statement for the fiscal year ending December 31, 2000 for the transferee's parent WideOpen West Holdings, LLC.

The source of funds for the acquisition of this system will include 2 of the most experience private equity firms in the nation, Abry Partners LLC and Oakhill Capital Partners LP, attachment C to this Exhibit 10 is a letter evidencing equity commitments of Abry and Oakhill to transferee's parent, WideOpen West Holdings LLC in excess of the purchase price provided in the Asset Purchase Agreement."

August 29, 2001

Page 5

The WideOpen West consolidated balance sheet of December 31 shows total assets of \$34,335,049 of which \$7,022,049 is in cash and \$2,254,111 is in restricted cash. Exhibit C is a letter to President Mark Haverkate from Oakhill, OHCP, WOW Networks 1 LLC, Abry Broadcast Partners IV LP and Abry Investment Partners LP committing an additional \$30,000,000 of funding for post closing of operation of the systems for purchase of Ameritech New Media.

F. Statement Regarding Technical Qualification Exhibit 11. The statements under this Exhibit are about their own self-expectations regarding a new company venturing into the cable television market. Upon inquiry, we are informed that WideOpen West Colorado, LLC, another wholly owned subsidiary of WideOpen West is operating a cable television service in Lakewood Colorado, which has approximately 288 subscribers. In addition, the undersigned was informed at the August 13, 2001 that WideOpen West Holdings LLC has approximately 115 total employees. WideOpen West currently has two (2) employees in the State of Michigan. Mr. Mark Dineen, who has appeared before the ICCA Board on two (2) occasions, who will be involved in Management Operations, including government relations. Mr. Dineen has a fifteen (15) year history of experience in the telecommunications industry as is set forth in Mr. Martin's letter of August 3, 2001.

The other Michigan employee is Mr. Tom Jaskiewicz, who will be Vice President of Technical Operations, pursuant to Mr. Martin's letter. Mr. Jaskiewicz has twenty (20) years of experience in broadband communication systems in the United States and in Europe.

Mr. Dineen has indicated that they hope to hire a total of 70 employees in the technical area and an administrative task staff of 8-10. This total of 78 to 80 employees will operate all 43 franchises in the State of Michigan. Mr. Dineen indicated that they were hoping to hire Americast employees, however, Mr. James Szczepaniak has stated that it is the intention of Ameritech and SBC, its parent company, to retain as many cable employees as possible. One of the exhibits makes reference to an employee retention incentive program, which Mr. Szczepaniak indicated was only for the period of time until closing of the Asset Purchase Agreement. However, we still remain unclear as to how all of these employees will be hired.

G. Transmittal Correspondence. As indicated in section D of this letter report, one of the documents received is a June 6, 2001 transmittal correspondence from Dave Mahcheck from Ameritech New Media and Mark Haverkate from WideOpen West Holdings LLC to the ICCA communities. In that letter the following two (2) paragraphs can be found on the first page:

August 29, 2001

Page 6

“In seeking a buyer for the cable system in your community, ANM was mindful of the benefits which competition in cable services brings to your residents. In that regard, WideOpen West has (a) the necessary financial resources; (b) management experience and expertise in the cable television services industry; and (c) state of the art technological capabilities. WideOpen West Holdings’ management group with its significant experience in the competitive cable television service business has been at the forefront of bringing a new complement of competitive cable television and broadband services to the residential market.

As you review the Application and accompanying materials, we are confident that you will share in our enthusiasm for WideOpen West, and its qualifications WideOpen West strives to be a clearly superior alternative to residential cable television and broadband services offered by incumbent providers. The WideOpen West business model contemplates acquiring and building networks designed and built to provide an exceptional cable television service featuring a full complement of analog and digital video services; and a ‘best-in-market’ Internet connection with unparalleled speed and reliability. WideOpen West’s objective is to be the market leader in customer care and the local cable television company of choice.”

In the first paragraph there is a bold statement that WideOpen West has the necessary financial resources. This has been questioned throughout our due diligence examination and proposed transfer. Further, the statement is made that WideOpen West has the management experience and expertise in the cable telecommunications industry. This has also been questioned due to the lack of personnel available to WideOpen West to manage systems in Michigan, Illinois, Indiana and Ohio with approximately 310,000 customers. Finally, WideOpen West has state of the art technological capabilities. This has also been questioned throughout the due diligence period because WideOpen West Holdings LLC operates through WideOpen West Colorado LLC, only one cable system with only 288 customers. They are proposing to purchase the Ameritech system, which is not, for all practical purposes, been upgraded since SBC’s decision to get out of the cable television market.

We specifically asked if Ameritech would guarantee obligations of WideOpen West after the transfer. Mr. Szczepaniak of Ameritech responded it would not guarantee the obligation of WOW under the Franchise Agreement under any circumstances.

These issues arising out of the transmittal correspondence as well as the 394 Application and Exhibits are not trivial, nor are we raising them with malice. These are serious questions that go to the financial, managerial and technical abilities of WideOpen West to manage the ICCA franchise. The legislative bodies, administrators and citizens of the local franchising authorities should not hesitate to challenge such claims to test the veracity of the claimants and avoid being misled by public relations departments of the applicants for transfer consents.

H. **Resolution and Ordinance Granting consent to the Transfer of control of the Cable Television System and Franchise.**

Contained with the material, but not in tab form, was a model Resolution prepared by the applicants for adoption by the local franchise authorities of ICCA. It is our recommendations for the reasons set forth below that the LFAs of ICCA should approve the transfer, but not by adoption of the model resolution. Instead, the LFA should adopt a different Resolution by ordinance, if that method of adoption is required by your charter, one which approves the transfer subject to specified conditions. Despite the substantial defects contained in the transfer materials pointed out in this report, we must agree with one of the statements contained in the transmittal quoted above, which is "in seeking a buyer for the cable system in your community, and was mindful of the benefits which competition in cable services brings to your residents."

Nine (9) of the ICCA Communities strongly believe in competition for cable television services. We are concerned that absent a transfer of the ANM franchises to a provider who is willing to continue the operation that there will be a continued decline in service as has been evidenced to date as well as concern that SBC may at some time in the future merely close its doors and stop providing the service altogether. We, therefore, recommend that your municipality adopt the attached form of resolution of approval subject to conditions.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.

Timothy J. Currier

TJC/jc
TJC/CABLE CONSORTIUM/ICCA/
CORRESPONDENCE/

**ICCA
RESOLUTION GRANTING CONSENT TO THE
TRANSFER OF CONTROL OF THE CABLE
TELEVISION FRANCHISE**

Moved By Greg Walter – Royal Oak Supported By Jim Duistermas –
Rochester Hills

WHEREAS, Ameritech NewMedia is a current cable franchisee for the Local Franchise Authorities within the Intergovernmental Cable Communications Authority (ICCA); and,

WHEREAS, Ameritech NewMedia and WideOpen West Michigan, LLC submitted an application on June 11/12, 2001 for Franchise Authority Consent to assignment of transfer of control of the cable television franchise; and,

WHEREAS, the Local Franchising Authority is relying upon such information as contained in the FCC Form 394 application, documents and additional information provided by WideOpen West Michigan, LLC, and acted upon the application for franchising authority consent. The Local Franchising Authority intends to consent to the transfer of control subject to the acceptance of the terms and conditions set forth herein with the hope that such consent is in the best interest of the local franchising authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Local Franchising Authority does hereby consent to the transfer of control of the franchise granted to Ameritech NewMedia by the local franchising authority to WideOpen West Michigan, LLC, in the manner described in the Asset Exchange Agreement dated May 23, 2001 subject to the following conditions:

- a) The automatic revocation of the Local Franchising Authority's approval if the Asset Purchase Agreement is not consummated by December 31, 2001 or such Agreement is terminated prior to that time without the same having been consummated; and,
- b) The written undertaking by WideOpen West Michigan LLC that it will promptly notify the Local Franchising Authority, in writing, of any change in service or operation in the Local Franchising Authority's cable system and change the personnel directly responsible for the operation of the Local Franchising Authority's system; and,
- c) The prompt furnishing to Local Franchising Authority in writing by WideOpen West Michigan, LLC of the local personnel designated to manage the Local Franchise Authority system. The name of the contact person, their telephone numbers for their governmental relations, the department, the person's supervisor, the Technical Operations Manager and Field Technician Manager shall also be provided. In addition, copies of WideOpen West Michigan, LLC's guidelines regarding service procedures; average wait for service; handling cable outages; handling customer complaints shall also be provided to the LFA; and,
- d) The prompt remediation of all existing defaults under the current cable franchise agreement with the Local Franchising Authority, if any, as may be specified in writing by the Local Franchising Authority; the representation in writing by Ameritech NewMedia of existence of any

such defaults or the written representation by Ameritech NewMedia that it has no knowledge of any such defaults; and

- e) Reimbursement within thirty (30 days) to the Local Franchising Authority by any of the parties to the Asset Exchange Agreement of May 23, 2001 for the reasonable out-of-pocket expenses incurred by ICCA or the Local Franchising Authority attributable to ICCA'S or the Local Franchising Authority's consideration of the transfer application not to exceed an aggregate of \$5,000 per LFA..
- f) WideOpen West Michigan, LLC will provide a statement that the transferor and the transferee will provide full and immediate cooperation with respect to the audit being conducted by the Local Franchising Authority, including, but not limited to the transmission of all necessary information to the auditors upon their request within 10 days from the auditor's request for said information; and,
- g) A statement is provided that the parties to the May 23, 2001 Asset Exchange Agreement will agree to place in escrow with the escrow agent acceptable to the Local Franchising Authority the necessary funds to cover the reasonable costs recoverable pursuant to said audit, and costs incurred by the LFA pursuant to said audit, in the event the audit is not concluded and the funds not paid at the time set pursuant to the applicable provisions of federal law in which the Local Franchise Authority had to act upon this application, or to make such other arrangements acceptable to the Local Franchise Authority.

- h) WideOpen West Michigan, LLC. will provide a statement that it will commit to inform customers prior to crossing over their property to perform work on the cable system, they will clean the site upon their departure and restore the property to its prior condition.
- i) The Local Franchising Authority hereby acknowledges that (i) the franchise is valid and outstanding and in full force and effect on the date hereof; and (ii) the current term of the franchise will expire on _____.
- j) The Local Franchising Authority's grant of consent to the transfer of WideOpen West Michigan, LLC herein provided shall be effective immediately subject to the above conditions, and to the further requirements that WideOpen West Michigan, LLC shall notify the Local Franchising Authority promptly upon the closing of the transaction described in the Asset Exchange Agreement of May 23, 2001. The Local Franchising Authority is hereby authorized to enter to, execute and deliver in the name all done on behalf of the Local Franchising Authority a certificate along with such other documents that may be necessary evidencing this Resolution without further act or Resolution of the governing body.

AYES: Clawson, Pleasant Ridge, Royal Oak, Troy, Berkley, Rochester Hills, Huntington Woods, Rochester

NAYS: _____

PRESENT: Oakland Township (not voting – not an ANM customer)

ABSENT: Ferndale, Auburn Hills (not voting – not an ANM customer)

Clerk

**RESOLUTION GRANTING CONSENT TO THE
TRANSFER OF CONTROL OF THE CABLE
TELEVISION FRANCHISE**

WHEREAS, Ameritech NewMedia is a current cable franchisee for the Local Franchise Authorities within the Intergovernmental Cable Communications Authority (ICCA); and,

WHEREAS, Ameritech NewMedia and WideOpen West Michigan, LLC submitted an application on June 11/12, 2001 for Franchise Authority Consent to assignment of transfer of control of the cable television franchise; and,

WHEREAS, the Local Franchising Authority is relying upon such information as contained in the FCC Form 394 application, documents and additional information provided by WideOpen West Michigan, LLC, and acted upon the application for franchising authority consent. The Local Franchising Authority intends to consent to the transfer of control subject to the acceptance of the terms and conditions set forth herein with the hope that such consent is in the best interest of the local franchising authority.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Local Franchising Authority, City of Troy, does hereby consent to the transfer of control of the franchise granted to Ameritech NewMedia by the local franchising authority to WideOpen West Michigan, LLC, in the manner described in the Asset Exchange Agreement dated May 23, 2001 subject to the following conditions:

- a) The automatic revocation of the Local Franchising Authority's approval if the Asset Purchase Agreement is not consummated by December 31,

2001 or such Agreement is terminated prior to that time without the same having been consummated; and,

- b) The written undertaking by WideOpen West Michigan LLC that it will promptly notify the Local Franchising Authority, in writing, of any change in service or operation in the Local Franchising Authority's cable system and change the personnel directly responsible for the operation of the Local Franchising Authority's system; and,
- c) The prompt furnishing to Local Franchising Authority in writing by WideOpen West Michigan, LLC of the local personnel designated to manage the Local Franchise Authority system. The name of the contact person, their telephone numbers for their governmental relations, the department, the person's supervisor, the Technical Operations Manager and Field Technician Manager shall also be provided. In addition, copies of WideOpen West Michigan, LLC's guidelines regarding service procedures; average wait for service; handling cable outages; handling customer complaints shall also be provided to the LFA; and,
- d) The prompt remediation of all existing defaults under the current cable franchise agreement with the Local Franchising Authority, if any, as may be specified in writing by the Local Franchising Authority; the representation in writing by Ameritech NewMedia of existence of any such defaults or the written representation by Ameritech NewMedia that it has no knowledge of any such defaults; and

- e) Reimbursement within thirty (30 days) to the Local Franchising Authority by any of the parties to the Asset Exchange Agreement of May 23, 2001 for the reasonable out-of-pocket expenses incurred by ICCA or the Local Franchising Authority attributable to ICCA'S or the Local Franchising Authority's consideration of the transfer application not to exceed an aggregate of \$5,000 per LFA..
- f) WideOpen West Michigan, LLC will provide a statement that the transferor and the transferee will provide full and immediate cooperation with respect to the audit being conducted by the Local Franchising Authority, including, but not limited to the transmission of all necessary information to the auditors upon their request within 10 days from the auditor's request for said information; and,
- g) A statement is provided that the parties to the May 23, 2001 Asset Exchange Agreement will agree to place in escrow with the escrow agent acceptable to the Local Franchising Authority the necessary funds to cover the reasonable costs recoverable pursuant to said audit, and costs incurred by the LFA pursuant to said audit, in the event the audit is not concluded and the funds not paid at the time set pursuant to the applicable provisions of federal law in which the Local Franchise Authority had to act upon this application, or to make such other arrangements acceptable to the Local Franchise Authority.
- h) WideOpen West Michigan, LLC. will provide a statement that it will commit to inform customers prior to crossing over their property to

perform work on the cable system, they will clean the site upon their departure and restore the property to its prior condition.

- i) The Local Franchising Authority hereby acknowledges that (i) the franchise is valid and outstanding and in full force and effect on the date hereof; and (ii) the current term of the franchise will expire on April 22, 2011.
- j) The Local Franchising Authority's grant of consent to the transfer of WideOpen West Michigan, LLC herein provided shall be effective immediately subject to the above conditions, and to the further requirements that WideOpen West Michigan, LLC shall notify the Local Franchising Authority promptly upon the closing of the transaction described in the Asset Exchange Agreement of May 23, 2001. The Local Franchising Authority is hereby authorized to enter to, execute and deliver in the name all done on behalf of the Local Franchising Authority a certificate along with such other documents that may be necessary evidencing this Resolution without further act or Resolution of the governing body.

September 14, 2001

TO: The Honorable Mayor and City Council

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

SUBJECT: Resolution Authorizing the Issuance of Proposal A, B and C:
General Obligation Unlimited Tax Bonds, Series 2001

The attached resolutions authorizing the issuance of Proposal A, B and C: General Obligation Unlimited Tax Bonds, Series 2001 have been prepared by our bond counsel Miro, Weiner & Kramer. Following is an explanation and amount of each bond proposal:

Proposal 'A' - Streets, Roads and Streetscape Improvements (\$12,000,000) - The first resolution request is for authorization to issue the remaining \$6,850,000 of this bond.

Proposal 'B' - Public Safety Facilities (\$18,000,000) - The second resolution request is for authorization to issue \$1,170,000 of this bond, which would bring the total amount issued to date to \$3,500,000.

Proposal 'C' - Community Center and Recreation Facilities (\$12,000,000) - The third resolution requests authorization to issue the remaining \$9,470,000 of this bond.

These bonds are tentatively scheduled to be sold in October and would bring our total amount issued to \$32,500,000 of the voter approved \$47,000,000.

BOARDS AND COMMITTEES VACANCIES

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 exceed 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 red lines indicate the number of appointments required:

Advisory Committee for Persons with Disabilities

Appointed by Council (9) - 3 years

Term Expires 7-01-2002 (Student)

| PHONE | NAME | ADDRESS | TERM EXPIRES |
|---------------------------|---------------------------------|-----------------------|----------------------|
| 689-9098 | Mary Ann Butler (Alternate) | 1060 Glaser, 98 | Nov. 1, 2003 |
| 649-3542 248-816-1900B | Sharon M. Connelly | 1638 Martinique, 84 | Nov. 1, 2002 |
| 248-526-3088B | Philip D'Anna | 5149 Westmoreland, 98 | Nov. 1, 2001 |
| 689-1457 | Angela Done | 2304 Academy, 83 | Nov. 1, 2002 |
| 740-8983 | Nancy Johnson | 1461 Lamb, 98 | Nov. 1, 2003 |
| 813-9575 258-2500B | Leonard Bertin | 5353 Rochester, 98 | Nov. 1, 2002 |
| 641-7764 313-496-2686B | Dick Kuschinsky | 5968 Whitfield, 98 | Nov. 1, 2001 |
| 680-1233 | Theodora House | 301 Belhaven, 98 | Nov. 1, 2003 |
| 641-3860 | Sharon Lu (Student) | 1749 Freemont, 98 | July 01, 2002 |
| 528-3133 248-696-2140B | Nancy Sura, Ch | 1436 Welling, 98 | Nov. 1, 2001 |
| 740-1231 | Shreyas Patel (Student) | 43 Crestfield, 98 | July 1, 2001 |
| 641-9538 | John J. Rogers | 5925 Whitfield, 98 | Nov. 1, 2003 |
| 362-0671 | Cynthia Buchanan (Alternate) | 840 Huntsford, 84 | Nov. 1, 2003 |
| 680-0325 | Kul B. Gauri(Alternate) | 5305 Greendale, 98 | Nov. 1, 2003 |

Animal Control Appeal Board

Appointed by Council (5) - 3 years

Term Expires 9-30-2004

| PHONE | NAME | ADDRESS | TERM EXPIRES |
|---------------------------------|---------------------|--------------------|----------------|
| 879-0100 | Harriet Barnard, Ch | 5945 Livernois, 98 | Sept. 30, 2002 |
| 1-800-428-1287 Day Time Only | Leith Gallaher | 491 Troywood, 83 | Sept. 30, 2003 |
| 879-6576 | Kathleen Melchert | 6385 Tutbury, 98 | Sept. 30, 2001 |
| 643-6849 | Warren Packard | 4200 Beach, 98 | Sept. 30, 2003 |
| 689-1697 | Jayne Saeger | 1740 Westwood, 83 | Sept. 30, 2002 |

Ms. Melchert wishes to be reappointed. Attendance: Not available

CATV Advisory Committee

Appointed by Council (7) - 3 years

Term expires 2-28-2004

| | NAME | ADDRESS (Voters) | TERM EXPIRES |
|----------|------------------------|---------------------------|----------------|
| 689-8176 | Alex Bennett | 1065 Arthur, 83 | Sept. 30, 2003 |
| 879-8657 | Jerry L. Bixby | 6228 Crooks, 98 | Feb. 28, 2003 |
| 689-3430 | Michael J Farrug | 6781 Little Creek Ct., 98 | Nov. 30, 2002 |
| 689-2528 | Richard Hughes | 1321 Roger Ct., 83 | Feb. 28, 2003 |
| 952-5179 | Lusi Fang (Student) | 1948 Freemont, 98 | July 01, 2002 |
| 643-8250 | Frank Smith (Resigned) | 2020 Dorchester #103, 84 | Feb. 28, 2004 |
| 879-0793 | W. Kent Voigt | 2620 Coral, 98 | Feb. 28, 2004 |
| 649-6578 | Bryan H. Wehrung | 3860 Edgemont, 84 | Feb. 28, 2002 |

Mr. Smith has resigned and moved from Troy.

Civil Service Commission (Act 78)

1 – Mayor, 1 – Police and Fire Depts, 1 – Civil Service

Appointed by Council (3)-6 years

Term expires 4-30-2002

| PHONE | NAME | ADDRESS (Voters) | TERM EXPIRES |
|------------------------------|-------------------------------------|--------------------------------|---------------|
| 649-9308 H 734-525-4452 W | David C. Cannon | 3339 Medford, 84 (Mayor) | Apr. 30, 2006 |
| 643-6002 | Donald E. McGinnis, Jr Ch. | 1721 Crooks, 84 (P&F) | Apr. 30, 2004 |
| 642-6747 H 224-0809 B | Gary A. Sirotti Resigned 7/02/01 | 4032 Rouge Circle, 98(C.S.) | Apr. 30, 2002 |

Mr. Sirotti has moved from Troy.

Downtown Development Authority

Mayor, Council Approval (12)- 4 years

Term expires 9-30-2005

Term expires 9-30-2005

Term expires 9-30-2005

| PHONE | NAME | ADDRESS (Voters) | TERM EXPIRES |
|--------------------------|----------------------|--|----------------|
| 354-9770 | Garry G. Carley | Heathers Club 900 Upper Scotsborough Way Bloomfield Hills, 48304 | Sept. 30, 2001 |
| 879-2450 | Philip Goy | 380 Tara, 98 | Sept. 30, 2001 |
| 879-6439 526-0576B | William Kennis | 249 W. Hurst, 98 | Sept. 30, 2002 |
| 680-7180 | Alan M. Kiriluk , Ch | 101 W. Big Beaver, Ste.200, 84 | Sept. 30, 2003 |
| 827-4600 | G. Thomas York | Forbes/Cohen-100 Galleria Office Center, Ste. 427, Southfield, 48037 | Sept. 30, 2003 |
| 524-3244 | Daniel MacLeish | 650 E. Big Beaver, Ste. F, 84 | Sept. 30, 2001 |
| 258-5734 689-1200 B | Clarke B. Maxson | 1091 Oxford, Birmingham 48009 Office 201 W. Big Beaver Ste. 125, Troy 84 | Sept. 30, 2003 |
| 879-8695 | Carol A. Price | 6136 Sandshores, 98 | Sept. 30, 2003 |
| 879-6033 | Ernest C. Reschke | 6157 Walker, 98 | Sept. 30, 2002 |
| 649-2924 | Stuart Frankel | 3221 W. Big Beaver, Ste. 106, 84 | Sept. 30, 2003 |
| 952-1952H 391-3777B | Michael W. Culpepper | 1236 Autumn Dr.,98 | Sept. 30, 2003 |
| 879-2646 H 689-6555 B | Douglas J. Schroeder | 2783 Homewood Dr., 98 | Sept. 30, 2002 |
| 879-3896 | Matt Pryor | 6892 Coolidge, 98 | Sept. 30, 2002 |

Mr. Garry Carley wishes to be reappointed.
Mr. Philip Goy wishes to be reappointed
Mr. Daniel MacLeish wishes to be reappointed

Attendance: Three meetings were held since January, all three men attended these meetings

Historical Commission

Appointed by Council (7)- 3 years

Term expires 7-01-2002 (Student)

Term expires 7-31-2004

| | | ADDRESS (Voters) | TERM EXPIRES |
|----------------------------|--------------------------|----------------------|---------------|
| 879-0195 | Edward Bortner | 193 Hurst, 98 | July 31, 2002 |
| 649-5074H 810-497-5333B | Roger Kaniarz | 4350 Stonehenge, 98 | July 31, 2002 |
| 879-8659 | Cynthia Kmett | 1168 Snead, 98 | July 31, 2001 |
| 641-1962 | Rosemary Kornacki | 4648 Rivers Edge, 98 | July 31, 2002 |
| 879-6168 | Jeannine Kufra (Student) | 683 Sylvanwood, 98 | July 01, 2001 |
| 828-3632H 753-2408B | Kevin Lindsey | 6890 Norton, 98 | July 31, 2003 |
| 879-6567 | Muriel W. Rounds | 6291 Ledwin, 98 | July 31, 2003 |
| 689-1249 | Brian J. Wattles | 3864 Livernois, 83 | July 31, 2004 |

Cynthia Kmett **does not** wish to be reappointed.

Liquor Committee

Appointed by Council (7) - 3 years

Term Expires 7-01-2002 (Student)

| PHONE | NAME | ADDRESS (Voters) | TERM EXPIRES |
|----------------------------|----------------------------|-------------------------------------|---------------|
| 879-0817H 689-5900W | Max K. Ehlert | 6614 Northpoint, 98 | Jan. 31, 2002 |
| 689-4614H 810 575-2648B | W. S. Godlewski | 2784 Whitehall, 48098 | Jan. 31, 2002 |
| 828-7436 | James C. Moseley | 1687 White Birch Ct.,98 | Jan. 31, 2003 |
| 689-8092 | James R. Peard | 4549 Post, 98 | Jan. 31, 2003 |
| 642-1887H 647-9099W | Thomas G. Sawyer, Jr., Ch. | 895 Norwich, PO 99236,Troy 48099 | Jan. 31, 2003 |
| 649-7480 | David J. Balagna | 1822 Wilmet, 98 | Jan. 31, 2003 |
| 689-1099 | John J. Walker | 94 Evaline, 98 | Jan. 31, 2003 |
| 641-8432 | Jennifer Gilbert (Student) | 4808 Rivers Edge, 98 | July 1, 2001 |
| 524-3477 | Capt. Dane Slater | Police Department | (Ex-officio) |

Parks and Recreation Committee

Appointed by Council (9) - 3 years

Term expires 7-01-2002 (Student)

Term expires 9-30-2004

Term expires 9-30-2004

| | | ADDRESS (Voters) | TERM EXPIRES |
|------------------------|---|----------------------|----------------|
| 828-8940 | Douglas M. Bordas, Ch. | 5902 Cliffside, 98 | Sept. 30, 2002 |
| 879-2977 | Haley Bryd (Student) | 200 Nottingham, 98 | July 01, 2001 |
| 828-4361 | Kathleen M. Fejes | 6475 Elmoor, 98 | Sept. 30, 2001 |
| 644-6744 | John F. Goetz, Jr | 2539 Black Pine, 98 | Sept. 30, 2003 |
| 689-3794 | Gary Hauff (School Rep) | 3794 Wayfarer, 83 | July 31, 2001 |
| 879-9314 | Lawrence Jose (Sr. Rep.) | 5581 Livernois, 98 | Apr. 30, 2003 |
| 828-8084 | Orestes (Rusty) Kaltsounis | 6798 Jasmine, 98 | Sept. 30, 2003 |
| 649-4948 | Tom Krent | 3184 Alpine, 84 | Sept. 30, 2001 |
| 879-1466 | Robert J. O'Brien | 6285 Brookings, 98 | Sept. 30, 2002 |
| 689-2074H 569-8454B | Jeffrey Stewart (Troy Daze Representative) | 884 Hidden Ridge, 83 | Sept. 30, 2003 |
| 524-3484 | Carol Anderson | Parks & Rec. Dir. | (Ex-officio) |

Ms. Kathleen Fejes wishes to be reappointed.

Mr. Tom Krent wishes to be reappointed.

Mr. Gary Hauff has been reappointed by the School Board as their representative effective 8/01.

Attendance: Ms. Fejes attended 4/6 2001 Mtgs; Mr. Krent attended 5/6 2001 Mtgs.

Traffic Committee

Appointed by Council (7) – 3 years

Term Expires 7-01-2002 (Student)

| PHONE | NAME | ADDRESS (Voters) | TERM EXPIRES |
|-----------------------------|-----------------------|---|---------------|
| 649-2319 | David Allen (Student) | 3755 Ledge Ct., 84 | July 01, 2001 |
| 879-0103 | John Diefenbaker | 5697 Wright, 98 | Jan. 31, 2003 |
| 879-0250H 663-5055B | Eric S Grinnell | 406 E Square Lake, 84 MAIL TO: PO Box 99417 Troy MI 48099 | Jan. 31, 2003 |
| 689-1223 | Lawrence Halsey | 663 Vanderpool, 83 | Jan. 31, 2003 |
| 689-9401H (313)665-4284B | Jan L. Hubbell | 1080 Glaser, 98 | Jan. 31, 2002 |
| 524-1595 | Richard A. Kilmer | 62 Hickory, 83 | Jan. 31, 2002 |
| 689-0217H 223-2303B | Michael Palchesko | 36 Randall, 98 | Jan. 31, 2002 |
| 524-9062H 689-2920B | Charles A. Solis, Ch. | 1866 Crimson, 83 | Jan. 31, 2003 |
| 524-3379 | John Abraham | Traffic Engineer | (Ex-officio) |
| 524-3443 | Charles Craft | Police Chief | (Ex-officio) |
| 524-3419 | William Nelson | Fire Chief | (Ex-officio) |

Troy Daze Committee

Appointed by Council (9) - 3 years

Term expires 7-01-2002 (Student)

| PHONE | NAME | ADDRESS (Voters) | TERM EXPIRES |
|-------------------------|--|-------------------------|----------------|
| 528-0155 H 322-9813B | Robert A. Berk | 726 Thurber, 98 | Nov. 30, 2003 |
| 879-9030H 879-0272B | Sue Bishop | 6109 Emerald Lake, 98 | Nov. 30, 2001 |
| 528-1551 | Jim D. Cyrulewski. | 626 Randall, 98 | Nov. 30, 2001 |
| 689-9244 | Cecile Dilley | 2722 Sparta, 83 | Nov. 30, 2001 |
| 828-8084 | Kessie Kaltsounis | 6798 Jasmine, 98 | Nov. 30, 2002 |
| 879-6958H 354-3710B | Richard L. Tharp | 6881 Westaway Dr.98 | Nov. 30, 2003 |
| 649-4345H 944-5968B | William F Hall | 1891 Kirts, Apt 215, 84 | Nov. 30, 2002 |
| 689-2074H 569-8454B | Jeffrey Stewart (Repr to Parks/Rec Board) | 884 Hidden Ridge, 83 | Sept. 30, 2003 |
| 879-3710 | Eldon Thompson | 6500 Denton, 98 | Nov. 30, 2002 |
| 952-1732 | Cheryl A Kaszubski | 1878 Freemont, 98 | Nov. 30, 2003 |
| 952-1763 | Rebecca Mill (Student) | 1478 Brentwood, 98 | July 1, 2001 |

| | | | |
|------------------------|--|-------------------------|-----------------------|
| 649-4345H 944-5968B | William F Hall | 1891 Kirts, Apt 215, 84 | Nov. 30, 2002 |
| 689-2074H 569-8454B | Jeffrey Stewart (Repr to Parks/Rec Board) | 884 Hidden Ridge, 83 | Sept. 30, 2003 |
| 879-3710 | Eldon Thompson | 6500 Denton, 98 | Nov. 30, 2002 |
| 952-1732 | Cheryl A Kaszubski | 1878 Freemont, 98 | Nov. 30, 2003 |
| 952-1763 | Rebecca Mill (Student) | 1478 Brentwood, 98 | July 1, 2001 |

Troy City Clerks Office

500 West Big Beaver

Troy MI 48084

248 524-3316

September 10, 2001

TO: All recipients of the Boards and Committees Resume Book
FROM: Clerk's office
RE: Update process of Resume Book

We are in the process of verifying our records showing citizen interest in the Boards and Committees of the City of Troy.

Please **file** the **attached revised and new applications** for the following people as they have indicated a **change/ interest** in their Boards and Committees choices.

Paul V. Hoef
Jayshree Shah

Thank you.

**Advisory Committee for Persons With Disabilities
Committee of 9, 3 Alternates**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date | TimeApplied Term Limits |
|----------------------------------|-----------------------|---------------------------|---------------------|---------------------------|--------------------------------|
| Bertin, Leonard O | 5353 Rochester Rd, 98 | 813-9575 258-2500B | 11/01/02 | 1/10/00 | 1/10/00 |
| Buchanan, Cynthia (Alternate) | 840 Huntsford, 84 | 362-0671 | 11/01/03 | 4/23/01 | 4/23/01 |
| Butler, Mary Ann (Alternate) | 1060 Glaser, 98 | 689-9098 | 11/1/2003 | 1/13/92 | 12/18/00 |
| Connelly, Sharon | 1638 Martinique, 84 | 649-3542 248-816-1900B | 11/1/2002 | 11/1/99 | 11/1/99 |
| D'Anna, Philip | 5149 Westmoreland, 98 | 248-526-3088B | 11/1/2001 | 11/3/97 | 6/21/99 |
| Done, Angela | 2304 Academy, 83 | 689-1457 | 11/1/2002 | 3/1/93 | 11/15/99 |
| Gauri, Kul B (Alternate) | 5305 Greendale, 98 | 680-0325 | 11/1/03 | 4/23/01 | 4/23/01 |
| House, Theodora | 301 Belhaven, 98 | 680-1232 | 11/1/2003 | 10/19/99 | 10/18/99 11/20/00 |
| Johnson, Nancy | 1461 Lamb, 98 | 740-8983 | 11/1/2003 | 9/13/93 | 11/20/00 |
| Kuschinsky, Dick | 5968 Whitfield, 98 | 641-7764 313-496-2686B | 11/1/2001 | 6/27/94 | 6/21/99 |
| Sharon Lu (Student) | 1749 Freemont, 98 | 641-3860 | 07/01/2002 | 9/10/01 | N/A |
| Patel, Shreyas (Student) | 43 Crestfield Ave, 98 | 740-1231 | 7/01/2001 | 6/19/00 | N/A |
| Rodgers, John J | 5925 Whitfield, 98 | 641-9538 | 11/1/2003 | 4/23/01 | 4/23/01 |
| Sura, Nancy | 1436 Welling, 98 | 528-3133 248-696-2140B | 11/1/2001 | 10/26/92 | 6/21/99 |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION #98-540

***Advisory Committee for Persons With Disabilities
Committee of 9, 3 Alternates***

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|--|-------------------------------|-------------------------------------|---------------------------------|-----------------------------------|-------------------------------------|
| Kasunic, Diane | 3036 Oakhill Troy MI 48084 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Pietron, Dorothy Ann | 1716 Eldridge, 83 | 524-9160 | 7/10/01 6/2003 | 7/23/01 | |
| Shah, Jayshree | 4053 Drexel | 952-5555H 810-986-3191 | 08/28/01 8/2003 | 9/17/01 | |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION #98-540

**Advisory Committee for Senior Citizens
Committee of 9**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date | TimeApplied Term Limits |
|-------------------------------|-----------------------|--------------------------|---------------------|---------------------------|--------------------------------|
| Banch, Steven | 2731 West Wattles, 98 | 646-3267 | 4/30/2004 | 11/04/96 | 5/07/01 |
| Crowe, Jane | 1984 Muer, 84 | 643-0158 | 4/30/2004 | 7/17/79 | 4/23/01 |
| Dixon, Merrill | 5974 Diamond, 98 | 879-2887 | 4/30/2003 | 11/04/96 | 3/20/00 |
| Forst, Edward | 2731 Dover, 83 | 689-6572 | 4/30/2004 | 5/12/97 | 4/23/01 |
| Hoag, Marie | 6408 Vernmoor, 98 | 879-6433 | 4/30/2003 | 5/09/94 | 3/20/00 |
| Jose, Lawrence | 5581 Livernois, 98 | 879-9314 | 4/30/2003 | 2/22/93 | 3/20/00 |
| Ogg, David S | 3951 Forge, 83 | 689-2210 | 4/30/2002 | 4/24/93 | 3/29/99 |
| Rhoads, Josephine | 4226 Gatesford, 98 | 689-2741 | 4/30/2002 | 11/11/91 | 3/29/99 |
| Weisgerber, William | 2475 Charnwood, 98 | 828-7072 | 4/30/2002 | 4/23/01 | 4/23/01 |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Advisory Committee for Senior Citizens
Committee of 9**

| Interested Citizens Name | Address | Telephone Numbers | Date Received | Sent To Council | Currently Serving |
|---------------------------------|-----------------------|---------------------------|-------------------------------|------------------------|---|
| Buchanan, Cynthia | 840 Huntsford, 84 | 362-0671 | 6/07/00 | 6/19/00 | Advisory Committee Persons w/Disabilities |
| Kasunic, Diane | 3036 Oakhill, 84 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Pietron, Dorothy A | 1746 Eldridge, 83 | 524-9160 | 12/21/98 7/10/01 6/2003 | 7/23/01 | |
| Shah, Jayshree | 4053 Drexel | 952-5555H 810-986-3191 | 08/28/01 8/2003 | 9/17/01 | |
| Thompson, JoAnn | 6177 Livernois, 98 | 879-2637H 362-2165B | 5/21/01 6/12/01 5/2003 | 5/21/01 | |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Board of Review
Committee of 3**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date |
|-------------------------------|----------------------|--------------------------|---------------------|---------------------------|
| Hatch, James Edward | 5552 Larkins Dr, 98 | 879-0531H 828-4303B | 1/31/03 | 2/19/01 |
| Howrylak, Frank J | 3035 Newport Ct., 84 | 643-6653H 512-3110B | 1/31/03 | 6/04/01 |
| Turner, Eileen | 1810 Witherbee, 84 | 647-3490 | 1/31/02 | 1/08/96 |

| Interested Citizens Name | Address | Telephone Numbers | Date Received | Sent To Council | Currently Serving |
|---------------------------------|------------------------|--------------------------|------------------------------|------------------------|----------------------------|
| Kasunic, Diane | 3036 Oakhill, 84 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Victoria Lang | 2700 Dashwood, 83 | 589-3304 | 7/09/01 6/2003 | 7/23/01 | |
| Walker, James | 5356 Orchard Crest, 98 | 879-1223B | 6/11/99 6/14/01 5/2003 | 7/09/01 | |

***Building Code Board of Appeals
Committee of 5***

| <i>Presently Serving Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Term Expires</i> | <i>Original Appt Date</i> |
|--------------------------------------|-----------------------------|---------------------------------|----------------------------|----------------------------------|
| Dziurman, Theodore D | 4228 Allegheny, 98 | 689-0743 | 7/31/03 | 8/21/78 |
| Need, William | Director of Public Works | 524-3392 | Ordinance | |
| Nelson, William | Fire Chief | 524-3319 | Ordinance | |
| Stimac, Mark | Director of Building/Zoning | 524-3344 | Ordinance | |
| Ghazanfar, Shah | O.C. Health Department | 424-7069 | Ordinance | |

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|--|-----------------------|---------------------------------|-----------------------------|-------------------------------|---------------------------------|
| Bennett, Alex | 1065 Arthur, 83 | 689-8176 | | | CATV Advisory Committee |
| Bordas, Douglas | 5902 Cliffside, 98 | 828-8940 | 8/19/99 | | Parks and Recreation |
| Kasunic, Diane | 3036 Oakhill, 84 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Laze, Rudolf Q | 2843 Iowa, 83 | 585-3668H 546-6700B | 3/01/01 3/2003 | 3/05/01 | |
| Nicoletti, Paul J | 3885 Estates, 84 | 203-7800B | 9/28/99 | | |

**CATV Advisory Committee
Committee of 7**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date | TimeApplied Term Limits |
|-------------------------------|---|--------------------------|---------------------|---------------------------|--------------------------------|
| Bennett, Alex | 1065 Arthur, 83 MAIL TO: PO Box 346, 99 | 689-8176 | 9/30/03 | 10/25/88 | 3/01/99 11/6/00 |
| Bixby, Jerry L | 6228 Crooks, 98 | 879-8657 | 2/28/03 | 5/05/97 | 2/07/00 |
| Farrug, Michael J | 6781 Little Creek Ct, 98 | 689-3430 | 11/30/02 | 8/07/00 | 8/07/00 |
| Hughes, Richard | 1321 Roger Ct., 83 | 689-2528 | 2/28/03 | 2/17/97 | 1/17/00 |
| Lusi Fang (Student) | 1948 Freemont, 98 | 952-5179 | 7/01/02 | 9/10/01 | N/A |
| Smith, Frank (Resigned) | 2020 Dorchester, Apt 103, 84 | 643-8250 | 2/28/04 | 2/13/95 | 2/05/01 |
| Voight, W Kent | 2620 Coral , 98 | 879-0793 | 2/28/04 | 5/07/01 | 5/07/01 |
| Wehrung, Bryan H | 3860 Edgemont, 84 | 649-6578 | 2/28/02 | 2/18/91 | 3/01/99 |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**CATV Advisory Committee
Committee of 7**

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|---------------------------------|-----------------------|--------------------------|----------------------------------|------------------------|--|
| Butt, Shazad | 5381 Clearview, 98 | 641-8505 | 7/13/00/6/26/01 5/2003 | 8/07/00 7/09/01 | |
| Gauri, Kul B | 5305 Greendale, 98 | 680-0325 | 8/26/99 | | Advisory Comm for Persons w/Disabilities |
| Wattles, Brian J | 3864 Livernois, 83 | 689-1249 | 7/10/01 6/2003 | 7/23/01 | Historical Commission |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Downtown Development Authority
Committee of 12**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date |
|-------------------------------|---|--------------------------------|---------------------|---------------------------|
| Carley, Garry G | Heathers Club 900 Upper Scotsborough Way Bloomfield Hills, 48304 | 354-9770 | 9/30/01 | 9/13/93 |
| Culpepper, Michael W | 1236 Autumn, 98 | 952-1952H 391-3777B | 9/30/03 | 8/16/99 |
| Frankel, Stuart | 3221 W. Big Beaver Ste 106, 84 | 649-2924 | 9/30/03 | 10/18/99 |
| Goy, Philip | 380 Tara, 98 | 879-2450 | 9/30/01 | |
| Kennis, William | 249 W Hurst, 98 | 879-6439 526-0576B | 9/30/02 | 9/13/93 |
| Kiriluk, Alan M | 101 W Big Beaver Ste 200, 84 | 680-7180 | 9/30/03 | 9/13/93 |
| MacLeish, Daniel | 650 E Big Beaver Ste F, 84 | 524-3244 | 9/30/01 | 9/13/93 |
| Maxson, Clarke B | 1091 Oxford Birmingham MI 48009 OFC: 201 W Big Beaver Ste 125, 84 | 258-5734H 689-1200B | 9/30/03 | 8/31/98 |
| Price, Carol A | 6136 Sandshores, 98 | 879-8695 | 9/30/03 | 9/13/93 |
| Pryor, Matt | 6892 Coolidge, 98 | 879-3896 | 9/30/02 | 4/23/01 |
| Reschke, Ernest C | 6157 Walker, 98 | 879-6033 | 9/30/02 | |
| Schroeder, Douglas J | 2783 Homewood, 98 | 879-2646H 689-6555B | 9/30/02 | 12/07/98 |
| York, G Thomas | 221 St Lawrence Blvd Northville MI 48167 OFC: Forbes/Cohen Properties 100 Galleria Ofc Centre Ste 427 PO Box 667, Southfield 48037 | 827-4600B | 9/30/03 | 11/15/99 |

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|---------------------------------|--------------------------|----------------------------|-------------------------------|------------------------|------------------------------|
| Alexander, Larry | 4685 Rambling Dr., 98 | 952-5355H 313-202-1801B | 6/12/01 5/2003 | 7/09/01 | |
| Baughman, Deborah L | 967 Muer, 84 | 362-3082H 313-961-8380B | 3/29/01/6/18/ 01 5/2003 | 4/09/01 7/09/01 | |
| Calice, Mark A | 4235 Beach, 98 | 644-8310 | 6/97 | | Employee Retirement System |
| Gleeson, John A | 6186 Elmoor , 98 | 879-0797 | 2/19/99 | | Municipal Building Authority |
| Hall, Patrick C | 5363 Clearview, 98 | 641-4765H 952-0400B | 1/26/01 | 2/05/01 | |
| Hoef, Paul V | 3671 Scott, 84 | 641-1358H 244-3521B | 9/12/01 | 9/17/01 | |
| Howrylak, Frank J | 3035 Newport Ct, 84 | 643-6653H 512-3110B | 4/05/01 | 4/09/01 | Board of Review |
| Huber, Laurie G | 2794 Saratoga, 83 | 619-1487 | 6/18/01 5/2003 | 7/09/01 | |
| Kasunic, Diane | 3036 Oakhill, 84 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Victoria Lang | 2700 Dashwood, 83 | 589-3304 | 7/09/01 6/2003 | 7/23/01 | |
| Lin, Paul Chu | 1599 Witherbee, 84 | 645-2187 | 5/22/00 | 6/05/00 | Historic District |
| Milia, Carmelo | 3911 Boulder, 84 | 643-0859 | 6/14/01 5/2003 | 7/09/01 | |
| Nicoletti, Paul J | 3885 Estates, 84 | 203-7800B | 9/28/99 | | |
| Rocchio, James A | 2810 Waterloo, 84 | 649-9612H 205-2748B | 4/16/01 | 4/23/01 | Economic DevelopmentCorp |
| Schultz, Robert M | 883 Kirts Blvd, 84 | 362-2128 | 6/19/01 5/2003 | 1/22/01 7/09/01 | |
| Shah, Jaysree | 4053 Drexel | 952-5555H 810-986-3191 | 08/28/01 8/2003 | 9/17/01 | |
| Silver, Neil S | 3837 Edenderry, 83 | 680-0147 | 8/11/00 6/20/01 | 8/21/00 7/09/01 | |

RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

BOARDS/COMMITTEES OF TROY

| | | | | | |
|----------------------------|--------------------------|------------------------------------|---------------------------|----------------|--------------------------------|
| | | | 5/2003 | | |
| Watkins, Patrick N | 2638 Parasol, 83 | 689-1379H 810-574-7132 | 5/22/00 5/2003 | 6/05/00 | |
| Wilberding, Bruce J | 3762 Boulder, 84 | 649-3073H 680-0400B | 8/05/99 | | Brownfield Authority |
| Wright, Wayne C | 2515 Homewood, 98 | 641-7115H 810-775-7710B | 1/07/99 | | Planning Commission |

***Economic Development Corporation
Committee of 9***

| <i>Presently Serving Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Term Expires</i> | <i>Original Appt Date</i> |
|--------------------------------------|--|---------------------------------|----------------------------|----------------------------------|
| Bluhm, Kenneth | 6187 Brittany Tree, 98 | 879-5725H 313-225-9095B | 4/30/06 | 3/05/01 |
| Gigliotti, Robert S | 2381 Hidden Pine, 98 | 641-7676H 362-3600B | 4/30/02 | |
| Licari, Leger(Nino) | 4533 Post, 98 | 524-0877H 524-3311B | 4/30/04 | |
| Parker, Michael | 2524 Kingston, 84 | 643-0332H 739-4254B | 4/30/07 | 4/30/01 |
| Redpath, Stuart F | 1679 Greenwich, 98 | 641-7339H 879-0500B | 4/30/03 | 1/22/01 |
| James A. Rocchio | 2810 Waterloo, 84 | 649-9612H 205-2748B | 4/30/03 | 7/23/01 |
| Salgat, Charles | 20651 Winter, 83 | 689-7235 | 4/30/04 | |
| Sharp, John | 3362 Muerknoll, 84 | 362-5385H 540-2300B | 4/30/03 | 9/25/00 |
| Smith, Douglas | 874 Helston Bloomfield Hills, 48304 | 645-5274H 524-3498B | 4/30/05 | 8/20/01 |

***Economic Development Corporation
Committee of 9***

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|--|-----------------------|-------------------------------------|---------------------------------|-----------------------------------|-------------------------------------|
| Baughman, Deborah L | 967 Muer, 84 | 362-3082H 313-961-8380B | 6/18/01 5/2003 | 7/09/01 | |
| Hall, Patrick C | 5363 Clearview, 98 | 641-4765H 952-0400B | 1/26/01 6/12/01 5/2003 | 2/05/01 7/09/01 | |
| Hoef, Paul V | 3671 Scott, 84 | 641-1358H 244-3521B | 9/12/01 | 9/17/01 | |
| Shah, Jayshree | 4053 Drexel | 952-5555H 810-986-3191 | 08/28/01 8/2003 | 9/17/01 | |
| Silver, Neil S | 3837 Edenderry, 83 | 680-0147 | 8/11/00 6/20/01 5/2003 | 8/21/00 7/09/01 | |

***Election Commission
Committee of 3***

| <i>Presently Serving Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Term Expires</i> | <i>Original Appt Date</i> |
|--------------------------------------|-----------------------|---------------------------------|----------------------------|----------------------------------|
| Anderson, David C (R) | 2361 Oak Ridge, 98 | 952-5708H 641-8000B | 1/31/02 | 2/08/82 |
| Dewan, Timothy (D) | 6234 Crescent Way, 98 | 879-0912 | 12/31/01 | 5/04/98 |
| Bartholomew, Tonni | City Clerk | 524-3316 | Charter | 10/02/00 |

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|--|-----------------------|---------------------------------|-------------------------------|-------------------------------|--|
| Gauri, Kul B | 5305 Greendale, 98 | 680-0325 | 8/26/99 | | Advisory Committee Persons w/Disabilities |
| Hoef, Paul V | 3671 Scott, 84 | 641-1358H 244-3521B | 9/12/01 | 9/17/01 | |
| Kasunic, Diane | 3036 Oakhill, 84 | 433-1348 | 7/19/00 3/22/01 | 8/09/00 4/09/01 | Charter Revision Committee |
| Shah, Jayshree | 4053 Drexel | 952-5555H 810-986- 3191 | 08/28/01 8/2003 | 9/17/01 | |
| Ziegenfelder, Peter | 3695 Forge, 83 | 528-0237H 696-2277B | 12/07/00 6/11/01 5/2003 | 12/18/00 7/09/01 | |

***Historical Commission
Committee of 7***

| <i>Presently Serving Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Term Expires</i> | <i>Original Appt Date</i> | <i>TimeApplied Term Limits</i> |
|--------------------------------------|-----------------------|---------------------------------|----------------------------|----------------------------------|---------------------------------------|
| Bortner, Edward | 193 Hurst, 98 | 879-0195 | 7/31/02 | 4/24/95 | 10/04/99 |
| Kaniarz, Roger | 4350 Stonehenge, 98 | 649-5074H 810-497-5333B | 7/31/02 | 4/09/01 | 4/09/01 |
| Kmett, Cynthia | 1168 Snead, 98 | 879-8659 | 7/21/01 | 9/15/97 | |
| Kornacki, Rosemary | 44648 Rivers Edge, 98 | 641-1962 | 7/31/02 | 11/06/95 | 11/01/99 |
| Sucheta Sikdar | 539 Kirts Blvd Apt 28 | 269-9087 | 7/01/02 | 9/10/01 | |
| Lindsey, Kevin | 6890 Norton, 98 | 828-3632H 753-2408B | 7/31/03 | 3/05/01 | 3/05/01 |
| Rounds, Muriel | 6291 Ledwin, 98 | 879-6567 | 7/31/03 | 1/92 | 3/05/01 |
| Wattles, Brian J | 3864 Livernois, 83 | 689-1249 | 7/31/04 | 2/06/89 | 7/23/01 |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Historical Commission
Committee of 7**

| <i>Interested Citizens Name</i> | <i>Address</i> | <i>Telephone Numbers</i> | <i>Date Received</i> | <i>Sent To Council</i> | <i>Currently Serving</i> |
|---------------------------------|-----------------|--------------------------|------------------------------|------------------------|--------------------------|
| Krivoshein, Kerry S | 1259 Ashley, 98 | 524-0227H 576-4799B | 8/12/99 6/14/01 5/2003 | 7/09/01 | |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**Library Advisory Board
Committee of 5**

| Presently Serving Name | Address | Telephone Numbers | Term Expires | Original Appt Date | Time Applied Term Limits |
|-------------------------------|---------------------|----------------------------|---------------------|---------------------------|---------------------------------|
| Cloyd, David | 1737 Chatham, 84 | 643-7152H 313-226-8614B | 4/30/03 | 3/29/99 | 3/29/99 3/20/00 |
| Gaffney, Margaret | 2467 London, 98 | 689-6735 | 4/30/02 | 2/20/89 | 3/29/99 |
| Gladysz, Michael (Student) | 4633 Riverchase, 98 | 641-0248H | 12/31/01 | 3/05/01 | |
| Gregory, Lynne R | 2244 Niagara, 83 | 689-2623 | 4/30/04 | 4/21/89 | 4/23/01 |
| Nelsen, Fern A | 2567 Coral, 98 | 879-8045 | 4/30/02 | 4/30/84 | 3/29/99 |
| Wheeler, Nancy D | 5355 Beach, 98 | 641-8511 | 4/30/04 | 10/23/89 | 4/23/01 |

Library Advisory Board/Committee of 5

| Interested Citizens Name | Address | Telephone Numbers | Date Received | Sent To Council | Currently Serving |
|---------------------------------|-----------------------------|---------------------------|----------------------|------------------------|---|
| Balagna, David J | 1822 Wilmet, 98 | 619-1472H 649-7480B | 2/02/00 | 2/00 | Liquor Advisory Committee |
| Gauri, Kul B | 5305 Greendale, 98 | 680-0325 | 8/26/99 | | Advisory Comm for Personsw/Disabilities |
| Victoria Lang | 2700 Dashwood, 83 | 589-3304 | 7/09/01 6/2003 | 7/23/01 | |
| Nelson, Albert T Jr | 5846 Clearview, 98 | 528-1111B | 3/16/99 | | Personnel Board |
| Patel, Shreeti | 43 Crestfield, 98 | 740-1231 | 10/24/00 10/2002 | 11/06/00 | |
| Shah, Jayshree | 4053 Drexel | 952-5555H 810-986-3191 | 08/28/01 8/2003 | 9/17/01 | |
| Solomon, Mark R | 2109 Golfview, Apt 102, 84` | 649-2018H 689-8282B | 2/05/99 | | Charter Revision |

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**CITY OF TROY, MICHIGAN
APPLICATION FOR BOARDS AND COMMITTEES**

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment. The application will be kept on file for two years.
(Please type or print)

Date: 8-31-2001

Name: Paul V. Hoef

Address: 3671 Scott

City: Troy Zip: 48084

Home Phone Number: (248) 649-1358

Employer: Huntington National Bank

Address: 801 W. Big Beaver, Troy, MI 48084 Phone: (248) 244-3521

Are you a registered voter in the City of Troy? Yes

How long have you lived continuously in the City of Troy? 4 Years

Have you ever been convicted for anything other than a minor traffic violation? No

Number the Advisory Boards or Committees for which you would like to apply:
(in order of preference - 1 = First Choice, 2 = second Choice, etc.)

Advisory Committee for Persons with Disabilities

Animal Control Appeals Board

Board of Review

Building Code Board of Appeals

Charter Revision Committee

1 Downtown Development Authority

3 Election Commission

Historic District Commission

Liquor Committee

Parks & Recreation Board

Planning Commission

Traffic Committee

Advisory Committee for Senior Citizens

Board of Canvassers

Board of Zoning Appeals

CATV Advisory Committee

Civil Service Commission Act 78

2 Economic Development Corporation

Historical Commission

Library Board

Municipal Building Authority

Personnel Board

Retirement System Board of Trustees

Troy Daze Committee

9 I do not wish to be reappointed.

RECEIVED
CITY OF TROY
2001 SEP 12 PM 1:47

F-1

Professional Qualifications and/or Work Experience:

Currently I am a Vice President in the Corporate Banking Dept. at Huntington Bank, which has its Regional Headquarters in Troy.

Previously, I was an executive at a community bank based on the east side of Metro Detroit, my specific responsibility was to manage the loan group at the bank.

The majority of my banking experience was at Comerica Bank, where I was also a Vice President in commercial lending at their Birmingham office.

Community Activities and/or Other Experience:

While a resident of Troy I have been involved with the Troy Chamber of Commerce. I have been a volunteer on two separate committees within the Chamber.

In addition, I have been a volunteer coach on three separate occasions for my sons' teams, which were a part of Troy's Parks and Recreation Dept.

While a resident of Birmingham, I was an active member of my local homeowner's association.

Educational Background:

B.A. Economics – Michigan State University, graduating in 1982.

M.B.A. Finance/Accounting – University of Michigan, graduating in 1987.

References (Please list name and address):

Cindy Keitch (my manager)
Senior Vice President
Huntington Bank
801 W. Big Beaver
Troy, MI 48084

Sandy Bera
Event Enthusiast
Troy Chamber of Commerce
4555 Investment Dr., Suite 300
Troy, MI 48098

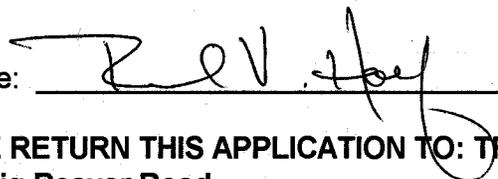
Please indicate REASONS FOR DESIRING TO SERVE:

I have developed a sense of pride for Troy in the short time that I have been a resident. It is a vibrant and attractive community. It is my estimation that any community remains strong and vibrant only if the residents remain active in supporting their city. This is the overriding reason for my desire to serve.

I also experience a personal sense of growth whenever I become active in anything I am involved in. I plan on being a Troy resident for a long time and I want to be attuned to what will shape my community, this is better facilitated by becoming involved in it's Boards and/or Committees.

Ultimately, I want my wife, two sons and me to be a part of a city that is growing, but remains a pleasant and safe place to live.

Signature: _____



**PLEASE RETURN THIS APPLICATION TO: TROY CITY CLERK'S OFFICE
500 W Big Beaver Road
Troy MI 48084**

Quick Facts

- While they are separate ballot proposals, both millage requests will be decided by the voters on September 25, 2001.
- By law, all monies allocated for both millages can only be used for the purpose stated.
- Special Education has not received a millage increase since 1985, the only one since it began in 1954.
- State and Federal laws mandate that Special Education programs and services are funded. If Special Education funding is not sufficient, then money comes from General Education funds.
- Vocational Education was established in 1967 and has never had a millage rate increase.
- The Vocational Education millage increase will benefit all students, including those who are headed for college.

**For more information, call
248.209.2145
or visit www.oakland.k12.mi.us**

Our Public Schools... Our Future
OAKLAND COUNTY



OaklandSchools

Communications & Marketing
2100 Pontiac Lake Road
Waterford, Michigan 48328-2735

248.209.2145
www.oakland.k12.mi.us

Oakland Schools does not discriminate on the basis of race, color, national origin, age, sex, marital status, religion, disability, or handicap.

Answers to your Questions



about the Oakland County
Special Education
and **Vocational Education**
MILLAGE ELECTION
September 25, 2001

*Presented by Oakland Schools
and your local school district*

Oakland County

Special Education Millage Election

When?

September 25, 2001

What is it for?

To fund Special Education in Oakland County.

How much will this cost me?

About \$6 per month for a homeowner with a home at a market value of \$125,000 (*1.1704 mills*).

Who benefits?

Children and families in every Oakland County school district. State and Federal legislation mandate Special Education programs that must be funded in every school district. As a result, dollars have been taken from general programs to pay for Special Education programs. This millage provides funding relief for all.



Why now?

More students than ever receive special education services. This millage has not been increased since 1985, even though services have been expanded as required by State and Federal law.

How will this money be used?

The money raised in this millage will go to maintain quality services to children with special needs in local schools.

Oakland County

Vocational Education Millage Election

When?

September 25, 2001

What is it for?

To fund regional Vocational Education programs in our four Oakland Technical Centers, and expand career focused education programs in local high schools.

How much will this cost me?

Just over \$1 per month for a homeowner with a home at a market value of \$125,000 - less than 1/4 of a mill (*.2279 of a mill*).

Who benefits?

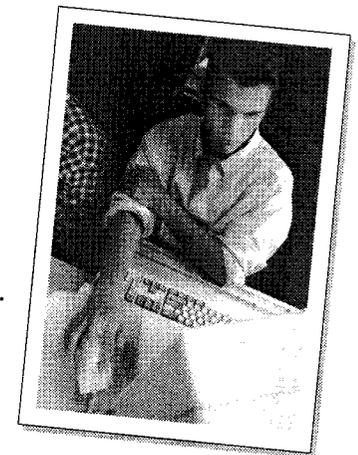
All children in Oakland County. ISO 9001 certified career and technical job training programs will be continued and improved; and will also expand so that all students in Oakland County - even the college bound - have the opportunity to add technical vocational skills to their portfolio.

Why now?

It was in 1967, more than a generation ago, that the Vocational Education millage was established, and has never been increased. Technology, however, has changed enormously since then - as has the job market.

How will this money be used?

Improvements in curriculum and technology will be made at the four Oakland Technical Centers. New career focused education programs will be established in local high schools.



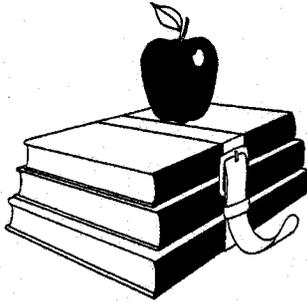
Special Education and Vocational Education

TROY
SCHOOL DISTRICT

Millage Election

September 25, 2001

Supports All Children!



- The Special Education Millage will add \$2.8 million annually to the Troy School District General Fund Budget.
- The Vocational Millage will provide \$341,269 worth of services to Troy School District students who participate in Career-Focused Education programs.

Creates Opportunities for All Children!

- Maintains quality programs and services for ALL Troy School District students.
- Provides additional financial resources for ALL Troy students.



Please remember to vote September 25!

- The millage request consists of two questions: a 1.1704 increase for the Oakland County Special Education charter millage and a .2279 increase for regional vocational education programs.
- Polls will be open from 7 a.m. to 8 p.m.
- The cost for a homeowner of a \$125,000 house will be about \$6 per month for the special education charter millage and \$1.17 per month for the vocational millage.

For additional information, please check the
The Troy School District's web site at:
<http://www.troy.k12.mi.us>

September 4, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager / Services
William Nelson, Fire Chief
Charles Craft, Police Chief
Mark Stimac, Director of Building and Zoning

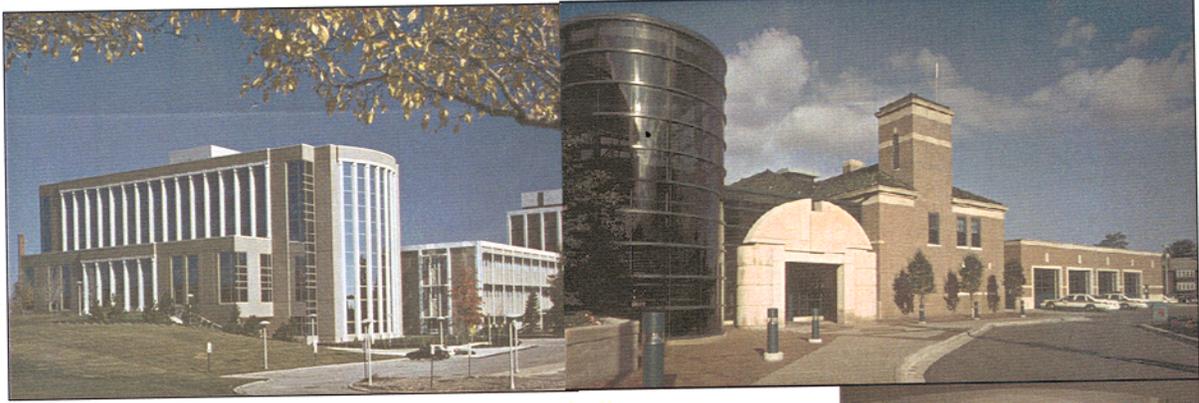
SUBJECT: Award of Contract for Construction Manager for the
Fire Administration Police Department Renovation and Addition
J. M. Olson Corporation

RECOMMENDATION

A proposal from J. M. Olson Corporation to provide construction management services for the Fire Administration Police Department Renovation and Addition to City Hall is attached. Staff recommends that the City Manager be authorized to negotiate a contract for construction management services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539 in accordance with the proposal dated July 23, 2001.

EXPLANATION OF SERVICES AND COSTS

The total cost of their services for this project is \$1,123,539. This amount includes \$32,525 for pre-construction services and \$612,912 for the construction phase services. It also includes \$320,000 for general conditions and \$139,765 for insurance and testing as part of the construction phase. In addition a fee of \$38,362 was quoted for administering the furniture, fixtures, and equipment budget of \$1,200,000. Finally an amount, not to exceed \$12,500, is budgeted for reimbursable expenses for administering the project. These amounts are inline with the proposed budget that was prepared by Redstone Architects, Inc., the Architect for the project. In addition there is additional benefit to having the same Construction Manager for all our projects.

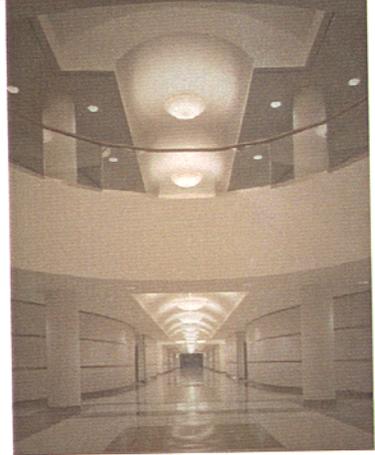


COST PROPOSAL

Fire Administration Police Department Renovation and Addition

City Of Troy 

JULY 23, 2001



JM OLSON
CORPORATION

ISO 9001 CERTIFIED



**CITY OF TROY
FIRE ADMINISTRATION POLICE DEPARTMENT –
RENOVATION AND ADDITION**

| Task | Percent | Estimated Cost |
|---|----------|-------------------|
| 1. Not-to-exceed fee for Pre-Construction Services.* | 0.32% | \$32,525 |
| 2. Not-to-exceed cost for Pre-Construction Services Reimbursable cost.* | 0.12% | \$12,500 |
| 3. Not-to-exceed percentage fee for the construction Phase.* | 3.20% | \$320,000 |
| 4. Total General Conditions costs for the construction Phase, including reimbursable expenses.* | 6.12% | \$612,912 |
| 4a Testing Cost (allowance) | 0.40% | \$40,000 |
| 4b General Liability Insurance.* | 0.20% | \$20,020 |
| 4c Bond Costs.* | 0.58% | \$58,057 |
| 4d Builder's Risk (\$0.10/\$100 per year).* | 0.22% | \$21,688 |
| 5 Not-to-exceed cost, based upon a percentage of the FF&E budget of \$1,200,000. | 3.20% | \$38,362 |
| 6 Total general Conditions cost for FF&E | w/item 4 | \$0 |
| 7 Total cost of all services.* | | \$1,123,539 |

Percentage Fee for changes to the work (add/deduct)
during the construction phase:

Adds @ 7%
Deducts @ 0%

*Cost Basis for Calculations \$10,009,846

** Total Cost of Fee & General Conditions Equals \$1,123,539

PROJECT: FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION
 OWNER: CITY OF TROY
 LOCATION: TROY
 BID TO: CITY OF TROY
 BID DATE: 7-23-01 @ 2:00PM

EST NO:
 TIME: 11:14AM
 DATE: 7/23/01
 BUDGET \$10,009,846

START 2/14/02
 FINISH 4/24/04
 DURATION 800

| CODE | WORK ITEM | NOTES | HOURLY RATE | PERCENTAGE | 26 MONTHS | | 114 WEEKS | | TOTAL |
|--|---------------------------------|----------------------|-------------|------------|-----------|---------|-----------|-------|-----------|
| | | | | | QUANTITY | RATE | UNIT | TOTAL | |
| HOME OFFICE SERVICES | | | | | | | | | |
| 80051 | PROJECT EXECUTIVE | NOT APPLICABLE | \$0.00 | 0.00% | 114 | \$0 | WK | | \$0 |
| 80052 | PROJECT MANAGER - PRECON | SEE PRE CON SERVICES | \$0.00 | 0.00% | 0 | \$0 | WK | | \$0 |
| 80052 | PROJECT MANAGER - CONSTRUCTION | 1.5 DAY PER WEEK | \$64.00 | 30.00% | 114 | \$2,560 | WK | | \$87,771 |
| 80052 | PROJECT MANAGER - CLOSE OUT | HOME OFFICE | \$64.00 | 30.00% | 2 | \$2,560 | WK | | \$1,536 |
| 80054 | SCHEDULING | BY SUPERINTENDENT | \$0.00 | 0.00% | 114 | \$0 | WK | | \$0 |
| 80055 | ESTIMATING | ALLOW | \$57.50 | 100.00% | 7 | \$2,300 | WK | | \$14,950 |
| 80056 | PROJECT ENGINEER - PRECON | SEE PRE CON SERVICES | \$35.00 | 0.00% | 0 | \$1,400 | WK | | \$0 |
| 80056 | PROJECT ENGINEER - CONSTRUCTION | 3.0 DAY PER WEEK | \$35.00 | 60.00% | 114 | \$1,400 | WK | | \$96,000 |
| 80056 | PROJECT ENGINEER - CLOSE OUT | 3.0 DAY PER WEEK | \$35.00 | 60.00% | 2 | \$1,400 | WK | | \$1,680 |
| 80057 | SAFETY OFFICER | BY SUPERINTENDENT | \$35.00 | 0.00% | 114 | \$1,400 | WK | | \$0 |
| 80053 | ACCOUNTING | HOME OFFICE | | | \$10,010 | \$0.50 | M | | \$5,005 |
| 80058 | SECRETARIAL & CLERICAL | 3.0 DAY PER WEEK | \$23.75 | 40.00% | 26 | \$950 | WK | | \$10,030 |
| 80059 | DATA PROCESSING | HOME OFFICE | | | \$10,010 | \$0.32 | M | | \$3,203 |
| TOTAL HOME OFFICE | | | | | | | | | \$220,175 |
| ON-SITE STAFF | | | | | | | | | |
| 80102 | SUPERINTENDENT - PRECON | SEE PRE CON SERVICES | \$50.63 | 0.00% | 2 | \$2,025 | WK | | \$0 |
| 80102 | SUPERINTENDENT - CONSTRUCTION | FULL TIME ON SITE | \$50.63 | 100.00% | 114 | \$2,025 | WK | | \$231,429 |
| 80102 | SUPERINTENDENT - CLOSEOUT | NOT APPLICABLE | \$50.63 | 0.00% | 0 | \$2,025 | WK | | \$0 |
| 80103 | ASST. SUPERINTENDENT | PART TIME | \$33.75 | 0.00% | 114 | \$1,350 | WK | | \$0 |
| 80104 | PROJECT ENGINEER | NOT APPLICABLE | \$33.75 | 0.00% | 114 | \$1,350 | WK | | \$0 |
| 80057 | SAFETY OFFICER | BY SUPERINTENDENT | \$50.63 | 0.00% | 114 | \$2,025 | WK | | \$0 |
| 80105 | FIELD ENGINEER | NOT APPLICABLE | \$33.75 | 0.00% | 114 | \$1,350 | WK | | \$0 |
| 80106 | FIELD ACCOUNTANT | NOT APPLICABLE | \$0.00 | 0.00% | 114 | \$0 | WK | | \$0 |
| 80107 | SECRETARIAL & CLERICAL | NOT APPLICABLE | \$23.75 | 0.00% | 114 | \$950 | WK | | \$0 |
| 80108 | LABORERS | BY TRADES | \$0.00 | 0.00% | 114 | \$0 | WK | | \$0 |
| 80109 | INDEPENDENT SURVEYOR | REIMBURSABLE | | | 12 | \$1,000 | DAY | | \$12,000 |
| 80110 | TEMPORARY CLERICAL | NOT APPLICABLE | \$37.50 | 0.00% | 114 | \$1,500 | WK | | \$0 |
| TOTAL ON-SITE STAFF | | | | | | | | | \$243,429 |
| TRAVEL & LODGING | | | | | | | | | |
| 80151 | STAFF TRAVEL - OUT CITY | REIMBURSABLE | | | 10,000 | 0.31 | MILES | | \$3,100 |
| 80152 | STAFF TRAVEL - IN CITY | INCLUDED | | | | | | | \$0 |
| 80153 | ON-SITE PROJ. MGRS. TRANSPORT | INCLUDED | | | | | | | \$0 |
| 80154 | SUPERINTENDENT TRANSPORT | INCLUDED | | | | | | | \$0 |
| 80155 | ENGINEERS TRANSPORT | INCLUDED | | | | | | | \$0 |
| 80156 | PROJ. STF. RELOCATE EXP. | NOT APPLICABLE | | | | | | | \$0 |
| 80157 | PROJECT STAFF SUBSISTENCE COST | NOT APPLICABLE | | | | | | | \$0 |
| TOTAL TRAVEL AND LODGING | | | | | | | | | \$3,100 |
| TEMPORARY FACILITIES | | | | | | | | | |
| 80201 | SAFETY EQUIPMENT | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80202 | FIRST AID SUPPLIES | INCLUDED | | 100.00% | 26 | \$150 | MO | | \$3,950 |
| 80203 | HANDRAILS AND TOEBOARDS | BY TRADES | | 0.00% | 0 | \$0 | LF | | \$0 |
| 80204 | SAFETY PROTECTION | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80205 | FIRE EXTINGUISHERS | INCLUDED | | 100.00% | 8 | \$50 | EA. | | \$400 |
| 80206 | WATCHMAN SERVICE | NOT APPLICABLE | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80207 | OFFICE TRAILER RENTAL | INCLUDED | | 100.00% | 26 | \$450 | MO | | \$11,877 |
| 80207 | OFFICE TRAILER SET UP | INCLUDED | | 100.00% | 2 | \$275 | EA. | | \$550 |
| 80208 | STORAGE TRAILER RENTAL | REIMBURSABLE | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80209 | WATER COOLER | INCLUDED | | 100.00% | 26 | \$35 | MO | | \$924 |
| 80210 | TEMPORARY TOILETS | INCLUDED | | 200.00% | 26 | \$200 | MO | | \$10,558 |
| 80211 | TEMPORARY STAIRS | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80212 | TEMPORARY ENCLOSURES | BY TRADES | | 0.00% | 0 | \$0 | SF | | \$0 |
| 80213 | PROJECT SIGNS | INCLUDED | | 100.00% | 1 | \$3,000 | EA. | | \$3,000 |
| 80214 | BULLETIN BOARDS | REIMBURSABLE | | 0.00% | 0 | \$0 | EA. | | \$0 |
| 80215 | TEMPORARY FENCING | BY TRADES | | 0.00% | 0 | \$0 | LF | | \$0 |
| 80216 | COVERED WALKWAYS | BY TRADES | | 0.00% | 0 | \$0 | LF | | \$0 |
| 80217 | BARRICADES | BY TRADES | | 0.00% | 0 | \$0 | LF | | \$0 |
| 80218 | SAFETY NETS | BY TRADES | | 0.00% | 0 | \$0 | LF | | \$0 |
| 80219 | SECURITY GUARD | REIMBURSABLE | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80220 | WEATHER PROTECTION | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80221 | WINTER CONDITIONS | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80222 | POSTAGE | REIMBURSABLE | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80233 | FAX | | | 100.00% | 26 | \$50 | MO | | \$1,320 |
| 80234 | COPY MACHINE | | | 100.00% | 26 | \$300 | MO | | \$7,918 |
| 80235 | OFFICE EQUIPMENT | | | 100.00% | 26 | \$25 | MO | | \$660 |
| 80236 | OFFICE EQUIP. RENTAL | | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80244 | OFFICE SUPPLIES | | | 100.00% | 26 | \$75 | MO | | \$1,980 |
| 80245 | COMPUTER LEASING | SUPT. | | 100.00% | 26 | \$350 | MO | | \$9,238 |
| 80245 | FIELD OFFICE MISC. | | | 0.00% | 0 | \$0 | MO | | \$0 |
| TOTAL TEMPORARY FACILITIES | | | | | | | | | \$52,383 |
| TEMPORARY UTILITIES & SERVICE | | | | | | | | | |
| 80251 | TELEPHONE EXPENSE MOBIL | INCLUDED | | 100.00% | 26 | \$400 | MO | | \$10,558 |
| 80251 | TELEPHONE EXPENSE FIELD OFFICE | INCLUDED | | 100.00% | 26 | \$600 | MO | | \$15,836 |
| 80252 | TEMPORARY POWER SERVICE | BY TRADES | | 0.00% | 0 | \$0 | LS | | \$0 |
| 80253 | POWER EXPENSE | BY OWNER | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80254 | TEMPORARY WATER SERVICE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | | \$0 |
| 80255 | TEMPORARY GAS SERVICE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | | \$0 |
| 80256 | TEMPORARY HEATING SERVICE | BY TRADES | | 0.00% | 0 | \$0 | EA. | | \$0 |
| 80257 | HEATING EXPENSE | BY OWNER | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80258 | TEMPORARY LIGHTING AND POWER | BY TRADES | | 0.00% | 0 | \$0 | MO | | \$0 |
| 80259 | LIGHTING AND POWER EXPENSE | BY OWNER | | 0.00% | 26 | \$0 | MO | | \$0 |

| PROJECT | | FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION | | | | EST NO: | | |
|--|------------------------------|---|-------------|------------|----------|---------------------|------|----------|
| OWNER: | | CITY OF TROY | | | | TIME: 11:14 AM | | |
| LOCATION: | | TROY | | | | DATE: 7/23/01 | | |
| BID TO: | | CITY OF TROY | | | | BUDGET \$10,009,846 | | |
| BID DATE: | | 7-23-01 @ 2:00PM | | | | DURATION 800 | | |
| | | | | | | 26 MONTHS | | |
| | | | | | | 114 WEEKS | | |
| CODE | WORK ITEM | NOTES | HOURLY RATE | PERCENTAGE | QUANTITY | RATE | UNIT | TOTAL |
| 80260 | GENERAL CLEAN UP | SEE LABORERS | | 0.00% | 0 | \$0 | MO | \$0 |
| 80261 | FINAL CLEAN UP | INCLUDED | | 100.00% | 70,400 | \$0.30 | SF | \$21,120 |
| 80262 | DEBRIS HAULING / REMOVAL | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80263 | JANITORIAL | REIMBURSABLE | | 0.00% | 0 | \$0 | WK | \$0 |
| 80264 | TEMPORARY ROAD INSTALLATION | BY TRADES | | 0.00% | 0 | \$0 | SF | \$0 |
| 80264 | TEMPORARY ROAD MAINTENANCE | BY TRADES | | 0.00% | 0 | \$0 | SF | \$0 |
| 80265 | SNOW REMOVAL | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80266 | DUST CONTROL | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80267 | TEMPORARY SEWER EXPENSE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80268 | TWO WAY RADIO | NOT APPLICABLE | | 0.00% | 0 | \$0 | MO | \$0 |
| 80269 | TRASH CHUTE | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80270 | WINDOW CLEANING | INCLUDED | | 100.00% | 1 | \$2,000 | LS | \$2,000 |
| TOTAL TEMPORARY UTILITIES & SERVICE | | | | | | | | \$49,514 |
| ON-SITE EQUIPMENT | | | | | | | | \$0 |
| 80301 | AUTOMOBILE AND FUEL | NOT APPLICABLE | | 0.00% | 0 | \$0 | MO | \$0 |
| 80302 | STAKE TRUCK AND FUEL | NOT APPLICABLE | | 0.00% | 0 | \$0 | MO | \$0 |
| 80303 | TEAMSTER | NOT APPLICABLE | | 0.00% | 0 | \$0 | WK | \$0 |
| 80304 | AIR COMPRESSOR AND FUEL | NOT APPLICABLE | | 0.00% | 0 | \$0 | WK | \$0 |
| 80305 | GENERATOR AND FUEL | NOT APPLICABLE | | 0.00% | 0 | \$0 | WK | \$0 |
| 80306 | TIRES AND MAINTENANCE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80307 | MILEAGE REIMBURSEMENT | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80308 | EQUIPMENT RENTAL | NOT APPLICABLE | | 0.00% | 0 | \$0 | WK | \$0 |
| TOTAL ON-SITE EQUIPMENT | | | | | | | | \$0 |
| VERTICAL HOISTING | | | | | | | | \$0 |
| 80351 | HOIST AND TOWER CRANE | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80352 | HOIST OPERATOR | BY TRADES | | 0.00% | 0 | \$0 | WK | \$0 |
| 80351 | ELEVATOR PROTECTION | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80352 | ELEVATOR OPERATOR | BY TRADES | | 0.00% | 0 | \$0 | WK | \$0 |
| 80353 | CRANE RENTAL | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80354 | CRANE OPERATORS | BY TRADES | | 0.00% | 0 | \$0 | WK | \$0 |
| 80355 | FORKLIFT RENTAL | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80356 | FORKLIFT OPERATORS | BY TRADES | | 0.00% | 0 | \$0 | WK | \$0 |
| TOTAL VERTICAL HOISTING | | | | | | | | \$0 |
| REPRODUCTION AND PRINTING | | | | | | | | \$0 |
| 80451 | BID PACKAGE DOCUMENTS | BY ARCHITECT | | 100.00% | 0 | \$0 | EA. | \$0 |
| 80452 | BIDDING INSTRUCTIONS | ALLOW | | 0.00% | 100 | \$100 | EA. | \$10,000 |
| 80453 | CONSTRUCTION DOCUMENTS | BY ARCHITECT | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80454 | POSTAGE | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80455 | AS-BUILT-DRAFTING | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80456 | AS-BUILT-PRINTING | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80457 | REFERENCE MATERIALS | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80458 | JOB SITE DUPLICATION | INCLUDED | | 0.00% | 0 | \$0 | MO | \$0 |
| 80459 | SHOP DRAWING PRINTING | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80461 | MAINTENANCE MANUALS | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80462 | OPERATION MANUALS | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |
| TOTAL REPRODUCTION AND PRINTING | | | | | | | | \$10,000 |
| QUALITY CONTROL AND TESTING | | | | | | | | \$0 |
| 80501 | SPECIAL INSPECTION | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| | DRUG TESTING | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80502 | SPECIAL TESTING | REIMBURSABLE | | 0.00% | 1 | \$0 | LS | \$0 |
| 80503 | CONCRETE TESTING | REIMBURSABLE ADD COST | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80504 | MASONRY TESTING | REIMBURSABLE ADD COST | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80505 | COMPACTION TESTING | REIMBURSABLE ADD COST | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80506 | SOILS INVESTIGATION | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80507 | SPECIAL TESTING SERVICES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80508 | PROJECT PHOTOGRAPHS | REIMBURSABLE | | 0.00% | 26 | \$300 | EA. | \$7,918 |
| 80509 | WARRANTY INSPECTIONS | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80510 | AIR AND WATER BALANCING | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| TOTAL QUALITY CONTROL AND TESTING | | | | | | | | \$7,918 |
| PERMITS AND SPECIAL FEES | | | | | | | | \$0 |
| 80551 | GRADING PERMIT | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80552 | PARKING LOT RENTAL | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80553 | EMPLOYEE PARKING FEES | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80554 | CURB AND GUTTER PERMITS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80555 | SIGN PERMITS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80556 | STAKING FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80557 | SIDEWALK PERMITS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80558 | LANDSCAPE PERMITS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80559 | STREET / CURB DESIGN CHARGE | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80560 | GENERAL BUILDING PERMIT | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80561 | TRADE PERMITS | BY TRADES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80562 | PLAN REVIEW FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80563 | WATER CONNECTION FEE | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80564 | SANITARY CONNECTION FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80565 | STORM CONNECTION FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80566 | GAS SERVICE FEE | REIMBURSABLE | | 0.00% | 0 | \$6 | LF | \$0 |
| 80567 | POWER SERVICE FEE | REIMBURSABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80568 | STEAM SERVICE FEE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80569 | CHILLED WATER SERVICE CHARGE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80570 | SPECIAL TAP FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80571 | CONTRACTOR'S LICENSES | INCLUDED | | 0.00% | 0 | \$0 | EA. | \$0 |

| PROJECT | | FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION | | | | EST NO: | | |
|-----------|--------------------------------|---|-------------|------------|------------|---------------------|------|-----------|
| OWNER: | | CITY OF TROY | | | | TIME: 11:14 AM | | |
| LOCATION: | | TROY | | | | DATE: 7/23/01 | | |
| BID TO: | | CITY OF TROY | | | | BUDGET \$10,009,846 | | |
| BID DATE: | | 7-23-01 @ 2:00PM | | | | DURATION 800 | | |
| | | | | | | 26 MONTHS | | |
| | | | | | | 114 WEEKS | | |
| CODE | WORK ITEM | NOTES | HOURLY RATE | PERCENTAGE | QUANTITY | RATE | UNIT | TOTAL |
| 80572 | ZONING FEES / CONSULTANTS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| | TOTAL PERMITS AND SPECIAL FEES | | | | | | | \$0 |
| | INSURANCE AND BONDS | | | | | | | \$0 |
| 80601 | BUILDERS RISK INSURANCE | ADD COST | | 0.00% | 10,009,846 | 0.000 | M | \$0 |
| | OWNERS PROTECTIVE INSURANCE | BY OWNER | | 0.00% | 0 | 0.000 | M | \$0 |
| 80602 | GENERAL LIABILITY | SEE PROPOSAL | | 0.00% | 10,009,846 | 0.00% | EA. | \$0 |
| 80603 | WORKMEN'S COMPENSATION | INCLUDED IN PERSONAL RATES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80604 | FICA INSURANCE | INCLUDED IN PERSONAL RATES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80605 | FEDERAL UNEMPLOYMENT | INCLUDED IN PERSONAL RATES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80606 | STATE UNEMPLOYMENT | INCLUDED IN PERSONAL RATES | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80607 | PERFORMANCE PAYMENT BOND | ADD COST | | 0.00% | 10,009,846 | 0.00% | EA. | \$0 |
| 80608 | STREET / PROPERTY BOND | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80609 | STATE / LOCAL BONDS | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80610 | SUB-CONTRACTOR BONDS | REIMBURSABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80611 | WARRANTEE BOND COST | REIMBURSABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| | TOTAL INSURANCE AND BONDS | | | | | | | \$0 |
| | OTHER COST | | | | | | | \$0 |
| 80651 | PROJECT TAXES | REIMBURSABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80652 | PRELIMINARY SOIL INVESTIGATION | BY A/E | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80653 | GC MISC. | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80654 | ENTERTAINMENT | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80655 | BUILDING SUPPLIES | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80656 | SMALL TOOLS | BY TRADES | | 0.00% | 0 | \$0 | MO | \$0 |
| 80657 | CORP. DEVELOPMENT IMAGE | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| | TOTAL OTHER COST | | | | | | | \$0 |
| | ARCHITECTURAL SERVICES | | | | | | | \$0 |
| 80710 | DESIGN FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80720 | ENGINEERING FEES | BY OWNER | | 0.00% | 0 | \$0 | EA. | \$0 |
| 80999 | CONVERSION COST | NOT APPLICABLE | | 0.00% | 0 | \$0 | EA. | \$0 |
| | TOTAL ARCHITECTURAL SERVICES | | | | | | | \$0 |
| | STAFF ESCALATION | NOTES | | | | | | \$0 |
| | HOME OFFICE | | 4.50% | | 1 | \$220,175 | \$ | \$9,908 |
| | ON - SITE STAFF | | 4.50% | | 1 | \$243,429 | \$ | \$10,954 |
| | OTHER ITEMS | | 4.50% | | 1 | \$122,915 | \$ | \$5,531 |
| | TOTAL STAFF ESCALATION | | | | | | | \$26,393 |
| | TOTAL GENERAL CONDITIONS | | | PER MONTH | | \$23,222 | | \$612,912 |

CITY OF TROY
FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

PRECONSTRUCTION SERVICES FROM 6-13-2000 TO 9-8-2000

| | MEETINGS OR ITEMS | PREP HOURS | MEETING HOURS | TOTAL | EST. HOURS | PM HOURS | SUPT. HOURS | PE HOURS | AA HOURS |
|---------------------------------|-------------------------|---------------|------------------|-------|---------------|-------------|----------------|-------------|-------------|
| A 1 DESIGN TO BUDGET | 2 | 2 | 2 | 8 | 24 | 4 | 0 | 16 | 0 |
| A 2 PHASING AND COSTRUCTABILITY | 1 | 2 | 2 | 4 | 8 | 4 | 4 | 8 | 1 |
| A 3 VALUE ENGINEERING | INCLUDED WITH ESTIMATES | | | | | | | | |
| A 4 COST ESTIMATES | | | | | | | | | |
| SD | 1 | 16 | 2 | 18 | 32 | 4 | 2 | 16 | 2 |
| DD | 1 | 8 | 2 | 10 | 24 | 4 | 2 | 16 | 2 |
| 50 % CD | 1 | 8 | 2 | 10 | 24 | 4 | 2 | 16 | 2 |
| 90 % CD | 1 | 8 | 2 | 10 | 24 | 4 | 2 | 16 | 2 |
| A 5 SCHEDULING | 1 | 2 | 2 | 4 | 0 | 2 | 4 | 0 | 0 |
| BIDDING PHASE | | | | | | | | | |
| B 1 DEVELOP BIDDER INTEREST | 1 | 8 | 0 | 8 | 8 | 4 | 0 | 0 | 4 |
| B 2 DEVELOP PROPOSAL FORMS | 1 | 4 | 0 | 4 | 4 | 4 | 0 | 0 | 4 |
| WRITE WORK SCOPES | 40 | 0.5 | 0 | 20 | 20 | 4 | 4 | 4 | 4 |
| B 3 PRE BID MEETING | 1 | 2 | 4 | 6 | 6 | 6 | 4 | 4 | 6 |
| B 4 EVALUATE BIDS | 120 | 0.25 | 4 | 34 | 34 | 34 | 0 | 0 | 0 |

**CITY OF TROY
FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION**

| | | | | | | | | | |
|--------------------------------|-----------|------------|----------|-----------|-----------|-----------|-----------|-----------|----------|
| B 5 POST BID INTERVIEWS | 20 | 0.5 | 1 | 10 | 10 | 10 | 10 | 10 | 0 |
|--------------------------------|-----------|------------|----------|-----------|-----------|-----------|-----------|-----------|----------|

| | | | | | | | | | |
|------------------------|-----------|------------|----------|-----------|--|--|--|--|--|
| B 6 MAKE AWARDS | 40 | 0.5 | 1 | 60 | INCLUDED IN POST BID INTERVIEWS | | | | |
|------------------------|-----------|------------|----------|-----------|--|--|--|--|--|

| | | | | | | | | | |
|--|-----------|------------|----------|-----------|----------|-----------|----------|----------|-----------|
| B7 PREPARE AND REVIEW CONTRACTS | 40 | 0.5 | 0 | 20 | 0 | 20 | 0 | 0 | 10 |
|--|-----------|------------|----------|-----------|----------|-----------|----------|----------|-----------|

| | | | | | | | | | |
|------------------------|----------|-----------|----------|-----------|-----------|-----------|----------|-----------|----------|
| B 8 PREPARE GMP | 1 | 16 | 4 | 20 | 80 | 12 | 0 | 40 | 0 |
|------------------------|----------|-----------|----------|-----------|-----------|-----------|----------|-----------|----------|

SUMMARY

| | | | | | | | | | |
|--------------------|--|--|--|--|------------|------------|-----------|------------|-----------|
| TOTAL HOURS | | | | | 298 | 120 | 34 | 146 | 37 |
|--------------------|--|--|--|--|------------|------------|-----------|------------|-----------|

| | | | | | | | | | |
|---------------------|--|--|--|--|----------------|----------------|----------------|----------------|----------------|
| BILLING RATE | | | | | \$57.50 | \$64.00 | \$50.63 | \$35.00 | \$23.75 |
|---------------------|--|--|--|--|----------------|----------------|----------------|----------------|----------------|

| | | | | | | | | | |
|-------------------|--|--|--|--|-----------------|----------------|----------------|----------------|--------------|
| SUB TOTALS | | | | | \$17,135 | \$7,680 | \$1,721 | \$5,110 | \$879 |
|-------------------|--|--|--|--|-----------------|----------------|----------------|----------------|--------------|

| | | | | | | | | | |
|---|--|--|--|--|-----------------|--|--|--|--|
| PRECONSTRUCTION SERVICES STAFF COSTS | | | | | \$32,525 | | | | |
|---|--|--|--|--|-----------------|--|--|--|--|

| | | | | | | | | | |
|--|--|--|--|--|-----------------|--|--|--|--|
| PRECONSTRUCTION SERVICES REIMBERSIBLE COSTS | | | | | \$12,500 | | | | |
|--|--|--|--|--|-----------------|--|--|--|--|

September 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Laura A. Fitzpatrick, Assistant to the City Manager

SUBJECT: Retirement Board Recommendation re: Retiree Healthcare Coverage

It has been two years since the last adjustment in the City's share of health care premiums for current retirees. When the adjustment was made it was agreed to have the administration review with City Council every two years, whether or not an adjustment is warranted, based on: rates and financial condition of the retirement plan.

- Over the past two years, the premiums for retiree health care benefits have increased an average of:
 - 13.87% for persons under age 65
 - 16.87% for persons over age 65(Figures used to compute the average: 2- person with a \$5 prescription drug rider)
- The Retirement Plan continues to be in excellent financial position at 117.2% funded.

On August 8, 2001 the Employees' Retirement System Board of Trustees passed a resolution recommending that City Council increase the City's share of retiree health care from \$350 per month to 3% per year of credited service or \$400 per month, whichever is greater.

The amortized increase in annual cost to the retirement system would amount to \$48,691.

It is our recommendation that the City's share of health care premiums for current retirees be increased from \$350 per month to 3% per year of credited service or \$400 per month, whichever is greater effective November 1, 2001.

RETIREMENT REQUESTS

Resolution # 01-30

Moved by Pallotta

Seconded by Crawford

RESOLVED, that the non-duty disability retirement request of John W. Bulman, 8/8/01, be approved.

Yeas: All 6

Absent: Halsey

Resolution # 01-31

Moved by Pallotta

Seconded by Crawford

RESOLVED, that the deferred retirements of Douglas MacFarlane, 1/4/01, and Catherine Renaud, 8/5/01, be approved.

Yeas: All 6

Absent: Halsey

OTHER BUSINESS

Retiree Healthcare Issues

Resolution # 01-32

Moved by Pallotta

Seconded by Calice

RESOLVED, that the Board recommend City Council approve adjusting the current city share of retiree health care to 3% per year of credited service or \$400 per month, whichever is greater.

Yeas: All 6

Absent: Halsey

August 31, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K Anderson, Park and Recreation Director
William S. Nelson, Fire Chief
William R. Need, Public Works Director

Re: Bid Waiver: Extension Of Contract –
Parking Lot Maintenance

RECOMMENDATION

On April 9, 2001, Troy City Council approved a contract to provide Parking Lot Maintenance to the low bidder, Asphalt Specialists, Inc. (Council Resolution #2001-04-188-E-16). The Public Works Department recommends extending the contract for parking lot maintenance for one additional year at an estimated total cost of \$101,206.00. As per attached letter, Asphalt Specialists Inc. has agreed to the extension through June 30, 2002, under the same pricing terms and conditions as the original service contract as follows for Flynn Park, Fire Station #4 and Raintree Park:

| ITEM | DESCRIPTION | UNITE PRICE |
|-------------|--|--------------------|
| 1 | Crack and Joint Sealing | \$ 0.53/l.f. |
| 2 | Seal Coat | \$ 0.35/s.y. |
| 3 | Stripping | \$ 0.08/l.f. |
| 4 | Handicapped Parking Space & Logo | \$ 9.50 ea. |
| 5 | Butt Joint 6' wide | \$ 9.00 ea. |
| 6 | Hand Patch | \$ 45.00/Ton |
| 7 | 1 ½" Bituminous Mix # 1100T, 20AA Wearing Course | \$ 39.10/Ton |
| 8 | Remove Asphalt Pavement and Base, Material to depth 6" | \$ 3.34/s.y. |
| 9 | 21AA Base Repair | \$ 9.80/Ton |
| 10 | 4" Bituminous Mix # 1100 L, 20 AA leveling Course | \$ 38.10/Ton |
| 11 | 2" Bituminous Mix # 1100 T, 20 AA leveling Course | \$ 44.45/Ton |
| 12 | Stripping 4" yellow new pavement marking | \$ 0.19/ l. f |
| 13 | Handicapped Parking Space & Logo for new pavement | \$12 ea. |
| 14 | Traffic Control | Included |

To: The Honorable Mayor and City Council
Re: Bid Waiver – Extension of Contract – Parking Lot Maintenance

RECOMMENDATION (cont'd)

Due to changes in the scope of work, which utilizes a different application process, some additional items will be required at Raintree Park, and are priced as follows--

| | | |
|----|--|----------------|
| 15 | Remove Asphalt Pavement and Base, Material to depth 3" | \$ 1.65 /S. Y. |
| 16 | 1 ½" Bituminous Mix # 1100 L, 20AA Leveling Course | \$ 41.00 / Ton |
| 17 | 1 ½" Bituminous Mix # 1100 T, 20AA Wearing Course | \$ 42.30 / Ton |

BACKGROUND

Asphalt Specialists Inc. has agreed to the contract price initially bid on March 9, 2001. Asphalt Specialists Inc. has agreed to extend the contract for one (1) additional year. The quality and service provided by Asphalt Specialists Inc. meets or exceeds the bid specifications.

BUDGET

Funds are available from the Public Works capital outlay land improvements – Parking lot maintenance # 401464.7974.165.

Task (1): Fire Station # 4

| ITEM | DESCRIPTION | ESTIMATED QUANTITY | UNIT PRICE | EXTENSION |
|------|--|--------------------|------------|-----------------|
| | Remove Asphalt Pavement and Base Material to Depth of 6" | 2524 S.Y | 3.34 | 8430.16 |
| | 21 AA base Repair | 50 Ton | 9.80 | 490.00 |
| | 4" Bituminous Mix No. 1100L, 20AA Leveling Course | 556 Ton | 38.10 | 21183.60 |
| | 2 "Bituminous Mix No. 1100T, 20AA Wearing Course | 277 Ton | 44.45 | 12312.65 |
| | Stripping | 900 L.F | .19 | 171.00 |
| | Handicapped Parking Space & Logo (blue) | 2 Each | 12.00 | 24.00 |
| | Traffic Maintenance Control | Included | Included | |
| | ESTIMATED TOTAL | | | 42611.41 |

Task (2): Flynn Park

| ITEM | DESCRIPTION | ESTIMATED QUANTITY | UNIT PRICE | EXTENSION |
|------|---|--------------------|------------|-----------------|
| | Crack & Joint Sealing | 21,627 L.F | .53 | 11462.31 |
| | Seal coat | 17,669 S.Y | .35 | 6184.15 |
| | Stripping | 4300 L.F | .08 | 344.00 |
| | Handicapped Parking Space & Logo (blue) | 7 Each | 9.50 | 66.50 |
| | Traffic Maintenance Control | Included | Included | |
| | ESTIMATED TOTAL | | | 18056.96 |

Task (3) Raintree Park

| ITEM | DESCRIPTION | ESTIMATED QUANTITY | UNIT PRICE | EXTENSION |
|------|--|--------------------|------------|-----------------|
| | Remove Asphalt Pavement 3" Depth | 4,308 S.Y. | 1.65 | 7108.20 |
| | 1½" Bituminous Mix No. 1100L, 20AA Leveling Course | 355 Ton | 41.00 | 14555 |
| | 1½" Bituminous Mix No. 1100T, 20AA Wearing Course | 355 Ton | 42.30 | 15016.50 |
| | Crack & Joint Sealing | 5,000 L. F | .53 | 2650.00 |
| | Seal coat | 2,816 S.Y | .35 | 985.60 |
| | Stripping | 2,185 L.F | .08 | 174.80 |
| | Handicapped Parking Space & Logo (blue) | 5 Each | 9.50 | 47.50 |
| | Traffic Maintenance Control | Included | Included | |
| | ESTIMATED TOTAL | | | 40537.60 |

ESTIMATED GRAND TOTAL

\$101,205.97

E-16 Standard Purchasing Resolution 1: Award to Low Bidders – Parking Lot Maintenance

Resolution #2001-04-188-E-16

RESOLVED, That a contract to provide Parking Lot Maintenance is hereby awarded to the low bidder, Asphalt Specialists, Inc., at unit prices contained in the bid tabulation opened March 9, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$127,280.76.

BE IT FURTHER RESOLVED, That the award is contingent upon the contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements, and if changes in the quantity of work is required either additive or deductive, such changes are authorized in an amount not to exceed 25% of the total project cost.

March 30, 2001

CITY OF TROY

2001 APR -3 A 11:31

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager 
Gary A. Shripka, Assistant City Manager/Services 
Jeanette Bennett, Purchasing Director 
William R. Need, Public Works Director 

CITY MANAGER'S OFFICE

RE: Standard Purchasing Resolution 1: Award To Low Bidder –
Parking Lot Maintenance

RECOMMENDATION:

Bids were received for Parking Lot Maintenance on March 9, 2001. The Public Works Department recommends awarding the contract to the low bidder, Asphalt Specialists Inc., at an estimated total cost of \$127,280.76, which includes the original proposal amount of \$111,711.76 plus \$15,569.00 to add Brinston and Firefighters Parks, at unit prices contained in the bid tabulation opened 3/9/01.

In addition, staff requests authorization to change the quantity of work either additive or deductive at unit prices contained in the attached bid tabulation, not to exceed 25% of the total project cost.

The award is contingent upon the recommended bidder submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements. Due to bonding requirements, the program was bid on a low total award basis.

BUDGET:

Funds are available in the Capital Accounts for Public Works Construction Municipal Parking Lot Maintenance and Fire Station 6, Building and Repairs.

31 Bids Sent
5 Bids Rec'd

Prepared by: Marina Basta, Project Manager

E-16

| | | | | | |
|--------------------------|--|---------------------------------|--|----------------|--|
| Opening Date -- 3/9/01 | | CITY OF TROY | | SBP 01-18 | |
| Date Prepared -- 3/30/01 | | BID TABULATION | | Pg 1 of 4 | |
| | | PARKING LOT MAINTENANCE PROGRAM | | | |
| VENDOR NAME: | | ** ASPHALT | | MICHIGAN JOINT | |
| | | SPECIALIST INC | | SEALING INC | |
| Check number | | 386057134 | | 306910989 | |
| Check amount | | \$ 2,500.00 | | \$ 2,500.00 | |
| | | | | 591414282 | |
| | | | | \$ 2,500.00 | |

Proposal: To complete the City of Troy Parking Lot Maintenance Program for Public Works, Aquatic Ctr, Boulan Park, Beach Road, Jay Cee Park, & Fire Station #6.

| Task 1 Public Works | | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|------------------------------|--|-----------|------------|--------------|------------|--------------|------------|--------------|
| Butt Joint 6' Wide | | 240 L.F | \$ 9.00 | \$ 2,160.00 | \$ 7.00 | \$ 1,680.00 | \$ 10.00 | \$ 2,400.00 |
| Hand Patching -If Required | | 36 Ton | \$ 45.00 | \$ 1,620.00 | \$ 70.00 | \$ 2,520.00 | \$ 100.00 | \$ 3,600.00 |
| 1 1/2" Bituminous Mix #1100T | | 720 Ton | \$ 39.10 | \$ 28,152.00 | \$ 39.00 | \$ 28,080.00 | \$ 42.00 | \$ 30,240.00 |
| Stripping | | 3,108 L.F | \$ 0.12 | \$ 372.96 | \$ 0.11 | \$ 341.88 | \$ 0.13 | \$ 404.04 |
| Handicapped Parking Space | | 6 each | \$ 12.00 | \$ 72.00 | \$ 17.50 | \$ 105.00 | \$ 6.00 | \$ 36.00 |
| Traffic Maintenance Control | | Included | Included | | Included | | Included | |
| Total | | | | \$ 32,376.96 | \$ | \$ 32,726.88 | \$ | \$ 36,680.04 |

| Task 2 Aquatic Center | | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|-----------------------------|--|------------|------------|--------------|------------|--------------|------------|--------------|
| Crack & Joint Sealing | | 17,326 L.F | \$ 0.53 | \$ 9,182.78 | \$ 0.56 | \$ 9,702.56 | \$ 0.55 | \$ 9,529.30 |
| Seal Coat | | 12,032 S.Y | \$ 0.35 | \$ 4,211.20 | \$ 0.42 | \$ 5,053.44 | \$ 0.44 | \$ 5,294.08 |
| Stripping | | 5,564 L.F | \$ 0.08 | \$ 445.12 | \$ 0.12 | \$ 667.68 | \$ 0.13 | \$ 723.32 |
| Handicapped Parking Space | | 8 each | \$ 9.50 | \$ 76.00 | \$ 17.50 | \$ 140.00 | \$ 6.00 | \$ 48.00 |
| Traffic Maintenance Control | | Included | Included | | Included | | Included | |
| Total | | | | \$ 13,915.10 | \$ | \$ 15,563.68 | \$ | \$ 15,594.70 |

| Task 3 Boulan Park | | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|-----------------------------|--|------------|------------|--------------|------------|--------------|------------|--------------|
| Crack & Joint Sealing | | 17,263 L.F | \$ 0.53 | \$ 9,149.39 | \$ 0.56 | \$ 9,667.28 | \$ 0.55 | \$ 9,494.65 |
| Seal Coat | | 11,988 S.Y | \$ 0.35 | \$ 4,195.80 | \$ 0.42 | \$ 5,034.96 | \$ 0.44 | \$ 5,274.72 |
| Stripping | | 7,049 L.F | \$ 0.08 | \$ 563.92 | \$ 0.12 | \$ 845.88 | \$ 0.13 | \$ 916.37 |
| Handicapped Parking Space | | 3 each | \$ 9.50 | \$ 28.50 | \$ 17.50 | \$ 52.50 | \$ 6.00 | \$ 18.00 |
| Traffic Maintenance Control | | Included | Included | | Included | | Included | |
| Total | | | | \$ 13,937.61 | \$ | \$ 15,600.62 | \$ | \$ 15,703.74 |

| Task 4 Beach Road | | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|-----------------------------|--|-----------|------------|-------------|------------|-------------|------------|-------------|
| Crack & Joint Sealing | | 1,980 L.F | \$ 0.53 | \$ 1,049.40 | \$ 0.56 | \$ 1,108.80 | \$ 0.55 | \$ 1,089.00 |
| Seal Coat | | 1,375 S.Y | \$ 0.35 | \$ 481.25 | \$ 0.42 | \$ 577.50 | \$ 0.44 | \$ 605.00 |
| Stripping | | 685 L.F | \$ 0.25 | \$ 171.25 | \$ 0.12 | \$ 82.20 | \$ 0.13 | \$ 89.05 |
| Handicapped Parking Space | | 2 each | \$ 9.50 | \$ 19.00 | \$ 17.50 | \$ 35.00 | \$ 6.00 | \$ 12.00 |
| Traffic Maintenance Control | | Included | Included | | Included | | Included | |
| Total | | | | \$ 1,720.90 | \$ | \$ 1,803.50 | \$ | \$ 1,795.05 |

| Task 5 Jay Cee Park | | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|-----------------------------|--|------------|------------|--------------|------------|--------------|------------|--------------|
| Crack & Joint Sealing | | 19,048 L.F | \$ 0.53 | \$ 10,095.44 | \$ 0.56 | \$ 10,666.88 | \$ 0.55 | \$ 10,476.40 |
| Seal Coat | | 13,228 S.Y | \$ 0.35 | \$ 4,629.80 | \$ 0.42 | \$ 5,555.76 | \$ 0.44 | \$ 5,820.32 |
| Stripping | | 3,440 L.F | \$ 0.08 | \$ 275.20 | \$ 0.12 | \$ 412.80 | \$ 0.13 | \$ 447.20 |
| Handicapped Parking Space | | 3 each | \$ 9.50 | \$ 28.50 | \$ 17.50 | \$ 52.50 | \$ 6.00 | \$ 18.00 |
| Traffic Maintenance Control | | Included | Included | | Included | | Included | |
| Total | | | | \$ 15,028.94 | \$ | \$ 16,687.94 | \$ | \$ 16,761.92 |

| | | | | | | | | | |
|--------------------------|--|--|--|---------------------------------|--|-------------|--|-----------|--|
| | | | | CITY OF TROY | | | | SBP 01-18 | |
| Opening Date -- 3/9/01 | | | | BID TABULATION | | | | Pg 3 of 4 | |
| Date Prepared -- 3/30/01 | | | | PARKING LOT MAINTENANCE PROGRAM | | | | | |
| VENDOR NAME: | | | | DETROIT | | AJAX PAVING | | | |
| | | | | CONCRETE PRODUCTS | | INDUSTRIES | | | |
| Check number | | | | 327565258 | | 728023534 | | | |
| Check amount | | | | \$ 2,500.00 | | \$ 2,500.00 | | | |

Proposal: To complete the City of Troy Parking Lot Maintenance Program for Public Works, Aquatic Ctr, Boulan Park, Beach Road, Jay Cee Park, & Fire Station #6.

| Task | Description | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension |
|---------------|------------------------------|------------|------------|--------------|------------|--------------|------------|-----------|
| Task 1 | Public Works | | | | | | | |
| | Butt Joint 6' Wide | 240 L.F | \$ 8.55 | \$ 2,052.00 | \$ 7.50 | \$ 1,800.00 | | |
| | Hand Patching -If Required | 36 Ton | \$ 75.00 | \$ 2,700.00 | \$ 295.00 | \$ 10,620.00 | | |
| | 1 1/2" Bituminous Mix #1100T | 720 Ton | \$ 37.70 | \$ 27,144.00 | \$ 49.75 | \$ 35,820.00 | | |
| | Stripping | 3,108 L.F | \$ 0.11 | \$ 341.88 | \$ 0.12 | \$ 372.96 | | |
| | Handicapped Parking Space | 6 each | \$ 5.40 | \$ 32.40 | \$ 22.50 | \$ 135.00 | | |
| | Traffic Maintenance Control | Included | Included | \$ 600.00 | Included | | Included | |
| | Total | | \$ | \$ 32,870.28 | \$ | \$ 48,747.96 | \$ | |
| Task 2 | Aquatic Center | | | | | | | |
| | Crack & Joint Sealing | 17,326 L.F | \$ 0.56 | \$ 9,702.56 | \$ 0.65 | \$ 11,261.90 | | |
| | Seal Coat | 12,032 S.Y | \$ 0.45 | \$ 5,414.40 | \$ 0.52 | \$ 6,256.64 | | |
| | Stripping | 5,564 L.F | \$ 0.11 | \$ 612.04 | \$ 0.12 | \$ 667.68 | | |
| | Handicapped Parking Space | 8 each | \$ 5.40 | \$ 43.20 | \$ 22.50 | \$ 180.00 | | |
| | Traffic Maintenance Control | Included | Included | \$ 200.00 | Included | | Included | |
| | Total | | \$ | \$ 15,972.20 | \$ | \$ 18,366.22 | \$ | |
| Task 3 | Boulan Park | | | | | | | |
| | Crack & Joint Sealing | 17,263 L.F | \$ 0.56 | \$ 9,667.28 | \$ 0.67 | \$ 11,566.21 | | |
| | Seal Coat | 11,988 S.Y | \$ 0.45 | \$ 5,394.60 | \$ 0.53 | \$ 6,353.64 | | |
| | Stripping | 7,049 L.F | \$ 0.11 | \$ 775.39 | \$ 0.12 | \$ 845.88 | | |
| | Handicapped Parking Space | 3 each | \$ 5.40 | \$ 16.20 | \$ 22.50 | \$ 67.50 | | |
| | Traffic Maintenance Control | Included | Included | \$ 200.00 | Included | | Included | |
| | Total | | \$ | \$ 16,053.47 | \$ | \$ 18,833.23 | \$ | |
| Task 4 | Beach Road | | | | | | | |
| | Crack & Joint Sealing | 1,980 L.F | \$ 0.56 | \$ 1,108.80 | \$ 0.72 | \$ 1,425.60 | | |
| | Seal Coat | 1,375 S.Y | \$ 0.45 | \$ 618.75 | \$ 0.65 | \$ 893.75 | | |
| | Stripping | 685 L.F | \$ 0.11 | \$ 75.35 | \$ 0.16 | \$ 109.60 | | |
| | Handicapped Parking Space | 2 each | \$ 5.40 | \$ 10.80 | \$ 22.50 | \$ 45.00 | | |
| | Traffic Maintenance Control | Included | Included | \$ 200.00 | Included | | Included | |
| | Total | | \$ | \$ 2,013.70 | \$ | \$ 2,473.95 | \$ | |
| Task 5 | Jay Cee Park | | | | | | | |
| | Crack & Joint Sealing | 19,048 L.F | \$ 0.56 | \$ 10,666.88 | \$ 0.65 | \$ 12,381.20 | | |
| | Seal Coat | 13,228 S.Y | \$ 0.45 | \$ 5,952.60 | \$ 0.51 | \$ 6,746.28 | | |
| | Stripping | 3,440 L.F | \$ 0.11 | \$ 378.40 | \$ 0.13 | \$ 447.20 | | |
| | Handicapped Parking Space | 3 each | \$ 5.40 | \$ 16.20 | \$ 22.50 | \$ 67.50 | | |
| | Traffic Maintenance Control | Included | Included | \$ 200.00 | Included | | Included | |
| | Total | | \$ | \$ 17,214.08 | \$ | \$ 19,642.18 | \$ | |

| | | | | | | | | | |
|--------------------------------|--------------------------------|----------------|-------------------|---------------------------------|-------------------|------------------|-------------------|------------------|--|
| Opening Date -- 3/9/01 | | | | CITY OF TROY | | | | SBP 01-18 | |
| Date Prepared -- 3/30/01 | | | | BID TABULATION | | | | Pg 4 of 4 | |
| | | | | PARKING LOT MAINTENANCE PROGRAM | | | | | |
| VENDOR NAME: | | | | DETROIT | | AJAX PAVING | | | |
| | | | | CONCRETE PRODUCTS | | INDUSTRIES | | | |
| Task 6 | Fire Station #6 | Est Qty | Unit Price | Extension | Unit Price | Extension | Unit Price | Extension | |
| | Remove Asphalt Pavement | 2,030 S.Y | \$ 6.10 | \$ 12,383.00 | \$ 4.25 | \$ 8,627.50 | | | |
| | 21 AA Base Repair | 85 Ton | \$ 17.35 | \$ 1,474.75 | \$ 12.50 | \$ 1,062.50 | | | |
| | 4" Bituminous Mix #1100L | 447 Ton | \$ 34.40 | \$ 15,376.80 | \$ 51.00 | \$ 22,797.00 | | | |
| | 2" Bituminous Mix #1100T | 223 Ton | \$ 37.60 | \$ 8,384.80 | \$ 53.50 | \$ 11,930.50 | | | |
| | Stripping | 800 L.F | \$ 0.11 | \$ 88.00 | \$ 0.18 | \$ 144.00 | | | |
| | Handicapped Parking Space | 2 each | \$ 5.40 | \$ 10.80 | \$ 22.50 | \$ 45.00 | | | |
| | Traffic Maintenance Control | Included | Included | \$ 600.00 | Included | | Included | | |
| | | Total | \$ | \$ 38,318.15 | \$ | \$ 44,606.50 | \$ | | |
| | GRAND TOTAL (TASK 1-6): | | | \$122,441.88 | | \$152,670.04 | | | |
| Insurance: | Can Meet | | XX | | XX | | | | |
| | Cannot Meet | | | | | | | | |
| Completion Date: | | | JUNE 30, 2001 | | | | | | |
| | Can Meet | | XX | | XX | | | | |
| | Cannot Meet | | | | | | | | |
| Site Inspection: | Yes or No | | YES | | YES | | | | |
| | Date | | 3/8/01 | | 3/8/01 | | | | |
| Terms: | | | NET 30 DAYS | | PER SPECS | | | | |
| Warranty: | | | PER SPECS | | ONE YEAR | | | | |
| Exceptions: | | | BLANK | | BLANK | | | | |
| Bidder Questionnaire: | Returned filled | | XX | | XX | | | | |
| | Returned Unfilled | | | | | | | | |
| | Not returned | | | | | | | | |
| G:\Parking Lot Maint Prg 01-18 | | | | | | | | | |

City of Troy
Oakland County, Michigan
Contract Form

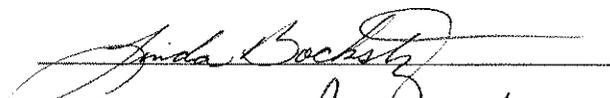
ARTICLES OF AGREEMENT, made and entered into this _____ day of _____,
200__, by and between _____
Name City, State

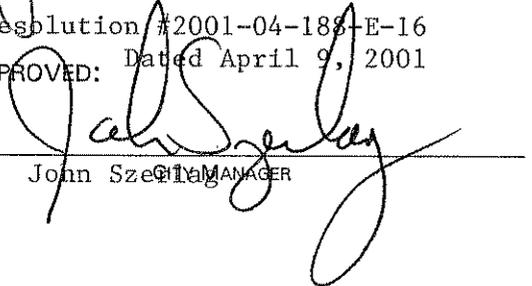
hereinafter called the Contractor and the City of Troy, Troy, Michigan, hereinafter call the Owner.

WITNESS, that the Contractor and the Owner, for the considerations hereinafter named, agree as follows:

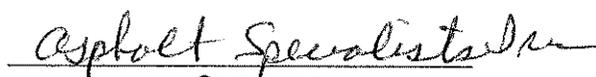
1. That all *Contract Documents* hereto attached or herein referred to, shall be and are hereby made a part of, the agreement and contract;
2. The Contractor shall, under penalty of bond attached, furnish all labor, materials and equipment necessary and perform all of the work as set forth in his *Proposal* in strict accordance with the drawings, specifications and other documents which have been made a part of this contract in the manner, time and place as therein set forth.
3. In consideration whereof, the Owner agrees to pay to the Contractor the amounts provided in the attached *Proposal*, being the product of the unit prices therein set forth, multiplied by the number of units actually constructed, all in the time and manner as set forth in the *Contract Documents*;
4. In witness whereof, said parties have hereunto set their hands and seals, the day and year first above written.

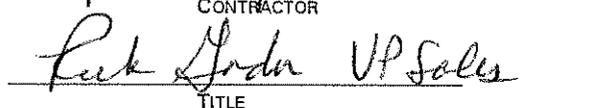
WITNESS:



Joanne Filchowski
Resolution #2001-04-188-E-16
APPROVED: Dated April 9, 2001


John Szecielny
CITY MANAGER

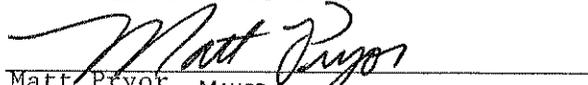


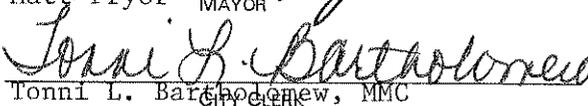
CONTRACTOR


Luk Jordan VP Sales
TITLE

The City of Troy
OWNER

APPROVED AS TO LEGALITY:



Matt Pryor MAYOR


Tonni L. Bartholomew, MMC
CITY CLERK



Acting
CITY ATTORNEY

| Mailing Name | Address Line 1 | Address Line 2 | City | ST | Postal Code |
|---------------------------------------|---------------------------|----------------|------------------|----|-------------|
| APOLLO COATINGS INC | 321 HICKORY | | TROY | MI | 48083-1621 |
| B & J PARKING LOT MAINTENANCE | 12207 INKSTER ROAD | | TAYLOR | MI | 48180 |
| B & V EXCAVATING | P O BOX 930029 | | WIXOM | MI | 48393 |
| BARNES & SWEENEY | 25265 TRANS-X RD | | NOVI | MI | 48375 |
| THE BOOMER CO | 1940 E FOREST AVE | | DETROIT | MI | 48207 |
| DURASEAL ASPHALT | 471 KENSINGTON #229 | | ROCHESTER HILLS | MI | 48307 |
| ERSCO CORP | 22800 W 8 MILE | | SOUTHFIELD | MI | 48034-4391 |
| FEDERAL PAVING INC | 2260 AUBURN ROAD | | AUBURN HILLS | MI | 48057 |
| HAYES EXCAVATING CO INC | 7191 EDWARD STREET | | DETROIT | MI | 48210 |
| HIGHWAY MAINTENANCE & CONSTRUCTION CO | P O BOX 74411 | | ROMULUS | MI | 48174-0411 |
| K & K ASPHALT | 53665 GRAND RIVER AVE | | NEW HUDSON | MI | 48165 |
| KNIGHT CONSTRUCTION COMPANY INC | 1931 AUSTIN | | TROY | MI | 48083 |
| LDS CONTRACTORS INC | 1717 CASS LAKE RD | | KEEGO HARBOR | MI | 48320 |
| MICHIGAN JOINT SEALING INC | 30301 NAVIN | | LIVONIA | MI | 48152 |
| C/O RON ALLOR | MYERS ASPHALT PAVIN | 115 WESTBOURNE | BLOOMFIELD HILLS | MI | 48301 |
| PETECO INC | 1007 N FOSTER | | LANSING | MI | 48912 |
| SCODELLER CONSTRUCTION | P O BOX 448 | | SOUTH LYON | MI | 48178 |
| THOMPSON ASPHALT PRODUCTS INC | 225 W GARFIELD | | COLDWATER | MI | 49036 |
| WALSH CONSTRUCTION COMPANY | 3011 W GRAND BLVD STE 466 | | DETROIT | MI | 48202 |

SBP 00-46 MUNICIPAL PARKING LOT MAINTENANCE

COMMODITY CODE: 913-75 PARKING LOT MAINTENANCE AND REPAIR

September 7, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Approval of Purchase Agreement
Christ Church Cranbrook
Proposed Park Development
Sidwell #88-20-02-451-010

On May 7, 2001, Council authorized management to obtain an appraisal of the property north of Square Lake and east of Atkins owned by Christ Church Cranbrook (see attached memo). An appraisal was completed and an agreement conditioned on Council approval has been reached with Christ Church Cranbrook to purchase the vacant parcel.

The potential value of the property is:

“The property acquisition would allow the City to extend the vertical park (now being assembled south of Square Lake) north of Square Lake. Long term, there may be some ability to work with Kensington Church and extend at least a trail system from this property northeasterly towards the Section 1 golf course and Flynn Park. Management’s recommendation would be to include this in the linear park that is being created south towards Jaycee Park and use bond monies to acquire this parcel”. (except from memo to Council dated May 2, 2001).

Based on a review of previous purchase agreements and an appraisal prepared by Jay Messer, from Integra Dean Appraisal Company, staff believes that the appraised value of \$230,000 is a justifiable value for this 6.46-acre parcel.

In order for the City to proceed with the acquisition of this parcel, staff requests that City Council approve the attached Purchase Agreement with Christ Church Cranbrook in the total amount of \$230,000, plus closing costs. This parcel would be acquired under the bond issue for open space and parkland.

cc: Carol Anderson, Director of Parks & Recreation

**REQUEST FOR APPROVAL OF PURCHASE AGREEMENT
CHRIST CHURCH CRANBROOK –
PROPOSED PARK DEVELOPMENT –
SIDWELL #88-20-02-451-010**

Resolution #2001-

RESOLVED, That the Agreement to Purchase between Christ Church Cranbrook and the City of Troy, having Sidwell #88-20-02-451-010, for the acquisition of property for a proposed Park Development, is hereby approved; and

BE IT FURTHER RESOLVED, That authorization is hereby granted to purchase property in the Agreement referenced above in the amount of \$230,000, plus closing costs.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – JUNE 6, 2001

The Chairman, Nancy Sura, called the meeting to order at 7:09 pm Wednesday, June 6, 2001.

Present: Leonard Bertin, member Nancy Sura, member
Angela J Done, member Dick Kuschinsky, member
Dorie House, member Nancy Johnson, member
John Rodgers, member Cynthia Buchanan, alt member
Jerry Ong, student rep Shreyas Patel, student rep
Mitch Grusnick, staff Mary McGinnis, staff

Absent: Phillip D’Anna, member Sharon Connelly, member
Mary Ann Butler, alt member Kul B Gauri, alt member

ITEM B – APPROVAL OF MINUTES OF MEETING OF May 2, 2001.

Motion by Bertin
Supported by Kuschinsky

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Jo Rhoads – Troy Medi-Go and Senior Advisory Committee
Annette Kingsbury – Troy Eccentric Newspaper

ITEM D – NEW BUSINESS

Nancy Sura explained the purpose of this Committee for new members and guests. She passed out a 1998 report prepared by this Committee titled New Troy Community/Civic Center.

Sura motioned the nomination of Leonard Bertin as chairperson and Angie Done as vice chairperson. Motion by Kuschinsky and supported by Rodgers to close nominations. All voted in favor of closing nominations and in support of Bertin for Chairperson and Done for Vice-Chairperson.

Sura highlighted accomplishments of this Committee during her leadership such as the appointment of a student representative and expanding the Committee to 12 members. This Committee has also helped identify some needs of the community with the Community Block Program, Medi-Go, and the design and function at the new Community Center.

Sura also stated that more cross communication between Committees has developed, and that having City Staff Representatives attend our meetings has been a wonderful addition.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – FINAL – JUNE 6, 2001

Bertin stated that he would like to see a specific place provided at the Library that the general public could use to obtain information on disability issues. Between Bertin and Johnson they have a lot of information or could suggest materials that could be useful, but it needs to be in a centralized place to be readily available.

ITEM E – REGULAR BUSINESS

Bertin suggested that since Carla Vaughan is the ADA representative for the City, that she should be invited to one of our meetings to explain what her duties are in this area.

Mitch Grusnick spoke to Mark Stimac, Director of Building and Zoning, about giving this Committee the opportunity to review the plans of improvements to City owned buildings. Mr. Stimac agreed to this idea and will send plans when they become available.

ITEM F – OLD BUSINESS

Bertin had a comment on the quality of service of the Home Chore Program. The service of lawn mowing is poor, the lawn is not cut on time, they do not complete weed whacking, his downspouts have been driven over with the mowers and there are gouges in the trees. Bertin suggested that someone from Bill Needs office should make some type of spot inspection to see if the quality of work is up to City's standards.

Bertin has talked to Carol Anderson from the Community Center concerning the accessibility of the Nature Center to persons with disabilities. Anderson has stated that she is amenable to purchasing a four-wheel outdoor scooter with 12" wheels for persons with disabilities to use on the trails.

Sura stated that she has taken over as teacher of the Adaptive Computer Club at the Community Center, Patel will be her assistant. The club has 8 kids at the present time and are hoping to eventually make it a drop in program.

ITEM G – INFORMATIONAL ITEMS

Jo Rhodes the founder of Troy Medi-Go and a member of the Advisory Committee for Senior Citizens was a guest at the meeting. Sura asked if there were unmet needs at Medi-Go? Rhodes stated that there are a few so Medi-Go has to prioritize at times. Cancer, radiation, dialyses and chemo patients are prioritized rides. Rhodes stated that Independence for Life is going to disband and has given Medi-Go their two vans, but stated that they still need two more vans, one with a lift.

ITEM H - ADJOURN

Motion was made to adjourn by Done and seconded by House. Meeting was adjourned at 9:14 p.m.

MG:mm

were discontinued and the Committee felt they should be reinstated and perhaps the surveys should be put in the box so no one can read the responses other than Parks and Recreation staff.

Following a suggestion, Jo Rhoads reported that she will try to do a survey about meals – the quality of food, level of attendance, price of meal, etc – and will report back in September.

Fees for Senior Programs: The Committee felt that more discussion is needed on this matter. Bill Weisgerber suggested that the Committee preview senior policy matters previous to public exposure and take a position on such matters.

OLHSA Committee: David Ogg reported that the meetings are very interesting and that they have an upcoming speaker on probate matters.

Health and Wellness Day: Merrill Dixon thanked those who helped out at this event.

New Business:

Committee for Persons with Disabilities: Jo Rhoads attended their last meeting. They discussed the possibility of putting an article in the senior newsletter regarding accessibility of programs. They are also concerned that seniors with disabilities may not be able to participate in programs with fees due to their limited income. Jo will talk to Carla about both of these matters. They also have concerns about the quality of the lawn mowing service for those on the home chore program.

Troy Daze: Most Committee members decided to again offer any help they could for Troy Daze – both for the seniors and for children with disabilities. Marie Hoag will follow up on these matters.

Other:

Nutrition Report: No report this month

The meeting was adjourned at 12:10 pm

Respectfully submitted,

Jo Rhoads
Acting Secretary

The Vice-Chairman, Fern Nelsen, called the meeting to order at 7:30 P.M., on Thursday, July 12, 2001.

PRESENT: David Cloyd
Margaret Gaffney
Fern Nelsen
Nancy Wheeler
Michael Gladysz (Student Representative)

STAFF: Brian Stoutenburg, Library Director

ABSENT: Lynne Gregory

ITEM # 1 APPROVAL OF MINUTES OF MEETING OF JUNE 21, 2001.

Motioned by Gaffney
Supported by Wheeler

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF JUNE 21, 2001 AS WRITTEN.

Motioned by Wheeler to excuse Mr. Gregory from this meeting as he was out of town.
Supported by Gaffney

Yeas: 4 — Ayes. Cloyd, Gaffney, Nelsen, Wheeler
Absent: 1 — Gregory

MOTION TO EXCUSE Mr. GREGORY CARRIED.

ITEM # 4 APPROVAL OF AGENDA.

Motioned by Cloyd to approve agenda.
Supported by Wheeler

Yeas: 4 — Ayes. Cloyd, Gaffney, Nelsen, Wheeler
Absent: 1 — Gregory

MOVED, TO APPROVE AGENDA CARRIED.

ITEM #5 ³/₄ POSTPONED ITEMS ³/₄ None.

ITEM #6 ¾ DISCUSSION OF SPACE REORGANIZATION. Waiting on two small change orders to be priced by the contractor. Furnishings have arrived.

ITEM #7 ¾ REPORT AND COMMUNICATIONS

Director's report. The Director's Reports are attached.

Board Member comments. Mr. Cloyd suggested that more catalog stations be installed.

Suburban Library Cooperative. The new automation system, SIRSI, has been installed and there are some problems and bugs to be worked on.

Friends of the Troy Public Library. The Friends continue with their success in raising money through the Bookstore and Gift Shop.

Monthly Reports (June). Circulation for the month of June compared with the same time period a year ago showed an increase of 12.6%. There was an increase in Patron Visits by 12.5%, and Program Attendance was up 33.2%. Figures for the fiscal year showed that Circulation of Materials was up 19.7% (854,887), Patron Visits up 9.3% (571,207), and Programming Attendance up 22.0% (20,130).

Staff Changes. New Employee: Heather Haack, Library Assistant
Resignations: None

Gifts. None

Informational Items. July TPL Calendar.

Contacts and Correspondence. Four written comments from the public were noted.

Public Participation. There was no public participation.

The Library Advisory Board meeting adjourned at 8:15 P.M.

Respectively submitted,

Brian Stoutenburg
Library Director

The meeting was called to order at 7:37 p.m. by James Moseley in Conference Room C.

| | | | |
|----------|---------------------------------------|---------|-------------------------------|
| PRESENT: | David Balagna | ABSENT: | Max Ehlert |
| | W. Stan Godlewski | | Thomas Sawyer |
| | James Moseley | | John Walker |
| | James Peard | | Jennifer Gilbert, Student Rep |
| | Sergeant George Zielinski | | |
| | Marsha Livingston, Office Coordinator | | |

Moved by Balagna, seconded by Peard, to EXCUSE the absent member(s).

APPROVED unanimously

Moved by Balagna, seconded by Godlewski, to APPROVE the minutes of the June 11, 2001 meeting as printed.

APPROVED unanimously

AGENDA ITEMS:

1. **CHC REIT LESSEE CORP. (A FLORIDA CORPORATION)** requests to drop GENCOM LESSEE, LIMITED PARTNERSHIP (A DELAWARE LIMITED PARTNERSHIP) and PATROY HOSPITALITY INVESTORS, LIMITED PARTNERSHIP (A VIRGINIA LIMITED PARTNERSHIP) as co-licensees and add CHC REIT MANAGEMENT CORPORATION (A FLORIDA CORPORATION) and MAR-TY, LLC (A DELAWARE LIMITED LIABILITY COMPANY) as co-licensees in 2000 B-Hotel licensed business with Dance-Entertainment Permit, Official Permit (Food), and 8 bars, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County, and requests a new SDM license. [MLCC REF#95266]

Present to answer questions from the committee was John Carlin.

Mr. Carlin distributed copies of the previous ownership chart and the current ownership chart to show the members. The previous owner, CHC Hotels & Resorts Corp, was bought out by Wyndham International, Inc. so the hotel became a subsidiary of Wyndham International, Inc. Then Patriot American Hospitality, Inc. merged with Wyndham International, Inc. and became a new subsidiary of Wyndham. The changes effected only this hotel and a hotel in Saginaw, Michigan. Basically, top management are the only people that know about this change in ownership.

There has been only one violation in July 2000, which ended up being dismissed. The violation was for Sale to Minor.

There will be no changes in the hotel, which will still be operated by Marriott. Upper management people have all stayed the same.

Moved by Balagna, seconded by Peard, to APPROVE the above request.

APPROVED unanimously

A discussion was held by members of the committee regarding sending a memo to City Council from the committee to limit liquor licenses (transfers/resorts).

Moved by Balagna, seconded by Godlewski, to APPROVE the above request.
APPROVED unanimously

Moved by Peard, seconded by Balagna, to ADJOURN the meeting at 7:54 p.m.
APPROVED unanimously

ML/ml

CALL TO ORDER: Chairman Harriet Barnard called the meeting to order at 7:30 p.m. in Conference Room C.

ROLL CALL:

PRESENT: Harriet Barnard
Leith Gallaher
Kathleen Melchert
Jayne Saeger

ABSENT: Warren Packard

ALSO PRESENT Dave Lambert, City Council
Lt. Charles Pappas
ACO Greg Latka
Suzanne Stroinski, Clerk-Typist

1. MISS KIMBERLY BULLOCH REQUESTS A VARIANCE TO ALLOW HER TO HARBOR FIVE PET CHICKENS AT 2298 ZENIA.

Present to answer questions for the Animal Control Board Members were Miss Kimberly Bulloch and her parents Mr. & Mrs. Bulloch.

Miss Bullock made available to the Animal Control Appeals Board a hand written letter from numerous neighbors stating they have no complaints about her pet chickens. Photos of her chickens were also made available, along with a map showing her property in relation to neighboring properties.

Ms. Jayne Saeger explained to Kim how the Animal Control Board works and how they cannot overrule a City Ordinance. Also Ms. Saeger advised Kim of the rule, which requires a resident to have $\frac{3}{4}$ of an acre of property to harbor domestic farm animals.

After a lengthy discussion occurred between Miss Bulloch and the Board Members. The Board members reviewed Miss Bulloch's letter, map, and photos.

Motion by: Member Melchert
Seconded by: Member Gallaher

RESOLVED, That the Animal Control Board recommend to City Council that a variance be given to Miss Bulloch to allow her to harbor the five existing chickens, with no future additions, on her parent's property.

Yes: All-5
No: None.
Absent: Packard

2. ELECTION OF OFFICERS

CHAIRMAN

Motion by: Melchert
Seconded by: Saeger

RESOLVED, That Harriet Barnard be elected Chairman of the Animal Control Board.

Yes: All – 5
No: None
Absent: Packard

VICE-CHAIRMAN

Motion by: Barnard
Seconded by: Melchert

RESOLVED, That Jayne Saeger be elected Vice-Chairman of the Animal Control Board.

Yes: All – 5
No: None
Absent: Packard

SECRETARY

Motion by: Saeger
Seconded by: Barnard

RESOLVED, That Kathleen Melchert be elected Secretary of the Animal Control Board.

Yes: All – 5
No: None
Absent: Packard

ADJOURNMENT:

Motion by: Barnard
Seconded by: Melchert

RESOLVED, To adjourn the meeting.

Yes: All – 5
No: None
Absent: Packard

The meeting was adjourned at 8:05 PM.

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, September 5, 2001.

| | | |
|----------|--------------|---------------|
| PRESENT: | Ted Dziurman | Mark Stimac |
| | Rick Kessler | Ginny Norvell |
| | Bill Need | Pam Pasternak |
| | Bill Nelson | |
| | Frank Zuazo | |

ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 1, 2001.

Motion by Need
Supported by Zuazo

MOVED, to approve the minutes of the meeting of August 1, 2001 as written.

Yeas: All – 5

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. DAN HEILEMAN, HEILEMAN SIGNS, REPRESENTING ELDER FORD, 777 JOHN R., for relief of Chapter 78 to replace an existing sign box and reclad the existing sign pole.

Petitioner is requesting relief of the Sign Ordinance to replace an existing sign box and reclad the existing sign pole at 777 John R.

Section 9.02.04, A of the Sign Ordinance:

1. Limits the site to 2 ground signs and the proposal is for 3 to remain;
2. Limits the height of signs to 25' and the proposed sign is 42.1' high;
3. Requires that a sign of this size be placed at least 30' from the right-of-way, (105 feet from the section line). The proposed sign would remain in the future right-of-way approximately 65' from the section line; and
4. Limits the size to 200 square feet and the proposed sign is 260 square feet.

Mr. Stimac stated that the Building Department had received a written request from Elder Ford requesting that this item be postponed until the meeting of October 3, 2001 to allow them the opportunity to be present.

Motion by Nelson
Supported by Zuazo

ITEM #2

MOVED, to postpone the request of Dan Heileman, Heileman Signs, representing Elder Ford, 777 John R., for relief of Chapter 78 to replace an existing sign box and reclad the existing sign pole until the meeting of October 3, 2001.

- To allow the petitioner the opportunity to be present.

Yeas: All – 5

MOTION TO POSTPONE THE REQUEST OF PETITIONER TO THE MEETING OF OCTOBER 3, 2001 CARRIED

ITEM #3 – VARIANCE REQUESTED. AVER SIGN COMPANY, 2017 LIVERNOIS – CITGO, for relief of the Sign Ordinance to replace an existing sign.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to replace an existing sign, which will be placed at the property line (0 setback). Section 9.02.04, A of the Sign Ordinance requires that a sign of this size, (94.5 square feet in size and 22.5 feet in height), be placed 30 feet from the right-of-way.

Mr. Dziurman asked what size sign would be allowed to be placed at the property line and Ms. Norvell explained that a sign that is 50 square feet in size and 10' in height can be placed at the property line.

Mr. Terry Vleh of Aver Sign Company, and Mr. Wally Ouro, owner of the Citgo gas station were present. Mr. Vleh explained that the pricing numbers that are presently on the sign are unreadable within 200' of the station. Mr. Vleh also stated that the property is mostly asphalt and concrete and therefore, it is almost impossible for them to place the sign in any other location. Mr. Vleh went on to say that the price signs would be lower than the existing sign and would not be blocked by a building, which is located on the south side and a canopy on the north side.

Ms. Norvell stated that the permit for the installation of the original ground sign was issued in 1976. The size of the sign was 102 square feet and the height was 22'. At that time the sign was conforming. Subsequent changes to the ordinance have made it a legal non-conforming sign.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written approval on file. There is one written objection on file.

Mr. Zuazo asked if it would be possible to move the sign to the grassy area on the north side of the site and Mr. Vleh stated that there was a great deal of concrete around this area, and the sign would be blocked by the canopy.

ITEM #3

Mr. Nelson asked for a clarification on the height of the sign and Ms. Norvell stated that it could be 10' high and 50 square feet in size, in order to be placed at the property line. Mr. Dziurman asked if this was a standard size for the Citgo sign and Mr. Vleh replied that because it is a franchise, all the signs are the same design, but can be different sizes. Mr. Ouro stated that all the signs for the Citgo gas stations are uniform. Mr. Need asked if all the other signs were allowed by the Ordinance to be on this sign and Mr. Stimac stated that these ancillary signs have to be included in the square footage. Mr. Stimac went on to say that as the Public Hearing was advertised, if the Board were to grant a variance, no other signage would be allowed.

Mr. Ouro stated that they have a difficult time changing the pricing on this site due to the height of the sign. Mr. Vleh stated that the new sign would be 7' shorter, which would make it easier to change the pricing.

Mr. Need asked if the Citgo sign could be made smaller and Mr. Vleh stated that they are proposing a 7' x 7' sign, but that it could be reduced to a sign that is 6' x 6'.

Motion by Need

Supported by Nelson

MOVED, to grant Aver Sign Company, 2017 Livernois – CITGO, relief of the Sign Ordinance to replace an existing sign at the property line (0 setback) with the following stipulations:

- Size of the Citgo sign box will be reduced to 6' x 6' (overall sign size to be 75 square feet).
- All ancillary signs will be removed.
- Maximum height will be 21.5'.

Yeas: All – 5

MOTION TO APPROVE REQUEST CARRIED WITH STIPULATIONS

ITEM #4 – VARIANCE REQUESTED. STANLEY TKACZ, ARCHITECT FOR THE SUBURBAN COLLECTION, 1810 MAPLELAWN – OLDSMOBILE, for relief of Chapter 78 to install a third wall sign.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to install a third secondary wall sign in addition to the primary wall sign. Section 9.02.05, D of the Sign Ordinance permits two additional wall signs, not to exceed 20 square feet each. The existing 12.7 square foot Buick and 8 square foot Cadillac signs comply with the Ordinance; however, the proposed 13.6 square foot Oldsmobile sign exceeds the number of signs permitted.

ITEM #4

Mr. Stanley Tkacz was present and stated that the Oldsmobile line of automobiles has been eliminated, however, GM is requesting its dealers to provide a sign with the Oldsmobile name for a period of twenty-four (24) months. After that period of time the sign would be eliminated.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Mr. Need asked what type of Oldsmobile sign was present at this time and Mr. Tkacz stated that there isn't any Oldsmobile sign right now. Mr. Tkacz further stated that they have made so many changes at the Motor Mall, that there is a great deal of confusion by people coming in for service and not being able to locate a sign. Ms. Norvell stated that in 1995 a permit was issued for a small sign with the Oldsmobile logo, however, that sign has been removed.

Mr. Nelson asked for clarification on the two-year time period and Mr. Tkacz stated that the letter they had received from GM, indicated that the sign would be up from November 1, 2001 through November 1, 2003.

Motion by Nelson
Supported by Need

MOVED, to grant Stanley Tkacz, Architect for the Suburban Collection, 1810 Maplelawn – Oldsmobile, relief of Chapter 78 to install a third wall sign.

- Sign will be put up through November 1, 2003.

Yeas: All – 5

MOTION TO GRANT VARIANCE REQUEST FOR A PERIOD OF TWO YEARS
CARRIED

ITEM #5 – VARIANCE REQUESTED. SIGNGRAPHIX, INC. ON BEHALF OF WILLIAM BEAUMONT HOSPITAL, 44201 DEQUINDRE, for relief of the Sign Ordinance to remove three (3) existing ground signs and install seven (7) new ground signs.

Mr. Stimac explained that the petitioner is requesting relief of the Sign Ordinance to remove three (3) existing ground signs and install seven (7) new ground signs. Section 9.02.02, A & B of the Sign Ordinance permits one sign not exceed 100 square feet and one additional sign not to exceed 36 square feet at this location. Previous action by City Council and the Building Code Board of Appeals granted variances to allow up to 21 signs. The proposed request for installation of seven (7) new ground signs will result in a total of twenty-five (25) signs on site.

ITEM #5

Mr. Bill Lutz of Signgraphix, Inc. and Mr. Pete Musqo of Beaumont Services were present. Mr. Lutz stated that this healthcare campus is continually growing and due to the addition to the parking deck, there is a great deal of confusion regarding parking. Mr. Lutz went on to say that most of the people that come to this campus are under some type of stress and therefore may not be thinking as clearly as they ordinarily would. Mr. Lutz further stated that they are trying to get people from one location to another with the least amount of difficulty.

Mr. Dziurman asked if more signs could be added as more buildings are added and Ms. Norvell stated that the Sign Ordinance dictates the number of signs that are allowed in the C-F Zoning District by the site, not the number of buildings. Mr. Nelson asked how many signs are presently at the Royal Oak campus and Mr. Lutz stated that there are hundreds.

Mr. Musqo stated that they have found that the elderly residents seem to have a resistance to parking in a parking structure and would prefer park in an open space. Mr. Musqo went on to say that most of the signs they are eliminating will be the signs that indicate that there is free parking across Dequindre. Mr. Musqo also said that they have reduced the number of free parking spaces to about 70 spaces and that the reason they charge \$2.00 for parking is for maintenance of the parking deck.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Mr. Dziurman stated that he could understand why directional signs were needed, but did not want to add signs that would serve no purpose. Mr. Lutz stated that this was a very complicated campus due to the constant changes that are taking place. Mr. Musqo stated that with the construction of the west addition, he felt that they would probably be back before the Board requesting another variance for additional signage. Mr. Lutz pointed out that the new signs would not be visible from Dequindre, but are merely directional signs. Ms. Norvell stated the Sign Ordinance does not limit the number of directional signs on a site, but does state that they cannot be more than 6 square feet in size.

Mr. Nelson asked if the signs in Troy were consistent with the signs that are at the healthcare campus in Royal Oak and Mr. Lutz stated that they are uniform. Mr. Dziurman asked if the signs were lighted and Mr. Lutz stated that they are lit from inside out, and the foundation is not lit.

Motion by Nelson
Supported by Kessler

ITEM #5

MOVED, to grant Signgraphix, Inc. on behalf of William Beaumont Hospital, 44201 Dequindre, relief of the Sign Ordinance to remove three (3) existing ground signs and install seven (7) new ground sign, which will result in a total of twenty-five (25), signs on site.

- There are no objections on file.
- Signs will make it easier for patients and visitors to find the parking areas.

Yeas: 4 – Dziurman, Kessler, Nelson, Zuazo

Nays: 1 – Need

MOTION TO APPROVE REQUEST CARRIED

Mr. Musqo asked the Board if they would have to come back for a variance when the west addition was completed and Mr. Need suggested that they hire a Traffic Engineer to look at the complete package and determine exactly where and how many additional signs would be required. Mr. Need stated that he is opposed to the number of signs that are on the campus, and that he would be opposed to any additional variances.

The Building Code Board of Appeals meeting adjourned at 9:10 A.M.

MS/pp

There will be another meeting on September 18. Some committee members felt that the seniors should have more input into this.

Troy Daze Participation: The Committee will have a table at Senior Sensation Day. Carla will provide brochures. Bill Weisgerber will provide a suggestion box. Some committee members also plan to participate in the parade.

New Business:

Election of Officers: Merrill Dixon was nominated by Marie Hoag for Chairman, seconded by Larry Jose. Mr. Dixon was reelected by unanimous vote. Bill Weisgerber was nominated by Larry Jose for Vice-Chairman, seconded by Ed Forst. Ed Forst was nominated for Vice-Chairman Bill Weisgerber, seconded by Marie Hoag. Bill Weisgerber was elected in a 5 to 3 vote.

National Certification Committee Self-Assessment Results: Carla handed out a three year action plan that the self-assessment committee developed. We are expecting an on-site review sometime this fall.

Senior Summit: Merrill Dixon asked if anyone attended the recent senior summit in Troy. Jo Rhoads reported that she did attend, and that insurance and medical costs were of great concern.

Other:

Nutrition Report: There were **1455** meals served in the Troy Community Center in **May**. The average donation was **\$1.77**. **1735** homebound meals were delivered. There were **1286** meals served in the Troy Community Center in **June**. The average donation was **\$1.82**. **1653** homebound meals were delivered. There were **1201** meals served in the Troy Community Center in **July**. The average donation was **\$1.80**. **1673** homebound meals were delivered.

The meeting was adjourned at 12:15 pm

Respectfully submitted,

Carla Vaughan
Secretary

Chairman Max Ehlert called the meeting to order at 7:30 p.m. in Conference Room C.

PRESENT: David Balagna
Max Ehlert
W. Stan Godlewski
James Moseley
James Peard
John Walker
Jennifer Gilbert, Student Representative
Sergeant George Zielinski
Marsha Livingston, Office Coordinator

ABSENT: Thomas Sawyer

Moved by Walker, seconded by Balagna, to EXCUSE the absent member(s).
APPROVED unanimously

Moved by Balagna, seconded by Walker, to APPROVE the minutes of the August 13, 2001 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **NINO SALVAGGIO FRUIT & VEGETABLE MARKET OF TROY** requests to add space to 2001 SDD & SDM licensed business located at 6835 Rochester, Troy, MI 48085, Oakland County [MLCCREF#131794]

Present to answer questions from the committee were Kirk Taylor and Maureen Carlson, who has been with the store since March 2001.

Mr. Taylor brought a copy of the store layout for the committee to see. He also handed out packets to each member. The packets included a layout of the approved area, a layout of the same area including the future expansion, a letter as to how they will handle the liquor, the employee handbook, cashier guidelines, and a job description. The job description includes a brief summary of the requirements of liquor guidelines and guidelines for alcohol sales.

The store will simply be expanding the area they currently have designated for the liquor. This area will also include a liquor storage closet. They decided against acting on their ability to sell liquor in the past.

Liquor will be purchased one of two ways. The first is the customer can purchase the liquor directly at the liquor counter. The second is the customer will finish their shopping and proceed to the checkout counter. The customer will then tell the cashier, who will call the liquor counter for the item(s) and a manager will then bring it to the cashier who called for it.

Nino Salvaggio's originally had TAMS training where an instructor came on site to do the training. They felt they could do better, so they implemented their own Responsible Alcohol Sales training. This training includes a video and a packet with a handbook that includes alcohol sales guidelines in brief so all employees have at least some knowledge of alcohol sales. All cashiers get additional training, which includes an alcohol training course. There are two people in the store who are qualified to teach this course. Maureen Carlson is one of these two people. This course includes a pre-test of 15 true or false questions. The employees will then watch a video and take a final test. Each employee is only allowed two wrong. Since March they have had 11 classes, 4 of which have been at the Troy store.

Responsible Alcohol Sales training also includes cashier training for those cashiers that are under 18 years of age. This is to teach them how to properly ring up sales and inquire on ID. Cashiers under 18 must also have a cashier 18 years of age or older ring up the sale. TAMS didn't offer any training of this sort. The cash registers at the store prompt the cashier to check ID but do not require the date of birth be entered. There are date stickers on the cash registers for the cashiers to quickly identify those over 21 years of age.

Also discussed was the violation the Troy location had.

One committee member commented that the packet of information passed out by Mr. Taylor and Ms. Carlson was very impressive and from a retail standpoint, it is the best program they have seen.

Moved by Moseley, seconded by Walker, to APPROVE the above request.
APPROVED unanimously

2. **McCORMICK & SCHMICK RESTAURANT CORP. (A DELAWARE CORPORATION)** requests to transfer ownership of 2001 Class C licensed business with Dance Permit and Official Permit (Food), located at 2850 Coolidge, Troy, MI 48084, Oakland County, from **McCORMICK & SCHMICK OPERATING CORP. (A GEORGIA CORPORATION)**. [MLCC REF# 130614]

Present to answer questions from the committee were Scott Edwards, who works with attorney John Carlin, and Sharon Bartlett, General Manager of the restaurant.

This is simply a corporate merger. There will be no changes in management at the restaurant. Mr. McCormick and Mr. Schmick will both still be involved.

The restaurant has TIPS classes through Scott Forbes every 6 months for the entire restaurant. Everyone is certified.

Also discussed was the violation McCormick and Schmick received on August 17, 2001. Ms. Bartlett told the committee members that the restaurant has a zero tolerance policy and the bartender was immediately terminated. They are not proud of the violation they received, and they will continue to make sure it doesn't happen again.

Moved by Peard, seconded by Godlewski, to APPROVE the above request.
APPROVED unanimously

Moved by Balagna, seconded by Walker, to ADJOURN the meeting at 7:57 p.m.
APPROVED unanimously

ML/ml

September 12, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Doug Smith, Real Estate and Development Director

SUBJECT: Development Report – September 2001

Altair Engineering is putting the final touches on their building at the southwest corner of Big Beaver and John R. The building is shaping up to be a signature building and a great entrance into the Technology Park.

Troy Motor Mall will have a new tenant, with the addition of Suburban Volvo Dealership replacing the old Tannery building right at the curve on Maplelawn.

Preliminary site plan approval has been given to the Wilson building at the curve on Butterfield just south of Big Beaver, for a second office building for their complex.

Just east of the Wilson building, 58 more units are being added for the final completion of Regency Park Apartments on Butterfield.

A major day care center, Tutor Time will replace the small and outdated homes just north of the Wilshire building on the west side of Crooks Road north of Big Beaver, with the preliminary site plan approval for this project.

Soon there will be a lot more choices of cuisine in Troy:

- Bahama Breeze east of Kilmer and on the north side of Big Beaver is putting on its final touches.
- The Palm Restaurant is continuing its completion on the north side of the parking lot of the Northfield Hilton.
- Olga's Kitchen is replacing Leanne Chin's in the small strip mall by the Ice Arena.
- Arby's will soon rise from the ashes of what was the historic Bill's A&W.
- Approval has been given to Motor City Coney Island and Café Sushi will add two eateries to Cambridge Crossings, south of Maple Road and east of Maplelawn.

Everyone is looking to completion of the major roadwork occurring throughout Troy. When the Big Beaver, Liverno is and assorted other projects are finished, it really should be easier to traverse the streets of Troy.

DS/pg

DATE: September 4, 2001

TO: John Szerlag, City Manager

FROM: Mark Stimac, Director of Building & Zoning

SUBJECT: Permits issued during the Month of August 2001

| | NO. | VALUATION | PERMIT FEE |
|--------------------------------|-----------|-----------------------|--------------------|
| <u>INDUSTRIAL</u> | | | |
| Accessory Structure | 1 | \$40,000.00 | \$407.50 |
| Add/Alter | 7 | \$3,240,131.00 | \$19,788.20 |
| Temp. Office Trailer | 1 | \$0.00 | \$106.00 |
| Sub Total | 9 | \$3,280,131.00 | \$20,301.70 |
| <u>COMMERCIAL</u> | | | |
| Tenant Completion | 8 | \$1,527,000.00 | \$14,290.35 |
| Add/Alter | 26 | \$1,961,500.00 | \$15,547.50 |
| Wall | 1 | \$4,000.00 | \$121.00 |
| Sub Total | 35 | \$3,492,500.00 | \$29,958.85 |
| <u>RESIDENTIAL</u> | | | |
| New | 14 | \$2,578,059.00 | \$31,208.55 |
| Add/Alter | 42 | \$830,999.00 | \$9,632.70 |
| Garage/Acc. Structure | 7 | \$57,988.00 | \$1,085.00 |
| Pool/Spa/Hot Tub | 7 | \$87,200.00 | \$1,190.00 |
| Ent. Wall/Masonry Fence | 1 | \$40,000.00 | \$390.00 |
| Wreck | 1 | \$0.00 | \$130.00 |
| Fnd./Slab/Footing | 1 | \$2,000.00 | \$40.00 |
| Sub Total | 73 | \$3,596,246.00 | \$43,676.25 |
| <u>TOWN HOUSE/CONDO</u> | | | |
| Add/Alter | 18 | \$127,500.00 | \$1,720.00 |
| Sub Total | 18 | \$127,500.00 | \$1,720.00 |
| <u>MULTIPLE</u> | | | |
| Garage/Acc. Structure | 1 | \$4,800.00 | \$135.00 |
| Sub Total | 1 | \$4,800.00 | \$135.00 |
| <u>RELIGIOUS</u> | | | |
| Add/Alter | 1 | \$90,000.00 | \$673.00 |
| Sub Total | 1 | \$90,000.00 | \$673.00 |

MISCELLANEOUS

| | | | |
|--------------------|----|-------------|------------|
| Satellite/Antennas | 1 | \$35,000.00 | \$341.00 |
| Signs | 53 | \$0.00 | \$5,745.00 |
| Fences | 20 | \$0.00 | \$172.00 |

| | | | |
|------------------|-----------|--------------------|-------------------|
| Sub Total | 74 | \$35,000.00 | \$6,258.00 |
|------------------|-----------|--------------------|-------------------|

| | | | |
|--------------|------------|------------------------|---------------------|
| TOTAL | 211 | \$10,626,177.00 | \$102,722.80 |
|--------------|------------|------------------------|---------------------|

PERMITS ISSUED DURING THE MONTH OF AUGUST 2001

| | NO. | PERMIT FEE |
|------------------------|-----|--------------|
| Mul. Dwel. Insp. | 21 | \$210.00 |
| Cert. of Occupancy | 50 | \$2,583.00 |
| Plan Review | 90 | \$3,469.80 |
| Microfilm | 46 | \$452.00 |
| Building Permits | 211 | \$102,722.80 |
| Electrical Permits | 164 | \$12,250.00 |
| Heating Permits | 144 | \$6,900.00 |
| Air Condt. Permits | 83 | \$3,115.00 |
| Plumbing Permits | 110 | \$7,219.50 |
| Storm Sewer Permits | 13 | \$263.00 |
| Sanitary Sewer Permits | 7 | \$331.00 |
| Sewer Taps | 26 | \$23,216.00 |

| | | |
|--------------|------------|---------------------|
| TOTAL | 965 | \$162,732.10 |
|--------------|------------|---------------------|

LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF AUGUST 2001

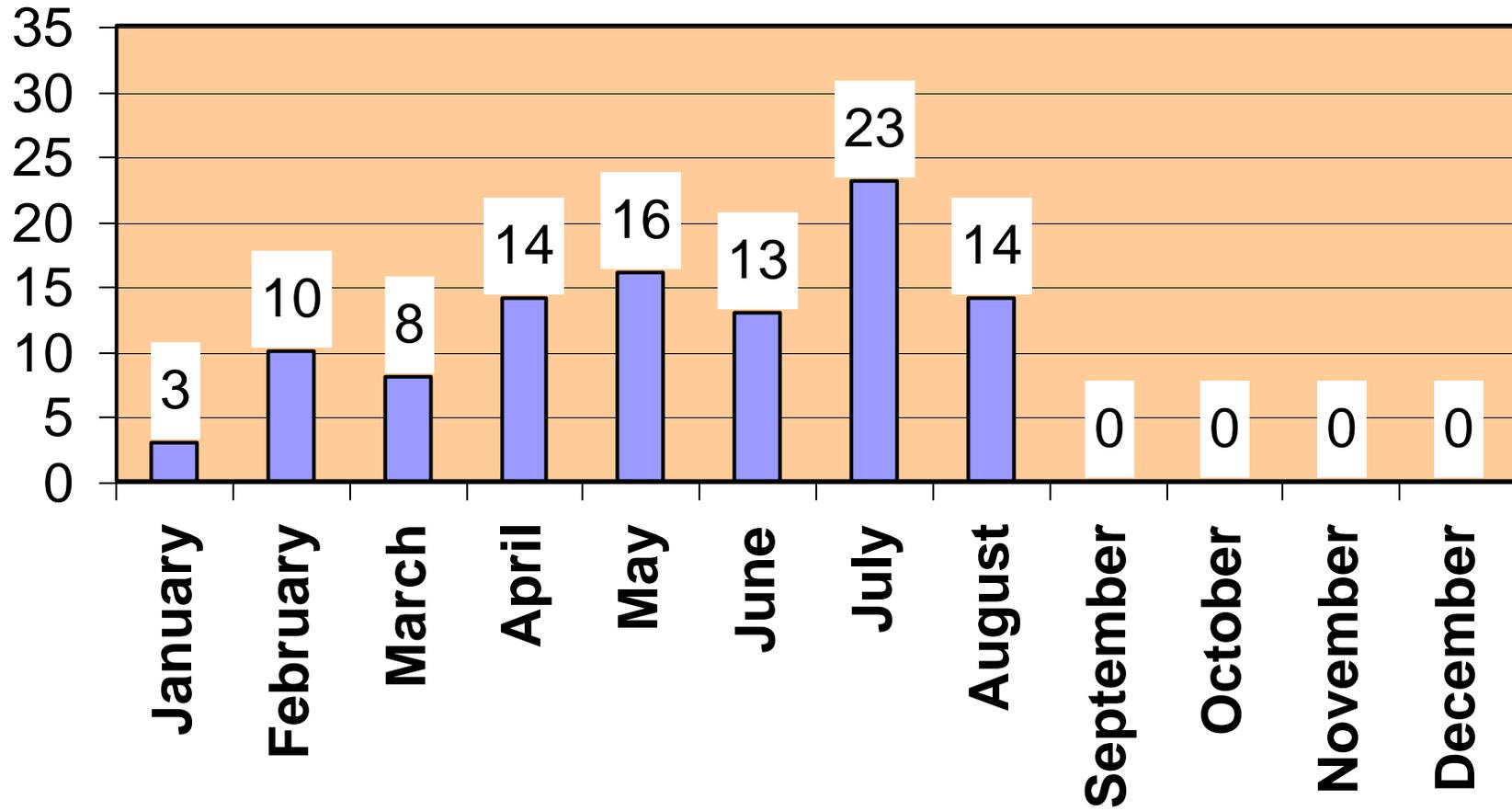
| | NO. | LICENSE FEE |
|---------------------|-----|-------------|
| Mech. Contr.-Reg. | 16 | \$80.00 |
| Elec. Contr.-Lic | 1 | \$50.00 |
| Elec. Contr.-Reg. | 28 | \$345.00 |
| Master Plmb.-Reg. | 24 | \$24.00 |
| Sewer Inst.-Reg. | 5 | \$250.00 |
| Sign Inst. - Reg. | 3 | \$30.00 |
| E. Sign Contr-Reg. | 4 | \$60.00 |
| Fence Inst.-Reg. | 3 | \$30.00 |
| Bldg. Contr.-Reg. | 27 | \$270.00 |
| F.Alarm Contr.-Reg. | 4 | \$60.00 |

| | | |
|--------------|------------|-------------------|
| TOTAL | 111 | \$1,139.00 |
|--------------|------------|-------------------|

BUILDING PERMITS ISSUED

| | BUILDING PERMITS 2000 | PERMIT VALUATION 2000 | BUILDING PERMITS 2001 | PERMIT VALUATION 2001 |
|--------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| JANUARY | 127 | \$9,597,140 | 119 | \$9,498,180 |
| FEBRUARY | 110 | \$18,640,569 | 100 | \$49,679,118 |
| MARCH | 191 | \$20,582,303 | 136 | \$6,942,449 |
| APRIL | 190 | \$8,338,850 | 204 | \$19,831,458 |
| MAY | 236 | \$46,004,432 | 207 | \$26,481,050 |
| JUNE | 248 | \$23,437,116 | 196 | \$20,081,116 |
| JULY | 171 | \$10,035,286 | 236 | \$11,804,808 |
| AUGUST | 222 | \$15,738,038 | 211 | \$10,626,177 |
| SEPTEMBER | 159 | \$20,948,232 | 0 | \$0 |
| OCTOBER | 165 | \$18,737,731 | 0 | \$0 |
| NOVEMBER | 168 | \$19,909,483 | 0 | \$0 |
| DECEMBER | 99 | \$12,831,351 | 0 | \$0 |
| TOTAL | 2086 | \$224,800,531 | 1409 | \$154,944,356 |

SINGLE FAMILY DWELLING PERMITS 2001



BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF AUGUST 2001

| Type of Construction | Builder or Company | Address of Job | Valuation |
|-------------------------------------|--------------------------------|----------------------|-------------------------------|
| Commercial, Add/Alter | GALE & WENTWORTH LLC | 5750 NEW KING 100 | 210,000.00 |
| Commercial, Add/Alter | RCC INC (RETAIL & COMM. CONST) | 3150 LIVERNOIS 300 | 150,000.00 |
| Commercial, Add/Alter | DON WEBB | 250 STEPHENSON 100 | 250,000.00 |
| Commercial, Add/Alter | OLGA'S KITCHEN | 1853 E BIG BEAVER | 150,000.00 |
| Commercial, Add/Alter | NINO SALVAGGIO INTERNATIONAL | 6835 ROCHESTER | 300,000.00 |
| Total Commercial, Add/Alter | | | 1,060,000.00 |
| Commercial, Tenant Completion | CLARK CONSTRUCTION COMPANY | 1217 COOLIDGE | 125,000.00 |
| Commercial, Tenant Completion | MOTOR CITY OF TROY INC | 1949 W MAPLE | 167,000.00 |
| Commercial, Tenant Completion | BILL DESANTO | 1981 W MAPLE | 140,000.00 |
| Commercial, Tenant Completion | CAFE SUSHI LLC | 1933 W MAPLE | 500,000.00 |
| Commercial, Tenant Completion | GEORGE NINIOWSKY | 101 W BIG BEAVER 165 | 300,000.00 |
| Commercial, Tenant Completion | KEMP, TOM | 1869 E MAPLE | 200,000.00 |
| Total Commercial, Tenant Completion | | | 1,432,000.00 |
| Industrial, Add/Alter | NATIONAL TV BOOK | 209 PARK | 1,083,131.00 |
| Industrial, Add/Alter | CHARLES BENNETT | 1795 MAPLELAWN | 2,000,000.00 |
| Total Industrial, Add/Alter | | | 3,083,131.00 |
| Records 14 | | | Total Valuation: 5,575,131.00 |

THORNCROFT BLOCK PARTY COMMITTEE

Chief William Nelson
City of Troy Fire Department
500 W. Big Beaver
Troy, Michigan 48084

September 4, 2001

Reference; Thorncroft Family Block Party, 8-25-2001

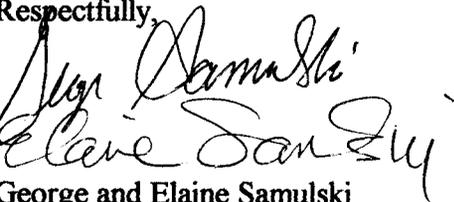
Dear Chief Nelson,

Our neighborhood has hosted a "Block Party" for the past fourteen or fifteen years. This event is a mixer for all the children and adults alike. This year we asked the residents of our neighborhood to come up with some new ideas to entertain and educate the children.

Sergeant Joe Falcon, of the Troy Police Department lives on Thorncroft. He took the lead to coordinate a presentation of your Fire Department's "Cool" services and equipment. Firefighters Rob Bittner, Pete Dungjen and Greg McMenamin were accompanied with Firefighter Troy Engle of Clawson's Fire Department to show off your beautiful "Ladder Truck" and support units. All the Firefighters were extremely interesting and professional. The kids and adults were entertained with rides in the bucket, demonstrations of repelling from the bucket to ground and answering all of our questions.

On behalf of the residents of N Thorncroft and Thorncroft Court, we would like to thank you and your staff for the personal time and attention that was paid toward our annual event. We're sure the presentation will last for years in the memories of our kids.

Respectfully,



George and Elaine Samulski
5034 Thorncroft
Royal Oak, Michigan 48073

cc J. Falcon
Chief Craig Bouse, City of Clawson Fire Department



September 13, 2001

TO: MAYOR AND MEMBERS OF CITY COUNCIL
FROM: LORI GRIGG BLUHM, CITY ATTORNEY
RE: FROID HURMOZ v. CITY OF TROY

Enclosed please find the order of Judge Wendy Potts, granting the City of Troy's Motion for Summary Disposition and dismissing the case. According to the complaint in this matter, Froid Hurmoz (a minor) was injured when he tripped on a sidewalk while playing football at his Aunt's home. The Aunt, Helen Mati, was also initially named as a co-defendant in this lawsuit, but Plaintiff voluntarily dismissed the claims against his Aunt.

Under state law, municipalities are required to maintain their sidewalks in reasonable repair. Since liability is premised on the failure to keep a sidewalk in reasonable repair, state law requires a prospective Plaintiff to provide timely notice to the municipality, so that the evidence demonstrating the condition of the sidewalk at the time of the alleged injury can be preserved. However, in this case, the injury allegedly occurred in 1996, but the complaint was not filed until 2000. The City did not receive any other notice concerning the allegedly defective sidewalk. However, pursuant to our annual inspection program, portions of the sidewalk at the location of the alleged trip and fall were replaced in the interim. Following this, the City does not have any records or any photographs or other evidence of the sidewalk condition in October 1996. Following this, Troy is prejudiced by the lack of notice, since we could not refute claims that the sidewalk was defective. The Court agreed that Plaintiff's failure to provide timely notice severely prejudiced the City, and therefore granted dismissal of the case.

If you have additional questions, please let me know.

STATE OF MICHIGAN

OAKLAND COUNTY CIRCUIT COURT

FROID HURMOZ, a Minor, by and through his Mother and Next Friend, KHAIRIAM HURMOZ,

Plaintiff,

v

THE CITY OF TROY MUNICIPAL CORPORATION, MARK NAGARA and HELEN MATI, jointly and severally,

Defendant.

Case No. 00-024766-NO

Hon. Wendy L. Potts

00-024766-NO



JUDGE: WENDY L. POTTS
COURT: HURMOZ, FROID, V TROY CITY

Douglas A. Dempsey (P41532)
Demoss, Dempsey & Demoss, P.L.L.C.
Attorneys for Plaintiff
44511 Gratiot Avenue
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City of Troy – City Attorney's Office
By: Lori Grigg Bluhm (P46908)
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500 W. Big Beaver Road
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Eric J. Liblang (P27778)
Attorney for Defendants Nagara and Mati
2000 Town Center, Ste. 1800
Southfield, MI 48075
(248) 945-3300

BY
DEPUTY COUNTY CLERK

01 SEP 11 P 1:40

RECEIVED FOR FILING
OAKLAND COUNTY CLERK

**ORDER GRANTING DEFENDANT CITY OF TROY'S
MOTION FOR SUMMARY DISPOSITION**

At a session of said Court held in the Courthouse in the City of Pontiac, Oakland County, MI,

on: _____

SEP 10 2001

PRESENT: HONORABLE WENDY L. POTTS, CIRCUIT JUDGE

This matter having come before the Court on Defendant City of Troy's Motion for Summary Dispositions, briefs having been submitted by counsel for the respective parties, and oral arguments being heard;

IT IS ORDERED:

1. Defendant City of Troy's Motion for Summary Disposition is hereby granted for the reasons stated on the record on August 29, 2001.
2. This dismissal disposes of the last pending claim in this case, and therefore the case shall now be closed.

WENDY POTTS

Circuit Judge

A TRUE COPY
G. HILLIARY
By _____

August 31, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer
John K. Abraham, Traffic Engineer

SUBJECT: Study on Traffic Crash Experience at
Stop- and Yield-Controlled Residential Street Intersections

This is in response to a City Council request to study the crash experience at STOP- and YIELD-controlled residential street intersections. For purposes of this study, six representative mile sections of the City were selected. They are Sections 4, 12, 13, 19, 23 and 25. These sections were selected based on the land use being predominately residential in the mile square section. Steps involved in the study were:

- a. Drive all residential streets within the section and locate intersections with all-way stop signs, 2-way stop signs, one-way stop signs, yield signs and no traffic signs.
- b. Traffic crashes for the past five years were analyzed to find numbers of crashes at each intersection of the sections.
- c. Number of locations with different traffic controls and the number of crashes were tabulated and a crashes-per-location average was computed. The following table presents the overall results. (Note: Individual maps and tables are available, but only the overall table is presented here for brevity.)

| | 4-way stop | 2-way stop | 1-way stop | Yield | No Signs |
|-----------------------------|------------|-------------|--------------|-------------|-------------|
| Number of locations | 10 | 19 | 12 | 183 | 178 |
| Number of crashes | 6 | 12 | 10 | 79 | 51 |
| Average/intersection | 0.6 | 0.63 | 0.833 | 0.43 | 0.29 |

The table shows yield-controlled intersections to have lower traffic crash rates than stop-controlled intersections. The observed trend is that warranted YIELD signs may be safer than STOP signs. However, this may not be conclusive since the number of stop-controlled intersections was far less than the yield-controlled intersections, and this difference may have skewed the results. These are also not statistically significant and does not evaluate if the signs were warranted or not as per the Michigan Manual of Uniform Traffic Control Devices. It was also observed that traffic crash experience was significantly different in the various City sections studied.

Enclosed, please find a research paper that studied around 70 technical papers published on stop signs and a brochure that we send our citizen when we receive STOP sign requests. The study concentrated on their use as traffic calming devices and their effect on controlling speed and safety.

RESEARCH PAPER ON STOP SIGNS -- SUMMARY

Enclosed, please find a research paper authored by a colleague in Georgia. This paper is a result of searching over 70 technical papers about multi-way stop signs. The study concentrated on their use as traffic calming devices and their relative effectiveness in controlling speeds in residential neighborhoods.

The summary of the paper is that researchers found that multi-way stop signs do not control speed. Following are some excerpts from the paper:

- Stop compliance is poor at unwarranted multi-way stop signs. This is based on the drivers feeling that the signs have no traffic control purpose. There is little reason to yield the right-of-way because there are usually no vehicles on the minor street. Nineteen references found this to be their finding
- Before-After studies show multi-way stop signs do not reduce speeds on residential streets. Nineteen references found this to be their finding
- Unwarranted multi-way stops increased speed some distance from intersections. The studies hypothesizing that motorists are making up the time they lost at the "unnecessary" stop sign. Fifteen references found this to be their finding
- Multi-way stop signs have high operating costs based on vehicle operating costs, vehicular travel times, fuel consumption and increased vehicle emissions. Fifteen references found this to be their finding.
- Safety of pedestrians is decreased at unwarranted multi-way stops, especially small children. It seems that pedestrians expect vehicles to stop at the stop signs but many vehicles have gotten in the habit of running the "unnecessary" stop sign. Thirteen references found this to be their finding
- Citizens feel "safer" in communities "positively controlled" by stop signs. Positively controlled is meant to infer that the streets are controlled by unwarranted stop signs. Homeowners on the residential collector feel safer on a 'calmed' street. Seven references found this to be their finding.
- Unwarranted multi-way stops may present potential liability problems for undocumented exceptions to accepted warrants. Local jurisdictions feel they may be incurring higher liability exposure by 'violating' the MUTCD. Many times the unwarranted stop signs are installed without a warrant study or some documentation. Cited by six references
- Stop signs increase noise in the vicinity of an intersection. The noise is created by the vehicle braking noise at the intersection and the cars accelerating up to speed. The noise is created by the engine exhaust, brake, tire and aerodynamic noises. Cited by five references.

Multi-way Stops - The Research Shows the MUTCD is Correct!

W. Martin Bretherton Jr., P.E.(M)

Abstract

This paper reviewed over 70 technical papers covering all-way stops (or multi-way stops) and their success and failure as traffic control devices in residential areas. This study is the most comprehensive found on multi-way stop signs

The study looked at how multi-way stop signs have been used as traffic calming measures to control speed. There have been 23 hypotheses studied using multi-way stop as speed control. The research found an additional 9 hypotheses studied showing the effect multi way stops have on other traffic engineering problems.

The research found that, overwhelmingly, multi-way stop signs do NOT control speed except under very limited conditions. The research shows that the concerns about unwarranted stop signs are well founded.

Introduction

Many elected officials, citizens and some traffic engineering professionals feel that multi-way stop signs should be used as traffic calming devices. Many times unwarranted stop signs are installed to control traffic. The Manual on Uniform Traffic Control Devices (MUTCD)(16) describes warrants for installing multi-way stop signs. However, it does not describe many of the problems caused by the installation of unwarranted stop signs. These problems include concerns like liability issues, traffic noise, automobile pollution, traffic enforcement and driver behavior.

This paper is a result of searching over 70 technical papers about multi-way stop signs. The study concentrated on their use as traffic calming devices and their relative effectiveness in controlling speeds in residential neighborhoods. The references found 23 hypotheses on their relative effectiveness as traffic calming devices. One study analyzed the economic cost of installing a multi-way stop at an intersection. The reference search also found 9 hypotheses about traffic operations on residential streets.

The literature search found 85 papers on the subject of multi-way stops. There are probably many more references available on this very popular subject. The seventy-one references are shown in Appendix A. There was a problem finding the 14 papers found in literature searches. The 14 papers are listed in Appendix B for information only. Most of the papers were from old sources and are probably out of print.

Multi-Way Stop Signs as Speed Control Devices

A summary of the articles found the following information about the effectiveness of multi-way stop signs and other solutions to controlling speeds in residential neighborhoods.

1. Multi-way stops do not control speeds. Twenty-two papers were cited for these findings. (Reference 1, 2, 7, 8, 10, 12, 13, 14, 15, 16, 17, 19, 20, 39, 45, 46, 51, 55, 62, 63, 64, 66 and 70).
 2. Stop compliance is poor at unwarranted multi-way stop signs. Unwarranted stop signs means they do not meet the warrants of the MUTCD. This is based on the drivers feeling that the signs have no traffic control purpose. There is little reason to yield the right-of-way because there are usually no vehicles on the minor street. Nineteen references found this to be their finding. (Reference 7, 8, 10, 12, 13, 14, 15, 17, 19, 20, 39, 45, 46, 51, 55, 61, 62, 63 and 64).
 3. Before-After studies show multi-way stop signs do not reduce speeds on residential streets. Nineteen references found this to be their finding. (Reference 19 (1 study), 55 (5 studies), 60 (8 studies) and 64(5 studies)).
 4. Unwarranted multi-way stops increased speed some distance from intersections. The studies hypothesizing that motorists are making up the time they lost at the "unnecessary" stop sign. Fifteen references found this to be their finding.(Reference 1, 2, 7, 8, 10, 13, 14, 17, 19, 20,39, 45,46, 51, 55, 70 and 71).
 5. Multi-way stop signs have high operating costs based on vehicle operating costs, vehicular travel times, fuel consumption and increased vehicle emissions. Fifteen references found this to be their finding. (Reference 3, 4, 7, 8, 10, 14, 15, 17, 45, 55 ,61, 62, 63, 67 and 68).
 6. Safety of pedestrians is decreased at unwarranted multi-way stops, especially small children. It seems that pedestrians expect vehicles to stop at the stop signs but many vehicles have gotten in the habit of running the "unnecessary" stop sign. Thirteen references found this to be their finding. (References 7, 8, 10, 13, 14, 15, 17, 19, 20, 45, 51, 55 and 63).
 7. Citizens feel "safer" in communities "positively controlled" by stop signs. Positively controlled is meant to infer that the streets are controlled by unwarranted stop signs. Homeowners on the residential collector feel safer on a 'calmed' street. Seven references found this to be their finding. (Reference 6, 14, 18, 20, 51, 58 and 66).
- Hypothesis twelve (below) lists five references that dispute the results of these studies.
8. Speeding problems on residential streets are associated with" through" traffic. Frequently homeowners feel the problem is created by 'outsiders'. Many times the problem is the person complaining or their neighbor. Five references found this to be their finding. (References 2, 15, 45, 51 and 55).
 9. Unwarranted multi-way stops may present potential liability problems for undocumented exceptions to accepted warrants. Local jurisdictions feel they may be incurring higher liability exposure by 'violating' the MUTCD. Many times the unwarranted stop signs are installed without a warrant study or some documentation. Cited by six references. (Reference 7, 9, 19, 46, 62 and 65).
 10. Stop signs increase noise in the vicinity of an intersection. The noise is created by the vehicle braking noise at the intersection and the cars accelerating up to speed. The noise is created by the engine exhaust, brake, tire and aerodynamic noises. Cited by five references. (Reference 14, 17, 20, 45, 55).

11. Cost of installing multi-way stops are low but enforcement costs are prohibitive. many communities do not have the resources to effectively enforce compliance with the stop signs. Five references found this to be their finding. (Reference 1, 10, 45, 51, 55).

12. Stop signs do not significantly change safety of intersection. Stop signs are installed with the hope they will make the intersection and neighborhood safer. Cited by five references. (Reference 55, 60, 61, 62, 63).

Hypothesis seven (above) lists seven references that dispute the results of these studies.

13. Unwarranted multi-way stops have been successfully removed with public support and result in improved compliance at justified stop signs. Cited by three references. (Reference 8, 10, 12).

14. Unwarranted multi-way stops reduce accidents in cities with intersection sight distance problems and at intersections with parked cars that restrict sight distance. The stop signs are unwarranted based on volume and may not quite meet the accident threshold. Cited by three references. (Reference 6, 18, 68).

15. Citizens feel stop signs should be installed at locations based on traffic engineering studies. Some homeowners realize the importance of installing 'needed' stop signs. Cited by two references. (References 56, 57).

16. Multi-way stops can reduce cut-through traffic volume if many intersections along the road are controlled by stop signs. If enough stop signs are installed on a residential or collector street motorists may go another way because of the inconvenience of having to start and stop at so many intersections. This includes the many drivers that will not stop but slowly 'cruise' through the stop signs. This driving behavior has been nicknamed the 'California cruise'. Cited by two references. (Reference 14, 61).

17. Placement of unwarranted stop signs in violation of Georgia State Law 32-6-50 (a) (b) (c). This study was conducted using Georgia law. Georgia law requires local governments to install all traffic controls devices in accordance with the MUTCD. This is probably similar to traffic signing laws in other states. Cited by two references. (Reference 19, 62).

18. Special police enforcement of multi-way stop signs has limited effectiveness. This has been called the 'hallo' effect. Drivers will obey the 'unreasonable' laws as long as a policemen is visible. Cited by two references. (Reference 39, 46).

19. District judge orders removal of stop signs not installed in compliance with city ordinance. Judges have ordered the removal of 'unnecessary' stop signs. The problem begins when the traffic engineer and/or elected officials are asked to consider their intersection a 'special case'. This creates a precedent and results in a proliferation of 'special case' all-way stop signs. Cited by two references. (Reference 59, 62).

20. Some jurisdictions have created warrants for multi-way stops that are easier to meet than MUTCD. The jurisdiction feel that the MUTCD warrants are too difficult to meet in residential areas. The reduced warrants are usually created to please elected officials. Cited by two references. (Reference 61 and 70).

21. Citizens perceive stop signs are effective as speed control devices because traffic "slows" at stop sign. If everybody obeyed the traffic laws, stop signs would reduce speeds on residential streets. Cited by one reference. (Reference 55).

22. Removal of multi-way stop signs does not change speeds but they are slightly lower without the stop signs. This study findings support the drivers behavior referenced in item #4, speed increases when unwarranted stop signs are installed. Speed decreases when the stop signs were removed! Cited by one reference. (Reference 64).
23. Multi-way stops degrade air quality and increase CO, HC, and Nox. All the starting and stopping at the intersection is bad for air quality. Cited by one reference. (Reference 68).

Speed Control Issues

24. There are many ways to "calm" traffic. Cited by twenty-two references. (Reference 1, 14, 20, 32, 33, 34, 35, 36, 37, 38, 40,41,42, 44, 45, 46, 47, 48, 50, 51, 53 and 66).

They include:

- | | |
|------------------------------|--|
| (a) Traffic Chokers | (f) Sidewalks and Other Pedestrian Solutions |
| (b) Traffic Diverters | (g) Neighborhood Street Design |
| (c) Speed Humps | (h) On-Street Parking |
| (d) Roundabouts | (i) One Way Streets |
| (e) Neighborhood Speed Watch | (j) Street Narrowing |

25. Other possible solutions to residential speed. Most speeding is by residents - Neighborhood Speed Watch Programs may work. This program works by using the principle of 'peer' pressure. Cited by seven references. (Reference 2, 30, 31, 36, 42, 48 and 53).
26. Reduced speed limits are not effective at slowing traffic. Motorists do not drive by the number on the signs, they travel a safe speed based on the geometrics of the roadway. Cited by five references. (Reference 1, 20, 39, 46 and 69).
27. Local streets should be designed to discourage excessive speeds. The most effective way to slow down traffic on residential streets is to design them for slow speeds. Cited by two references. (Reference 43, 52).
28. Speeding on residential streets is a seasonal problem. This is a myth. The problem of speeding is not seasonal, it's just that homeowners only see the problem in 'pleasant' weather. That's the time they spend in their front yard or walking the neighborhood. Cited by one reference. (Reference 2).
29. Speed variance and accident frequency are directly related. The safest speed for a road is the speed that most of the drivers feel safest driving. This speed creates the lowest variance and the safest road. Cited by one reference. (Reference 47).
30. The accident involvement rate is lowest at the 85th percentile speed. The 85th percentile speed is the speed that most drivers feel comfortable driving. The lowest variance is usually from the 85th percentile speed and the 10 mph less. Cited by one reference. (Reference 47).
31. Psycho-perceptive transverse pavement markings are not effective at reducing the 85th percentile speed but do reduce the highest speed percentile by 5 MPH. Cited by one reference. (Reference 47).
32. The safest residential streets would be short (0.20 miles) non-continuous streets that are 26 to 30 feet from curb to curb width. The short streets make it difficult of drivers to get up to speed. Cited by one reference. (Reference 52).

Economics of Multi-Way Stop Signs

Studies have found that installing unwarranted stop signs increases operating costs for the traveling public. The operating costs involve vehicle operating costs, costs for increased delay and travel time, cost to enforce signs, and costs for fines and increases in insurance premiums.

The total costs are as follows (Reference 55):

| | |
|---|------------------------------------|
| Operating Costs (1990) (\$0.04291/Stop) | \$ 111,737/year |
| Delay & Travel Costs (1990) (\$0.03401/Stop) | \$ 88,556 /year |
| Enforcement Costs (1990) | \$ 837/year |
| Cost of Fines (19 per year) | \$ 1,045/year |
| Cost of 2 stop signs (1990) | \$ 280 |
| Costs of increased insurance (1990) | <u>\$ 7,606/year</u> |
| Total (1990) | \$210,061/year/intersection |

The cost to install two stops signs is \$280. The cost to the traveling public is \$210,061 (1990) per year in operating costs. This cost is based on about 8,000 vehicles entering the intersection per day.

Another study (62) found that the average annual road user cost increased by \$2,402.92 (1988 cost) per intersection when converting from two to four way stop signs for low volume intersections.

Summary of Stop Signs as Speed Control Devices

Researchers found that multi-way stop signs do not control speed. In analyzing the 23 hypotheses for multi-way stop signs, five were favorable and 18 were unfavorable toward installing unwarranted all-way stop signs. The Chicago study (6) was the only research paper that showed factual support for "unwarranted" multi-way stop signs. They were found to be effective at reducing accidents at intersections that have sight distance problems and on-street parking.

It is interesting to note that residential speeding problems and multi-way stop sign requests date back to 1930 (63). The profession still has not "solved" this perception problem.

Summary of Economic Analysis

Benefits to control speeds by installing multi-way stop signs are perceived rather than actual and the costs for the driving public are far greater than any benefits derived from the installation of the multi-way stop signs.

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Appendix A

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STOP SIGNS

A stop sign is one of our most valuable and effective control devices when used at the right place and under the right conditions. It is intended to help drivers and pedestrians at an intersection decide who has the right-of-way.

One common misuse of stop signs is to arbitrarily interrupt through traffic, either by causing it to stop, or by causing such an inconvenience as to force the traffic to use other routes. Where stop signs are installed as "nuisances" or "speed breakers," there is a high incidence of intentional violation. In those locations where vehicles do stop, the speed reduction is effective only in the immediate vicinity of the stop sign, and frequently speeds are actually higher between intersections. For these reasons, it should not be used as a speed control device.



A school crossing may look dangerous for children to use, causing parents to demand a stop sign to halt traffic. Now a vehicle which had been a problem for 3 seconds while approaching and passing the intersection becomes a problem for a much longer period. A situation of indecision is created as to when to cross as a pedestrian or when to start as a motorist. Normal gaps in traffic through which crossings could be made safely no longer exist. An intersection which previously was not busy now looks like a major intersection. It really isn't -- it just looks like it. It doesn't even look safer and it usually isn't.

Most drivers are reasonable and prudent with no intention of deliberately violating traffic regulations; however, when an unreasonable restriction is imposed, it may result in flagrant violations. In such cases, the stop sign can create a false sense of security in a pedestrian and an attitude of contempt in a motorist. These two attitudes can and often do conflict, sometimes with tragic results.

The City follows established well-developed, nationally recognized

guidelines to indicate when stop signs become necessary. These guidelines identify specific traffic and pedestrian volumes, accident history, sight distance, and any unusual conditions at the intersection.

Criteria for Two-Way Stop Signs –

Two-way stop signs are used:

- Where a street enters a through street; or
- Where a safe approach speed is less than 10 mph due to permanent visibility obstructions -- such as buildings, trees or shrubs; or
- Where crash history indicates three or more reported crashes in a 12 month period, and the crashes could have been avoided by the use of a stop sign; or
- Where circumstances and crash history indicate that observing the normal right-of-way rule could still be hazardous, resulting in crashes.

4-WAY

Criteria for Four-Way or All-Way Stops:

In most cases, a two-way stop sign is sufficient to define who has the right-of-way. A four-way or all-way stop is considered only when an intersection with a two-way stop is the site of numerous

crashes or traffic congestion problems. Four-way stop signs are used:

- Where traffic signals are needed; four-way or all-way stops may be used as an interim measure; or
- On local streets, where there has been an average five or more reported crashes per year. These crashes would likely have been prevented by an all-way stop; or
- Where the number of vehicles entering an intersection averages at least 500 vehicles per hour for any eight hours of a typical day, and the combined vehicular and pedestrian volumes from the minor street averages at least 200 per hour for the same eight hours.

Advantages of Approved Stop Signs:

- Stop signs establish right-of-way.
- The number of broadside accidents is reduced.

Disadvantages of Stop Signs:

- Acceleration and deceleration increase noise and air pollution near the signs.
- The frequency of rear-end accidents is likely to increase.
- Stop signs cause unnecessary delay.

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www.ci.troy.mi.us/TrafficEngineering

Citizen Concerns

The City takes its role in responding to traffic concerns very seriously, yet the ultimate burden of safety rests on you, the motorist in the City of Troy. We will respond to every traffic concern you have. Since we receive over 600 citizen concerns per year, we may not be able to investigate your request as quickly as we would like to. We appreciate your patience and understanding in this matter.

STOP



SIGNS

Why Don't They Put In
More Stop Signs??



Compiled by:
Traffic Engineering Division
Engineering Department
City of Troy
500 W. Big Beaver Road,
Troy, Michigan 48084

September 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services

SUBJECT: Update on Section 1 Golf Course

In an effort to keep Mayor and Council informed we are herein providing the current status of the Section 1 Golf Course.

First, the environmental study is nearing completion and based on conversations with the Michigan Department of Environmental Quality, if approved, our closure plan would not require any remediation. This information was shared in a meeting with Troy School District representatives. At that time, additional concerns were raised as to the School District property south of the proposed golf course. I believe our consultant, NTH, will be able to satisfy all of their concerns. Attached is a copy of the revised agreement.

Next, a meeting was held with the adjacent property owners on August 21, 2001 updating them. A memo explaining that meeting is attached.

Also included with this memo is a non-dimensional layout approved for the new course. Bids are being reviewed for earthwork that may start within the next two (2) weeks.

As with other projects, we will continue to provide updates throughout the construction of this project.

GS/JS/mr\2001\To M&CC\Update on Section 1 Golf Course

c: Carol Anderson
Doug Smith

Attachments

October 11, 2000

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager
Larry Keisling, Planning Director
Mark Stimac, Building & Zoning Director
Doug Smith, Real Estate & Development Director

SUBJECT: "Urban Density" Residential Development

A new generation of housing that reflects the lifestyle of two working adults and the demographics of an aging population is gaining popularity throughout the nation. This housing is offering attached and stacked condominiums, which provide for home ownership without the yard and maintenance that a typical single family home requires. The densities can range from 10 units per acre to over 20 units per acre. Consistent with Council's previous discussions on increasing the diversity of housing in Troy to meet the needs of seniors, staff believes that Troy should offer this form of housing in selected areas of the City. This diversity in housing not only assures that the housing stock can meet the needs of our emerging population, but also may help encourage reinvestment and assure increasing values in property throughout the City well into the future.

Staff would propose a series of ordinance amendments or the development of a new zoning district, if it is more appropriate, to permit greater density for residential units in a few key sites around the City, primarily adjacent to major non-residential development areas. In addition to diversifying the housing stock, the provision of housing at a higher density would provide an alternative to additional office development, thus reducing ultimate traffic impact.

The potential ordinance changes would provide flexibility in criteria, such as setbacks, open space location, parking, and street widths, to achieve densities that permit the housing prices to be competitive with office prices for property, while still maintaining all of the necessary public safety standards and incentives to create quality developments.

An example of flexibility is to require as much or more green space than is called for under current ordinances, but to allow for the green space, as in cluster residential housing, to be massed in different locations. The potential standards would most likely include requirements such as a minimum 5-acre site area, attached garages, and sprinkler/fire suppression systems.

Attached is a proposal by Tadian Homes to provide this type of density in a residential development that would include the Big Beaver Elementary School site northeast of Rochester Road and Big Beaver. The development of this ordinance, while it is assisted by having a real project to look at, may or may not accommodate entirely the proposal that Tadian Homes has put forward. The attached site plan and elevations gives Council a look at the type of development that could occur under this type of ordinance change.

As part of the November 6, 2000 Regular Meeting Agenda, staff will seek your direction on whether or not to pursue this type of ordinance change. This matter could be referred to the Planning Commission for review and recommendation, with final action on the resultant ordinance amendment by the City Council. An amendment to the Master Plan would also be necessary, in order to properly guide the location of such development

DS/pg

LK/pg

September 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

SUBJECT: Administrative Procedure Followed in Canceling Troy Daze

Mayor Pryor expressed his concern about not being in the decision-making loop relative to the cancellation of Troy Daze. As such, I'm going to delineate the procedure followed in reaching this decision.

On Tuesday, September 11, 2001 Chief Craft contacted me and indicated that he had a concern about potential violence at the upcoming Troy Daze carnival/festivities. Within 90 minutes I had a meeting with Chief Craft, Captain Slater, Captain Murphy, Captain Mayer, Lieutenant Zavislak, Chief Nelson, Assistant Fire Chief Sinclair, Assistant City Manager Shripka, Assistant City Manager Lamerato, City Attorney Lori Bluhm, Community Affairs Director Cindy Stewart, and Superintendent of Parks and Grounds Jeff Biegler. Troy Daze co-chairs Jim Cyrulewski and Bob Burke joined our meeting in progress and participated in the discussion.

During our meeting we were made cognizant by the Police Department of information from the Federal Bureau of Investigation of the potential for continued terrorist activity and civil unrest. News bulletins out of New York City indicated that persons believed to be of Middle Eastern descent were being pulled out of taxicabs and physically assaulted. Closer to home, we have documented incidents of physical conflict between various ethnic groups occurring at past Troy Daze events.

After a thorough review of the issues, there was a unanimous recommendation to cancel the Troy Daze event based on law enforcement/security issues. And Mrs. Bluhm agreed to work in tandem with the Troy Daze Committee to handle liability issues that may arise from canceling contracts. It should be noted that the Troy Daze chairs indicated that time was of the essence if we were to cancel this event.

Troy Daze was canceled because of intelligence gathered indicating a potential for violence and our inability to enforce laws that would provide for the safety of attendees. Concern was also expressed about having a celebratory function during a time of national mourning.

The Honorable Mayor and City Council
September 13, 2001
Page Two

Having made this decision, I authorized staff to first advise City Council, and then send out a press release. The release spoke of a cancellation of Troy Daze out of respect for those who perished at the hands of terrorists. This release did not talk about security issues.

Let me assure you that if there was not a law enforcement concern relative to the Troy Daze festivities, I would have sought your direction on whether to continue the event. This of course is in line with our current practice.

At this time I wish to apologize for not having a greater time frame between notification of City Council, and the media. I have put measures into place to assure this will not occur in the future.

On a positive note, perhaps the Troy Daze Committee can work with Council to reschedule various activities, just as the swearing-in ceremony for our new Americans has been rescheduled to September 14, 2001 in the City Council Chambers. Additionally, perhaps a parade could be held in conjunction with the dedication of the Veterans Memorial on October 6, 2001.

In closing, attached are some comments from Community Affairs Director Cindy Stewart relative to the cancellation of Troy Daze events.

JS/mr\2001\To M&CC\Troy Daze Cancellation

c: Chief Craft
Captain Slater
Captain Murphy
Captain Mayer
Lieutenant Zavislak
Chief Nelson
Assistant Fire Chief Sinclair
Assistant City Manager Shripka
Assistant City Manager Lamerato
City Attorney Lori Bluhm
Community Affairs Director Cindy Stewart
Superintendent of Parks and Grounds Jeff Biegler

September 13, 2001

Confidential Communication

TO: John Szerlag, City Manager

FROM: Charles T. Craft, Chief of Police
Gary G. Mayer, Captain Support Services Division
Edward J. Murphy, Captain Investigations Division
Dane M. Slater, Captain Patrol Division

SUBJECT: Police Department Response to Terrorist Attack of September 11, 2001

Upon becoming aware of the terrorist attacks on New York City and Washington D.C., the executive staff of the police department (the chief and captains) met and had several conversations regarding the implications the attacks had on the City of Troy and what our response to those implications should be. This memorandum shall discuss some of the information we received and our response to that information and to the events of that day.

Our initial tactical response to the attacks and the information included the following:

- Reassigned personnel from non-emergency functions to operational duties.
- Cancelled all leave time.
- Discussed staffing of all Fire Stations with Fire Department administration.
- Called in additional police officers and support personnel.
- Activated the Tactical Support Team and staged them at a location away from the Civic Center complex.
- Increased security at the Civic Center complex.
- Instructed Communications Section personnel to utilize Mobile Data Computers, as opposed to voice transmissions, for all communications relating to security concerns.
- Instructed our trained emergency planning personnel to prepare a document identifying all locations and events that posed security concerns.
- Contacted security staff at each location identified as posing a security concern and offered our assistance as well as answered any questions they had.
- Dispatched personnel to each major shopping center to discuss security issues with them (Somerset Collection decided to close for business at 1:00 PM, the Oakland Mall closed at 5:00 PM).
- Assigned personnel to monitor national events (via news coverage) and directives from federal, state, and local law enforcement.
- Contacted the Information Services (IS) Department to confirm the security of our electronic information system.
- Prepared the Alternate Dispatch Center and Emergency Operations Center for possible activation.

In addition, we trusted all department supervisors to utilize their training, experience, and department operating guidelines to make necessary operational decisions relating to our response. For example: Sergeant Kowalski contacted the Troy Schools and placed the School Liaison Officers in uniform, and Sergeant Kerr assigned personnel to stationary security at the Detroit Water Distribution Facility (South Blvd. and Dequindre).

At approximately 11:00 AM, an FBI agent contacted the Troy Police Department and advised that the FBI believed there would be additional terrorist activity and possible civil unrest. The agent requested our assistance in investigation of suspicious people and incidents, and asked that we check with department sources and report any intelligence information to the FBI. The agent also requested a uniform presence at their Troy office. Two officers were dispatched to handle that request.

Based on our training and experience we then focused on long-term concerns. Included in those considerations were the following:

- Staffing.
- City facilities security.
- Emergency Operations Plan activation.
- Issues related to the operation of Troy/Oakland Airport.
- Locations and events posing continued security issues.

In regards to locations and events posing continued security concerns, the Troy Daze event was considered. In performing a risk assessment relating to the event we determined that the risk for organized terrorist activity was low. However, we determined that the potential for violence, civil unrest, ethnic intimidation, acts intended to disrupt activities and frighten and/or injure people (bomb threats, detonation of firecrackers, etc.), or injury to citizens who are attempting to leave the area either in response to an organized evacuation or an uncontrolled exit due to a disruption, was high.

In reaching this conclusion we considered the following:

- That the City of Troy is blessed with an ethnically diverse population. This diversity is represented in the attendance at Troy Daze.
- The indication from the FBI that civil unrest was possible.
- Fights and acts of disorderly conduct occurring at past Troy Daze events.
- Reports of conflicts occurring at Troy Daze between groups of young people based on ethnicity.
- Emotions of attendees as a result of media reports and/or government statements identifying the suspects in the terrorist attacks as being of middle-eastern descent.

The police department's overriding concern regarding Troy Daze was the ability to maintain order, enforce applicable laws and provide for the safety of event attendees. Our recommendation to cancel was based solely on that concern.

CONFIDENTIAL

on blue -
MACE only

RECEIVED

SEP 12 2001

CITY OF TROY
CITY MANAGER'S OFFICE

DATE: September 12, 2001
TO: John Szerlag, City Manager
FROM: William S. Nelson, Fire Chief *WSN*
SUBJECT: Fire Department Activities – September 12, 2001

The following is a summary of the Fire Department planning and response activities in response to the attacks in New York City.

- Lt. Mouch (FD) and Sgt. Ostrowski (PD) updated the existing list of potential targets within the city that was established under previous threat assessment exercises. (Confidential copy attached)
- Assistant Chief Sinclair and I participated in a meeting with the Police Department and other city staff to assess potential threats to facilities within Troy including government buildings and initiate protective actions as required.
- All Troy firefighters were alerted and fire stations were staffed throughout the day and evening.
- The Emergency Operations Center was set up in city hall.
- Non-essential vehicle maintenance was terminated to maximize emergency response capabilities.
- Specific WMD (weapons of mass destruction) response equipment was prepared for response.

C. M. Althoff Company

575 East Maple Road
Troy, Michigan 48083-2806

Telephone: (248) 743-1000 (800) 276-6077
Facsimile: (248) 743-1007
Email: cmalthoff@voyager.net
www.cmalthoff.com

CONFIDENTIAL

September 14, 2001

John Szerlag, City Manager
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

Dear John,

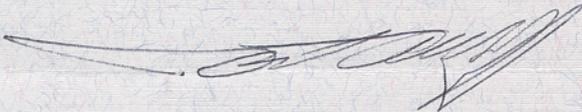
Following our discussion, we concur with your decision to cancel Troy Days Celebration.

There are definite risk management concerns related to the national tragedy and its aftermath on September 11, 2001.

The safety and security of your citizens and guests are of paramount importance for this event. With the instability and potential for danger associated with various groups, many gatherings of a nonessential nature are not being held.

The potential hazards associated with a security breach, in our opinion, are moderate to high and do not warrant assuming the risks.

Very truly yours,



Donald P. Althoff, CPCU, ARM

DATE: September 12, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Review of IBM Real Estate and Construction Division
Architectural Procedure and Design Submittals

I was provided with a copy of the document provided to the City by Mr. Paul Lin. This document is an administrative manual that apparently was at one time developed and used as a tool to evaluate the development of construction projects for the Real Estate and Construction Division of IBM. The document appears to have been originally authored in 1970 and includes some revisions up through 1985.

One portion of the document contains submittal requirements for architectural drawings and is a guide for IBM staff members to evaluate building design proposals. It indicates the different phases of the design process, the submissions required for each phase and the evaluation criteria for each.

The document also includes standards that were developed for contract documents on construction projects. Today these requirements are referred to as general conditions and supplemental general conditions. These requirements establish how the contract is administered and include such things as insurance, change orders, substitutions pay requests and project close-out.

This document was developed specifically for the IBM. While the process is similar to what every owner goes through in the evaluation of a construction project I have never seen any direct reference to the "IBM Analysis" process. While the document is helpful in that it sets down in writing all of the steps that we go through in the administration of a project, the necessity to adopt it as a standard for City of Troy projects does not seem warranted.

September 2001

| September 2001 | | | | | | | October 2001 | | | | | | |
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| 16 | 17 | 18 | 19 | 20 | 21 | 22 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | 28 | 29 | 30 | 31 | | | |
| 30 | | | | | | | | | | | | | |

| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
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| | | | | | September 1 |
| | | | | | 2 |
| | | | | | 3 |
| Holiday-City Offices Closed | | 8:30am Bldg Code Bd of Appeals (C) 7:00pm Adv Comm Persons w/Disabilities (LL) 7:30pm Animal Control Appeal Board (Conference Room C) | 10:00am Sr Citizen Advisory Comm (Comm. Ctr.) 7:30pm City Council Study Session (LL) | | 8 |
| | | | | | 9 |
| | | | | | 10 |
| 7:30pm City Council - Regular (Chambers) 7:30pm Liquor Committee (C) | 7:30pm Planning Commission-Regular Session (Chambers) | 3:00pm Employee Retirement System (C) | 7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.) | | 15 |
| | | | | | 16 |
| | | | | | 17 |
| 7:30pm City Council - Regular (Chambers) | 7:30pm Board of Zoning Appeals (Chambers) | 7:30pm Traffic Committee (LL) | | | 22 |
| | | | | | 23 |
| | | | | | 24 |
| 7:30pm City Council - Rescheduled to 09/17 (Chambers) | 7:30pm Planning Commission-Study 7:30pm Historic District Commission (C) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze | | 12:00pm Brownfield Redevelopment Authority ((LL)) | | 29 |
| | | | | | 30 |

9/14/01

9/17 - Commercial Vehicle Appeal, 3911 Kingspoint
Commercial Vehicle Appeal, 6704 Livernois

October 2001

| October 2001 | | | | | | | November 2001 | | | | | | |
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| Monday | Tuesday | Wednesday | Thursday | Friday | Sat/Sun |
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| October 1 | 2 | 3 | 4 | 5 | 6 |
| 7:30pm City Council - Regular (Chambers) | 7:30pm Planning Commission-Regular Session (Chambers) | 7:30am Downtown Development Authority ((LL)) 8:30am CANCELLED-Bldg Code Bd of Appeals 7:00pm Adv Comm Persons w/Disabilities (LL) | 10:00am Sr Citizen Advisory Comm (Comm. Ctr.) | | |
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| 7:30pm Liquor Committee (C) | | 3:00pm Employee Retirement System (C) | 7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.) | | |
| 15 | 16 | 17 | 18 | 19 | 20 |
| 7:30pm City Council - Regular (Chambers) | 7:30pm Board of Zoning Appeals (Chambers) | 7:00pm Cable Advisory Committee (C) 7:30pm Traffic Committee (LL) | | | |
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| | 7:30pm Planning Commission-Study 7:30pm Historic District Commission (C) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze | | | | |
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| 7:30pm City Council - Regular (Chambers) | | | | | |

November 2001

| November 2001 | | | | | | | December 2001 | | | | | | |
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| 7:30pm City Council - Regular (Chambers) | | 8:30am Bldg Code Bd of Appeals (C) 7:00pm Adv Comm Persons w/Disabilities (LL) | 7:30pm Parks & Recreation Board (Comm. Ctr.) 7:30pm Library Board (Lib.) | | 11 |
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| 12 | 13 | 14 | 15 | 16 | 17 |
| 7:30pm Liquor Committee (C) | 7:30pm Planning Commission-Regular Session (Chambers) | 3:00pm Employee Retirement System (C) | | | 18 |
| | | | | | 19 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 7:30pm City Council - Regular (Chambers) | 7:30pm Board of Zoning Appeals (Chambers) | 7:30am Downtown Development Authority (LL) 7:30pm Traffic Committee (LL) | Holiday - City Offices Closed | Holiday - City Offices Closed | 25 |
| | | | | | 26 |
| 26 | 27 | 28 | 29 | 30 | |
| | 7:30pm Planning Commission-Study 7:30pm Historic District Commission (C) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze | | | | |



ARAB-AMERICAN AND CHALDEAN COUNCIL

CONDEMNS THE ACT OF TERRORISM

Our Country, The United States of America, has experienced an act of terrorism never before witnessed. The Arab-American and Chaldean Council (ACC) is appalled stunned and saddened by this barbaric cowardly act.

This is a national tragedy of extraordinary proportions. As we all mourn with the rest of the nation, our members at the ACC extend our utmost sympathy and condolences to all those who suffered the loss of a loved ones at this terrible act of terrorism.

The Arab-American and Chaldean Council has a rich history of dedication and standing with all fellow citizens toward the betterment of our nation.

We stand firm behind our President and our Government in support of any necessary measurements and actions to bring those who are responsible to justice.

For more information
/enub ADD8) Kanm
tel. (248) 559-1990
Fax (248) 559-9117

PRESS RELEASE