



TROY CITY COUNCIL

REGULAR MEETING

AGENDA

JANUARY 11, 2016
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

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



500 W. Big Beaver
Troy, MI 48084
248.524.3300
troymi.gov

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

In this packet, you will find the agenda for the City Council meeting. To help facilitate an informed discussion, the packet provides you with agenda items and additional details. The packet also contains recommended courses of action for your consideration and seeks to aid you in adopting sound policy decisions for the City of Troy.

This comprehensive agenda has been put together through the collaborative efforts of management and staff members. We have made all attempts to obtain accurate supporting information. It is the result of many meetings and much deliberation, and I would like to thank the staff for their efforts.

If you need any further information, staff is always available to provide more information and answer questions that may arise. You can contact me at bkischnick@troymi.gov or 989.233.7335 with questions.

Respectfully,

Brian Kischnick,
City Manager

2015/2016

TOP 10 STRATEGIES

Adopted by City Council 3/9/2015

'Why'

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

1

Improve and invest in our assets, both people and infrastructure

Define our organizational culture

2

3

Consistently tell our story

Create a sense of place

4

5

Embrace a sustainable Library

Implement a Trails and Pathways Plan and increase walkability

6

7

Maintain strong Public Safety

Improve interaction online and in-person

8

9

Modernize wayfinding opportunities

Celebrate diversity

10



**CITY COUNCIL
AGENDA**
January 11, 2016 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

INVOCATION: Pastor Weatherly Verhelst from Troy First United Methodist Church 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

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INVOCATION: Pastor Weatherly Verhelst from Troy First United Methodist Church

PLEDGE OF ALLEGIANCE:

A. CALL TO ORDER:

B. ROLL CALL:

- a) Mayor Dane Slater
Edna Abraham
Ethan Baker
Jim Campbell
Dave Henderson
Ellen Hodorek
Ed Pennington

- b) Excuse Absent Council Members:

Suggested Resolution

Resolution #2016-01-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Special Study and Regular City Council Meetings of January 11, 2016, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

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

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

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

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

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

Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up. In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan & Trust, Personnel Board, Southeastern Michigan Council of Governments (SEMCOG)

a) Mayoral Appointments: None

b) City Council Appointments:

Suggested Resolution
Resolution #2016-01-
Moved by
Seconded by

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

Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust

Appointed by Council
7 Regular Members and 2 Ordinance Members
3 Year Term

Term Expiring: 12/31/2018

Mark Calice

Council Appointed Citizen

Term currently held by: Mark Calice

Personnel Board

Appointed by Council
5 Regular Members
3 Year Term

Unexpired Term Expires: 4/30/2018

Jane Parparet

Term currently held by: Edna Abraham (Resigned)

Unexpired Term Expires: 4/30/2018

Pamela Gordon

Term currently held by: P. Terry Knight (Deceased)

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council
1 Regular and 1 Alternate
Appointed Every Odd-Year Election

Term Expires: 11/10/2017

Ed Pennington

(Delegate)

Term currently held by: James Campbell

Term Expires: 11/10/2017

Mark Miller

(Alternate)

Term currently held by: Mark Miller

Yes:
No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Board of Review, Local Development Finance Authority (LDFA), Planning Commission; b) City Council Nominations – Animal Control Appeal Board, Charter Revision Committee, Election Commission, Liquor Advisory Committee, Traffic Committee

a) Mayoral Nominations:

Suggested Resolution
Resolution #2016-01-
Moved by
Seconded by

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

Board of Review

Appointed by Mayor
3 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Adams	John	12/19/2016	1/31/2017	
Hatch	James E.	12/15/2017	1/31/2016	Requests Reappointment
Strahl	Frank	11/5/2016	1/31/2018	

Nominations to the Board of Review:

Term Expires: 1/31/2019

Term currently held by: James Hatch

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Brennan	Michael	9/17/2017	
Sharp	John	5/12/2017	EDC exp 4/30/2015; LDFA exp 6/30/2016

[Local Development Finance Authority \(LDFA\)](#)

Appointed by Mayor
5 Regular Members
Staggered 4 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Beltramini	Robin	4/4/2016	6/30/2018	Resident Member	
Hodorek	Ellen		11/13/2017		
Hoef	Paul	5/1/2017	6/30/2019	Resident Member	EDC exp. 4/30/2015
Sharp	John	7/15/2013	6/30/2016	Resident Member	EDC exp 4/30/2015
Shields	David	6/14/2014	6/30/2016	Member	
Slater	Dane		11/9/2015	Alternate	DDA; LDFA
Spanos	Irene			Oakland County	
Vitale	Nickolas	4/27/2017	6/30/2019	Resident Member	

Nominations to the Local Development Finance Authority:

Term Expires: 11/11/2019

Term currently held by: Dane Slater

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Schick	Michael	1/13/2017	
Sinutko	Jaime	8/5/2016	

Planning Commission

Appointed by Mayor
 9 Regular Members
 3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2	Notes 3
Apahidean	Ollie	11/22/2015	12/31/2017		
Brikho	Frencheska	3/23/2017	7/31/2016	STUDENT	
Crusse	Karen	11/13/2016	12/31/2017		
Edmunds	Donald	11/15/2012	12/31/2016	EDC exp 4/30/3014	
Faison	Carlton	7/1/2017	12/31/2017		
Hutson	Michael	10/8/2017	12/31/2015	Sust Design Rev Comm-Ad Hoc	Requests Reappointment
Krent	Thomas	9/20/2015	12/31/2016		
Kuppa	Padma	12/18/2016	12/31/2016	Gottlieb's Unexpired Term.	
Sanzica	Philip	10/15/2017	12/31/2015	PC Rep on ZBA	
Tagle	John	11/13/2017	12/31/2015		Requests Reappointment

Nominations to the Planning Commission:

Term Expires: 12/31/2018

Term currently held by: Michael Hutson

Term Expires: 12/31/2018

Term currently held by: Philip Sanzica

Term Expires: 12/31/2018

Term currently held by: John Tagle

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Chiapelli	Larry	7/13/2017	
Desmond	Thomas	10/21/2016	
Frisen	Sande	11/2/2017	
Kaltsounis	Andrew	11/24/2017	Liquor Advisory Comm. exp 1/31/2016
Kaltsounis	Orestis Rusty	10/8/2017	P&R Bd exp 9/30/2018; ZBA (Alt.) exp 1/31/2018
Kornacki	Rosemary	8/27/2017	Brownfield Redev Auth exp 4/30/2017
Lambert	Dave	12/8/2017	ZBA exp. 4/30/2017
Schick	Michael	1/13/2017	
Slifkin	Elizabeth	3/24/2017	
Talarico	Paula M.	1/8/2017	
Wilsher	Cynthia	10/9/2016	Traffic Comm. exp 1/31/2018

Yes:

No:

b) City Council Nominations:

Suggested Resolution

Resolution #2016-01-

Moved by

Seconded by

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

Animal Control Appeal Board

Appointed by Council

5 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 2
Carolan	Patrick	6/17/2015	9/30/2016	
Floch	Patrick	11/18/2016	9/30/2018	
Petrulis	Al	6/16/2017	9/30/2018	Traffic Comm exp 1/31/2017
Saeger	Jayne	10/15/2016	9/30/2017	
Vacancy			9/30/2017	P. Terry Knight's Term

Nominations to the Animal Control Appeal Board:**Unexpired Term Expires: 9/30/2017**

Term currently held by: Vacancy-P. Terry Knight term

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Waters	Gretchen	1/4/2018	

Charter Revision Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Berk	Robert	2/27/2015	4/30/2016	
Bernardi	Maryann	11/18/2013	4/30/2015	NO Reappointment
Bliss	Daniel	11/16/2013	4/30/2015	NO Reappointment
Howrylak	Frank	2/1/2014	4/30/2017	
Kanoza	Shirley	2/21/2015	4/30/2016	
Weisgerber	William	5/7/2017	4/30/2015	NO Reappointment
Wilsher	Cynthia	2/27/2016	4/30/2017	

Nominations to the Charter Revision Committee:**Term Expires: 4/30/2018**

Term currently held by: Maryann Bernardi

Term Expires: 4/30/2018

Term currently held by: Daniel Bliss

Term Expires: 4/30/2018

Term currently held by: William Weisgerber

Interested Applicants:

No applications on file.

Election Commission

Appointed by Council
 2 Regular Members and 1 Charter Member
 1 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Anderson	David C.	12/28/2017	1/31/2016	Republican (Recommended by GOP)	Requests Reappointment
Dickson	M. Aileen				
Philo	Harry	11/17/2017	1/31/2016	Democrat (Recommended by Democratic Party)	Requests Reappointment

Nominations to the Election Commission:

Term Expires: 1/31/2017

Term currently held by: David Anderson

Term Expires: 1/31/2017

Term currently held by: Harry Philo

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Talarico	Paula M.	1/8/2017	

Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust

Appointed by Council
 7 Regular Members and 2 Ordinance Member
 3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Calice	Mark	10/8/2017	12/31/2015	Council Appointed Citizen	Requests Reappointment
Darling	Thomas			Chapter 10	
Gordon II	Thomas	9/17/2015	12/31/2016	DB-Employee Rep.-Elected	
Henderson	Dave		4/15/2018		Requests Reappointment

Kischnick	Brian			Chapter 10	
Pallotta	Steven		12/31/2017	DC Employee Rep.-Elected	
Stansbury	Milt	11/2/2017	12/31/2018	DC Employee Rep.-Elected	
Vacancy			12/31/2016	Wm. Need resigned 9/9/2015	

Nominations to the Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust:

Unexpired Term Expires: 12/31/2016

Term currently held by: Vacancy–W. Need resigned

Interested Applicants:

No applications on file.

Liquor Advisory Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 3
Comiskey	Ann	3/18/2016	1/31/2018	
Ehlert	Max	11/5/2016	1/31/2018	
Godlewski	W. Stan	12/14/2012	1/31/2017	
Gorcyca	David	12/6/2015	1/31/2017	
Hall	Patrick	11/24/2017	1/31/2016	NO Reappointment
Kaltsounis	Andrew	11/24/2017	1/31/2016	Requests Reappointment
Oberski	Jeff			
Payne	Timothy	2/8/2014	1/31/2018	

Nominations to the Liquor Advisory Committee:

Term Expires: 1/31/2019

Term currently held by: Patrick Hall

Term Expires: 1/31/2019

Term currently held by: Andrew Kaltsounis

Interested Applicants:

No applications on file.

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Brandstetter	Tim	10/17/2016	1/31/2018		
Easterbrook	David	11/24/2017	1/31/2016		NO Reappointment
Huotari	William			Ex-Officio Member	
Kilmer	Richard	12/12/2015	1/31/2017		
Mayer	Gary			Ex-Officio Member	
Nelson	William			Ex-Officio Member	
Petrulis	Al	1/8/2016	1/31/2017	ACAB exp 9/30/2018	
Regan	Kathleen	3/26/2017	7/31/2016	STUDENT	
Vacancy			1/31/2016	O. Apahidean Resigned 2/13/15	
Wilsher	Cynthia	10/9/2016	1/31/2018		
Ziegenfelder	Peter	12/9/2015	1/31/2017		

Nominations to the Traffic Committee:

Term Expires: 1/31/2019

Term currently held by: Vacancy (Apahidean term)

Term Expires: 1/31/2019

Term currently held by: David Easterbrook

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Huber	Robert M.	6/10/2017	

Yes:
No:

I-3 No Closed Session Requested

J. CONSENT AGENDA:

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

Resolution #2016-01-

Moved by

Seconded by

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

Yes:

No:

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

J-2 Approval of City Council MinutesSuggested Resolution

Resolution #2016-01-

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

- a) City Council Minutes-Draft – December 14, 2015

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Structural Firefighting Turnout Gear**

Suggested Resolution

Resolution #2016-01-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to furnish two (2) year requirements for new structural firefighting turnout gear with the option to renew for one (1) additional year to the low bidder meeting specifications; *Apollo Fire Equipment Co. of Romeo, Michigan*, for an estimated total cost of \$112,914.60; at the unit prices contained in the bid tabulation opened December 10, 2015, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; with contract expiring December 30, 2018.

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

b) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Asphalt Patching Material - Cold**

Suggested Resolution

Resolution #2016-01-

RESOLVED, That Troy City Council hereby **AWARDS** a seasonal contract for Asphalt Patching Material – Cold Patch to the low bidder, *Ace-Saginaw Paving Co, of Saginaw, MI*, for an estimated total cost of \$35,916.00, at the unit price per ton contained in the bid tabulation submitted December 3, 2015, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, the cost of which **SHALL NOT EXCEED** annual budgetary limitations; with the contract expiring April 30, 2016.

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

c) **Standard Purchasing Resolution 4: Cooperative Contract Award – Michigan Intergovernmental Trade Network (MITN) – Gasoline and Diesel Fuel**

Suggested Resolution

Resolution #2016-01-

RESOLVED, That Troy City Council hereby **AWARDS** two-year cooperative contracts to purchase gasoline and diesel fuel in truck transport and tank wagon deliveries with an option to renew for two (2) additional years from the low bidders meeting specifications – *RKA Petroleum Companies of Romulus, MI, Ports Petroleum Co., Inc. of Wooster, OH, and Atlas Oil Company of Taylor, MI*, as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the bid tabulation opened October 31, 2015, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; with a contract expiration of January 31, 2018.

d) **Standard Purchasing Resolution 4: Award – MiDeal Cooperative and Macomb County Cooperative Purchasing Agreement - Fleet Vehicles**

Suggested Resolution

Resolution #2016-01-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2015 Jeep Grand Cherokee vehicle, two (2) 2016 SUV Ford Interceptors, and one (1) 2016 Dodge Charger from the low total bidder, *Bill Snethkamp Dodge of Lansing, MI*, as per the MiDeal Cooperative Bid, Contract ID number (Bid # 071B1300010) and *Signature Ford Lincoln of Owosso, MI*, as per the Macomb County Cooperative Bid for an estimated total cost of \$112,448.00.

J-5 Standard Purchasing Resolution 4, Bid Waiver and Budget Amendment – City Hall Upgrade

Suggested Resolution

Resolution #2016-01-

BE IT RESOLVED, That Troy City Council hereby **WAIVES** the competitive bid process and **AWARDS** a contract to furnish all equipment, material and labor to install the technology upgrade which includes TVs, a projector, screen, equipment and wiring in the Council Chambers to *Advanced Lighting and Sound of Troy, MI* in the total amount of \$23,416.00.

BE IT FURTHER RESOLVED, That Troy City Council **APPROVES** an amendment to the Capital Project Fund Budget in the amount of \$30,000.00 for the City Manager Office Area upgrades and **AWARDS** a contract to furnish and install flooring for the City Manager's Office Area for an estimated total amount of \$16,799.17 as per the NJPA Shaw Carpet Cooperative Contract #022712.

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

J-6 Bid Waiver – Pelco Camera System Upgrade for the Troy Public LibrarySuggested Resolution

Resolution #2016-01-

WHEREAS, The Police Department upgraded its video security camera system to the Pelco Endura enterprise camera system, anticipating a city wide expansion and has been utilizing the maintenance services of SimplexGrinnel since 2005 (CC 2005-12-557-F10) with the original access control system being installed during the Police and Fire building renovation and addition project; and,

WHEREAS, Due to the complexity of the system and the knowledge that is required and necessary for the total ongoing integration of the integrated security management system; an *ongoing* proprietary service agreement with *SimplexGrinnel of Farmington Hills, MI*, to provide materials and labor to maintain the Integrated Security Management System was approved by City Council February 16, 2009, (CC# 2009-02-047-F-04d);

NOW, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to utilize the ongoing contract with *SimplexGrinnel of Farmington Hills, MI*, an authorized licensed installer in Michigan, to purchase and install the Pelco Endura Camera System at the Troy Public Library at an estimated cost of \$45,297.00, as detailed in the quotation; which shall be **ATTACHED** to the original Minutes of this meeting.

THEREFORE, BE IT FINALLY RESOLVED, That Troy City Council **APPROVES** the budget amendment transferring \$45,300.00 from the Library Fund to the Capital Projects Fund where the funds will be expended.

J-7 MDOT Contract 2014-0871 Amendment A1 – Priority Roads Investment Program Fund Asphalt Resurfacing – Long Lake, Adams to Northfield Parkway

Suggested Resolution
Resolution #2016-01-

RESOLVED, That Troy City Council hereby **APPROVES** MDOT Contract No. 2014-0871 Amendment A1 between the City of Troy and the Michigan Department of Transportation for improvements to Long Lake Road, from Adams Road to Northfield Parkway using \$1,500,000 in Priority Roads Investment Program (PRIP) funds at no cost to the City of Troy, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

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

N. COUNCIL REFERRALS:

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

N-1 No Council Referrals

O. COUNCIL COMMENTS:

O-1 No Council Comments Advanced

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Zoning Board of Appeals-Final – October 20, 2015
- b) Employees’ Retirement System Board of Trustees-Final – November 11, 2015
- c) Planning Commission-Draft – December 8, 2015
- d) Planning Commission-Final – December 8, 2015
- e) Zoning Board of Appeals-Draft – December 15, 2015
- f) Planning Commission-Draft – December 22, 2015

P-2 Department Reports:

- a) Building Department Activity Report – December, 2015
- b) Letter of Recognition for Aileen Dickson, City Clerk, from Monica Martinez Simmons, International Institute of Municipal Clerks President, Recognizing Aileen Dickson in her Designation of Master Municipal Clerk (MMC)
- c) 2015 Fourth Quarter Litigation Report

P-3 Letters of Appreciation:

- a) To Chief Roberts from Marc Radecky Regarding Appreciation for Department Response
- b) To Chief Mayer from Brenda Balas Regarding Appreciation of Community Programs
- c) To Chief Roberts and the Troy Firefighters from Joy Stockamp Regarding Citizens Police Academy Participation
- d) To Employees and Patrons of the Troy Public Library from the American Red Cross
- e) To City Council and Staff from the Troy Historical Society Regarding CDBG Funds Being Used to Improve Accessibility at the Troy Historical Village
- f) To Chief Roberts from Julie Senkowski Regarding Firefighter Presentation at their Child Care Center

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

P-5 Road Commission for Oakland County – Public Information Meeting – January 13, 2016 for Planned Dequindre Reconstruction

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

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

Respectfully submitted,



Brian Kischnick, City Manager

2016 CITY COUNCIL/STAFF RETREAT:

February 26, 2016 at 5:00 PM Kresge Foundation, 3215 W. Big Beaver
February 27, 2016 at 8:30 AMWalsh College, Barry Center, 3838 Livernois

2016 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

January 25, 2016Joint Meeting–Troy City Council/Troy Downtown Development Authority
February 22, 2016..... Liquor Violation Hearings
March 14, 2016 Liquor Violation Hearings
April 18, 2016 Joint Meeting–Troy City Council/Troy Chamber
April 21, 2016..... Special Study Session – Budget Discussions
April 25, 2016..... Special Study Session – Budget Discussions
August 8, 2016 Joint Meeting–Troy City Council/Troy School Board
October 24, 2016 Joint Meeting–Troy City Council/Troy Planning Commission

2016 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

January 25, 2016 Regular Meeting
February 8, 2016..... Regular Meeting
February 22, 2016..... Regular Meeting
March 14, 2016 Regular Meeting
March 21, 2016 Regular Meeting
April 4, 2016 Regular Meeting
April 18, 2016..... Regular Meeting
May 9, 2016 Regular Meeting
May 23, 2016 Regular Meeting
June 13, 2016 Regular Meeting
June 27, 2016 Regular Meeting
July 11, 2016..... Regular Meeting
July 25, 2016..... Regular Meeting
August 8, 2016..... Regular Meeting
August 22, 2016..... Regular Meeting
September 19, 2016 Regular Meeting
September 26, 2016 Regular Meeting
October 10, 2016 Regular Meeting
October 24, 2016 Regular Meeting
November 14, 2016 Regular Meeting
November 21, 2016 Regular Meeting
December 5, 2016 Regular Meeting
December 19, 2016 Regular Meeting

Pastor Tom Lancaster from Woodside Bible Church performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, December 14, 2015, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. ROLL CALL:

- a) Mayor Dane Slater
- Edna Abraham
- Ethan Baker
- Jim Campbell
- Dave Henderson
- Ellen Hodorek
- Ed Pennington

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Service Commendation from the Troy City Council to City of Troy Recreation Department Employees John Baranski and Tim McClain for Implementing Emergency Procedures and Utilizing the AED to Save the Life of a Troy Resident Who Collapsed from Sudden Cardiac Arrest *(Presented by: Mayor Dane Slater)*

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

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

a) Mayoral Appointments:

Resolution #2015-12-160
Moved by Slater
Seconded by Baker

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

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Term Expires: 9/30/2019

Barbara Knight

At Large

Term currently held by: Barbara Knight

Yes: All-7
No: None

MOTION CARRIED

Resolution #2015-12-161
Moved by Slater
Seconded by Campbell

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

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Term Expires: 12/31/2018

Michael Hutson

Term currently held by: Michael Hutson

Term Expires: 12/31/2018

Philip Sanzica

Term currently held by: Philip Sanzica

Term Expires: 12/31/2018

John Tagle

Term currently held by: John Tagle

Yes: All-7
No: None

MOTION CARRIED

b) **City Council Appointments: None**

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust, Personnel Board, Southeast Michigan Council of Governments

a) **Mayoral Nominations: None**

b) **City Council Nominations:**

Resolution #2015-12-162
Moved by Pennington
Seconded by Henderson

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

Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust

Appointed by Council
7 Regular Members and 2 Ordinance Members
3 Year Term

Nominations to the Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust:

Term Expiring: 12/31/2018

Mark Calice

Council Appointed Citizen

Term currently held by: Mark Calice

Personnel Board

Appointed by Council
5 Regular Members
3 Year Term

Nominations to the Personnel Board:

Unexpired Term Expiring: 4/30/2018

Jane Parparet

Term currently held by: Edna Abraham (Resigned)

Unexpired Term Expiring: 4/30/2018

Pamela Gordon

Term currently held by: P. Terry Knight (Deceased)

Southeastern Michigan Council of Governments (SEMCOG)

Appointed by Council
1 Regular and 1 Alternate
Appointed Every Odd-Year Election

Term Expires: 11/10/2017

Ed Pennington

(Delegate)

Term currently held by: James Campbell

Term Expires: 11/10/2017

Mark Miller

(Alternate)

Term currently held by: Mark Miller

Yes: All-7
No: None

MOTION CARRIED

I-3 No Closed Session Requested

**I-4 Pass Thru Agreement Between SMART and Troy Regarding Transit Center FTA Grant
(Introduced by: Brian Kischnick, City Manager, and Lori Grigg Bluhm, City Attorney)**

Resolution #2015-12-163
Moved by Slater
Seconded by Abraham

RESOLVED, That Troy City Council hereby **APPROVES** the attached Suburban Mobility Authority For Regional Transportation and City of Troy Pass Through Agreement For Troy Multi-Modal Transit Center, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement on behalf of the City of Troy.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2015-12-164-J-1a
Moved by Henderson
Seconded by Pennington

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

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2015-12-164-J-2

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

- a) City Council Minutes-Draft – December 7, 2015

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions: None Submitted

J-5 Fireworks Permit – DMC Children’s Hospital

Resolution #2015-12-164-J-5

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Ace Pyro, LLC of Manchester, Michigan, for the public display of fireworks at 500 W Big Beaver Rd., for the DMC Children’s Hospital grand opening event at 350 W. Big Beaver Rd., Troy, Michigan, on Saturday January 9, 2016; pending proof of required insurance coverage no later than ten (10) business days before the event.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Fire Department to inspect in advance the fireworks to be displayed, review the proposed discharge location(s) and site and may take any action to assure safety and compliance with applicable codes and standards for such a fireworks display.

J-6 Agreement for Temporary Construction and Permanent Easement for DTE Ariel Substation on Doyle Drive, North of the Transit Center

Resolution #2015-12-164-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the attached Temporary Easement Agreement between the City of Troy and DTE Energy, and **AUTHORIZES** the Mayor and City Clerk to execute the Temporary Easement Agreement on behalf of the City.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the attached permanent Easement Agreement between the City of Troy and DTE Energy, and **AUTHORIZES** the Mayor and City Clerk to execute the Easement Agreement on behalf of the City.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

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

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

N. COUNCIL REFERRALS:

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

N-1 No Council Referrals

O. COUNCIL COMMENTS:

O-1 Council Comments

Council Member Baker commented that he has received many positive comments about the tree lighting on Big Beaver and he thanked Kurt Bovensiep for all his hard work for this project. He also thanked City Council and City Administration for all their help and support since his election. He wished everyone happy holidays.

Council Member Henderson discussed the coyote issue in the city. He asked for comment from the other City Council Members regarding the number of coyotes in the city and if there are any solutions to the issues that might help residents feel safer. Mayor Slater asked for consensus from City Council to direct City Administration to prepare a report regarding coyotes. Council Member Henderson commented that the City of Royal Oak contracted to have coyotes relocated from the community. Mayor Pro Tem Pennington said that there have been people killed by coyotes so it is a serious issue that needs to be addressed. Council Member Hodorek said that coexisting with dangerous predatory animals is not an option and residents should call 911 if they have aggressive coyotes on their properties.

Council Member Campbell asked City Administration for a schedule for the construction of the Amber apartment project at Livernois and Town Center.

Council Member Henderson wished everyone a happy holidays and Merry Christmas.

Mayor Slater wished everyone a happy holidays and Merry Christmas.

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Animal Control Appeal Board-Final – March 25, 2015
 - b) Civil Service Commission (Act 78)-Final – October 29, 2015
 - c) Building Code Board of Appeals-Final – November 2, 2015
 - d) Planning Commission-Final – November 10, 2015
 - e) Building Code Board of Appeals-Final – November 18, 2015
 - f) Animal Control Appeal Board-Draft – December 2, 2015
 - g) Building Code Board of Appeals-Draft – December 2, 2015
 - h) Civil Service Commission (Act 78)-Draft – December 3, 2015
-

P-2 Department Reports:

- a) 2015/2016 Strategies Update
-

P-3 Letters of Appreciation:

- a) To Paul Evans from Laurence McKenny Regarding Assistance with Zoning Compliance
 - b) To Kathy Czarnecki, Mitch Grusnick and Paul Evans Regarding Assistance with Variance Request
 - c) To Aileen Dickson, Cindy Stewart and City of Troy Staff from CARE House of Oakland County Regarding Donations for their Caring for Holiday Wishes Program
-

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

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

R. CLOSED SESSION:

- R-1 No Closed Session**

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:05 PM.

Mayor Dane Slater

M. Aileen Dickson, CMC
City Clerk



CITY COUNCIL AGENDA ITEM

Date: December 16, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 David Roberts, Fire Chief
 Peter Hullinger, Staff Technician

Subject: Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Structural Firefighting Turnout Gear

History

- NFPA standard 1971 limits structural firefighting turnout ensemble components to a maximum service life of 10 years from date of manufacture.
- The standard indicates that after 10 years of service, all components including turnout coats and pants must be removed from service and can no longer be used for structural firefighting.
- The Fire Department is beginning a 3 year purchasing plan to change out the Fire Departments' current gear and stay within the 10 year NFPA standard.
- Each year, for the next 3 years, the plan is to replace 1/3 of the turnout gear, starting with the oldest and most worn-out gear.

Purchasing

On December 10, 2015, a bid opening was conducted as required by City Charter and Code for two (2) year requirements of new structural firefighting turnout gear with one (1) year renewal option. The bid was posted on the Michigan Inter-governmental Trade Network (MITN) website; www.mitn.info. Two (2) bid responses were received.

Companies notified via MITN	71
Troy Companies notified via MITN	3
Troy Companies - Active email Notification	3
Troy Companies - Active Free	1
Companies that viewed the bid	23
Troy Companies that viewed the bid	0

***MITN** provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy. **Active MITN** members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City. **Active MITN non-paying** members are responsible to monitor and check the MITN website for opportunities to do business with the City. **Inactive MITN** member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.*

Purchasing (continued)

- The Fire Department has standardized on the Lion Apparel Super Deluxe protective coat and bunker pant ensemble based on comprehensive evaluations by the Troy Fire Department and surrounding departments including Rochester Hills, Bloomfield Twp., and others.



CITY COUNCIL AGENDA ITEM

- Bid specifications based on the current Lion Apparel protective equipment ensemble currently in use were developed and published.
- Two (2) bid responses were received. Apollo Fire Equipment Co. is low bid as specified. Apollo Fire Equipment Co. not only was the only bidder but also meets all bid specifications.
- The unit cost for each set of gear is \$1,881.91. Each set includes the coat, pants, and suspenders. The total price of \$112,914.60 is for 60 sets, which is 1/3 of turnout gear that is being replaced.
- Pricing for the additional two (2) years will be 44% off list price.
- After reviewing the bid responses, specifications, warranty and detail in conjunction with the Fire Department it is being recommended that Apollo Fire Equipment Company of Romeo, MI be awarded a contract to furnish two year requirements for new structural firefighting turnout gear with the option to renew for one (1) additional year as per unit bid pricing which is 44% off manufacturer list price.

Financial

Funds are budgeted and available in the amount of \$120,000.00 in the Operating Supplies Fire Equipment Account, 101.338.7740.115.

Recommendation

City management recommends awarding a contract to furnish two (2) year requirements for new structural firefighting turnout gear with the option to renew for one (1) additional year for an estimated total cost of \$112,914.60 for year one to Apollo Fire Equipment Co. of Romeo, MI at unit prices contained in the bid tabulation opened December 10, 2015. The award is contingent upon the contractor's submission of properly executed bid documents including insurance certificates and all specified requirements.

PROPOSAL: Two-year requirements with one (1) two-year renewal option of new structural firefighting turnout gear for the City of Troy Fire Department.

VENDOR NAME:

Apollo Fire Equipment Co.
 Romeo, MI

Douglass Safety Systems
 Sanford, MI

ITEM	EST QTY	DESCRIPTION	Unit Price	Estimated Total	Unit Price	Estimated Total
1.	60	COAT: Make/Model/Manufacturer	\$ 1,168.40	\$ 70,104.00	\$ 1,423.53	\$ 85,411.80
			CSTM Super Deluxe Coat by Lion Apparel		S25 Viper Honeywell	
2.	60	PANT: Make/Model/Manufacturer	\$ 713.51	\$ 42,810.60	\$ 912.93	\$ 54,775.80
			PSUM Super Pant by Lion Apparel		S36 Viper Honeywell	
3.	60	SUSPENDERS: Make/Model/Manufacturer	Included	Included	Included	Included
			SB342 H-Back Suspenders by Lion Apparel		Blank	
		TOTAL UNIT PRICE:	\$ 1,881.91		\$ 2,336.46	
ESTIMATED TOTAL PRICE:			\$ 112,914.60		\$ 140,187.60	
AUTHORIZED DEALER:			Y		Y	
CONTACT INFORMATION:						
		Hours of Operation	M-F 8:00-4:30		8a-5p M-F	
		24 Hr Phone #	810-877-5501		989-687-7600	
DESCRIPTIVE LITERATURE:			Y		Y	
		Attached / Marked	#1, #2		Literature	
EXTENDED TO MITN GROUP:			Y		Y	
PAYMENT TERMS:			Net 30 days		Net 30 days	
WARRANTY:			Standard Manufacturers Warranty		Lifetime from Manufacturer Defect	
DELIVERY:			Approx. 60 days		60 days	
EXCEPTIONS:			Commando Coat is no longer offered and has been replaced by the Super Deluxe Coat.		Will take a couple exceptions due to the spec being manufacturer specific. Our gear meets and exceeds the specs listed.	
ACKNOWLEDGEMENT: Signed Y or N			Y		Y	
FORMS: Y or N			Y		Y	

ATTEST:

Sara Teets
 Susan Riesterer
 Peter Hullinger
 MaryBeth Murz

MaryBeth Murz,
 Purchasing Manager



CITY COUNCIL AGENDA ITEM

Date: December 16, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Timothy L. Richnak, Public Works Director
 Kurt Bovensiep, Public Works Manager

Subject: Standard Purchasing Resolution 2: Award to Low Bidder meeting Specifications – Asphalt Patching Material – Cold

History

- Asphalt Patching Material – Cold, is used on a seasonal basis during colder weather as a temporary patching repair to paved surfaces as needed.
- Usage history for patching material is as follows:

	<u>Quantity (tons)</u>	<u>Price/Ton</u>	<u>Total</u>
2013	147	\$95.00	\$13,927.00
2014	195	\$97.50	\$18,989.00
2015	145	\$105.00	\$15,171.45

- The current contract expires December 31, 2015.

Purchasing

On December 3, 2015; a bid opening was conducted as required by City Charter/Code and bid proposals were received at the City’s request from firms interested in providing seasonal requirements of Asphalt Patching Material – Cold Patch. Companies were notified via the Michigan Intergovernmental Trade Network (MITN); www.mitn.info. 112 vendors were notified via the MITN website. Three (3) bid responses were received. Below is a detailed summary of the vendor responses.

Companies notified via MITN	112
Troy Companies notified via MITN	2
Troy Companies notified Active email Notification	2
Troy Companies - Active Free	0
Companies that viewed the bid	10
Troy Companies that viewed the bid	2

MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy. **Active MITN** members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City. **Active MITN non-paying members** are responsible to monitor and check the MITN website for opportunities to do business with the City. **Inactive MITN member** status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.

After reviewing the bid proposals, *Ace-Saginaw Paving Co, of Saginaw, MI* was the low bidder meeting Specifications and is being recommended for the purchase of Asphalt Patching Material – Cold Patch as required and on an as needed basis.

Financial

Funds for the purchase of Asphalt Patching Material – Cold Patch are budgeted and available in various Public Works operating budgets for the Streets and Water Divisions.



CITY COUNCIL AGENDA ITEM

Recommendation

City Management recommends awarding a contract for seasonal requirements of Asphalt Patching Material – Cold Patch, to the low bidder meeting specifications, *Ace-Saginaw Paving Co, of Saginaw, MI*; to be purchased on an as needed basis for an estimated total cost of \$35,916.00 at the unit price contained in the bid tabulation opened December 3, 2014; not to exceed annual budget limitations.

VENDOR NAME:	Ace-Saginaw Paving Company	Ajax Materials Corporation	Cadillac Asphalt	
	Saginaw, MI	Troy, MI	Canton, MI	
	<i>As Specified</i>	<i>As Specified</i>	<i>As Specified</i>	<i>Alternate</i>

PROPOSAL: Provide seasonal requirements of Asphalt Patching Material - Cold Patch

	UOM	QTY	Unit	Ext Price	Unit	Ext Price	Unit	Ext Price	Unit	Ext Price
QPR/UPM or Approved Alternate - Delivered	TON	400	\$89.79	\$ 35,916.00	\$ 115.00	\$ 46,000.00	\$125.00	\$ 50,000.00	\$ 112.00	\$ 44,800.00
Brand Requirement:	<i>Brand Name or Approved Equal</i>									
Minimum Load (State minimum load requirement)			50 tons		50 ton train load		50 tons			
Delivery will be within how many hours after a verbal request for material.			2 days		24 - 48 hours upon receipt of order		48 hours			
Payment Terms:			Net 30		Net 30 days upon receipt		Net 30 days			
Contact Information:										
Hours of Operation:			Dec-March: Mon, Wed April-Nov: Mon-Fri		Mon-Thurs. 8:00am - 2:00pm		Mon-Fri 8:00-4:00			
24 hour phone number:			989-737-2863				586-405-3250			
Additional forms	Yes/No	Yes			Yes		Yes			
Insurance/Can meet	Yes/No	Yes			Yes		Yes			
MSDS Sheet	Yes/No	Yes			Yes		Yes			
Exceptions			Blank		None		None			

ATTEST:
 Sara Teets

 Emily Frontera

 Enna Bachelor

 Susan Riesterer

 MaryBeth Murz,
 Purchasing Manager



CITY COUNCIL AGENDA ITEM

Date: December 14, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
Timothy L. Richnak, Public Works Director
Brian Varney, Superintendent of Fleet Maintenance

Subject: Standard Purchasing Resolution 4: Cooperative Contract Award - Michigan Intergovernmental Trade Network (MITN) Gasoline and Diesel Fuel

History

- The City of Troy purchases approximately 160,000 gallons of gasoline and 80,000 gallons of diesel fuel annually to power the City's fleet of vehicles and equipment.
- This commodity is currently being purchased via a Michigan Intergovernmental Trade Network (MITN) cooperative bid that includes 18 member municipalities situated in Macomb, Oakland and Wayne County. Cumulatively, approximately 3,000,000 gallons of gasoline and 1,230,000 gallons of diesel fuel are purchased annually through this MITN cooperative bid.
- The bid is structured so MITN members pay for fuel based on the per gallon wholesale rack average as published daily by the Oil Price Information Service (OPIS), plus a delivery fee (bid factor) per gallon. Bid award is based on the lowest factor quoted per type of fuel delivery plus the OPIS daily average for Detroit, Michigan.
- The current contract expires January 31, 2016.

Purchasing

- Gasoline and diesel fuel are purchased and delivered by truck transport for quantities of fuel greater than 5,000 gallons, and by tank wagon for quantities less than 5,000 gallons.
- The bid is structured so MITN members pay for fuel based on the per gallon wholesale rack average as published daily by the Oil Price Information Service (OPIS), plus a delivery fee (bid factor) per gallon. Bid award is based on the lowest factor quoted per type of fuel delivery plus the OPIS daily average for Detroit, Michigan.
- Sterling Heights hosts this MITN cooperative bid.
- October 13, 2015 five (5) bids were received for the cooperative purchase of truck transport and tank wagon deliveries of gasoline and diesel fuel.
- November 17, 2015 the Sterling Heights City Council approved the split award for the *truck* transport portion of the bid to *RKA Petroleum, Inc. and Ports Petroleum Co., Inc.*, and for the *tank* wagon portion of the bid to *RKA Petroleum, Inc. and Atlas Oil Company*; low bidders meeting specifications for two (2) year requirements of gasoline and diesel fuel with an option to renew for two (2) additional years.
- By awarding to the low two bidders for truck transport and tank wagon deliveries, the City will be able to leverage the bid results and purchase fuel at the lowest cost, depending on the commodity and quantity being ordered.



CITY COUNCIL AGENDA ITEM

- Since gasoline prices cannot be held firm, this method allows both parties to enter into an adjustable contract for a lengthy period of time. Wholesale fuel prices charged to the City through this cooperative bid may fluctuate daily based on market conditions and are considerable lower than consumer pump prices as evidenced in the examples below.
- Qualifying governmental entities are tax exempt, however Federal LUST (Leaking Underground Storage Tank) taxes, Michigan UST (Underground Storage Tank) fees, and Federal Environmental recovery and protection fees are payable, and total \$0.01165/gallon. These allowable taxes/fees are included in all bid pricing.
- For comparative purposes, the following breakdown compares the pricing per gallon for truck transport and tank wagon deliveries of fuel available to the City under the low bids as compared to consumer pricing. Wholesale pricing was based on the OPIS Detroit Rack Average on October 6, 2015.

Truck Transport (>5,000 Gallon Deliveries)

Fuel Type	10/6/2015 OPIS Price <u>per Gallon</u>	Bid Factor Delivery Fees <u>per Gallon*</u>	Total Delivered Price per Gallon	Comparative Consumer Retail Price per Gallon
Unleaded Reg. Gasoline	\$1.8353	-\$0.0243**	\$1.8110	\$2.428
ULS Diesel #2	\$2.0928	-\$0.0293**	\$2.0635	\$2.679

*Includes State & Federal fees per gallon

**For the first time ever, bids were received that reflect negative (-) factors for the truck transport deliveries. This negative factor applies only to the larger truck transport deliveries, not the smaller volume tank wagon deliveries. These negative bid factors can best be explained as the 'sharing of a volume discount provided to the vendor from the fuel terminals'. The vendors buy a high volume of fuel from the terminals and as a result, have favorable pricing agreements with the terminals. With the intent of being awarded a bid and in order to be as competitive as possible, vendors passed along savings offered by the terminals in the form of a negative factor. If awarded, the gallons of fuel included in this cooperative bid advances the vendors' objective of meeting their threshold of fuel needed to secure favorable pricing from the fuel terminals.

Tank Wagon (>5,000 Gallon Deliveries)

Fuel Type	10/6/2015 OPIS Price <u>per Gallon</u>	Bid Factor Delivery Fees <u>per Gallon*</u>	Total Delivered Price per Gallon	Comparative Consumer Retail Price per Gallon
Unleaded Reg. Gasoline	\$1.8353	-\$0.0848	\$1.9201	\$2.428
ULS Diesel #2	\$2.0928	-\$0.0995	\$2.1923	\$2.679

*Includes State & Federal fees per gallon

- Truck Transport – RKA Petroleum is one of two incumbent truck transport vendors and their past performance has been very good. RKA is also a current vendor for the State of Michigan cooperative. Ports Petroleum Co., Inc. is a new vendor for the City. They are located in Wooster, OH and are licensed to sell and transport fuel in 26 states. Ports Petroleum utilizes a fleet of their own trucks as well as contractual carriers to deliver their fuel products. References for both of the truck transport



CITY COUNCIL AGENDA ITEM

vendors were checked and proved to be positive. Ports Petroleum is being recommended for fuel deliveries under a separate bid by Macomb County.

- Tank Wagon – Atlas Oil Company is the incumbent tank wagon vendor and has performed well with this cooperative over the past four years. Atlas Oil delivered fuel for this cooperative from 2003 to 2007. As indicated above, RKA Petroleum has successfully provided truck transport delivery for the MITN cooperative. References proved favorable for both.

Financial

- It is estimated that the City will purchase 160,000 gallons of unleaded gasoline and 80,000 gallons of diesel fuel. Gasoline and diesel fuel is purchased on an as needed basis.
- Gasoline and diesel fuel cost history is listed as follows, which reflects a decrease costs:

	Diesel	Unleaded	Total
2013/2014	\$239,615	\$394,859	\$634,473
2014/2015	\$153,444	\$361,507	\$541,951
2015/2016 YTD	\$37,162	\$117,320	\$154,482

- Funds for the purchase of gasoline and diesel fuel are budgeted in the amount of \$700,000.00 and available in the Equipment, Operations and Maintenance – Fuel Operating Budget.

Recommendation

City management recommends the award of the bid for truck transport and tank wagon deliveries of unleaded gasoline and diesel fuel to the following low bidders meeting specifications for two (2) year requirements, with the option to extend the terms and conditions an additional two years upon mutual consent as detailed below as a result of a bid process through the City of Sterling Heights for MITN Purchasing Cooperative members including Troy at factors and prices contained in the original bid tabulation opened October 13, 2015 with the contract expiring January 31, 2018.

Truck Transport Deliveries:

1. RKA Petroleum Companies of Romulus, MI
2. Ports Petroleum Co., Inc. of Wooster, OH

Tank Wagon Deliveries:

1. RKA Petroleum Companies of Romulus, MI
2. Atlas Oil Company of Taylor, MI



CITY COUNCIL AGENDA ITEM

Date: January 7, 2016

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Timothy Richnak, Public Works Director
 Tom Darling, Director of Financial Services
 Brian Varney, Superintendent of Fleet Operations

Subject: Standard Purchasing Resolution 4: Award – MiDeal Cooperative and Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

History

The Fleet Division provides vehicles for all departments in the city and charges a vehicle cost back to each department. This Internal Service Fund provides full service on all city vehicles as well as pool vehicles for city use. Currently, there are no vehicles to provide a department when a vehicle is in for long term service. Also, there is no pool vehicle to be used for miscellaneous driving in town or driving to other municipalities or states. This purchase will provide two SUV Ford Interceptors, one Dodge Charger and one Jeep Grand Cherokee.

Purchasing

Bill Snethkamp is the low total bidder in the MiDeal Cooperative Bid which will be used to purchase the Dodge Charger and Jeep Grand Cherokee. Signature Ford is the low total bidder in the Macomb County Cooperative Bid which will be used to purchase the SUV Ford Interceptors. On February 10, 2014 City Council authorized departments to utilize sites such as GovDeals.com to dispose of City owned surplus items. (Resolution# 2014-02-017-J-4a) Therefore, note that the City will utilize and market the obsolete vehicle on GovDeals.com site for optimal trade-in value.

Financial

- Funds are available in the Public Works Fleet Division capital account.

Bill Snethkamp and Signature Ford

		<u>Total Cost</u>
(2) SUV Ford Interceptor (2016)	\$52,167	
(1) Jeep Grand Cherokee (2015)	\$33,571	
(1) Dodge Charger (2016)	\$26,710	
		<u>\$112,448</u>

Recommendation

City management requests authorization to purchase one (1) 2015 Jeep Grand Cherokee vehicle, two (2) 2016 SUV Ford Inceptors, and one (1) 2016 Dodge Charger from the low total bidder, Bill Snethkamp Dodge of Lansing, MI. as per the MiDeal Cooperative Bid and Signature Ford as per the Macomb County Cooperative Bid for in an amount not to exceed \$112,448.



CITY COUNCIL AGENDA ITEM

Date: January 7, 2016

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Cindy Stewart, Community Affairs Director
 Gert Paraskevin, Information Technology Director
 Mark Miller, Director of Economic & Community Development
 Tom Darling, Director of Financial Services

Subject: Standard Purchasing Resolution 4, Bid Waiver and Budget Amendment – City Hall Upgrade

History

Council Chambers

- In order to update and upgrade Council Chambers; October 26, 2015 City Council approved a contract to furnish all equipment, material and labor to install new cameras, cables, TV's and articulating mounts in the Council Chambers and Council Board Room to the low bidder meeting specifications, *Advanced Lighting and Sound of Troy, MI* for an estimated total cost of \$32,451.00; (Resolution# 2015-10-139-J-4c).

City Manager's Office Area

- As a part of this update and upgrade so as to improve and enhance customer service, create a friendly environment, optimize space, and encourage collaboration; structural changes to the City Manager's Office Area were completed. Two (2) walls and two (2) doors were eliminated. Four (4) new desks were purchased in order to eliminate walled cubicles and the addition of a collaboration table and chairs in the new open space created a new innovative environment for both staff and visitors.
- Also, the existing carpet in the City Manager's Office Area installed in 2003, is visibly worn and dated. New flooring, additional furniture, a paint refresh and other finishing décor will be included in the next phase of the City Hall upgrade.
- The new carpet selection is a commercial grade Patcraft carpet tile product that will be installed throughout the City Manager's suite. In addition to carpet; a linoleum wood-look plank material will create a small lobby area as you enter the City Manager's suite as well as portions of the workroom which are both high traffic areas.

Purchasing

Council Chambers

- *Advanced Lighting and Sound of Troy, MI* was the low bidder and met all bid specifications and was recommended to upgrade the cameras, cables, TVs and articulating mounts in the Council Chambers and the Council Board Room as specified and as per the project timeline.
- Pre-install meetings with Advanced Lighting and Sound in conjunction with the Community Affairs Director, the City Manager and the IT Department; identified the need to expand the scope of work so as to ensure the upgrade suits and meets the needs of City Administration for all City Council meetings.
- The expanded scope of work includes larger TVs, a new projector, new projection screen and related wiring and equipment which enables Council members to view presentations streamed to their laptops during meetings. Overall, these changes immensely improve the presentation experience for audience members and City Council.
- The integration of equipment for this install is *critical* to the everyday operation of the Council Chambers. Because equipment integration is critical to the entire operation of the system it would not be of any benefit to seek separate bids for this additional work.
- It is recommended to waive the competitive bid process for this technology upgrade and award the install to Advanced Lighting & Sound for the total amount of \$23,416.00.

Quote 6806 (80" TVs & Arm Brackets)	\$7,946.00
Quote 6954 (Projector, Screen, Equipment & Wiring)	<u>\$15,470.00</u>
Total	\$23,416.00



CITY COUNCIL AGENDA ITEM

Purchasing

City Manager's Office Area

- The existing carpet in the City Manager's Office Area was installed in 2003. The carpet is visibly worn and quite dated.
- The new carpet selection is a commercial grade Patcraft carpet tile product that will be installed throughout the City Manager's Office Area. In addition to carpet; a linoleum wood-look plank material will create a small lobby entrance area in the City Manager's suite as well as the workroom which are both high traffic areas.
- The flooring replacement includes all the offices and the conference room. The detailed design and placement of the carpet tiles will update the space and create a visual traffic pattern for City Hall visitors. The project includes removal and disposal of all old carpet and the install of all new base molding.
- In addition to the flooring replacement; an additional furniture purchase, a paint refresh and other finishing décor will be included in this phase of the City Hall upgrade.
- January 12, 2015 City Council approved and authorized City management to participate in the National Joint Power Alliance Purchasing Program (NJPA) for purchases; (Resolution #2015-01-009-J-4f).
- Interior Environments is an authorized dealer for Patcraft carpet manufactured by Shaw and participates in the NJPA cooperative purchasing program.

Financial

Council Chambers

- The total cost of the technology upgrade will be \$23,416.00.
- Funds in the amount of \$18,971.00 is budgeted and currently available in Project #2016001 and \$4,445.00 is budgeted and available in the IT operating budget; Operating Supplies-Computer Supplies; 636.228.7740.015.

City Manager's Office Area

- The project was originally budgeted in the Capital Projects fund 2014/2015 fiscal year in the amount of \$35,000. The amount expended in the 2014/2015 fiscal year was \$18,413. The remaining amount was \$16,587.
- Due to the normal lapse of budget appropriations at fiscal year-end, this project will require a re-appropriation for the 2016/2017 year. The current estimated remaining cost to complete the City Manager's Office area is \$30,000.

Recommendation

Council Chambers

City management recommends awarding the contract to furnish all equipment, material and labor to install the technology upgrade which includes TVs, projector, screen, equipment and wiring in the Council Chambers to *Advanced Lighting and Sound of Troy, MI* for an estimated total cost of \$23,416.00.

City Manager's Office Area

City management requests a budget amendment of \$30,000 in the Capital Project Fund for the carpet and the remaining City Manager Office Area upgrades. In addition, City management requests authorization to purchase and install flooring for the City Manager's Office Area for an estimated total amount of \$16,799.17 as per the NJPA Shaw Carpet Cooperative Contract #022712-SII.



CITY COUNCIL AGENDA ITEM

Date: December 17, 2015

To: Brian Kischnick, City Manager

From: MaryBeth Murz, Purchasing Manager
 Gert Paraskevin, IT Director
 Gary Mayer, Chief of Police
 Mark Miller, Director of Economic & Community Development
 Tom Darling, Director of Finance
 Cathleen Russ, Library Director
 Phillip Kwik, Assistant Library Director

Subject: Bid Waiver and Budget Amendment: Pelco Camera System Upgrade for the Troy Public Library (Introduced by: Cathy Russ, Library Director)

History

- The video security system at the Troy Public Library has failed and is not currently operational.
- The Police Department upgraded its video security camera system to the Pelco Endura enterprise camera system, anticipating a city wide expansion and has been utilizing the maintenance services of SimplexGrinnel since 2005 {Resolution #2005-12-557-F10} with the original access control system being installed during the Police and Fire building renovation and addition project.
- Due to the complexity of the system and the knowledge that is required and necessary for the total ongoing integration of the integrated security management system; an ongoing proprietary service agreement with SimplexGrinnel of Farmington Hills, MI to provide materials and labor to maintain the Integrated Security Management System was approved by City Council February 16, 2009; {Resolution #2009-02-047-F-04d}.
- Troy City Council waived formal bidding procedures and authorized City management to utilize the ongoing contract with SimplexGrinnel of Farmington Hills, MI an authorized licensed installer in Michigan to purchase and install the Pelco Endura and access control equipment so as to upgrade the current Integrated Security Management System ; {Resolution #2015-01-024-J-7}.
- The Troy Public Library is the only City building not on the Endura system. It is estimated that it will cost between \$2,500 and \$3,500 to fix the legacy system. The system is over 8 years old and has failed repeatedly over the last two years.
- The goal of this project is to increase the security, safety of the public and city staff, and limit liability at the Troy Public Library. The Library has had numerous occasions when issues have occurred that required the police or Library staff to view videos. The upgrade to this system will additionally allow staff to add cameras to areas where video is needed, ability to save video for at least a month, and allow the Police Department the ability to view video as needed on the existing Endura video wall.



CITY COUNCIL AGENDA ITEM

Purchasing

- Due to the complexity of the system, it is recommended to waive the bid process and use the company who initially programmed the system, maintains the software application, provides ongoing service and also has the knowledge to understand the integration between the Pelco system and our access control system. Additionally, knowledge is required and necessary for the total integration of the access control system.
- SimplexGrinnell has installed the camera and/or access control systems at the City Hall Offices, Community Center, Police and Fire Training Center, Aquatic Center, Nature Center, DPW Building, Parks and Recreation Garage, Fire Storage Building, all six Fire Stations and the Transit Center.
- As per CC Res {2009-02-047-F-04d} City Council approved an ongoing proprietary service agreement with SimplexGrinnell to provide materials, and labor to maintain the Integrated Security management System. Consequently over the last nine years, the Police Department has built a strong ongoing working relationship with SimplexGrinnell.
- Security of our buildings is top priority and SimplexGrinnell is one of only a few vendors that are allowed to work in our building unsupervised. SimplexGrinnell has learned how our operation works and can install and/or integrate systems with little input from department staff.

Financial

Funds are available in the Library's Fund Balance. A budget amendment transferring the funds from the Library's Fund Balance into the Capital Projects fund is necessary. There also needs to be an appropriation from the Capital Project fund for this project, for a total appropriation of \$45,297.

Transfer <u>out</u> of Library Fund	\$45,300
Transfer <u>in</u> to Capital Projects Fund	\$45,300
Appropriation to Purchase System	\$45,300

Recommendation

City management requests approval to utilize the ongoing contract with *Simplex Grinnell of Farmington Hills, MI* an authorized licensed installer in Michigan to purchase and install the Pelco Endura upgraded equipment for the Troy Public Library at an estimated total cost of \$45,297.00, as detailed in the attached quotation.



QUOTATION

SimplexGrinnell

A Division of TYCO International

Date	Quotation No.
	06-Dec-14 520415-1206-14-B02
Vendor Code No.	

Issuing Office 24747 HALSTED ROAD, FARMINGTON HILLS, MI. 48335

TO: **City Of Troy Police Dept.**
 500 West Big Beaver Road
 Troy, MI. 48084

 Attn: Ryan Wolf

Job Name and Address
City Of Troy
Library
VSS ENDURA Upgrade
Budget Proposal

Shipping Terms F.O.B. Shipping Point

Project/Reference No.	Page of
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ITEM	QUANTITY	MODEL NO.	DESCRIPTION	UNIT PRICE	EXTENSION
<p>*** CITY OF TROY / LIBRARY / ENDURA UPGRADE & CAMERA ENCODERS ***</p> <p>Provide materials and labor services for the installation / upgrade of the existing video surveillance system head-end equipment at the City of Troy, Library. This work will include:</p> <ul style="list-style-type: none"> * Library - Install (8) 2 channel encoders to convert (16) analog video signals. * Library - Install (1) ENDURA workstation in Mangers office. * Library - Install (1) network storage manger 6TB. * Library - Install (1) AVAYA 24 port network switch in telecom closet. * Library - Install (1) UPS back-up in telecom closet. <p>Materials & Services:</p>					
1	8	NET5402T	Pelco Encoder H.264 Compression, 2 Channel	\$891.00	\$7,128.00
2	1	RK5200PS-5U-US	Pelco Rack Mount Card Cage w/ Dual Power Supply.	\$2,475.00	\$2,475.00
3	1	NSM5200-06-US	Pelco Network Storage Manager, 6TB, US Power Cord	\$12,225.00	\$12,225.00
4	1	WS5070-US	Pelco Workstation w/WS5200-1 Software, US Power Cord	\$3,564.00	\$3,564.00
5	1	AL4800E89-E6	AVAYA ERS 4826GTS-PWR+ with 24 10/100/1000 802.3at PoE+ & 2 S	\$2,893.00	\$2,893.00
6	1	AA1419048-E6	AVAYA 1-port 1000BASE-SX Small Form Factor Pluggable (SFP) Giga	\$206.00	\$206.00
7	1	UPS-220R-8IP	Middle Atlantic UPS 220VA	\$2,038.00	\$2,038.00
8	1	Lot	Misc. Patch cables & connectors	\$480.00	\$480.00
9	8	HOURS	System Engineering & Design	\$166.00	\$1,328.00
10	8	HOURS	Project Management	\$90.00	\$720.00
11	24	HOURS	System Commissioning / Programming / Test & Check-out	\$115.00	\$2,760.00
12	1	LOT	Electrical Installation and Materials	\$2,460.00	\$2,460.00
13	1	LOT	Network Installation and Configuration	\$2,100.00	\$2,100.00
Sub-total:					\$40,377.00
6% Sales Tax:					Exempt
TOTAL:					\$40,377.00

SIMPLEXGRINNELL offers to furnish the above, subject to the terms and conditions appearing on the face and on the reverse side hereof, for the sum of

THIS QUOTATION DOES NOT INCLUDE ANY TAXES, INSTALLATION, INSTALLATION MATERIALS OR ANY LABOR OR SERVICES UNLESS SPECIFIED ABOVE.

Any alteration or change from the above will be performed following the acceptance by SIMPLEXGRINNELL of Purchaser's Written Order and will become an additional cost at GINNELL then current charges. This Quotation automatically expires 30 days from the date shown above. All orders are subject to acceptance by SIMPLEXGRINNELL

SIMPLEXGRINNELL	TITLE	J.KEITH
By:	SALES	
ACCEPTANCE OF QUOTATION	The prices, specifications, terms and conditions contained herein, including the reverse side hereof, are hereby accepted.	
Purchaser	Date	U:\TROY LIBRARY\ENDURA UPG.XLS
		P.O. No.
By:	Title	

Date	Quotation No.
	06-Dec-14 520415-1206-14-B02
Vendor Code No.	

Issuing Office: 24747 HALSTED ROAD, FARMINGTON HILLS, MI. 48335

TO: **City Of Troy Police Dept.**
500 West Big Beaver Road
Troy, MI. 48084

Attn: Ryan Wolf

Job Name and Address
City Of Troy
Library
VSS ENDURA Upgrade
Budget Proposal

Shipping Terms F.O.B. Shipping Point

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ITEM	QUANTITY	MODEL NO.	DESCRIPTION	UNIT PRICE	EXTENSION
			<p>Notes & Clarifications:</p> <ul style="list-style-type: none"> 1) Sales tax is not included. 2) SimplexGrinnell Standard terms and conditions apply. 3) All new materials have a one-year warranty. 4) All installation to be performed during normal working hours Monday - Friday 7:30am - 4:30pm. 5) All installation performed by union electricians. 6) Owner to provide network connection. 7) Owner to make available 110/240VAC power. 		

SIMPLEXGRINNELL offers to furnish the above, subject to the terms and conditions appearing on the face and on the reverse side hereof, for the sum of _____

THIS QUOTATION DOES NOT INCLUDE ANY TAXES, INSTALLATION, INSTALLATION MATERIALS OR ANY LABOR OR SERVICES UNLESS SPECIFIED ABOVE.

Any alteration or change from the above will be performed following the acceptance by SIMPLEXGRINNELL of Purchaser's Written Order and will become an additional cost at GINNELL then current charges. This Quotation automatically expires 30 days from the date shown above. All orders are subject to acceptance by SIMPLEXGRINNELL.

SIMPLEXGRINNELL	TITLE
By:	

ACCEPTANCE OF QUOTATION The prices, specifications, terms and conditions contained herein, including the reverse side hereof, are hereby accepted.

Purchaser	Date	P.O. No.
-----------	------	----------

By:	Title
-----	-------

SimplexGrinnell
A Division of TYCO International

Date	Quotation No.
	27-Oct-15 520415-1027-15-01
Vendor Code No.	

Issuing Office: 24747 HALSTED ROAD, FARMINGTON HILLS, MI. 48335

TO: **City Of Troy Police Dept.**
500 West Big Beaver Road
Troy, MI. 48084

Attn: Ryan Wolf

Job Name and Address
City Of Troy
Library Basement Store
Surveillance Cameras
Proposal

Shipping Terms F.O.B. Shipping Point

Project/Reference No.	Page of
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ITEM	QUANTITY	MODEL NO.	DESCRIPTION	UNIT PRICE	EXTENSION
*** CITY OF TROY / LIBRARY / BASEMENT STORE CAMERAS ***					
Provide materials and labor services to install (8) video surveillance cameras in the basement store area of the City of Troy Library. All proposed cameras will be connected to the City's enterprise Endura video surveillance system. This work will include:					
* Library - Install (6) IP cameras in basement store area.					
* Library - Install (1) IP camera at basement elevator lobby area.					
* Library - Install (1) IP camera at basement stairwell area.					
* Library - Install (8) CAT6 cables from camera location to network switch in telecom closet.					
Materials & Services:					
1	8	IL10-DP	Pelco Sarix Fixed Indoor IP Camera 1.MP Fixed 1.92mm lens	\$252.00	\$2,016.00
2	8	LV-6D46003	Cat 6 Patch cable RJ45 / 3 Meter	\$3.00	\$24.00
3	14	Hours	Installation Labor (Mounting & Connection)	\$120.00	\$1,680.00
4	1	Lot	Misc. Materials (Wiremold, Sleeves, Fire Stop, etc)		\$240.00
5	8	Hours	System Programming & Configuration (Head-end Equipment)	\$120.00	\$960.00
Notes & Clarifications:					
1) Sales tax is not included.					
2) SimplexGrinnell Standard terms and conditions apply.					
3) All new materials have a one-year warranty.					
4) All installation to be performed during normal working hours 'Monday - Friday 7:30am - 4:30pm.					
5) Owner to provide network connection.					
Sub-total:					\$4,920.00
6% Sales Tax:					Exempt
TOTAL:					\$4,920.00

SIMPLEXGRINNELL offers to furnish the above, subject to the terms and conditions appearing on the face and on the reverse side hereof, for the sum of

THIS QUOTATION DOES NOT INCLUDE ANY TAXES, INSTALLATION, INSTALLATION MATERIALS OR ANY LABOR OR SERVICES UNLESS SPECIFIED ABOVE.

Any alteration or change from the above will be performed following the acceptance by SIMPLEXGRINNELL of Purchaser's Written Order and will become an additional cost at GINNELL then current charges. This Quotation automatically expires 30 days from the date shown above. All orders are subject to acceptance by SIMPLEXGRINNELL.

SIMPLEXGRINNELL	TITLE	J.KEITH
By:	SALES	
ACCEPTANCE OF QUOTATION	The prices, specifications, terms and conditions contained herein, including the reverse side hereof, are hereby accepted.	
Purchaser	Date	U:\LIBRARY\BASEMENT CAMERAS.XLS
		P.O. No.

By: _____ Title _____



CITY COUNCIL ACTION REPORT

Date: December 22, 2015

To: Brian Kischnick, City Manager

From: Mark Miller, Director of Economic and Community Development
Steven J. Vandette, City Engineer

Subject: MDOT Contract 2014-0871 - Amendment A1 – Priority Roads Investment Program Fund
Asphalt Resurfacing – Long Lake, Adams to Northfield Parkway

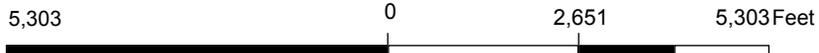
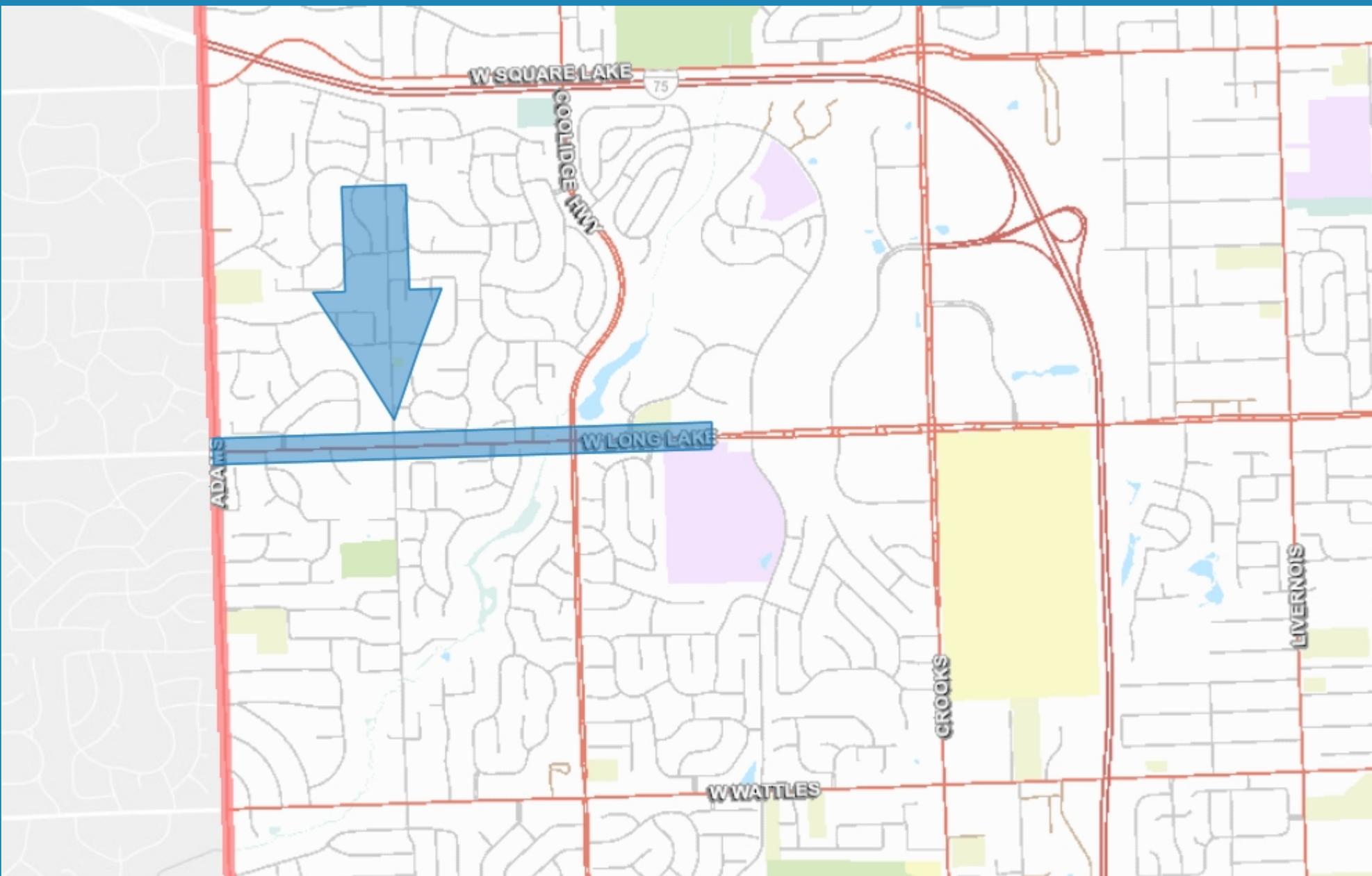
History:

In 2014 the City of Troy was awarded \$1.5 million in state Priority Roads Investment Program (PRIP) funds for road improvements on Long Lake Road, from Adams Road to Northfield Parkway. The work included milling (grinding off) the existing road and an asphalt pavement overlay. City Council approved the original contract with MDOT on August 11, 2014 (Resolution #2014-08-106-J-9). The contract has a construction completion date of November 15, 2014, due to seasonal limitations the project was not completed. A request for an extension of time to October 15, 2015 was submitted to MDOT and approved.

All work is complete. Procedurally the original MDOT contract must now be modified to match the new completion date. Approval and execution of the contract modification is required so that the project can be closed out.

Recommendation:

Staff recommends that City Council approve the attached MDOT Amendment to Contract No. 2014-0871 between the City of Troy and the Michigan Department of Transportation for improvements to Long Lake Road, from Adams Road to Northfield Parkway using \$1,500,000 in Priority Roads Investment Program (PRIP) funds at no cost to the City of Troy. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreements.



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

MICHIGAN DEPARTMENT OF TRANSPORTATION

CITY OF TROY

AMENDMENT

THIS AMENDATORY CONTRACT is made and entered into this date of _____ by and between the Michigan Department of Transportation (MDOT) and the City of Troy (AGENCY) for the purpose of retroactively amending Contract No. 2014-0871 (CONTRACT), dated August 22, 2014.

RECITALS:

The CONTRACT expired on its own terms on November 15, 2014; and

The CONTRACT provides a Priority Roads and Investment Program (PRIP) grant from MDOT to the AGENCY for the completion of improvements to Long Lake Road; and

The parties desire to retroactively extend the CONTRACT term to provide sufficient time for the AGENCY to perform the services;

The parties agree that the CONTRACT be and that the same is retroactively amended as follows:

1. In order to retroactively extend the term of the CONTRACT by eleven (11) months, Section 16 of the CONTRACT is amended to read as follows:

“16. This Contract will be in effect from the date of award through October 15, 2015. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.”
2. All other provisions of the CONTRACT, except as herein amended, remain in full force and effect as originally set forth.
3. The AGENCY waives any and all claims it has or may have against MDOT that arise out of the need to amend and/or extend the CONTRACT.

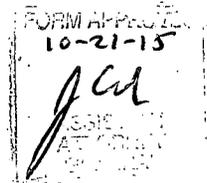
4. This Amendatory Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Amendatory Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Amendatory Contract, as applicable.

CITY OF TROY

By: _____
Title:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Title: MDOT Director



Michigan Department
Of Transportation
0378 (07/14)

**REQUEST FOR PAYMENT FORM – EXHIBIT A
PRIORITY ROADS INVESTMENT PROGRAM (PRIP)
FUND PROJECTS**

Administered through MDOT Local Agency Program Unit

CONTRACT NO.
2014-0871

GRANTEE
City of Troy

ROUTE
Long Lake Road (18 Mile)

LOCATION DESCRIPTION
Long Lake (18 Mile), Adams to Northfield Parkway

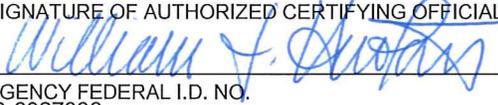
This form must be completed and returned to Local Agency Programs (MDOT) in order for you to receive payment for the project. On the form, please be sure to include the estimated date that construction of the project will be completed and include your agency's federal identification number. As soon as this information is received, Local Agency Programs (MDOT) will authorize Contract Services Division to make payment to the local agency. Complete this form and forward it to:

**Attn. Larry Doyle, MDOT Local Agency Programs, P.O. Box 30050, Lansing, Michigan 48909,
EMAIL: doylel@michigan.gov**

ESTIMATED CONSTRUCTION COMPLETION DATE 10/15/15 Seasonal limitation on restoration items	APPROVED GRANT AMOUNT (for this request) \$ 1,500,000.00
---	---

CERTIFICATION

- (1) In accordance with Section 704 of Public Act 34 of 2014, I certify that the PROJECT has been obligated and construction is underway or design work was completed by July 1, 2014.
- (2) I certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtained all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
- (3) If the construction of the PROJECT is to be contracted, I certify that the contracting procedures that will be followed in connection with the administration of the construction contract for the PROJECT will be based on an open competitive bid process and that the construction contract for the PROJECT will be publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.
If this PROJECT will be contracted please initial here WJH

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TYPED OR PRINTED NAME & TITLE William J. Huotari, Deputy City Eng.	DATE 10/28/2015
AGENCY FEDERAL I.D. NO. 38-6027333	TELEPHONE NO. 248.524.3387	

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER

DATE

RECEIVED BY CONTRACT SERVICES DIVISION ADMINISTRATOR (MDOT)

DATE

Clear Form

MICHIGAN DEPARTMENT OF TRANSPORTATION

CITY OF TROY

CONTRACT

This Contract is made and entered into this date of August 22, 2014 by and between the Michigan Department of Transportation (MDOT), of 425 West Ottawa Street, P.O. Box 30050, Lansing, Michigan 48909, and the City of Troy (AGENCY) of 500 W. Big Beaver Road, Troy, MI 48084, in accordance with Public Act 34 of 2014 for the purpose of establishing the amount of the allocation from the Priority Roads Investment Program (PRIP) Fund to the AGENCY, and setting forth the services to be provided as a result of such allocation.

The PRIP Fund is to be expended on construction projects. MDOT is responsible for administering these funds.

MDOT and the AGENCY recognize and affirm that the funds provided under this Contract shall not be used for any purpose other than those provided in Section 704 of Public Act 34 of 2014, and as provided herein. It is intended for all work activities to be completed by December 31, 2015.

This Contract sets forth a grant from MDOT to the AGENCY for the completion of improvements to Long Lake Road (18 Mile Road) from Adams Road to Northfield Parkway. The work items will include milling and overlay (PROJECT).

The Parties agree that:

The AGENCY will:

1. Undertake and complete the PROJECT in accordance with the terms and conditions of this Contract.
2. The PROJECT cost will be paid for by a grant of PRIP funds. PRIP funds will be applied to the PROJECT costs at a participation ratio of 100 percent up to an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). The AGENCY will be responsible for all costs in excess of the funds shown above.

3. The AGENCY must submit a Request for Payment Form (Exhibit A) prior to the start of the PROJECT and a Project Cost Reporting & Certification Form (Exhibit B) to MDOT upon completion of the PROJECT.

The AGENCY agrees that the costs reported to MDOT for this Contract will represent only those items that are properly chargeable in accordance with this Contract. The AGENCY also certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

4. Submit a copy of Exhibit B to MDOT for review and approval.
5. Certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtain all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
6. Ensure that any unspent above-mentioned funds at PROJECT completion are lapsed back to the PRIP Fund.
7. For auditing processes, all records, including executed contracts, are to be maintained for three years from the date of the project completion date. MDOT, or its representative, may inspect, copy, or audit the Records at any reasonable time after giving reasonable notice.
8. If the construction of the PROJECT is to be contracted, certify that the contracting procedures followed in connection with the administration of the construction contract for the PROJECT were based on an open competitive bid process and that the construction contract for the PROJECT was publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances. Selection of Consultants and subcontracts will be in conformance with the AGENCY's contracting process.
9. If the construction of the PROJECT is to be contracted, ensure the contractor who is awarded the contract for the construction of the PROJECT has the appropriate bonds/liability insurance.
10. Certify that the PROJECT shall be obligated and construction shall be underway or design work shall be completed by July 1, 2014.

MDOT will:

11. Make one payment of the amount shown in Section 2 to the AGENCY upon receipt of a Request for Payment Form (Exhibit A).

12. May conduct a follow-up review of work activity.

IT IS FURTHER AGREED THAT:

13. Public Act 533 of 2004 requires that payments under this Contract be processed by electronic funds transfer (EFT). The AGENCY is required to register to receive payments by EFT at the Contract & Payment Express website (www.cpexpress.state.mi.us).
14. Each party to this Contract will remain responsible for any claims arising out of the performance of this Contract, as provided by this Contract or by law.

This Contract is not intended to increase or decrease either party's liability for or immunity from tort claims.

This Contract is not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this Contract.

MDOT will not be subject to any obligations or liabilities by contractors of the AGENCY or their subcontractors or any other person not a party to the Contract without its specific consent and notwithstanding its concurrence with or approval of the award of any contract or subcontract or the solicitation thereof.

15. The parties will consider the PROJECT to be complete when certified by the agency. This certification is not intended to nor does it relieve the AGENCY of any of its obligations and responsibilities herein.
16. This Contract will be in effect from the date of award through the estimated construction completion date on Exhibit A. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.
17. Prior to expiration, the time for completion of performance under this Contract may be extended by MDOT upon written request and justification from the AGENCY. Upon approval and authorization by MDOT, a written time extension amendment will be prepared and issued by MDOT. Any such extension will not operate as a waiver by MDOT of any of its rights herein set forth.
18. In connection with the performance of SERVICES under this Contract, the AGENCY (hereinafter in Appendix A referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, dated June 2011. This provision will be included in all subcontracts relating to this Contract.

19. This Contract may be terminated at such time as may be agreed upon by both parties or by either party giving thirty (30) days written notice to the other party. Furthermore, it may be modified at any time as agreed upon by both parties. In the event, the AGENCY terminates this Contract; it will make full repayment to MDOT.
20. Failure to submit all required forms and/or failure to comply with Contract terms may result in withholding of future Act 51 funds.
21. In case of any discrepancies between the body of this Contract and any exhibits hereto, the body of this Contract will govern.

22. This Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Contract, as applicable.

CITY OF TROY

By:  _____
Title: Mayor

MICHIGAN DEPARTMENT OF TRANSPORTATION

By:  _____
Title: Department Director

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011

Michigan Department
Of Transportation
0378 (07/14)

**REQUEST FOR PAYMENT FORM – EXHIBIT A
PRIORITY ROADS INVESTMENT PROGRAM (PRIP)
FUND PROJECTS**

Administered through MDOT Local Agency Program Unit

CONTRACT NO.
2014-0871

GRANTEE
City of Troy

ROUTE
Long Lake Road (18 Mile)

LOCATION DESCRIPTION
Long Lake (18 Mile), Adams to Northfield Parkway

This form must be completed and returned to Local Agency Programs (MDOT) in order for you to receive payment for the project. On the form, please be sure to include the estimated date that construction of the project will be completed and include your agency's federal identification number. As soon as this information is received, Local Agency Programs (MDOT) will authorize Contract Services Division to make payment to the local agency. Complete this form and forward it to:

**Attn. Larry Doyle, MDOT Local Agency Programs, P.O. Box 30050, Lansing, Michigan 48909,
EMAIL: doylel@michigan.gov**

ESTIMATED CONSTRUCTION COMPLETION DATE
November 15, 2014

APPROVED GRANT AMOUNT (for this request)
\$ 1,500,000.00

CERTIFICATION

- (1) In accordance with Section 704 of Public Act 34 of 2014, I certify that the PROJECT has been obligated and construction is underway or design work was completed by July 1, 2014.
- (2) I certify that the PROJECT shall be in compliance with all applicable laws, ordinances, and codes of the United States, the State of Michigan, and the local government(s) in the area(s) in which the PROJECT is performed and obtained all permits, licenses, and other authorizations that are required for the performance of the PROJECT.
- (3) If the construction of the PROJECT is to be contracted, I certify that the contracting procedures that will be followed in connection with the administration of the construction contract for the PROJECT will be based on an open competitive bid process and that the construction contract for the PROJECT will be publicly advertised and awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State and local statutes, regulations, and ordinances.

If this PROJECT will be contracted please initial here WJH

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL
William J. Huotari

TYPED OR PRINTED NAME & TITLE
William J. Huotari, Deputy City Eng.

DATE
08/12/2014

AGENCY FEDERAL I.D. NO.
38-6027333

TELEPHONE NO.
248.524.3387

RECEIVED BY MDOT LOCAL AGENCY PROGRAM ENGINEER

DATE

RECEIVED BY CONTRACT SERVICES DIVISION ADMINISTRATOR (MDOT)

DATE

Clear Form

On October 20, 2015, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Glenn Clark
Kenneth Courtney
Thomas Desmond
David Eisenbacher
David Lambert
Philip Sanzica

Absent:

Allen Kneale

Also Present:

Paul Evans, Zoning and Compliance Specialist
Julie Q. Dufrane, Assistant City Attorney

2. APPROVAL OF MINUTES – September 15, 2015

Moved by Sanzica
Seconded by Courtney

RESOLVED, to approve the September 15, 2015 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes.

4. HEARING OF CASES

A. VARIANCE REQUEST, BRET AND MICHELLE BLANCHARD, 6805 MERRICK – In order to add a partially covered deck to the rear of the house, a 14.5 foot setback to the required 45 foot rear yard setback. Zoning Ordinance Section 4.06 (C) R-1B Zoning District.

Moved by Lambert
Seconded by Desmond

RESOLVED, to grant the variance.

Yes: All

MOTION PASSED

- B. VARIANCE REQUEST, SILVANA AND ZORAN INIC, 6285 ROCHESTER – In order to construct an addition to the house, a 15.84 foot variance to the required 40 foot front yard setback. Zoning Ordinance Section 4.06 C R-1B Zoning District.

Moved by Lambert
Seconded by Eisenbacher

RESOLVED, to grant the variance.

Yes: All

MOTION PASSED

- C. VARIANCE REQUEST, FLORIANE BISHAY, 3459 TALBOT – In order to construct an attached garage that has a 2nd floor 1) a 4 foot variance to the required 25 foot front yard setback, and 2) a 296 square foot variance to the requirement that the floor area of the garage not exceed 75% of the ground floor footprint of the living area of the dwelling. 75% of the ground floor area of the living area of the dwelling is 828 square feet. Zoning Ordinance Sections 1) 4.06 (C) R-1E Zoning District, 2) 7.03 (B) (1) (b)

Moved by Eisenbacher
Seconded by Sanzica

RESOLVED, to grant the variance.

Yes: All

MOTION PASSED

- D. VARIANCE REQUEST, DAVID AND CLAUDINE ANTOUN, 1881-1977 W SOUTH BLVD a.k.a. 6966 CROOKS – In order to make an existing wireless communications tower approximately 21 feet taller, a 16 foot variance to the requirement that the tower be set back 122 feet from all property lines. The Zoning Ordinance requires the setback of the tower be equal to the height of the structure. The proposed height of the tower will be 122 feet. Zoning Ordinance Section 6:30 (C) (3)

Moved by Eisenbacher
Seconded by Clark

RESOLVED, to grant the variance.

Yes: All

MOTION PASSED

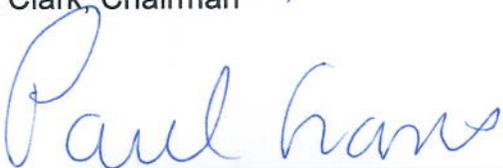
- 5. COMMUNICATIONS – The Board acknowledged receipt of the Planning Director’s Zoning Ordinance update.

6. MISCELLANEOUS BUSINESS – None
7. PUBLIC COMMENT – None
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:22 p.m.

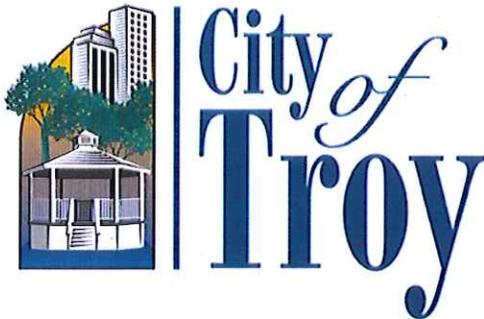
Respectfully submitted,



Glenn Clark, Chairman



Paul Evans, Zoning and Compliance Specialist



Minutes

Employees' Retirement System
Board Meeting

November 11, 2015 at 12:00 PM
City Council Board Room

Troy City Hall
500 West Big Beaver
Troy, Michigan 48084
(248) 524-3330

A meeting of the Employees' Retirement System Board of Trustees was held on **November 11, 2015** at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 1:35 p.m.

Trustees Present: Mark Calice
Thomas Darling, CPA
Brian Kischnick
Thomas Gordon II
Dave Henderson

Trustees Absent: Steve Pallotta
Milton Stansbury

Also Present: Kathy Kostopoulos

Minutes:

Resolution # ER – 2015-11-25

Moved by: Henderson

Seconded by: Darling

RESOLVED, that the Minutes of the October 14, 2015 meeting be approved.

Yeas: - 5 -

Absent: - 2 -

Retirement Requests:

None

Regular Business:

- Resignation of Ex-Officio William Need

Resolution # ER – 2015-11-26

Moved by: Gordon

Seconded by: Henderson

RESOLVED, that the Members of the Board formally acknowledged the resignation of William Need (Ex- Officio) from the City of Troy Employees Retirement System Board be approved.

Yeas: - 5 -

Absent: - 2 -

Chairman Calice requested that a formal letter of appreciation and commendation be prepared. In addition, The System Administrator suggested that a newsletter be prepared and mailed out informing the City of Troy Retirees of Mr. Need's resignation. The letter should include a statement that the City of Troy Employees Retirement System Board and the City of Troy Retiree Health Care Benefit & Trust Board of Trustees would like to receive recommendations from the retirees of candidates to fill the newly open position, preferably a member from the Defined Benefit Plan. The Board Members and the System Administrator agreed that a list of the candidate names will be compiled and reviewed at a regular monthly Employees Retirement System Board meeting. After such review, the Employee Retirement System Board Members would present their recommendation to Mayor Pro Tem Pennington for discussion.

Investments:

- Graystone Consulting Presentation

Mr. Robert Alati of Morgan Stanley presented the Board with a presentation of “The Golden Cross vs. The Death Cross Graph” and the “Market % Performance Each Day of The Month”. The Board thanked Mr. Alati for sharing this interesting data.

Mr. Holycross continued and provided an additional handout illustrating the performance of the City of Troy’s Employees Retirement System as of 11/9/2015. He noted that the MS/Graystone Composite Qtr. to date was 5.02% and Year to date of 0.40% was higher than the Policy Indexes’ Qtr. to date 2.85% and Year to date -2.21%.

The Chairman indicated that he appreciated this analysis of good results in time but prefers to see quarterly reports. Chairman Calice inquired why the Morgan Stanley managed accounts for the quarter ended September 30, 2015 was down 6% in the Total Fund Performance portfolio. Also, noting the Year to date combined account was down 4.15%, Morgan Stanley was down 4.4% Year to date and the Trailing 1 year portfolio down 2.16%.

Mr. Holycross stated that this was due to the Templeton and Loomis funds in negative territory, Fixed Income was hurt by currency fluctuation and the volatility in high yield bonds which makes up the vast majority of loss. Mr. Holycross continued with review of Morgan Stanley managed accounts for the month and quarter ended September 30, 2015 indicating that currently, 4th Qtr. October and November are in positive territory.

In closing, The System Administrator thanked Mr. Holycross for the fast turnaround on additional information requested for the June 30, 2015 financial statements relating to rates of return based on the investment policy as requested by the auditors.

- UBS Financial Services Presentation

Rebecca Sorensen and Darin McBride of UBS briefly reviewed the stock holdings for the City of Troy Employees Retirement Systems Defined Benefit and NAIC portfolios for September 31, 2015, noting cash and fixed income a little above 30%, equities held around 69.5%. In addition noting the following UBS returns for the 3rd Qtr. and percentages as follows: a Net Time-Weighted decrease of 5.87%, Year to Date was down 3.7% and the 1 Year Trailing down 1.34%.

City Manager Brian Kischnick inquired as to what UBS might disagree with regarding the outlook on market commentary and expected returns as discussed by Graystone Consultants. Mr. McBride felt that the 6 month target is not seen as robust and is projecting that the economy will not allow them to achieve the gains Graystone is projecting. In addition City Manager Brian

Kischnick inquired as to if UBS would be considered to be more conservative than Graystone Consulting in the market place. Rebecca Sorensen and Darin McBride of UBS felt both firms are highly regarded and have very qualified analysts but with different target outlooks and did not feel they were more conservative.

Ms. Sorensen briefly reviewed the October market commentary, City of Troy ERS Investment Review October 2015, The Wild Ride that Went Nowhere (pg. 83/255 of pdf).

UBS continuing with recommendations as follows: Sell: Darling Inc. Small position, 8000 shares, value as of Nov. 3rd, approximately \$84,000. Gain approximately 59%. Trading in \$10 per share range. Very little research. The company manufactures edible and inedible ingredients for food, feed, and fuel industries. In addition, sell: FactSet Research Systems 2000 shares, value approximately \$346,000 as of Nov 3rd. Gain approximately 452%. Provides integrated financial information and application to the investment industry. Stock considered approximately 17% overvalued based on current price, earnings, and growth prospects. Use proceeds from stock sales and transfers from American Funds – Euro Pacific Growth Fund to generate \$1 Million to purchase American Funds – New World Fund. UBS recommends greater exposure to equity – emerging markets. The Members of the Board discussed and agreed with the recommendations.

Resolution # ER – 2015-11-27

Moved by: Kischnick
Seconded by: Gordon

RESOLVED, that the Members of the Board supported the UBS stock sell recommendation of Darling Inc. 8000 shares. Sell recommendation of FactSet Research Systems 2000 shares, and transfer of funds from American Funds – Euro Pacific Growth Fund to generate \$1 Million in proceeds to purchase American Funds – New World Fund be approved.

Yeas: - 5 -
Absent: - 2 -

Other Business:

A discussion of the upcoming December 09, 2015 meeting took place. Chairman Calice and The System Administrator agreed the starting time will be 1:30 pm. A special meeting notice will be required for time change. Luncheon location TBD.

Public Comment:

None

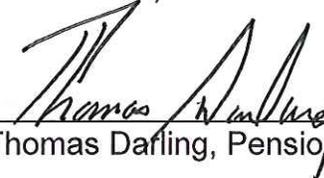
EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES MINUTES – Final – November 11, 2015

The next meeting is Wednesday, December 09, 2015 at 1:30 p.m. at Troy City Hall, Council Board Conference Room, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:54 p.m.



Mark Calice, Chairman



Thomas Darling, Pension Administrator

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 8, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean
 Karen Crusse
 Donald Edmunds
 Carlton M. Faison
 Michael W. Hutson
 Tom Krent
 Padma Kuppa
 Philip Sanzica
 John J. Tagle

Also Present:

R. Brent Savidant, Planning Director
 Ben Carlisle, Carlisle/Wortman Associates, Inc.
 Julie Q. Dufrane, Assistant City Attorney
 Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Chair Edmunds requested to reverse the order of Agenda items 8 and 9.

Resolution # PC-2015-12-070

Moved by: Krent
 Seconded by: Faison

RESOLVED, To approve the Agenda as revised.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-12-071

Moved by: Sanzica
 Seconded by: Tagle

RESOLVED, To approve the minutes of the November 10, 2015 Regular meeting as submitted.

Yes: Apahidean, Crusse, Edmunds, Faison, Hutson, Krent, Sanzica, Tagle
 Abstain: Kuppa

MOTION CARRIED

4. PUBLIC COMMENT – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

There was no Zoning Board of Appeals meeting in November.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant reported on the December 2, 2015 Downtown Development Authority meeting; specifically addressing Property Assessed Clean Energy (PACE).

7. PLANNING AND ZONING REPORT

Mr. Savidant addressed the December 22, 2015 Planning Commission meeting agenda.

PRELIMINARY SITE PLAN REVIEWS

9. PRELIMINARY SITE PLAN REVIEW (File Number SP 1003) – Proposed DTE Ariel Substation, South of Maple, East of Doyle (Parcel 88-20-31-226-029), Section 31, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reported on the Preliminary Site Plan application for the DTE Ariel Substation and recommended to grant Preliminary Site Plan approval.

Present to represent DTE were Michael Palschesko, Tom Phillips, Mick Blunden, Teresa Tran and Mark Ferris. Also present was Daryl Poprave of ITC Holdings.

There was discussion on:

- Layout; design, operation and function of substation.
- Utilitarian construction material; Company standard design.
- Perimeter concrete wall, gate and fencing.
- Photograph of wall circulated detailing design and natural two-tone gray color.
- Landscaping of wall as relates to Federal regulations.
- Location of substation near Transit Center.

Resolution # PC-2015-12-072

Moved by: Krent
 Seconded by: Sanzica

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed DTE Ariel Substation, located south of Maple, East of Doyle (Parcel 88-20-31-226-029), Section 31, within the IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. That along the north side of the property, there’s a continuous stretch of greenery that is within the allowable limits of the height restrictions of the regulating governmental agency and along the railroad within the limits of ITC requirements.
2. The wall detail shall match the wall detail of the photograph circulated at tonight’s meeting.
3. The fencing visible to the public shall not be chain link but some decorative ornamental type fencing with a durable finish on it.

Discussion on the motion on the floor.

Mr. Hutson indicated he would vote no on the Resolution. Mr. Hutson said it is his opinion that approval of the site plan application as submitted should be granted because the plan conforms to the Zoning Ordinance and meets all regulations.

Vote on the motion on the floor.

Yes: Apahidean, Crusse, Edmunds, Faison, Krent, Kuppa, Sanzica, Tagle
 No: Hutson

MOTION CARRIED

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 1010) – Proposed Bradley Square Condominiums, East side of Rochester between Bradley and Shallowdale, Section 14, Currently Zoned RT (One Family Attached Residential) and R-1C (One Family Residential) Districts

Mr. Carlisle reported on the Preliminary Site Plan application for Bradley Square. Mr. Carlisle said he supports the development of the site but asked the Planning Commission to give consideration to the proposed site layout, stormwater features and architectural elements.

Present were Tim Loughrin and Paul Robertson of Robertson Homes.

There was discussion on:

- Elevations; architectural style and details.
- Landscaping along Rochester Road.

Resolution # PC-2015-12-073

Moved by: Krent
 Seconded by: Crusse

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Bradley Square Condominiums, including thirty-one (31) units, located on the east side of Rochester between Bradley and Shallowdale, Section 14, within the RT (One-Family Attached Residential) and R-1C (One Family Residential) Districts, be postponed for the following reasons:

1. The facades do not meet requirements of the Zoning Ordinance for enough variation change.
2. The development does not meet the tree ordinance for landscaping along Rochester Road.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

10. 2016 PLANNING COMMISSION MEETING DATES

It was the consensus of the Board to adopt the 2016 November meeting dates as revised; delete October 25 meeting date and schedule November meeting dates on the 1st and 29th.

11. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENT

There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:04 p.m.

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:00 p.m. on December 8, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean
Karen Crusse
Donald Edmunds
Carlton M. Faison
Michael W. Hutson
Tom Krent
Padma Kuppa
Philip Sanzica
John J. Tagle

Also Present:

R. Brent Savidant, Planning Director
Ben Carlisle, Carlisle/Wortman Associates, Inc.
Julie Q. Dufrane, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Chair Edmunds requested to reverse the order of Agenda items 8 and 9.

Resolution # PC-2015-12-070

Moved by: Krent
Seconded by: Faison

RESOLVED, To approve the Agenda as revised.

Yes: All present (9)

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-12-071

Moved by: Sanzica
Seconded by: Tagle

RESOLVED, To approve the minutes of the November 10, 2015 Regular meeting as submitted.

Yes: Apahidean, Crusse, Edmunds, Faison, Hutson, Krent, Sanzica, Tagle
Abstain: Kuppa

MOTION CARRIED

4. PUBLIC COMMENT – Items not on the Agenda

There was no one present who wished to speak.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

There was no Zoning Board of Appeals meeting in November.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Savidant reported on the December 2, 2015 Downtown Development Authority meeting; specifically addressing Property Assessed Clean Energy (PACE).

7. PLANNING AND ZONING REPORT

Mr. Savidant addressed the December 22, 2015 Planning Commission meeting agenda.

PRELIMINARY SITE PLAN REVIEWS

9. PRELIMINARY SITE PLAN REVIEW (File Number SP 1003) – Proposed DTE Ariel Substation, South of Maple, East of Doyle (Parcel 88-20-31-226-029), Section 31, Currently Zoned IB (Integrated Industrial and Business) District

Mr. Carlisle reported on the Preliminary Site Plan application for the DTE Ariel Substation and recommended to grant Preliminary Site Plan approval.

Present to represent DTE were Michael Palschesko, Tom Phillips, Mick Blunden, Teresa Tran and Mark Ferris. Also present was Daryl Poprave of ITC Holdings.

There was discussion on:

- Layout; design, operation and function of substation.
- Utilitarian construction material; Company standard design.
- Perimeter concrete wall, gate and fencing.
- Photograph of wall circulated detailing design and natural two-tone gray color.
- Landscaping of wall as relates to Federal regulations.
- Location of substation near Transit Center.

Resolution # PC-2015-12-072

Moved by: Krent
 Seconded by: Sanzica

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed DTE Ariel Substation, located south of Maple, East of Doyle (Parcel 88-20-31-226-029), Section 31, within the IB (Integrated Industrial and Business) District, be granted, subject to the following:

1. That along the north side of the property, there’s a continuous stretch of greenery that is within the allowable limits of the height restrictions of the regulating governmental agency and along the railroad within the limits of ITC requirements.
2. The wall detail shall match the wall detail of the photograph circulated at tonight’s meeting.
3. The fencing visible to the public shall not be chain link but some decorative ornamental type fencing with a durable finish on it.

Discussion on the motion on the floor.

Mr. Hutson indicated he would vote no on the Resolution. Mr. Hutson said it is his opinion that approval of the site plan application as submitted should be granted because the plan conforms to the Zoning Ordinance and meets all regulations.

Vote on the motion on the floor.

Yes: Apahidean, Crusse, Edmunds, Faison, Krent, Kuppa, Sanzica, Tagle
 No: Hutson

MOTION CARRIED

8. PRELIMINARY SITE PLAN REVIEW (File Number SP 1010) – Proposed Bradley Square Condominiums, East side of Rochester between Bradley and Shallowdale, Section 14, Currently Zoned RT (One Family Attached Residential) and R-1C (One Family Residential) Districts

Mr. Carlisle reported on the Preliminary Site Plan application for Bradley Square. Mr. Carlisle said he supports the development of the site but asked the Planning Commission to give consideration to the proposed site layout, stormwater features and architectural elements.

Present were Tim Loughrin and Paul Robertson of Robertson Homes.

There was discussion on:

- Elevations; architectural style and details.
- Landscaping along Rochester Road.

Resolution # PC-2015-12-073

Moved by: Krent
 Seconded by: Crusse

RESOLVED, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Bradley Square Condominiums, including thirty-one (31) units, located on the east side of Rochester between Bradley and Shallowdale, Section 14, within the RT (One-Family Attached Residential) and R-1C (One Family Residential) Districts, be postponed for the following reasons:

1. The facades do not meet requirements of the Zoning Ordinance for enough variation change.
2. The development does not meet the tree ordinance for landscaping along Rochester Road.

Yes: All present (9)

MOTION CARRIED

OTHER BUSINESS

10. 2016 PLANNING COMMISSION MEETING DATES

It was the consensus of the Board to adopt the 2016 November meeting dates as revised; delete October 25 meeting date and schedule November meeting dates on the 1st and 29th.

11. PUBLIC COMMENT – Items on Current Agenda

There was no one present who wished to speak.

12. PLANNING COMMISSION COMMENT

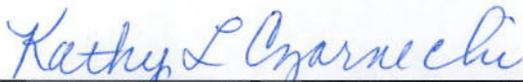
There were general Planning Commission comments.

The Regular meeting of the Planning Commission adjourned at 9:04 p.m.

Respectfully submitted,



Donald Edmunds, Chair



Kathy L. Czarnecki, Recording Secretary

On December 15, 2015, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Glenn Clark
Kenneth Courtney
Thomas Desmond
David Eisenbacher
Orestis Kaltsounis
David Lambert
Philip Sanzica

Also Present:

Paul Evans, Zoning and Compliance Specialist
Julie Q. Dufrane, Assistant City Attorney

2. APPROVAL OF MINUTES – October 20, 2015

Moved by Sanzica
Seconded by Courtney

RESOLVED, to approve the October 20, 2015 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes.

4. HEARING OF CASE

VARIANCE REQUEST, ANTHONY STRUSSIONE, 1834 KIRKTON – In order to construct a detached garage, a 5 foot variance to the requirement that the garage be setback at least 10 feet from the house.

Moved by Lambert
Seconded by Desmond

RESOLVED, to grant the variance.

Yes: All

MOTION PASSED

5. COMMUNICATIONS – None
6. MISCELLANEOUS BUSINESS – By general consensus, the Board approved their proposed 2016 meeting dates.
7. PUBLIC COMMENT – None
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 7:46 p.m.

Respectfully submitted,

Glenn Clark, Chairman

Paul Evans, Zoning and Compliance Specialist

G:\ZONING BOARD OF APPEALS\Minutes\2015\Draft\2015 12 15 ZBA Minutes Draft.doc

Chair Edmunds called the Regular meeting of the Troy City Planning Commission to order at 7:02 p.m. on December 22, 2015 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Ollie Apahidean
Karen Crusse
Donald Edmunds
Carlton M. Faison
Tom Krent
Padma Kuppa
John J. Tagle

Absent:

Michael W. Hutson
Philip Sanzica

Also Present:

R. Brent Savidant, Planning Director
Allan Motzny, Assistant City Attorney
Brian Kischnick, City Manager
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

Resolution # PC-2015-12-075

Moved by: Apahidean
Seconded by: Tagle

RESOLVED, To approve the Agenda as prepared.

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

MOTION CARRIED

3. APPROVAL OF MINUTES

Resolution # PC-2015-12-076

Moved by: Tagle
Seconded by: Crusse

RESOLVED, To approve the minutes of the December 8, 2015 Regular meeting as submitted.

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

MOTION CARRIED

4. PUBLIC COMMENT – Items not on the Agenda

Tom Newkold, 1072 Bradley, addressed a Preliminary Site Plan application for a proposed 31-unit condominium development, Bradley Square Condominiums, and expressed concerns relating to privacy, drainage and screening.

Mr. Savidant said he would make sure Mr. Newkold’s concerns are forwarded to the applicant in advance of the next meeting at which Bradley Square is considered by the Planning Commission.

5. ZONING BOARD OF APPEALS (ZBA) REPORT

Mr. Savidant reported on the December 15, 2015 Zoning Board of Appeals meeting.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

There was no Downtown Development Authority (DDA) meeting in December.

7. PLANNING AND ZONING REPORT

City Manager Kischnick gave an introduction to the 2016 City Retreat scheduled on February 26 and 27, 2016.

STREET VACATION

8. PUBLIC HEARING - STREET VACATION REQUEST (SV 191) – 10 Foot of Alley east of John R between Gabriel and Vermont, Abutting Parcel 2020 Gabriel on the East and Vacant Parcel 88-20-25-309-002 on the West, Section 25, Currently Zoned R-1E (One Family Residential) District (abutting properties)

Mr. Savidant reported on the Street Vacation request. He said City Management recommends approval of the request as submitted subject to maintaining an easement for overhead and underground utilities.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

There was discussion relating to maintenance of the property and potential to vacate the entire alley in the future.

Resolution # PC-2015-12-077

Moved by: Tagle

Seconded by: Krent

RESOLVED, That the Planning Commission hereby recommends to the City Council that the street vacation request, as submitted, for an alley located east of John R, between Gabriel and Vermont, approximately 10 feet wide by 40 feet in length, abutting lots 45 and 46 of Sussex Park Subdivision, Section 25, be approved, subject to the following:

1. An easement shall be maintained for underground and overhead utilities.
2. No structures or buildings shall be constructed within the easement.

Yes: All present (7)

Absent: Hutson, Sanzica

MOTION CARRIED

ZONING ORDINANCE TEXT AMENDMENT

9. **PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 248)**
– Woodland Protection

Mr. Savidant reported on the proposed Zoning Ordinance Text Amendment.

PUBLIC HEARING OPENED

Kerry Krivoshein, 1259 Ashley, spoke in support of the proposed text amendment. He addressed tree caliper size and suggested to list invasive species by botanical name.

PUBLIC HEARING CLOSED

Resolution # PC-2015-12-078

Moved by: Kuppa

Seconded by: Krent

RESOLVED, That the Planning Commission hereby recommends to the City Council that Articles 8 and 13 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to woodland protection, be amended as printed on the proposed Zoning Ordinance Text Amendment.

Yes: All present (7)

Absent: Hutson, Sanzica

MOTION CARRIED

OTHER BUSINESS

10. **MASTER PLAN UPDATE**

Mr. Savidant outlined the procedure for the adoption of the Master Plan update.

Chair Edmunds opened the floor for public comment. There was no one present; the floor was closed for public comment.

Resolution # PC-2015-12-079

Moved by: Krent

Seconded by: Tagle

RESOLVED, That the Planning Commission hereby submits the proposed draft Master Plan to the City Council for review and comment; and

BE IT FINALLY RESOLVED, That the Planning Commission recommends that the City Council approves the distribution of the draft Master Plan, as per the requirements of the Michigan Planning Enabling Act, PA 33 of 2008, as amended.

Yes: All present (7)

Absent: Hutson, Sanzica

MOTION CARRIED

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

There was no one present who wished to speak.

12. **PLANNING COMMISSION COMMENT**

There were general Planning Commission comments.

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

Respectfully submitted,

Donald Edmunds, Chair

Kathy L. Czarnecki, Recording Secretary



CITY COUNCIL AGENDA ITEM

Date: January 4, 2016

To: Brian Kischnick, City Manager

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

Subject: Building Department Activity Report – December, 2015

The following attachment contains a summary of permit activity and project valuation for the Building Inspection Department comparing December 2014 to December 2015. Valuations have slightly decreased to below the levels from last year.

A total of 9,339 building, plumbing, electrical and mechanical related permits have been issued for the year so far compared to 9,573 during the same time frame in 2014.

Year to date project valuations throughout December 2015 are at \$173,977,071. In Comparison, building related permits had a valuation of \$195,108,526 during the same period in 2014.

Our inspectors performed 1,516 trade inspections for the month of December 2015 compared to 1,590 for the month of December 2014. Inspections counts have stayed high for this time of year.

Attachments:

1. Building Department Activity Report

Preparer of memo\File name\File location

BUILDING PERMITS ISSUED

	BUILDING PERMITS 2014		BUILDING PERMIT VALUATION 2014		BUILDING PERMIT REVENUE 2014		BUILDING PERMITS 2015		BUILDING PERMIT VALUATION 2015		BUILDING PERMIT REVENUE 2015	
JANUARY	85	\$	13,726,432.00	\$	215,511.91	172	\$	13,789,620.00	\$	352,653.99		
FEBRUARY	99	\$	12,432,557.00	\$	253,007.65	85	\$	5,271,646.00	\$	155,426.00		
MARCH	109	\$	9,404,255.00	\$	181,670.90	137	\$	20,334,618.00	\$	360,947.75		
APRIL	180	\$	9,270,743.00	\$	236,353.06	228	\$	24,744,935.00	\$	417,945.02		
MAY	239	\$	18,313,926.00	\$	355,839.39	230	\$	22,193,390.00	\$	375,491.94		
JUNE	239	\$	18,102,797.00	\$	365,425.18	242	\$	12,569,406.00	\$	327,069.54		
JULY	247	\$	11,935,427.00	\$	299,613.83	240	\$	11,927,112.00	\$	262,669.77		
AUGUST	234	\$	31,534,428.00	\$	471,547.41	260	\$	12,910,521.00	\$	286,684.15		
SEPTEMBER	224	\$	15,976,077.00	\$	255,081.96	288	\$	11,397,103.00	\$	305,132.56		
OCTOBER	242	\$	14,947,478.00	\$	340,307.04	282	\$	20,800,709.00	\$	403,200.00		
NOVEMBER	173	\$	32,648,265.00	\$	450,235.69	167	\$	9,762,579.00	\$	240,439.78		
DECEMBER	155	\$	6,816,141.00	\$	206,579.46	135	\$	8,275,432.00	\$	237,544.70		
TOTAL	2226		\$195,108,526.00		\$3,631,173.48	2466		\$173,977,071.00		\$3,725,205.20		



International Institute of Municipal Clerks

Professionalism in Local Government

12/29/2015

Brian Kischnick
City Manager
Sent to email: b.kischnick@troymi.gov

Dear Brian Kischnick,

M. Aileen Dickson, MMC of City of Troy, has earned the designation of Master Municipal Clerk (MMC), which is awarded by the International Institute of Municipal Clerks (IIMC), Inc.

IIMC grants the MMC designation only to those municipal clerks who complete demanding education requirements; and who have a record of significant contributions to their local government, their community and state.

The International Institute of Municipal Clerks, founded in 1947, has 10,300 members throughout the United States, Canada and 15 other countries, and the mission of this global non-profit corporation is to enhance the education opportunities and professional development of its diverse membership.

In light of the speed and drastic nature of change these days, lifelong learning is not only desirable, it is necessary for all in local government to keep pace with growing demands and changing needs of the citizens we serve. Your City can take immense pride in M. Aileen's educational accomplishments and achievement of this milestone.

On behalf of the IIMC Board of Directors, I am honored to endorse the conferring of MMC to M. Aileen Dickson, MMC of City of Troy. We share your pride in this achievement and we applaud your support of the role M. Aileen plays in your city.

Sincerely,

Monica Martinez Simmons, MMC
IIMC President

Sent by: Ashley DiBlasi
Certification Manager
IIMC Education Department



TO: Members of the Troy City Council

FROM: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney
Julie Quinlan Dufrane, Assistant City Attorney
Nicole MacMillan, City Attorney Assistant

DATE: January 5, 2016

SUBJECT: 2015 Fourth Quarter Litigation Report

The following is the quarterly report of pending litigation and other matters of interest. **Developments during the FOURTH quarter of 2015 are in bold.**

A. ANATOMY OF THE CASE

Once a lawsuit has been filed against the City or City employees, the City Attorney's office prepares a memo regarding the allegations in the complaint. At that time, our office requests authority from Council to represent the City and/or the employees. Our office then engages in the discovery process, which generally lasts for several months, and involves interrogatories, requests for documents, and depositions. After discovery, almost all cases are required to go through case evaluation (also called mediation). In this process, three attorneys evaluate the potential damages, and render an award. This award can be accepted by both parties, and will conclude the case. However, if either party rejects a case evaluation award, there are potential sanctions if the trial result is not as favorable as the mediation award. In many cases, a motion for summary disposition will be filed at the conclusion of discovery. In all motions for summary disposition, the Plaintiff's version of the facts are accepted as true, and if the Plaintiff still has failed to set forth a viable claim against the City, then dismissal will be granted. It generally takes at least a year before a case will be presented to a jury. It also takes approximately two years before a case will be finalized in the Michigan Court of Appeals and/or the Michigan Supreme Court.

B. ZONING CASES

These are cases where the property owner has sued for a use other than that for which the land is currently zoned and/or the City is suing a property owner to require compliance with the existing zoning provisions.

There are no pending zoning cases for this quarter.

C. EMINENT DOMAIN CASES

These are cases in which the City wishes to acquire property for a public improvement and the property owner wishes to contest either the necessity or the compensation offered. In cases where only the compensation is challenged, the City

obtains possession of the property almost immediately, which allows for major projects to be completed.

1. Troy v Behunin, et al– This condemnation case was initiated on December 2, 2014 to acquire needed right of way from property owned by Kathleen and Michael Behunin. The property is located on John R. Road, between Square Lake Road and South Boulevard. The case was assigned to Oakland County Circuit Court Judge Martha Anderson. A hearing is set for January 14, 2015 at which the City will request an Order of Possession. On January 14, 2015, the Court granted the City's request for an order of possession. The case will proceed on the issue of just compensation. The parties are preparing documents to facilitate discovery exchange. Discovery is ongoing. **Case Evaluation is scheduled for late February 2016.**

D. CIVIL RIGHTS CASES

These are cases that are generally filed in the federal courts, under 42 U.S.C. Section 1983. In these cases, the Plaintiffs argue that the City and/or police officers of the City of Troy somehow violated their civil rights.

1. Burley v. Gagacki. This is an excessive force case filed against a Troy police officer who was participating on a federal task force executing search warrants. The task force divided up and simultaneously executed search warrants on two houses located some distance from each other. Plaintiffs argue that they were injured by unidentified task force members at one of the houses. The incident report fails to specify which task force members were at Plaintiff's house and which task force members were simultaneously executing the search warrant at the other house. The Troy police officer and other task force members were initially represented by an Assistant U.S. Attorney, who obtained a dismissal of the case. Plaintiffs then successfully appealed to the Sixth Circuit Court of Appeals, which reinstated the case. The second trial is scheduled for February 2014. Due to a retirement of the Assistant U.S. Attorney and the possibility of conflicts between the task force team members, our office has assumed a more active role in the litigation, and will defend the Troy police officer task force member. The Court granted the request of one of the co-defendants to adjourn the trial, which is now scheduled to start on June 16, 2014. The parties have been addressing procedural items and preparing for trial. After picking a jury on June 10, 2014 and intense preparation for trial to begin on June 16, 2014, one of the Plaintiffs was hospitalized four days before the scheduled trial date. Trial has been rescheduled for October 6, 2014. The parties are preparing for the jury trial to begin on October 6, 2014. A week long jury trial was conducted from October 6, 2014 through October 15, 2014, in Federal District Court. After deliberating for 30 minutes, the jury returned a verdict of no cause of action, dismissing the case against the task force officers. The Judge also ordered

payment of costs to all Defendants. Plaintiffs subsequently filed an appeal with the Sixth Circuit- U.S. Court of Appeals. Plaintiffs' appellate brief is due in April 2015. The Court of Appeals issued a briefing schedule in this matter. Plaintiff-Appellant's brief was filed on May 18, 2015, and the Troy Defendant-Appellee's brief is due on July 3, 2015. A timely brief on appeal was filed on behalf of the Troy police officer and the parties are waiting for the 6th Circuit Court of Appeals to schedule a date for oral argument. **Defendant-Appellant's Reply Briefs were filed after numerous extensions, and the parties continue to wait for the Court of Appeals to schedule a date for oral argument.**

2. Hammond v. City of Troy, et al. LeDell Hammond filed a lawsuit against the City of Troy, the Troy Police Department, 52-4 District Court, A&M Service Center & Towing, and Secretary of State in United States District Court, Eastern District/Southern Division. The case has been assigned to Judge Paul Borman. The lawsuit stems from the removal of Plaintiff's vehicle by the Troy Police Department. Mr. Hammond's 2005 Grand Prix was seized in August 2014, as part of an on-going armed robbery investigation. Plaintiff brings this lawsuit under 42 USC Section 1983, alleging Fourth, Fifth, and Fourteenth Amendment violations, as well as a violation of MCL 257.252, a RICO claim, and a negligence claim. In addition to Plaintiff's Complaint, he also filed an emergency motion requesting the Court grant a temporary restraining order to prevent the Troy Police Department from auctioning his vehicle. The City filed a timely response in opposition of Plaintiff's request for a temporary restraining order. The Court has not yet decided this issue. The City also intends to file a motion to dismiss as its first responsive pleading to Plaintiff's Complaint. Plaintiff's emergency motion for a temporary restraining order was denied by the District Court, and he filed an interlocutory appeal with the Sixth Circuit Court of Appeals. The City filed a timely motion to dismiss the case, and the District Court has not issued its ruling yet. **Plaintiff filed a reply to the City's Motion to dismiss, and the City filed a response. The Court's ruling on the City's motion to dismiss is pending.**

E. PERSONAL INJURY AND DAMAGE CASES

These are cases in which the Plaintiff claims that the City or City employees were negligent in some manner that caused injuries and/or property damage. The City enjoys governmental immunity from ordinary negligence, unless the case falls within one of four exceptions to governmental immunity: a) defective highway exception, which includes sidewalks and road way claims; b) public building exception, which imposes liability only when injuries are caused by a defect in a public building; c) motor vehicle exception, which imposes liability when an employee is negligent when operating their vehicle; d) proprietary exception, where liability is imposed when an activity is conducted primarily to create a profit, and the activity somehow causes injury or damage to another; e) trespass nuisance exception, which imposes liability for the flooding cases.

1. *Allstate Insurance Company v. City of Troy and Troy Fire Department*. This is a subrogation case, filed by Allstate Insurance Company against the City of Troy Fire Department, seeking reimbursement of Allstate's payment to its insured Rajkiran Panesar. Mr. Panesar's vehicle was damaged when he unexpectedly drove onto a fire hose that had fallen from a Troy Fire truck after dark on October 21, 2013. The Answer and Affirmative Defenses to the Complaint were due on July 17, 2014. The City filed a Motion for Summary Disposition on July 31, 2014 arguing that governmental immunity shielded the City from liability, and therefore the City was entitled to a dismissal of this case. Prior to entertaining this motion, Judge Asadoorian scheduled case evaluation for October 14, 2014. The City is waiting for the Court to schedule oral arguments on its Motion for Summary Disposition. On December 1, 2014, the Court entered an order denying Summary Disposition. The City filed an interlocutory appeal of this decision on December 5, 2014, which was assigned to Oakland County Circuit Court Judge Leo Bowman. On December 18, prior to the receipt of the transcript or the lower court file, Judge Bowman dismissed the appeal, characterizing it as an application for leave to appeal instead of an appeal of right from a denial of governmental immunity. Instead of filing an application for leave to appeal with the Michigan Court of Appeals, the parties will proceed to trial, which is scheduled for February 20, 2015. This case proceeded to a bench trial, resulting in a verdict of \$10,230. The City appealed the Court's denial of governmental immunity, and the case has now been assigned to Oakland County Circuit Court Judge Shalina Kumar. The City timely filed an appellate brief with the Oakland County Circuit Court. The Court scheduled oral argument on the appeal for July 15, 2015. A stipulation and order was filed in Oakland County Circuit Court to dismiss the appeal and remand the case back to the 52-3rd District Court to have the case dismissed. Once the file was sent back to 52-3 District Court, the City filed a stipulation and order to set aside the judgment and dismiss the case with prejudice and without costs. **On November 13, 2015, Judge Asadoorian signed the order setting aside the judgment and dismissing the case. This case is now concluded.**

2. *Wierzbicki, et. al. v. City of Troy*- This suit was filed in Oakland County Circuit Court, and assigned to Judge Denise Langford Morris. Plaintiffs are seeking an amount in excess of \$600,000 for damages resulting from a sewage back up in the Somerset North subdivision. These Plaintiffs have previously filed and settled a lawsuit against the Somerset Collection and the Capital Grille in which the City provided significant discovery related to the sewage back-up that occurred on November 9, 2013. In response to the complaint, the City filed a response and a motion for summary disposition.

The parties met in front of Judge Langford Morris on November 25, 2015, where the Judge gave Plaintiffs 60 days to respond to the City's motion for summary disposition.

F. MISCELLANEOUS CASES

1. Michigan Association of Home Builders; Associated Builders and Contractors of Michigan; and Michigan Plumbing and Mechanical Contractors Association v. City of Troy – The Plaintiffs filed a complaint for Declaratory and Injunctive Relief in the Oakland County Circuit. On the date of filing the Plaintiffs also filed a Motion for Preliminary Injunction and Order to Show Cause. The Plaintiffs allege that the City of Troy has violated Section 22 of Michigan's Stille-DeRossett Hale Single State Construction Code Act by collecting fees for building department services that are not reasonably related to the cost of providing building department services. They are alleging that the City of Troy has illegally entered into a contract with Safe Built of Michigan, Inc. for building services that provides that 20% of each building permit fee be returned to the City to cover services that are not "reasonably related to the cost of building department services," as required by state statute. The Plaintiffs also assert a violation of the Headlee Amendment, arguing that the 20% returned to the City is a disguised tax that was not approved by voters. The Plaintiffs are asking for a declaratory judgment, as well as a return of any "surplus" building department service funds collected to date. Plaintiffs also request an order requiring the City to reduce its building department fees. The City of Troy was served with the Complaint and the Motion for Preliminary Injunction and Order for Show Cause on Wednesday, December 15, 2010. The parties were required to appear at Court on Wednesday, December 22, 2010, but the Court did not take any action at that time. Instead, the Court adjourned the matter to January 19, 2011. In the interim, the parties may engage in preliminary discovery in an attempt to resolve this matter. The parties are conducting discovery. The parties have completed discovery. Trial in this matter is scheduled for January 30, 2012. After being presented with motions for summary disposition, the Court ordered the parties to engage in mediation with a neutral municipal audit professional. Financial documents concerning this case are now being reviewed by an independent CPA. It is expected that the April 19, 2012 trial date will be postponed until after this review is complete. Mediation was unsuccessful in resolving this case, and therefore the Court is expected to issue an order on the pending Summary Disposition Motions. The trial date has been adjourned. On November 13, 2012, Oakland County Circuit Court Judge Shalina Kumar issued her order in favor of the City, and dismissed this case. Plaintiffs filed an appeal, which is now pending in the Michigan Court of Appeals. Appellant's brief is expected to be filed soon. The parties timely filed their appellate briefs, and are now waiting for the Court of Appeals to schedule a date for oral argument. The Court of Appeals has not yet scheduled oral argument for this case. The parties are still waiting for a date for oral argument. Oral argument was held on March 4, 2014. On March 13, 2014, the Court of Appeals issued its opinion ruling in the City's favor and affirming the

Circuit Court's decision dismissing the case. On April 23, 2014, Plaintiff Home Builders filed an Application for Leave to Appeal with the Michigan Supreme Court. Troy's response was filed on May 19, 2014. The Michigan Supreme Court considered the application for leave to appeal and ordered that the matter be scheduled for oral argument. The Court also permitted the parties to submit supplemental briefs, which are due October 29, 2014. The City timely filed its supplemental brief with the Michigan Supreme Court. The parties are now waiting for the Court to set a date for oral argument on the application. The Michigan Supreme Court entertained oral arguments on the application for leave to appeal on March 11, 2015. On June 4, 2015, the Michigan Supreme Court reversed the decisions of the Court of Appeals and the Circuit Court and ruled there was no requirement for Plaintiffs to exhaust their administrative remedies. The case was remanded to Circuit Court for further proceedings. A status conference was held on June 18, 2015 with Judge Kumar. During the status conference, Judge Kumar scheduled a hearing for September 2, 2015, allowing the parties to address the issues that were previously raised in the motion for summary disposition but were not decided since the case was initially dismissed for failure to exhaust administrative remedies. At the hearing on September 2, 2015, Judge Kumar allowed Plaintiffs to request additional discovery within 30 days. Thereafter, both parties are allowed to file supplemental briefs.
Supplemental briefs have been filed and we are awaiting a decision.

2. *Todd Michael v. City of Troy et. al.* Todd Michael has filed this lawsuit against the City, the Troy Police Department and the Troy Police Chief. Through this lawsuit, Plaintiff alleges that he was discriminated against in his employment with the City, in violation of the Americans With Disabilities Act. He also alleges that he suffered retaliation for his alleged disability. He is asking to be reinstated as a Troy Police Officer. He is also asking for additional compensation, punitive damages, costs and attorney fees. The answer to the complaint and affirmative defenses were filed on September 27, 2012. The Court has issued a scheduling order in this case, and discovery is on-going. The parties are continuing in the discovery phase. The Court has extended the discovery cut off in this matter, and the parties continue to take depositions in this case. The City will be filing a Motion for Summary Judgment. A Motion for Summary Judgment was filed on October 14, 2013. Plaintiff filed its Response on November 21, 2013, and the City's reply brief was filed on December 12, 2013. The parties are still waiting for the Court to either issue an opinion or schedule a date for oral argument on the Motion. The Court transferred the case to newly appointed U.S. District Court Judge Judith Levy, who has scheduled oral argument on the motion for summary judgment for July 10, 2014. Subsequent to oral argument, the Court entered an order on July 23, 2014 dismissing Police Chief Gary Mayer and Count II as to all parties. The Court is expected to issue an order as to the first Count of Plaintiff's Complaint. On October 21, 2014, the Court entered its order in favor of the City, dismissing the case. Plaintiff subsequently filed an appeal with the Sixth Circuit Court of Appeals. Plaintiff/ Appellant's Corrected Brief was filed on March 6, 2015. The City's brief was filed on April 7, 2015. Oral argument is set for July

29, 2015. Since the July 29, 2015 oral argument, the parties have been waiting for the Sixth Circuit Court panel to issue its opinion. **On December 14, 2015, the Sixth Circuit Court of Appeals issued a published opinion dismissing the complaint in favor of the City. On December 29, 2015, Plaintiff filed a request for an en banc review at the Sixth Circuit Court of Appeals.**

3. *Daniel E. Katayama v City of Troy*. Plaintiff filed this lawsuit under the Freedom of Information Act (FOIA) claiming that the City did not fully comply with a FOIA request he submitted on March 26, 2013. Plaintiff's FOIA request sought particular documents related to his arrest on suspicion of driving while intoxicated. The City filed an Answer to the Complaint, and the parties are conducting discovery. Discovery continues. The Court scheduled a mandatory settlement conference for March 10, 2014. The City filed a Motion for Summary Disposition on February 14, 2014. The Court scheduled oral argument on this Motion for June 5, 2014. The Court granted in part and denied in part the City's Motion for Summary Disposition. Plaintiff filed a Claim of Appeal in the Michigan Court of Appeals on September 3, 2014. A briefing schedule has not been issued by the Court of Appeals. A timely response brief will be filed once the date is set by the Court. Plaintiff ordered the transcript of proceedings, and the date of the receipt of the transcript dictates the appellate briefing schedule. The parties are still waiting for the court transcript to be completed. The final transcript was filed with the Court on May 1, 2015. Plaintiff-Appellant's brief was due on May 19, 2015, but has not yet been filed. Plaintiff-Appellant's Appeal was at first dismissed by the Court of Appeals for lack of progress, however, Plaintiff-Appellant's subsequent Motion to Reinstate Appeal was granted. Plaintiff-Appellant filed a brief on appeal on July 23, 2015. The City of Troy timely filed its brief on appeal on September 24, 2015. The Michigan Court of Appeals scheduled Oral Argument for November 9, 2015. **On December 10, 2015, the Michigan Court of Appeals released its order, affirming the circuit court but remanding the case.**
4. *DiMario v. City of Troy, et al.* - Plaintiffs filed this case in Oakland County Circuit Court on November 5, 2014 to obtain a vacant piece of land next to Plaintiffs' home. Plaintiffs listed the City of Troy as a Defendant in the case because the City has easements on the property. The Plaintiffs also listed D&T Construction, Emerald Lakes Pointe Association, and the Oakland County Treasurer as Defendants. The City has filed an Answer to the Complaint, and is now waiting for the Court to issue a scheduling order. The Court issued its scheduling order. This case was removed from case evaluation through a stipulation of the parties. Trial is now scheduled for September 10, 2015. **There is a pending Motion for Summary Disposition, and the parties are waiting for the Court's decision. In the interim, there is a scheduled trial date of January 14, 2016, which will need to be rescheduled if the Court has not rendered her decision by that time.**
5. *Jeremy Carter v Oakland County Jail, et al.* Plaintiff filed this claim against the City of Troy and an individual Troy police officer claiming he was wrongfully arrested and incarcerated. The case was filed in the United States District Court for the Eastern

District of Michigan and assigned to the Honorable Judge Gershwin Drain who ordered Plaintiff to file an Amended Complaint by a date certain. Plaintiff missed his deadline, and a motion to dismiss is pending before the Court awaiting a decision. The parties are still waiting for a Court decision in this case. On July 8, 2015, the District Court issued an Order allowing Plaintiff additional time to file an Amended Complaint. Plaintiff's Amended Complaint, naming two different Troy police officers, was then timely filed on July 30, 2015. The City of Troy filed a Motion to Dismiss Plaintiff's Amended Complaint on August 17, 2015, and the parties are waiting for the Court's decision. **This case has been dismissed by the Court, and is now concluded.**

6. *Dandu and Mosutan v. City of Troy, et al.* Plaintiffs filed this Complaint in Oakland County Circuit Court against the City of Troy and the Oakland County Treasurer's Office. The case has been assigned to Judge Denise Langford Morris. Mr. Dandu purchased a foreclosed property (1369 E. Wattles Road) from Oakland County in August 2014, and Mr. Moustan purchased the property from him in October 2014. Through the lawsuit, the Plaintiffs are seeking the removal of a past due water bill lien in the amount of \$17,230.63, since this bill represents charges incurred prior to their acquisition of the property. The parties attended a show cause hearing on August 19, 2015 where the Judge set the case for a status hearing on October 12, 2015. **The parties filed a stipulated agreement and order to dismiss the case. This case is now concluded.**
7. *Robert and Audrey Taylor v City of Troy.* Plaintiffs filed this claim and delivery action in the 52-4 District Court seeking return of a six rifles and two handguns that were confiscated from Plaintiff Robert Taylor's residence. Troy police officers responded to Taylor's home after receiving information that he was suicidal. Inside the home, the officers located a loaded .22 rifle on the living room floor with loose ammunition laying on the couch and floor. The City filed an answer to the complaint and a response to Plaintiff's interim motion for possession. On November 25, 2015, Judge McGinnis denied Plaintiffs motion for possession. At the pretrial on December 21, 2015, the parties discussed a possible resolution to the case. The case has been scheduled for another pretrial conference on February 3, 2016.
8. *International Outdoor, Inc. v City of Troy.* This is an appeal filed by International Outdoor, Inc. challenging the Building Code Board of Appeals (BCBA) denial of variances from the provisions of the Sign Ordinance. The two signs were proposed to be located at 1705/1709 Austin and 1125 Naughton. The applicant wanted to erect two 70 foot, 1608 Square foot signs that would be visible from I-75. The proposed signs exceeded the size, height, and setback provisions of the Sign Ordinance and could only be permitted if variances were granted by the BCBA. International Outdoor argues in its appeal the BCBA abused its discretion when it denied the variances and that the decision denying the variances was not supported by competent, material, and substantial evidence on the whole record. The case was assigned to Oakland County Circuit Court Judge Hala Jarbou, who will need to review all of the BCBA record to determine if there was an abuse of

discretion. The City must file the Record on Appeal with the Circuit Court within 28 days of the filing of the claim of appeal. Thereafter, each party must file an appellate brief. After the briefs are filed, the Court will schedule oral argument and will make its decision on the appeal after oral argument.

G. CRIMINAL APPEALS/ DISTRICT COURT APPEALS

These are cases involving an appeal from a decision of the 52-4 District Court in an ordinance prosecution case.

1. City of Troy v. Barber. Defendant was issued a citation for possession of marijuana on March 20, 2015. Defendant had a valid medical marijuana card at the time of the traffic stop and under state law, she is immune from prosecution for possession of marijuana, therefore the case was dismissed. Defendant then filed a motion for return of property, specifically 23 g of marijuana, which was granted by District Court Judge Hartig. The City appealed the decision to the Oakland County Circuit Court, and timely filed its Brief on Appeal. Oral arguments are scheduled before Oakland County Circuit Court Judge Shalina Kumar on November 9, 2015. **The Circuit Court affirmed the lower court's decision and remanded the case for the return of Defendant's property.**

H. ADMINISTRATIVE PROCEEDINGS

1. *In the matter of the Petitions on National Pollution Discharge Elimination Systems (NPDES Phase II General Permits)*. The City has joined several other municipalities in challenging several of the mandates in the NPDES Phase II General Permit, which was recently issued by the MDEQ. The new NPDES permit requires some storm water management techniques that exceed the federal mandates, and/or are not justified, based on the high cost of the mandate, in relation to the nominal environmental benefits. A status conference for the parties is set for October 1, 2008. The municipalities are currently exploring the coordination of efforts with other parties. Community representatives are meeting with representatives from the MDEQ to discuss possible resolutions of this matter without the necessity of a full blown administrative hearing. The parties are continuing to negotiate with the MDEQ. The City of Riverview filed a class action complaint in the Ingham County Circuit Court, challenging the permit requirements as unfunded mandates. The petitioners to the NPDES permit administrative proceeding are named as participants in the proposed class action lawsuit. As a result, the class action determination may have an impact on the administrative proceeding. The motion for class certification is scheduled for October 15, 2009. Class certification was granted. Hearings regarding the procedure for the new class action are set for January 2010. The Court granted class action status, and the administrative proceedings are now being delayed. Status reports have been filed and reviewed, and we continue to monitor any new developments. On October 14, 2010, the Michigan Court of Appeals reversed the order granting a stay of the

contested cases. On November 19, 2010, the Ingham County Circuit Court (the class action lawsuit) entered an order granting in part the dismissal of some of the claims. The remaining claims, including a Headlee claim, will be decided by the Court. Subsequently, the Assistant Attorney General, on behalf of the Michigan Department of Natural Resources and Environment (MDNRE) attempted to withdraw all of the remaining NPDES permits, which would mean that the whole process would need to be started from scratch. Since this action would likely result in a significant delay and a duplication of all efforts to date, several municipalities filed objections to this unilateral action. The MDNRE was given until December 22, 2010 to file a formal motion seeking a dismissal of the remaining NPDES permits. On August 9, 2011, the Administrative Law Judge held the case in abeyance, due to pending case at the Michigan Court of Appeals. The parties will continue to provide status reports in the interim. The Court is continuing to receiving status reports, with the next one due on December 19, 2012. Status reports were timely filed on January 6, 2013 and March 22, 2013. Additional status reports were submitted on June 24 and 25, 2013. The Court issued an order on September 10, 2013, continuing to hold the matter in abeyance pending resolution of the constitutional issues. Status reports were timely filed on December 18, 2013. Administrative Law Judge Plummer issued an order on January 29, 2014, continuing the case in abeyance, and ordering quarterly status reports to be filed. Status reports were filed as of the deadline of May 1, 2014. The case continues to be held in abeyance. The Court issued an order on August 27, 2014, continuing the case in abeyance. The Court has continued to hold this case in abeyance, and has required status reports be filed on or before January 30, 2015. Status reports were timely filed. The Administrative Law Judge ordered a status conference, which was held on June 24, 2015. Since the parties could not reach an agreement, the Court scheduled an argument on motions for August 24. The Court dismissed the cases on the grounds of mootness, based on the fact that a new NPDES permit is required for the communities, and the parties are now seeking attorney fee reimbursement. **The request seeking reimbursement of attorney fees was filed, and is currently pending.**

If you have any questions concerning these cases, please let us know.

Beth L Tashnick

Subject: FW: Thank You from 3435 Dorothea Ct

From: Marc Radecky

Sent: Tuesday, December 08, 2015 6:21 PM

To: David J Roberts <robertsdj@troymi.gov>

Subject: Thank You from 3435 Dorothea Ct

David,

I just wanted to send a note of Thanks to you and your Department.

You responded late Saturday, early Sunday to a chimney fire at my home, thankfully our incident was minor.

Response time was excellent, but what truly impressed me was the professionalism and courtesy from everyone on scene!

It was great to meet you, please congratulate your team, the Radecky family truly appreciates all of you!

Sincerely,

Marc Radecky

President



Precision Service Testing

www.firecatt.com

December 8, 2015

Dear Chief Mayer,



Sgt. Meghan Lehman, Sgt. Andy Breidenich
Police Officer Russ Barrows -
THANK YOU ALL FOR REPRESENTING
TROY PD SO WELL.
I APPRECIATE IT. Gary P-03b

Thank you for the continuing support of the City of Troy Police Department in the mission and programs of Troy-area Interfaith Group. Together, what a powerful, effective message of peace we convey to the community through our partnering efforts!

Last evening, Sergeant Meghan Broderick Lehman and Officer Russ Barrows attended our December program, engaging with our diverse group in informal but important conversation. They listened and shared, and asked and answered questions about issues of mutual interest and also about more casual topics as fellow citizens of Troy. This was a unique opportunity to interact and understand and be understood. I can't help but note, how remarkable--or maybe more importantly--how *unremarkable*, that this group of 25 individuals, representing six major world religions and several ethnic and cultural backgrounds, could come together to share a simple meal and sit and talk about football, and school, and vacation plans, and end the evening with handshakes and hugs and wishes of Happy Holidays. Most importantly, we had four students, ranging from fourth to twelfth grade, who shared a table with the two officers and our other participants, providing the youth an important, positive perspective of the involvement of law enforcement and an appreciation of diversity in our community of Troy.

Additionally, we appreciate the ongoing support of Sergeant Andy Breidenich. We value his connection, insight, initiative, and dependability, from presenting to our group, to contacting TIG to assist in the founding and continued operation of the *Troy Area Alliance Against Hate Crimes*, to providing community resources for TIG programs and faith communities. How fortunate we are to be able to call upon him--and to call him friend.

We thank you and the Department for being proactive in creating community relationships, and backing that up with presence and support--allowing us to connect with the individuals behind the uniforms. Together we make a stronger community.

Looking forward to our next opportunity for a joint community program between Troy-area Interfaith Group and the City of Troy Police Department!

Brenda Balas
Chair, Leadership Team
Troy-area Interfaith Group

From: David J Roberts

Sent: Wednesday, December 09, 2015 8:21 AM

To: Fire Station Officers Distribution <FireStationOfficersDistribution@troymi.gov>; Fire Station 3 <station3@troymi.gov>; Fire Station 6 <station6@troymi.gov>; Fire Station 4 <Station4@troymi.gov>

Cc: Brian M Kischnick <B.Kischnick@troymi.gov>

Subject: FW: Thank You from 3435 Dorothea Ct

Nice job everyone!

Actions like this are what help to make our department one of the best there is.

Keep up the good work!

Dave

David Roberts | Fire Chief

Troy Fire Department | 500 W. Big Beaver, Troy, MI 48084 | Office: 248-524-3419 | troymi.gov  

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

From: Marc Radecky [<mailto:mradecky@firecatt.com>]

Sent: Tuesday, December 08, 2015 6:21 PM

To: David J Roberts <robertsdj@troymi.gov>

Subject: Thank You from 3435 Dorothea Ct

David,

I just wanted to send a note of Thanks to you and your Department.

You responded late Saturday, early Sunday to a chimney fire at my home, thankfully our incident was minor.

Response time was excellent, but what truly impressed me was the professionalism and courtesy from everyone on scene!

It was great to meet you, please congratulate your team, the Radecky family truly appreciates all of you!

Sincerely,

Marc Radecky

President

248-318-3811 mobile/direct



Precision Service Testing

www.firecatt.com

3250 W. Big Beaver Rd., Suite 544, Troy, MI 48084, 248-643-7200 office, 248-643-4540 fax



*American Red Cross
Of Southeast Michigan
100 Mack Avenue
Detroit MI, 48201*

December 18, 2015

To: Erin Chapman, the Employees and Patrons of the Troy Public Library,

On behalf of the American Red Cross Service to the Armed Forces I wish to express my sincere appreciation for your contribution to the Holiday Mail for Heroes (HMFH) Program. The Troy public library employees and patron's exemplary effort of making cards this year will not go unnoticed and it will contribute to the program's overall success. It will ensure local active duty, guard, reserve and veteran organizations will receive holiday mail for their members.

I cannot express my gratitude enough for your efforts in ensuring that all local veterans are shown the gratefulness they deserve during this time of the season. Without your support, these programs would not be possible.

Thank you,

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

Tony Gerheiser
American Red Cross
Service to the Armed Forces
Program Specialist, East Central Bay and Southeast Michigan Chapters

American Red Cross of Michigan

100 Mack Avenue

Detroit MI, 48201

313-833-3854 (o)

313-236-6166 (c)

tony.gerheiser@redcross.org

For emergencies related to the military, please call out 24-hour number at 1-877-272-7337 or visit Redcross.org/HeroCareNetwork.



To: Mayor Dane Slater and City Council
Brian Kischnick, City Manager
Mark Miller, Economic and Community Development Director
Tim Richnak, Public Works Director

From: Loraine Campbell, Executive Director, Troy Historic Village
Judy Iceman, President, Troy Historical Society

Re.: ADA Compliant Accessibility Ramps

Date: December 21, 2015

On behalf of the Troy Historical Society Board of Trustees I would like to thank City administration for redirecting Community Development Block Grant funds to improve accessibility in the Troy Historic Village. The new General Store ramps and the ramp at the west entry of the 1927 Township Hall are attractive, provide ADA compliant access for guests with physical challenges, and enhance public safety for all visitors.

I appreciate the administrative support of City staff, including Mark Miller and Kurt Bovensiep, who planned and implemented the project. However, I am especially grateful to the men who completed the installation. Joe Mowery was an outstanding project leader who made critically important adjustments to the construction plans based on actual conditions he and his crew encountered while working with our vintage buildings. He also communicated with me regularly, kept the worksite organized, and minimized the impact of construction on Village operations and traffic flow.

Joe's primary work crew, including Jason Adler and Nick Herzek, are to be commended for their skilled workmanship. Their attention to detail throughout the project was noted on a daily basis and deeply appreciated. I am also grateful to Tom Grashik, Kevin Heckman, Guy Kitchen and Kim Swails, who helped construct the ramps and to Doug Kaczorowski and Doug Billings who completed the asphalt drive adjacent to the General Store ramp along Lange Street. All large delivery trucks, caterers, and contractors use this driveway and it is an increasingly important entry to the Village. Finally, Mike Pihaylic did excellent carpentry and finish work. He installed the decking to provide access to electric lines underneath one ramp and the ADA compliant railings on each of the ramps. His careful craftsmanship resulted in a high quality, finished product.

Please extend our thanks to City staff, Mr. Mowery and the crew who completed a challenging project with true professionalism.

Beth L Tashnick

Subject: FW: LOA to Fire Dept.**From:** Julie Senkowski**Sent:** Wednesday, December 30, 2015 7:46 PM**To:** David J Roberts <robertsdj@troymi.gov>**Subject:** visit from Lieutenant Dave Basile

Chief Roberts,

Each year in October, our child care center has a community helpers week. We invite different members of the community to come in and speak to the children about the work they do to help make our community a better place to live. On October 8, 2015 we had the pleasure of a visit from Lieutenant Dave Basile, Firefighter Dave Hughson, and Probationary Firefighter Jared Battles. Their visit was a highlight for the children, and Lieutenant Basile went above and beyond with his demonstration and interaction with both the children and staff.

Lieutenant Basile, Firefighter Hughson, and Probationary Firefighter Battles spent over two hours at our center meeting with three groups of children ages 2 through 5 (approximately 80 total children). They discussed the importance of smoke detectors and having a family escape plan and meeting point in the event of a fire emergency. They enthusiastically showed the children what a firefighter looks like before he puts on his protective clothing, and what he looks like with his pants, boots, coat, gloves, mask and helmet on. Firefighter Dave (as we refer to him) modified his presentation to meet the needs of the children in each group since they ranged in age from toddlers to preschoolers. He made sure that the children understood what he was saying, and that they realized a nice man who was there to help was underneath all of the protective gear. He also took the time to patiently answer many questions from the children, and each group had an opportunity to go outdoors and see the fire truck. The men even stayed a little longer to pose for pictures with the children.

We are very appreciative that Lieutenant Basil, Firefighter Hughson, and Probationary Firefighter Battles took the time to visit our child care center and share their important job with our children. We look forward to seeing Firefighter Dave next year!

Sincerely,

Julie Senkowski
Assistant Director
North Hills Child Care Center
3150 N. Adams Rd.
Troy, MI 48084

PUBLIC INFORMATION MEETING WILL BE JAN. 13 FOR PLANNED DEQUINDRE RECONSTRUCTION

The Road Commission for Oakland County (RCOC), in partnership with the Macomb County Department of Roads, will hold a public meeting Wednesday, Jan. 13, to share information about the planned 2016 reconstruction of Dequindre Road from Burningbush Street to West Utica Road on the Troy/Sterling Heights and Rochester Hills/Shelby Township borders.

MEETING DETAILS

- DATE:** Wednesday, Jan. 13
- LOCATION:** Reuther Middle School (media center),
1430 E. Auburn Road
Rochester Hills, MI 48307
- TIME:** 4 to 7 p.m.
- FORMAT:** This meeting will be open-house format. There will not be any formal presentations, but anyone can attend at any time to see plans, speak with an RCOC representative and ask questions.

PROJECT DETAILS

The project will be led by RCOC in conjunction with the adjacent communities. Most of this section of Dequindre Road is currently five lanes. Those lanes will be reconstructed. The section that is two lanes will be widened to five lanes.

This is the first phase of a larger project that will include Dequindre from Long Lake to Auburn. The other sections will be completed in future years.

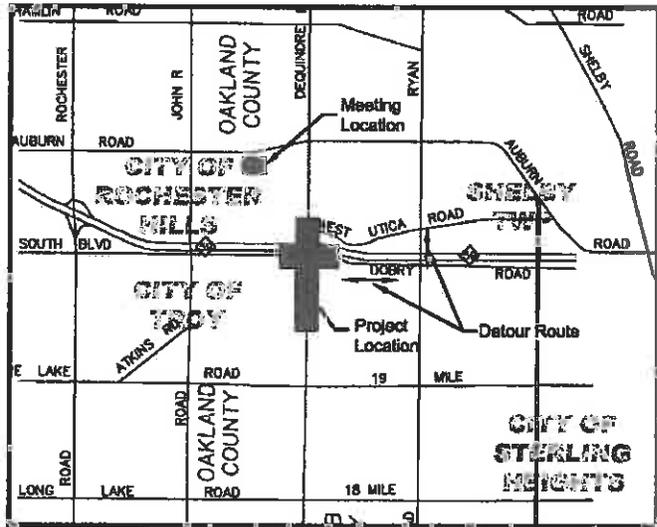
The project will include traffic-signal upgrades and drainage improvements as well as operational improvements to the east/west legs of the Dequindre/South Blvd./Dobry St. intersection.

SCHEDULE

The project will be constructed in 2016.

TRAFFIC IMPACTS

One through lane of traffic in each direction, as well as a center left-turn lane will be maintained on



Dequindre at all times during construction. Some driveways will be closed at times during construction, but access to all homes and businesses will be maintained throughout the project.

Utica Road will be **closed** to through traffic at Dequindre for about three to four weeks during the project. The schedule for the closure has not yet been identified. The detour route for Utica Road traffic during the closure will be Ryan Road to Dobry Road and back to Utica Road and vice versa.

COST & FUNDING

This project is expected to cost approximately \$7.7 million. Of that amount, \$6.2 million will be paid for with federal funding. The remainder will be shared by RCOC, the Macomb County Department of Roads, the cities of Troy, Rochester Hills and Sterling Heights and Shelby Twp.

If you wish to attend this meeting and require accommodation in accordance with the provisions of the Americans with Disabilities Act or provisions within Title VI, including those requiring language assistance and/or special accommodations, RCOC will provide such services, free of charge, with reasonable advance notice (7 business days). Please contact Dave Harrison at 248-645-2000 to submit your request.

For more information:

Call RCOC's Department of Customer Services at (877) 858-4804 or send us an e-mail via the RCOC Web site, www.rcocweb.org.