

CITY COUNCIL

AGENDA

December 16, 2002 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER **1**

ROLL CALL **1**

Invocation & Pledge Of Allegiance – Pastor Dean Blakeney – First Baptist Church **1**

A-1 Presentations: (a) Red Ribbon Campaign "Pledge to Be Drug Free" - Wattles Students, Boy Scout Troop 1707 & Cub Pack 1706; (b) Service Commendation – Bonnie Korttila 1

PUBLIC HEARINGS **1**

C-1 Parking Variance Request – 2938 E. Maple Road – Polish Market 1

C-2 Downtown Development Authority Plan to Include Development Plan #5 3

C-3 Street Vacation Application (SV-178) – A Portion of Lovell, Eckerman and Barabeau Streets – East of Rochester Road, South of South Boulevard–Section 2 3

C-4 Street Vacation Application (SV-175) – Larchwood Street and Eastport Street Running Through Robinwood Park – North of Maple Road, East of Livernois Road – Section 27 4

C-5 Rezoning Application – B-2 to M-1 – Empire Electronics World Headquarters (Z-#685) – Located on the South Side of Maple Road – East of Livernois and West of Rochester Road (Sidwell #88-20-34-101-025) – Section 34 5

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3317 or via e-mail at clerk@ci.troy.mi.us at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

PUBLIC COMMENT: 5

- A. Items on the Current Agenda 5
- B. Items Not on the Current Agenda 5

CONSENT AGENDA 6

- E-1 Approval of Consent Agenda 6
- E-2 Minutes: Regular Meeting of December 2, 2002 and Special Meeting of December 9, 2002 6
- E-3 Proposed City of Troy Proclamations 6
 - (a) Resolution of Commendation – Department of Defense and General Dynamics..... 7
 - (b) Service Commendation – Bonnie Korttila..... 7
- E-4 Request for Acceptance of 2 Warranty Deeds and 3 Permanent Easements; Huntington Estates Site Condominiums – Fernleigh Development, LLC – Sidwell #88-20-24-226-066 7
- E-5 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidders – Traffic Control Signs 7
- E-6 Request to Set a Public Hearing Regarding Acceptance of a Local Law Enforcement Block Grant 7
- E-7 Application for New Specially Designated Distributor (SDD) License by Troy Paradise, Inc. 8
- E-8 Standard Purchasing Resolution 1: Award to Low Bidder – Annual Flowers & Bedding Plants 8
- E-9 Standard Purchasing Resolution 3: Exercise Renewal Option – Auction Services 9
- E-10 Request for Acceptance of Permanent Water Main Easement for Storm Drain/ Sewer – Sidwell # 88-20-14-278-017, The Archdiocese of Detroit/St. Anastasia Catholic Church 9
- E-11 Loan of Art Works to Hope College 9

E-12	Request for Acceptance of Warranty Deeds and Easements – Troy Pines Condominiums and Troy Pines #2 Condominiums – Troy Pines, L.L.C., Premium Construction, L.L.C., Kent & Pam Clark and Pietro & Victoria Arena	10
------	--	----

REGULAR BUSINESS **10**

F-1	Appointments to Boards and Committees: (a) Advisory Committee for Persons w/Disabilities; (b) CATV Advisory Committee; (c) Ethnic Community Issues Advisory Committee; (d) Historic District; and (e) Planning Commission	11
F-2	Closed Session	15
F-3	Petition Analysis, Paving of Walnut Hill and Chestnut Hill, SAD#02.109.1	15
F-4	Rejection of Proposals for RFP 02-46 – Job Study	16
F-5	Approval of Contract with MDOT for Right-of-Way Acquisition for the Reconstruction and Widening of Big Beaver Road, from Rochester Road to Dequindre Road, Project No. 01.105.5	16
F-6	Traffic Committee Recommendations	17
F-7	Upgrade – Water Meter Reading System	18
F-8	a) Request for Authorization to Make Unconditioned Offer to Purchase – 2780 Rochester Road (O’Rilley Building), Parcel #88-20-27-277-017; and b) Request for Authorization for City Attorney to Institute Court Action if Necessary	18
F-9	Technical Review of Agenda Items	19
F-10	License and Use Agreement	20

COUNCIL COMMENTS/REFERRALS **20**

Civic Center Economic Model – Theater Size	20
--	----

REPORTS AND COMMUNICATIONS **21**

G-1	Minutes – Boards and Committees:	21
	(a) Historical Commission/Final – September 24, 2002.....	21

	(b) Troy Youth Council/Final – September 25, 2002.....	21
	(c) Historical Commission/Draft – October 22, 2002	21
	(d) Troy Daze/Final – October 22, 2002	21
	(e) Troy Youth Council/Final – October 23, 2002	21
	(f) Advisory Committee for Persons With Disabilities/Final – November 6, 2002 ...	21
	(g) Board of Zoning Appeals/Draft – November 19, 2002.....	21
	(h) CATV Advisory Committee/Draft – November 20, 2002.....	21
	(i) Troy Daze/Draft – November 26, 2002.....	21
	(j) Building Code Board of Appeals/Draft – December 4, 2002	21
	(k) Advisory Committee for Senior Citizens/Draft – December 5, 2002.....	21
G-2	Department Report	21
	(a) Permits Issued During the Month of November 2002.....	21
	(b) Brownfield Redevelopment Authority Financial Statements – June 30, 2002	21
	(c) Downtown Development Authority – Financial Statements – June 30, 2002	21
	(d) Monthly Financial Report – November 30, 2002	21
G-3	Announcement of Public Hearings:	21
G-4	Proposed Proclamations/Resolutions from Other Organizations: None submitted	21
G-5	Letters of Appreciation:	21
	(a) Letter from Harry W. Cyphers to Chief Craft Commending Officer Nicolette Kaptur for Her Presentation at the Senior Men’s Club of Birmingham Regarding Senior Citizen Security Measures	21
	(b) Letter from Tom VanVoorhis – Senior Men’s Club of Birmingham to Officer Nicolette Kaptur in Appreciation of Her Informative Presentation on “Scams and Pranks Against Seniors”	21
	(c) Letter from Lance Ross to Chief Craft Thanking Officer Jay Reynolds for the Informative Presentation He Gave at the Office of PPG Industries Regarding “Identity Theft”	21
	(d) Letter from Katherine Bogush to the Police Department Commending the “Senior Assistance Program”	21
	(e) Letter from Connie Meier to Police Department Commending Officer Kukla for His Kindess and Professionalism During a Recent Traffic Accident Response	21
	(f) Letter from Zoe Alpern to Chief Craft Commending PSA Goralczyk and Officers Steve Brazel and Brian Warzecha for Their Assistance During a Recent Security Breach and Follow-up Measures.....	21
	(g) Letter from Enid Brown, Oakland Criminal Justice Association to Sergeant Don Ostrowski Thanking Him for his Explosives Presentation	22
	(h) Letter from Darlene Russell Thanking William Need and Tim Richnak for Their Assistance in Capping a Drainage Hole in Front of Her Home	22
	(i) Letter from Marianne Murray to Chief Craft Thanking Him for the Police Department’s Assistance in Helping Her to Complete Her Field Project Class at Oakland Community College.....	22
G-6	Calendar	22

G-7	Memorandum – Re: Background Re: Beach Road	22
G-8	Memorandum (Green) – Re: P.I.L.O.T. (Payment in Lieu of Taxes) Ordinance Chapter 99 & Oakland Park Towers Refinancing	22
G-9	Memorandum (Green) – Re: Possible SmartZone in Troy	22
<u>PUBLIC COMMENT</u>		<u>22</u>

CALL TO ORDER

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Anthony N. Pallotta

Invocation & Pledge Of Allegiance – Pastor Dean Blakeney – First Baptist Church

A-1 Presentations: (a) Red Ribbon Campaign "Pledge to Be Drug Free" - Wattles Students, Boy Scout Troop 1707 & Cub Pack 1706; **(b)** Service Commendation – Bonnie Korttila

PUBLIC HEARINGS

C-1 Parking Variance Request – 2938 E. Maple Road – Polish Market

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

(a) Resolution A for Approval

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

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

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

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

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from Mark Kolinicz, representing the Polish Market for waiver of 5 parking spaces at the development at 2938 E. Maple be **APPROVED**.

OR

(b) Resolution B for Denial

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

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

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

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met;

NOW, THEREFORE, BE IT RESOLVED, That the request from Mark Kolinicz, representing the Polish Market for waiver of 5 parking spaces at the development at 2938 E. Maple be **DENIED**.

Yes:

No:

C-2 Downtown Development Authority Plan to Include Development Plan #5

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, The Troy Downtown Development Authority (TDDA) adopted Development Plan #5 on December 11, 2002.

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **ADOPT** Development Plan #5 which provides HTC Global a local match of \$50,000 for property infrastructure for the MEGA financial incentive package to relocate its headquarters to the City of Troy.

Yes:

No:

C-3 Street Vacation Application (SV-178) – A Portion of Lovell, Eckerman and Barabeau Streets – East of Rochester Road, South of South Boulevard–Section 2

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, A request has been received for the vacation of a portion of the 30-foot-wide platted public Lovell Street, extending east approximately 2,182 feet south from Rochester Road, and within the Eyster's Suburban Home Subdivision, Section 2 (Liber 44, Page 27 of Oakland County Plats); and

WHEREAS, The properties which shall benefit from this requested vacation include the Woodside Bible Church/Northwyck PUD (#001); and

WHEREAS, City Management and the Planning Commission have recommended that this street vacation be **GRANTED** subject to the following conditions:

1. Retention of easements within the right-of-way to be vacated to the extent determined to be necessary by the City Engineer, based in part on input or responses from applicable utility companies.

2. Petitioners provide proof of ownership for 6710 Eckerman Street and apply for a wrecking permit prior to final vacation of right-of-way.

NOW, THEREFORE, BE IT RESOLVED, That the City Council **CONCURS** in the recommendations of City Management and the Planning Commission; and

BE IT FURTHER RESOLVED, That **FINAL ACTION** on this street vacation request **SHALL BE TAKEN** by the City Council, after the following actions:

1. Determination by the City Engineer of the nature and extent of easements to be retained over the subject street right-of-way based in part on input or responses from the applicable utility companies.
2. Petitioners provide proof of ownership for 6710 Eckerman Street and apply for a wrecking permit prior to vacation of right-of-way.

Yes:

No:

C-4 Street Vacation Application (SV-175) – Larchwood Street and Eastport Street Running Through Robinwood Park – North of Maple Road, East of Livernois Road – Section 27

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, A request has been received for the vacation of the Eastport Street right-of-way, which is 50 feet wide and approximately 835 feet in length, and the Larchwood Street right-of-way, which is 50 feet wide and approximately 435 feet in length, located within Robinwood Park in Section 27; and

WHEREAS, The properties which shall benefit from this requested vacation include the City of Troy, Robinwood Park; and

WHEREAS, City Management and the Planning Commission have recommended that this street vacation be **GRANTED** subject to the following condition:

1. Retention of the 20-foot wide easement within Eastport Street for the existing water line in Robinwood Park.

NOW, THEREFORE, BE IT RESOLVED, That the City Council **CONCURS** with the recommendations of City Management and the Planning Commission; and

BE IT FINALLY RESOLVED, That the vacation of the Eastport Street right-of-way, which is 50 feet wide and approximately 835 feet in length, and the Larchwood Street right-of-way, which is 50 feet wide and approximately 435 feet in length, located within Robinwood Park in Section

27, be **VACATED**, retaining a 20-foot wide easement for public utilities, including an existing water line, on either side of the center line of the vacated Eastport Street right-of-way.

Yes:

No:

C-5 Rezoning Application – B-2 to M-1 – Empire Electronics World Headquarters (Z-#685) – Located on the South Side of Maple Road – East of Livernois and West of Rochester Road (Sidwell #88-20-34-101-025) – Section 34

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That the B-2 to M-1 rezoning request located on the south side of Maple Road and east of Livernois Road in Section 34, being 6.95 acres in size, be **GRANTED**, as recommended by City Management and the Planning Commission.

Yes:

No:

PUBLIC COMMENT:

A. Items on the Current Agenda

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. Consistent with Order of Business #11, the City Council will move forward the specific Business Items which audience members would like to address. The Mayor shall announce the items which are to be moved forward and will ask the audience if there are any additional items which they would like to address. All Business Items that members of the audience would like to address will be brought forth and acted upon at this time. Items will be taken individually and members of the audience will address council prior to council discussion of the individual item.

B. Items Not on the Current Agenda

After Council is finished acting on all Business Items that have been brought forward, the public is welcome to address the Mayor and Council on items that are specifically not on the agenda. (Article 15)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended May 6, 2002.)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 Minutes: Regular Meeting of **December 2, 2002** and Special Meeting of **December 9, 2002**

Suggested Resolution

Resolution #2002-12-

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of December 2, 2002 and the 7:30 PM Special Meeting of December 9, 2002, be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamations

Suggested Resolution

Resolution #2002-12-

RESOLVED, That the following City of Troy Proclamations, be **APPROVED**:

- (a) Resolution of Commendation – Department of Defense and General Dynamics
- (b) Service Commendation – Bonnie Korttila

E-4 Request for Acceptance of 2 Warranty Deeds and 3 Permanent Easements; Huntington Estates Site Condominiums – Fernleigh Development, LLC – Sidwell #88-20-24-226-066

Suggested Resolution
Resolution #2002-12-

RESOLVED, That the 2 warranty deeds for a detention area and right-of-way and 3 permanent easements for sanitary sewer, storm sewer and public utilities from Fernleigh Development, L.L.C. for the Huntington Estates Site Condominium project, being part of property having Sidwell #88-20-24-226-066 are hereby **ACCEPTED**.

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

E-5 Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidders – Traffic Control Signs

Standard Purchasing Resolution 2

Suggested Resolution
Resolution #2002-12-

RESOLVED, That one-year contracts to provide traffic control signs with an option to renew for one (1) year are hereby **AWARDED** to the lowest acceptable bidders, Vulcan Signs, Signs and Blanks, Inc., and Rocal, Inc., at unit prices contained in the bid tabulation opened November 20, 2002, a copy of which shall be **ATTACHED** to the original Minutes of this meeting at an estimated total cost of \$15,094.00, \$6,109.00 and \$1,297.00 respectfully.

E-6 Request to Set a Public Hearing Regarding Acceptance of a Local Law Enforcement Block Grant

Suggested Resolution
Resolution #2002-12-

RESOLVED, That a Public Hearing regarding the Local Law Enforcement Block Grant **BE DESIGNATED** to utilize the money to purchase a computer to replace the existing mugshot server, Lanx suits for the Tactical Support Team, laptop computers and composite software for the Evidence Technicians, and a bar code printer for the Property Room be held on January 6, 2003.

E-7 Application for New Specially Designated Distributor (SDD) License by Troy Paradise, Inc.Suggested Resolution

Resolution #2002-12-

(a) New SDD License

RESOLVED, That the request from Troy Paradise, Inc. for a new Specially Designated Distributor (SDD) licensed business located at 5945 John R, Troy, MI 48085, Oakland County, to be held in conjunction with Proposed New Specially Designated Merchant License. [MLCC Req ID#186120]; be considered for **APPROVAL**.

It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

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

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Troy Paradise, Inc., which shall become effective upon approval of the request for a new Specially Designated Distributor (SDD) licensed business located at 5945 John R, Troy, MI 48085, Oakland County, to be held in conjunction with Proposed New Specially Designated Merchant License, and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-8 Standard Purchasing Resolution 1: Award to Low Bidder – Annual Flowers & Bedding PlantsSuggested Resolution

Resolution #2002-12-

RESOLVED, That a contract to provide seasonal requirements of annual flowers and bedding plants is hereby **AWARDED** to the low bidder, Dinser's Greenhouse and Flowers, at unit prices contained in the bid tabulation opened November 26, 2002, a copy of which shall be **ATTACHED** to the original Minutes of this meeting at an estimated total cost of \$9,532.00.

BE IT FURTHER RESOLVED, If additional annuals or bedding plants are required, such additional materials are authorized in an amount not to exceed 20% of the estimated quantities.

E-9 Standard Purchasing Resolution 3: Exercise Renewal Option – Auction ServicesSuggested Resolution

Resolution #2002-12-

WHEREAS, On March 19, 2001, a two-year contract with a two-Year option to renew to provide Auctioneering Services was awarded to Mid-Thumb Auctioneers SVC, L.L.C. (Resolution #2001-03-160-E-9); and

WHEREAS, Mid-Thumb Auctioneers SVC, L.L.C. has agreed to exercise the option to renew the contract for an additional two-year period with the addition of a 6% commission rate for off-site vehicle auctions when the vehicles are cleaned and transported to the auction site.

NOW, THEREFORE, BE IT RESOLVED, That the two-year option to renew the contract with Mid-Thumb Auctioneers SVC LLC is hereby **EXERCISED** to provide auction services under the same commission rates, terms, and conditions expiring on March 19, 2005, which includes the additional commission rate of 6% to be charged for off-site vehicle auction when vehicles are cleaned and transported.

BE IT FURTHER RESOLVED, That staff is **AUTHORIZED** to participate in auctions with other entities with final reporting submitted to Council at the next scheduled Council meeting after auction reporting is received.

E-10 Request for Acceptance of Permanent Water Main Easement for Storm Drain/ Sewer – Sidwell # 88-20-14-278-017, The Archdiocese of Detroit/St. Anastasia Catholic ChurchSuggested Resolution

Resolution #2002-12-

RESOLVED, That the permanent water main easement from the Archdiocese of Detroit, St. Anastasia Church having Sidwell #88-20-14-278-017, is hereby **ACCEPTED** for the construction, operation, maintenance and repair of water main.

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

E-11 Loan of Art Works to Hope CollegeSuggested Resolution

Resolution #2002-12-

RESOLVED, That the City Council **APPROVE** the loan of three (3) bronze sculptures and six (6) drawings given to the City by K-mart in 2000 to Hope College, Holland, MI for the purpose of inclusion in an exhibition of the works by artist Michael Aryton at the DePree Gallery from January 13, 2003 to February 7, 2003.

E-12 Request for Acceptance of Warranty Deeds and Easements – Troy Pines Condominiums and Troy Pines #2 Condominiums – Troy Pines, L.L.C., Premium Construction, L.L.C., Kent & Pam Clark and Pietro & Victoria Arena

Suggested Resolution

Resolution #2002-12-

RESOLVED, That the Warranty Deeds and Permanent Easements for the Troy Pines and Troy Pines #2 Site Condominium Developments listed below are hereby **ACCEPTED**:

<u>GRANTOR</u>	<u>TYPE OF DOCUMENT</u>
Troy Pines, L.L.C.	Warranty Deed – Blue Spruce Dr., Scotch Dr., and Douglas Fir Dr.
Troy Pines, L.L.C.	Warranty Deed – John R Road
Troy Pines, L.L.C.	Warranty Deed – Detention Area
Troy Pines, L.L.C.	(3) Permanent Easements – Public Utilities and Sanitary Sewer
Troy Pines, L.L.C.	(3) Permanent Easements – Public Utilities and Storm Sewer
Troy Pines, L.L.C.	(3) Permanent Easements – Public Utilities
Premium Construction, L.L.C.	Warranty Deed – Douglas Fir Dr. and Mangla Ct.
Kent and Pam Clark	Warranty Deed – Douglas Fir Dr. and Mangla Ct.
Pietro and Victoria Arena	Warranty Deed – Douglas Fir Dr. and Mangla Ct.
Premium Construction, L.L.C.	Warranty Deed – Pedestrian Access
Kent and Pam Clark	Permanent Easement – Pedestrian Access
Pietro and Victoria Arena	Permanent Easement – Pedestrian Access
Premium Construction, L.L.C.	Warranty Deed – Storm Detention
Kent and Pam Clark	Permanent Easement – Storm Detention
Pietro and Victoria Arena	Permanent Easement – Storm Detention
Premium Construction, L.L.C.	Permanent Easement – Public Utilities/Sanitary Sewer
Kent and Pam Clark	Permanent Easement – Public Utilities/Sanitary Sewer
Pietro and Victoria Arena	Permanent Easement – Public Utilities/Sanitary Sewer
Premium Construction, L.L.C.	Permanent Easement – Storm Sewer
Kent and Pam Clark	Permanent Easement – Storm Sewer
Pietro and Victoria Arena	Permanent Easement – Storm Sewer
Premium Construction, L.L.C.	Permanent Easement – Public Utilities
Kent and Pam Clark	Permanent Easement – Public Utilities
Pietro and Victoria Arena	Permanent Easement – Public Utilities

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

REGULAR BUSINESS

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair (during the public comment portion of the agenda item's discussion). Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt members of the public during their comments. For those addressing City Council, petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of Council and all other interested people, their time

may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 15, as amended May 6, 2002. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair.

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons w/Disabilities; (b) CATV Advisory Committee; (c) Ethnic Community Issues Advisory Committee; (d) Historic District; and (e) Planning Commission

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

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

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

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

Advisory Committee for Persons w/Disabilities

Approved by Council (9)- 3 years

Term expires 7-01-2003 (Student)

CURRENT MEMBERS

NAME	TERM EXPIRES
Susan Burt (Alternate)	Nov. 1, 2003
Angela Done	Nov. 1, 2005
Nancy Johnson	Nov. 1, 2003
Leonard Bertin	Nov. 1, 2005
Pauline Manetta (Alternate)	Nov. 1, 2003
Dick Kuschinsky	Nov. 1, 2004
Theodora House	Nov. 1, 2003
Sharon Lu (Student)	July 1, 2002
Dorothy Ann Pietron	Nov. 1, 2004
Nada Raheb (Student)	July 1, 2003
John J. Rodgers	Nov. 1, 2003
Cynthia Buchanan	Nov. 1, 2004

Kul B. Gauri	Nov. 1, 2005
Jayshree Shah (Alternate)	Nov. 1, 2003

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file.		

CATV Advisory Committee

Appointed by Council (7)- 3 years

Michael J Farrug (Resigned 12-3-02)

Term expires 11-30-2005

CURRENT MEMBERS

NAME	TERM EXPIRES
Alex Bennett	Sept. 30, 2003
Jerry L. Bixby	Feb. 28, 2003
Michael J Farrug (Resigned)	Nov. 30, 2005
Richard Hughes	Feb. 28, 2003
Monika Sata (Student)	July 01, 2003
Penny Marinos	Feb. 28, 2004
W. Kent Voigt	Feb. 28, 2004
Bryan H. Wehrung	Feb. 28, 2005

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Butt, Shazad	07/13/00 - 06/26/01 - 05/2003	08/07/00 - 07/09/01
Manzon, Alan	06/04/02 - 06/2004	06/17/02
Minnick, Richard D II	04/29/02 - 04/2004	05/06/02
Powers, Brian M	10/2004	10/21/02

Ethnic Community Issues Advisory Committee

Approved by Council (9)- 3 years

Term expires 9-30-2005

CURRENT MEMBERS

NAME	TERM EXPIRES
Anju C. Brodbine	Sept. 30, 2005
Dhimant Chhaya	Sept. 30, 2005
Brian S Griffen	Sept. 30, 2005
Tom Kaszubski	Sept. 30, 2005
Padma Kuppa	Sept. 30, 2005
Victoria Lang	Sept. 30, 2005
Hailu S. Robele	Sept. 30, 2005
Oniell Shah	Sept 30, 2005

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Haight, Melissa	10/18/02 – 10/2004	11/04/02
Hashmi, Amin	08/22/02 – 08/2004	09/09/02

Historic District

Appointed by Council (7) – 3 years

(One member must be an architect)

(Two members recommended by Troy Historical Society)

(One member recommended by Troy Historical Commission)

Kevin Danielson (Resigned)

Unexpired Term expires 5-15-2003

CURRENT MEMBERS

NAME	TERM EXPIRES
Marjorie A Biglin	March 1, 2004
Wilson Deane Blythe	March 1, 2005
Kevin Danielson (Resigned)	May 15, 2003
Paul C Lin	May 15, 2003
Jacques O Nixon	March 1, 2005
Ann Partlan	March 1, 2005
Dorothy Scott	May 15, 2003

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Kerry S Krivoshein	08/12/99 - 6/14/01- 05/2003	07/09/01

Planning Commission

Appointed by Council (9) – 3 years

Term expires 7-01-2003 (Student)

Term expires 12-31-2005

Term expires 12-31-2005

Term expires 12-31-2005

CURRENT MEMBERS

NAME	TERM EXPIRES
Gary G. Chamberlain	Dec. 31, 2002
Jordan C. Keoleian (Student)	July 01, 2002
Dennis A. Kramer	Dec. 31, 2003
Larry Littman	Dec. 31, 2004
Cynthia Pennington, BZA Rep.	Dec. 31, 2002
James H. Starr	Dec. 31, 2002

Walter A. Storrs, III	Dec. 31, 2003
Mark J Vleck	Dec. 31, 2004
David T. Waller BZA Alt	Dec. 31, 2003
Wayne C. Wright	Dec. 31, 2004

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Deborah L Baughman	3/29/01 - 06/18/01 - 05/2003	4/09/01 - 07/09/01
Leonard G Bertin	10/10/02	11/04/02
Michael Culpepper	12/97	
Philip D'Anna	02/08/99	
Ryan J Deel	05/17/01 - 06/25/01	05/21/01
W S Godlewski		
Patrick C Hall	01/26/01 - 01/2003	02/05/01
Atef A Hanna	10/28/02 - 10/2004	11/04/02
Paul V Hoef	8/14/02 - 08/2004	8/2002
Frank J Howrylak	04/05/01	04/09/01
Matthew Kovacs	01/08/01	01/22/01
Victoria Lang	07/09/01 - 06/2003	7/23/01
Rudolf Q Laze	03/01/01 - 03/2003	03/05/01
Gary Lepp	04/16/01 - 04/2003	04/23/01
Paul Chu Lin	05/22/00	06/05/00
Pauline Manetta	11/26/01	12/03/01
Carmelo Milia	06/14/01 - 05/2003	07/09/01
Richard D Minnick II	04/29/02 - 04/2004	05/06/02
Albert Taylor Nelson		
David Ogg	02/09/99 - 04/16/01	04/23/01
James R Peard	11/25/02	12/02/02
James Rocchio	04/16/01 - 04/2003	04/23/01
Thomas G Sawyer	10/04/02 - 10/2004	11/04/02
Robert M Schultz	01/15/01 - 06/19/01 - 05/2003	01/22/01 - 07/09/01
Jayshree Shah	12/06/00/ 12/2002	12/04/00
Neil S Silver	08/11/00 - 06/20/01- 05/2003	08/21/00
Thomas Strat	09/16/02	09/23/02
Lon M Ullmann	03/19/01	04/09/01
James Walker	06/11/99 - 06/14/01- 05/2003	07/09/01
Brian J Wattles	07/10/01	07/23/01
Bruce Wilberding	08/05/99	
Peter F Ziegenfelder	12/07/00 - 06/11/01	12/18/00 - 07/09/01

Yes:

No:

F-2 Closed Session

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy **SHALL MEET** in Closed Session as permitted by State Statute MCLA 15.268, Section(e), Bogush V. Troy , after adjournment of this meeting.

Yes:

No:

F-3 Petition Analysis, Paving of Walnut Hill and Chestnut Hill, SAD#02.109.1

(a) Standard Resolution #1

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Standard Resolution #1 be hereby **ADOPTED** to direct the preparation of plans and cost estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Chestnut Hill and Walnut Hill in Section 18, Project No. 02.109.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of Ordinances of the City of Troy.

Yes:

No:

(b) Standard Resolution #2

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Standard Resolution #1 be hereby **ADOPTED** to approve plans and cost estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Chestnut Hill and Walnut Hill in Section 18, Project No. 02.109.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of Ordinances of the City of Troy

Total Estimated Cost	\$454,000.00
Assessment (28 Unites @ \$3,714.29 ea)	\$104,000.00
City's Share	\$350,000.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED AND DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of Ordinances of the City of Troy.

Yes:

No:

(c) Standard Resolution #3

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Standard Resolution #3 be hereby **ADOPTED** to set a Public Hearing date on the Special Assessment Roll for Asphalt Paving of Chestnut Hill and Walnut Hill in Section 18, Project No. 02.109.1, all pursuant to Chapter 5 of the Code of Ordinances of the City of Troy, with said Public Hearing to be established for January 13, 2003.

Yes:

No:

F-4 Rejection of Proposals for RFP 02-46 – Job Study

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That all proposals for RFP 02-46, Job Study, opened September 26, 2002 are hereby **REJECTED**.

Yes:

No:

F-5 Approval of Contract with MDOT for Right-of-Way Acquisition for the Reconstruction and Widening of Big Beaver Road, from Rochester Road to Dequindre Road, Project No. 01.105.5

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That the Right-of-Way Agreement between the City of Troy and the Michigan Department of Transportation for Preliminary Engineering for Big Beaver Road, from Rochester Road to Dequindre Road, Project No. 01.105.5, is hereby **APPROVED** at an estimated cost to the City of Troy not to exceed \$840,000.00 and the Mayor and City Clerk are authorized to

execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-6 Traffic Committee Recommendations

1. YIELD Signs on Vanderpool at Ellenboro

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Traffic Control Order #02-____-SS (Y) is hereby **APPROVED** for the installation of YIELD signs on Vanderpool at Ellenboro.

Yes:

No:

2. NO PARKING Signs – Quincy and Mill Pond

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Traffic Control Order #02-____-P is hereby **APPROVED** for the installation of signs indicating NO PARKING BETWEEN 8:00-9:00 a.m. and 3:00-4:00 p.m., SCHOOL DAYS ONLY be installed on both sides of Quincy for 100 feet east of Mill Pond and on Mill Pond 100-feet north of Quincy.

Yes:

No:

3. Fire Lanes/Tow Away Zones – Thunderbird

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Traffic Control Order #02-____-MR is hereby **APPROVED** for installation of fire lanes/tow away zones be established on the south side of 1737 Thunderbird and on the north side of 1765 Thunderbird.

Yes:

No:

4. Fire Lanes – Wattles Creek CondominiumsSuggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That Traffic Control Order #02-____-MR is hereby **APPROVED** for establishment of fire lanes at Wattles Creek Condominiums be established per the **ATTACHED** sketch.

Yes:

No:

F-7 Upgrade – Water Meter Reading SystemSuggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, On July 22, 1996, a contract to provide water meter reading devices and operating software was awarded to the low total bidder, S.L.C. Meter Service, Inc. (Resolution #96-694); and

WHEREAS, Our current Handheld Water Meter Reading System is obsolete and no longer repairable, and needs to be upgraded to the Psion TTL Workabout System to continue water meter reading operations.

NOW, THEREFORE, BE IT RESOLVED, That a contract to purchase the Psion TTL Workabout System is hereby **AWARDED** to S.L.C. Meter Service Inc., in accordance with Appendix A at an estimated total cost of \$22,495.00, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

No:

F-8 a) Request for Authorization to Make Unconditioned Offer to Purchase – 2780 Rochester Road (O’Rilley Building), Parcel #88-20-27-277-017; and b) Request for Authorization for City Attorney to Institute Court Action if Necessary

a) Request for Authorization to Make Unconditioned OfferSuggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, In order to precede with the acquisition of 2780 Rochester Road, which is commonly referred to as the O’Rilley Building, the Real Estate and Development Department

requests authorization to make an unconditioned offer to all parties of interest in the appraised amount of \$500,000.00, as appraised by Integra/Dean in an appraisal dated September 5, 2002.

BE IT RESOLVED, That the Real Estate and Development Department is hereby **AUTHORIZED** to make an unconditioned offer for \$500,000.00, the appraised value, plus closing costs.

Yes:
No

b) Request for Authorization for City Attorney to Institute Court Action if Necessary

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

WHEREAS, In order to precede with the acquisition of 2780 Rochester Road, which is commonly referred to as the O'Rilley Building, the Real Estate and Development Department requests authorization to make an unconditioned offer to all parties of interest in the appraised amount of \$500,000.00, as appraised by Integra/Dean in an appraisal dated September 5, 2002.

BE IT RESOLVED, That the City Attorney is hereby **AUTHORIZED**, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

Yes:
No:

F-9 Technical Review of Agenda Items

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That beginning on January 1, 2003, regularly scheduled City Council meetings will begin with a technical review of agenda items at 6:45 PM in the Council Board Room of Troy City Hall, will recess at 7:15 PM and will reconvene at 7:30 PM in the Council Chambers of Troy City Hall.

Yes:
No:

F-10 License and Use AgreementSuggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That the agreement with the Oakland County Drain Commission for the lease of the Nelson Drain Drainage District is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED** to execute the agreement.

Yes:

No:

COUNCIL COMMENTS/REFERRALS

Civic Center Economic Model – Theater Size

Mayor Pryor will seek concurrence on determining the maximum number of seats for a possible performing arts center if and when RFP's are sought for development of the Civic Center site.

Suggested Resolution

Resolution #2002-12-

Moved by

Seconded by

RESOLVED, That if and when City Council decides to seek Requests for Proposals (RFP's) to develop the Civic Center site, a performing arts center having a seating capacity not-to-exceed _____ seats could be included if it is decided to include a performing arts center per se in the formal RFP.

Yes:

No:

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Historical Commission/Final – September 24, 2002
 - (b) Troy Youth Council/Final – September 25, 2002
 - (c) Historical Commission/Draft – October 22, 2002
 - (d) Troy Daze/Final – October 22, 2002
 - (e) Troy Youth Council/Final – October 23, 2002
 - (f) Advisory Committee for Persons With Disabilities/Final – November 6, 2002
 - (g) Board of Zoning Appeals/Draft – November 19, 2002
 - (h) CATV Advisory Committee/Draft – November 20, 2002
 - (i) Troy Daze/Draft – November 26, 2002
 - (j) Building Code Board of Appeals/Draft – December 4, 2002
 - (k) Advisory Committee for Senior Citizens/Draft – December 5, 2002
-

G-2 Department Report

- (a) Permits Issued During the Month of November 2002
 - (b) Brownfield Redevelopment Authority Financial Statements – June 30, 2002
 - (c) Downtown Development Authority – Financial Statements – June 30, 2002
 - (d) Monthly Financial Report – November 30, 2002
-

G-3 Announcement of Public Hearings:

G-4 Proposed Proclamations/Resolutions from Other Organizations: None submitted

G-5 Letters of Appreciation:

- (a) Letter from Harry W. Cyphers to Chief Craft Commending Officer Nicolette Kaptur for Her Presentation at the Senior Men's Club of Birmingham Regarding Senior Citizen Security Measures
 - (b) Letter from Tom VanVoorhis – Senior Men's Club of Birmingham to Officer Nicolette Kaptur in Appreciation of Her Informative Presentation on "Scams and Pranks Against Seniors"
 - (c) Letter from Lance Ross to Chief Craft Thanking Officer Jay Reynolds for the Informative Presentation He Gave at the Office of PPG Industries Regarding "Identity Theft"
 - (d) Letter from Katherine Bogush to the Police Department Commending the "Senior Assistance Program"
 - (e) Letter from Connie Meier to Police Department Commending Officer Kukla for His Kindness and Professionalism During a Recent Traffic Accident Response
 - (f) Letter from Zoe Alpern to Chief Craft Commending PSA Goralczyk and Officers Steve Brazel and Brian Warzecha for Their Assistance During a Recent Security Breach and Follow-up Measures
-

- (g) Letter from Enid Brown, Oakland Criminal Justice Association to Sergeant Don Ostrowski Thanking Him for his Explosives Presentation
- (h) Letter from Darlene Russell Thanking William Need and Tim Richnak for Their Assistance in Capping a Drainage Hole in Front of Her Home
- (i) Letter from Marianne Murray to Chief Craft Thanking Him for the Police Department's Assistance in Helping Her to Complete Her Field Project Class at Oakland Community College

G-6 Calendar

G-7 Memorandum – Re: Background Re: Beach Road

G-8 Memorandum (Green) – Re: P.I.L.O.T. (Payment in Lieu of Taxes) Ordinance Chapter 99 & Oakland Park Towers Refinancing

G-9 Memorandum (Green) – Re: Possible SmartZone in Troy

PUBLIC COMMENT

Public Comment is limited to people who have not addressed Council during the 1st Public Comment section. (Rules of Procedure for the City Council, Article 5 (16), as amended May 6, 2002.)

Respectfully submitted,

John Szerlag, City Manager

DATE: December 9, 2002

TO: Honorable Mayor and City Council

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

SUBJECT: Public Hearing Parking Variance Request
2938 E. Maple Road, Polish Market

We have received a building permit application from Mark Kolinicz, representing the polish market at 2938 E. Maple. The application is for a walk-in cooler that was constructed at their facility without first obtaining the required permit. The walk-in cooler, in addition to displacing 5 existing parking spaces, brings the required parking spaces for this center to 137. With the changes that they propose to make to increase the parking elsewhere on the site, they can get a maximum of 132 parking spaces on this site. Due to the insufficient on-site parking available the application has been denied. In response to our denial of the plan, the applicant has filed an appeal for the deficiency of the 5 spaces.

A Public Hearing has been scheduled for your meeting of December 16, 2002, in accordance with Section 44.01.00.

I should also note that in order to implement the parking plan for 132 parking spaces, landscape area has to be removed. This reduction of landscape area will bring them below the required 10% landscape area required by Section 39.70.04 of the Zoning Ordinance. If they are successful with their parking variance, action will also be required before the Board of Zoning Appeals.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments
Resolution #
Moved by
Seconded by

PARKING VARIANCE APPLICATION
FOR PUBLIC HEARING BEFORE CITY COUNCIL
CITY OF TROY

RECEIVED
NOV 20 2002
BUILDING
DEPARTMENT

TO TROY CITY COUNCIL

DATE: 11-20-02

Request is hereby made for a variance to modify the parking provisions of the Zoning Ordinance enacted by the City Council or contrary to a decision rendered by the Building Official in denying an application for a permit.

Applicant: MARK KOLYNICZ / ED MEPHAM Phone: 248-577-5334

Address: 2938 E. MAPLE RD TROY MI

Address of Property: 2938 E. MAPLE RD.

Lot # _____ Subdivision: _____

Zoning District: B-3 Sidwell # 88-20-36-226-070

Owner of Property: JANKO CORP Phone: 248-229-9795

Address: 2938 E. MAPLE RD

This appeal is made on a determination by the Director of Building & Zoning, in the enforcement of the Zoning Ordinance, in a letter dated: 10-29-02

Has there been a previous appeal involving this property? No If Yes, state date _____

and particulars _____

REASON FOR VARIANCE:

Dimension of Stall? 9'6" w x 18'

Parking Spaces Required: 137

Number of Stalls? 132

Parking Spaces Provided: 132

Other Dimensions? _____

Variance Requested: 5 PARKING SPACES

Outline your appeal, listing sections of the ordinance from which relief is sought and also outline your proposals, indicating your hardships. (continued on back of page)

WOULD LIKE TO INSTALL WALK IN COOLER IN BACK OF BUILDING COOLER SIZE 18'x54' WOULD BE INSTALLED WHERE THERE IS 5 PARKING SPACES AVAILABLE. THE LETTER FROM MARK STIMAC STATES WE NEED 137 PARKING SPACES, WE HAVE 132 SPACES AFTER INSTALLING WALK IN COOLER.

Application for Parking Variance
We Desperately Need The WALK IN Cooler To Keep up with the ⁻²
LARGER Volume OF BUSINESS We ARE DOING Now AND IN THE FUTURE
Since The PARKING SPACES That Were Lost Were Never Used Anyway.
We Would Very Much Like To Keep This WALK IN Cooler IN This Location.
The WALK IN IS CONSTRUCTED OF ALUM WALLS & CEILING, FRAMED IN
PLACE. We Will Installed A Pitched Shed Roof Over The Cooler
MADE FROM FIRE RETARDANT WOOD, ALSO We Will Abide By ALL
Other Zoning AND Building Codes.

PLOT PLAN OF SITE ATTACHED HERETO

STATE OF MICHIGAN)
COUNTY OF _____)

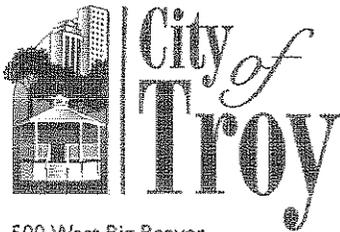
I HEREBY DISPOSE AND SAY THAT ALL THE ABOVE STATEMENTS, AND INFORMATION IN
THE ATTACHED PAPERS AND SITE PLANS SUBMITTED ARE TRUE AND CORRECT.

Date: 11-20-02 Marek Kolyntia
(Signature of Applicant)

Signed and Sworn to before me this 20th day of NOVEMBER 2002

[Signature]
Notary Public
ANNE W JANKOWSKI
Notary Public, Oakland County, MI
My Commission Expires Aug 31, 2005
My Commission Expires: _____

Filing Fee \$200.00	Date Paid _____
---------------------	-----------------



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Operations
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Technology
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

October 29, 2002

Ed Mephram
2938 E. Maple
Troy, MI 48083

Dear Sir:

A walk-in cooler addition has been constructed without first obtaining the required building permit at the existing shopping center at 2908-2938 E. Maple. This is a violation of Section 105.1 of the 2000 Michigan Building Code. We are now in receipt of your application for a Building Permit to construct this addition.

The plans and specifications submitted to this office do not meet the requirements as set forth in the City Ordinance for the following reasons:

With this proposed addition, the shopping center would total 23,307 square feet in area. Section 40.21.42 of the Troy Zoning Ordinance requires at least 137 parking spaces be provided for a shopping center of this size. Your plans show that only 132 parking spaces could be available on site.

In addition Section, 39.70.04 of the Zoning Ordinance requires that at least 7,348 square feet of countable landscaping be provided on this site in addition to the 10-foot greenbelt along Maple Road. No total quantity of landscaping is shown on your plan, but it appears that the landscaping that has to be removed for this building addition and additional parking spaces reduces this total to below 5,000 square feet.

Therefore, your application may not be further processed until the above items are corrected. If you choose, you may apply for a variance for the parking deficiency from the City Council. A variance from the minimum landscaping requirement would be heard by the Board of Zoning Appeals. Applications for both boards are available through the Building Department or on our website at www.ci.troy.mi.us.

If you have any questions regarding the above, please feel free to contact me.

Sincerely,

Mark Stimac
Director of Building & Zoning

RECEIVED
NOV 20 2002
BUILDING
DEPARTMENT

December 3, 2002

Revised

TO: Honorable Mayor and City Council

FROM: John Szerlag, TDDA Executive Director
Doug Smith, Real Estate and Development Director

SUBJECT: Development Plan #5 - Local Match for a Michigan Economic Growth Alliance (MEGA) Retention Incentive Package

The DDA adopted Development Plan #5 on December 11, 2002.

Management was approached by the Michigan Economic Growth Alliance (MEGA) and HTC Global to provide a local match for a state package of incentives to retain this company in Michigan, and in this case in Troy. State law requires that in order for MEGA to provide an incentive package to a company, a local contribution must be made. The size and nature of that local match is negotiated between MEGA and the local community. This MEGA incentive package is expected to be approved by MEGA on December 17, 2002.

The company is HTC Global. Since its establishment in 1990, HTC's capabilities have increased globally in terms of the services and solutions it offers, its skilled workforce and extensive IT infrastructure. HTC was inducted into the "Inc. 500 Hall of Fame" as one of the fastest growing privately held companies in America. HTC is also a certified member of the Michigan Minority Business Development Council.

HTC's workforce and infrastructure have seen tremendous growth with offices in the United States, and International Offices in Australia, India, Singapore and Malaysia. The GDC is capable of providing an around-the-clock service model by capitalizing on the time zone differences between the United States and India, thereby providing highly optimized global software solutions.

There are currently 135 employees located in Southfield, and by the end of year one an additional 200 employees should be hired. By 2005 an additional 600 employees will be hired. The majority of the employees will be engineering and technical personnel. These are generally higher-wage employees with annual compensation of \$45,000.

The projected Michigan facility square footage would be 115,000 square feet in Sheffield Building #2 located west of Coolidge and south of Big Beaver. The target date for completing and moving into this facility would be April 2003. The projected capital expenditures would be \$20 million over 5 years including initial investments for:

Furniture and Fixtures	\$1,350,000
Equipment and Machinery	850,000
Leasehold Improvements	1,800,000

The total MEGA package will be worth approximately ten million dollars based on job growth. The MEGA package will be made up of rebating (crediting) the personal income tax paid on wages. The local contribution is provided only if the company receives MEGA approval.

After discussion between City staff and MEGA, it was determined that a sufficient local contribution would be for the City of Troy to contribute \$50,000 for infrastructure improvements for the Sheffield Building. These infrastructure improvements will include parking lot resurfacing and improved accessibility.

Funding for this match will be from the 2002-2003 or 2003-2004 DDA operating or property acquisition line items depending on the actual payment dates for this expenditure and the O'Rilley property purchase.

December 10, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director
Steve Vandette, City Engineer
Mark F. Miller, Planning Director

SUBJECT: STREET VACATION APPLICATION (SV-178) – A portion of Lovell, Eckerman and Barabeau Streets, East of Rochester Road, South of South Boulevard, Section 2

RECOMMENDATION

The Planning Commission recommended that the street vacation request be approved with the one condition. The applicant shall provide proof of ownership for 6710 Eckerman Street (lot 16) and apply for a demolition/wrecking permit for the house prior to final approval of the vacation request of the rights-of-way.

City Management concurs with the Planning Commission and recommends approval of an authorizing resolution to vacate the street right-of-way, as requested. Further, it is recommended that the developer of the Woodside Baptist/Northwyck PUD provide street right-of-way for the Waldo and Lovell improved streets, located on the subject property. These streets were constructed for Emerald Pointe and Emerald Lakes Village No. 7 Subdivisions; however, a very small portion of the road area encroaches on the northeast corner of the PUD property.

GENERAL INFORMATION

Name of applicant(s):

James V. Clarke and Kevan Johnston.

Location of property owned by applicant(s):

The property is located east of Rochester Road, south of South Boulevard, in Section 2. Lovell Street is located within the Northwyck (residential) portion of the Woodside Bible Church/Northwyck PUD. Barabeau Avenue and Eckerman Avenue are located in the developed portion of Eyster's Suburban Home Subdivision.

History of Right of Way

The Lovell right-of-way is located within Eyster's Suburban Home Subdivision and runs along the southern boundary of the subdivision. Robertson Brothers purchased a portion of the lots abutting this right-of-way to use in the Woodside Bible Church/Northwyck PUD development. The rights-of-way are unimproved with the exception of Eckerman Avenue.

Length and width of right-of-way.

The applicant is proposing to vacate approximately 2,182 feet of the 30-foot wide Lovell Street right-of-way, 170 feet of the 60-foot wide Eckerman right-of-way, and 170 feet of the 60-foot wide Barabeau right-of-way.

There is an existing house on 6710 Eckerman Street (lot 16), which is provided vehicular access from Eckerman Street. The applicant intends to purchase the house and demolish it. The applicant needs to provide proof of ownership for the property and apply for a demolition/wrecking permit for the house prior to completion of the vacation request.

ANALYSIS

Reason for street vacation (as stated on the Street/Alley Vacation Application):

The application states the following: "The request is made to facilitate the development of the Woodside Bible Church/Northwyck PUD which received preliminary approval from Troy City Council on September 9, 2002".

Future Land Use Designation:

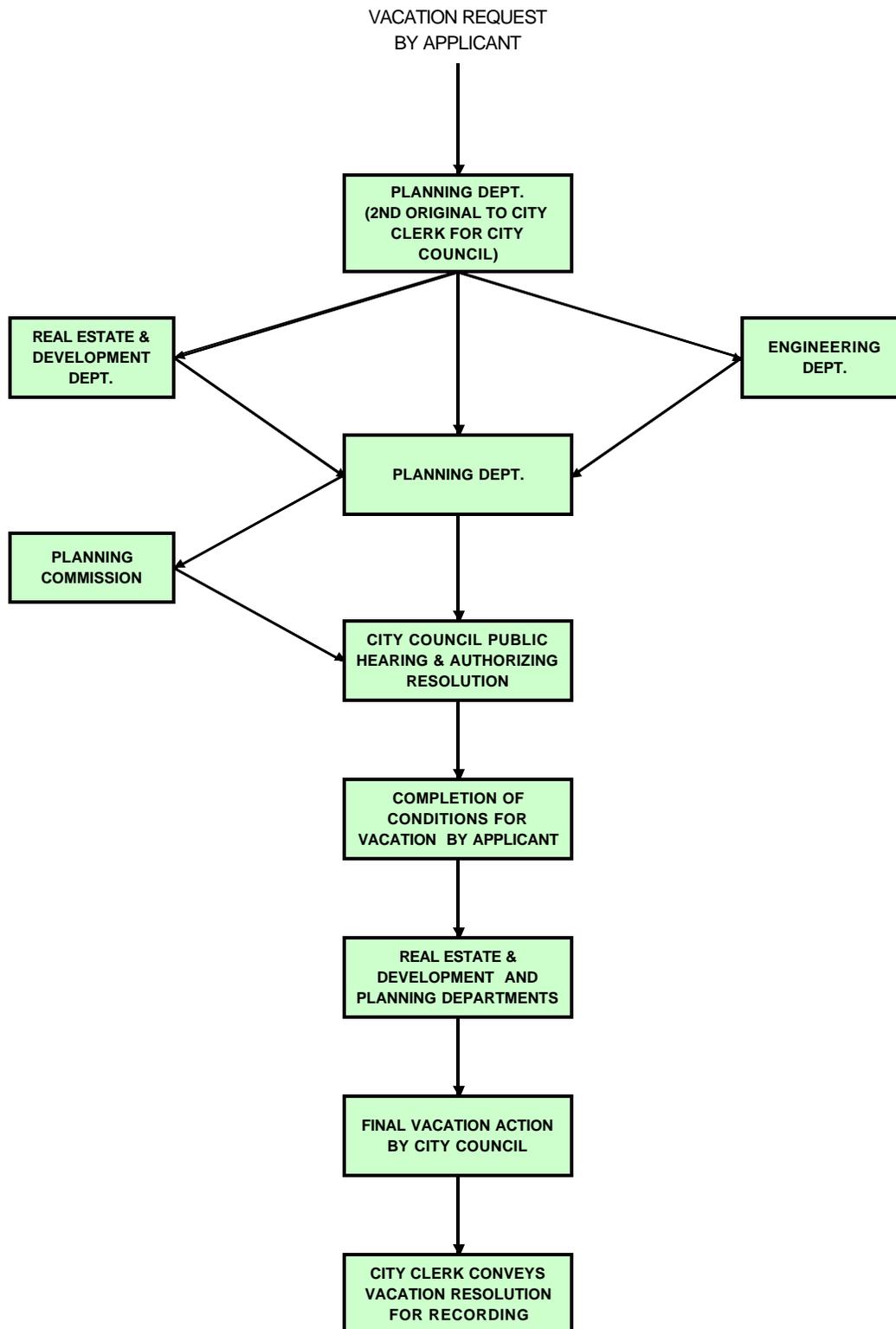
The entire neighborhood including the lots abutting the right-of-way are designated on the Future Land Use plan as Low Density Residential and Medium Density Residential.

Need for future easements:

The Engineering Department has indicated that easements will not need to be retained, based on the proposed layout for the Northwyck project.

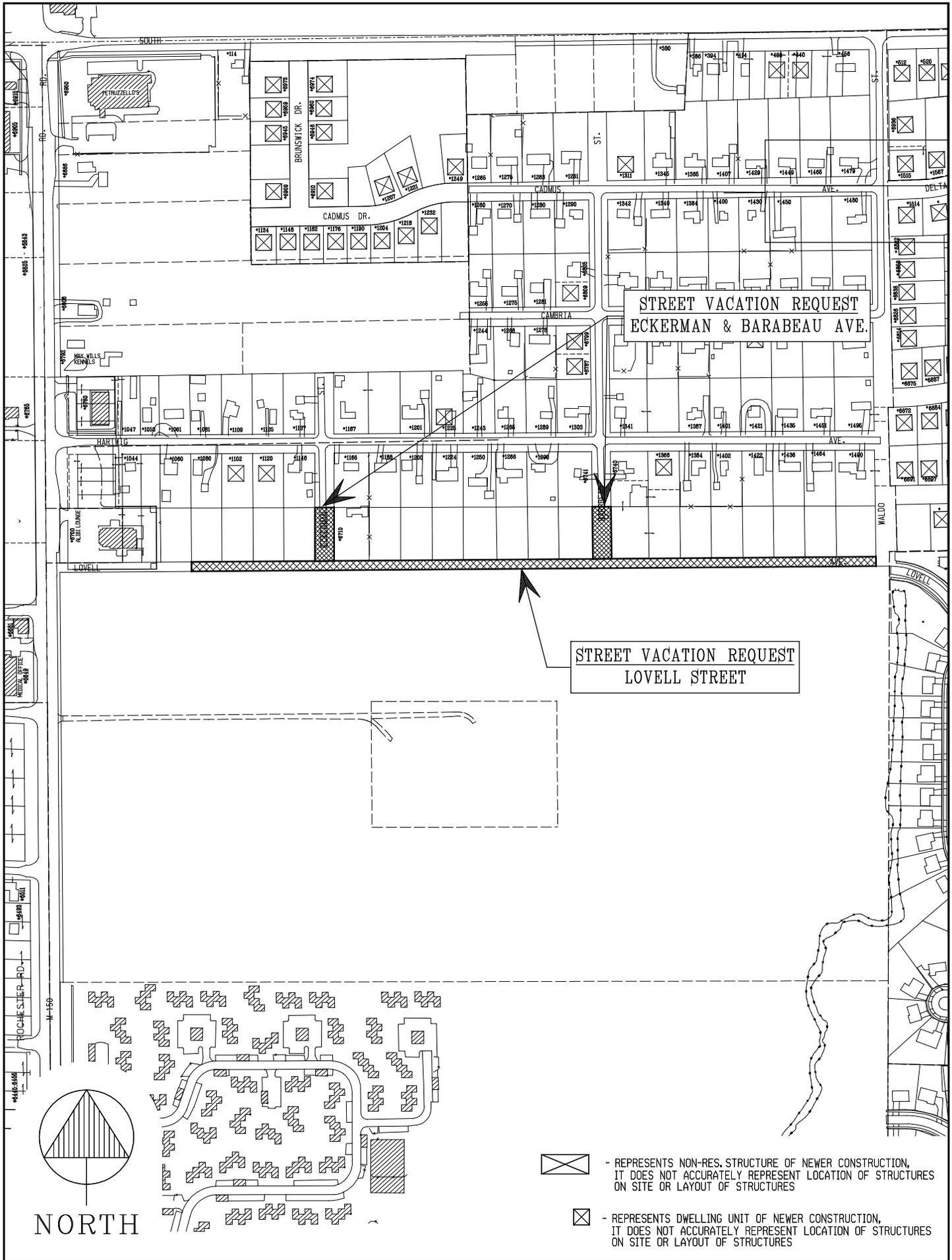
cc: Applicant
File/SV #178
Planners (4)

STREET AND ALLEY VACATION PROCESS



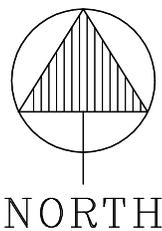
CITY OF TROY





STREET VACATION REQUEST
ECKERMAN & BARABEAU AVE.

STREET VACATION REQUEST
LOVELL STREET



- 
 - REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
- 
 - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

11. PUBLIC HEARING – STREET VACATION REQUEST (SV-178) – Lovell, Eckerman, and Barabeau Streets, Abutting Lots 12-31, Eyster's Suburban Home Sub. (for Woodside Bible Church / Northwyck P.U.D.), South of South Blvd., East of Rochester Rd., Section 2 – R-1D

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the street vacation request.

There was general discussion of the application between the Planning Commission and the petitioner, Jim Jehle of Robertson Brothers, 6905 Telegraph Road, Bloomfield Hills.

PUBLIC HEARING OPENED

No public comment.

PUBLIC HEARING CLOSED

Mr. Waller asked whether the petitioner could vacate a portion of street that is not abutting their property.

Ms. Lancaster replied that the ownership of the vacated street would revert to the abutting property owner. In addition, all abutting property owners were notified of the application by mail.

RESOLUTION

Moved by Waller

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the street vacation request for the Lovell Street right-of-way, which is 30 feet wide and approximately 2,182 feet in length, the Eckerman Street right-of-way, which is 60 feet wide and approximately 170 feet in length, and the Barabeau Street right-of-way, which is 60 feet wide and approximately 170 feet in length, abutting lots 12-31 in Eyster's Suburban Home Subdivision, located within Section 2, be approved, subject to providing proof of ownership for 6710 Eckerman Street (lot 16) and applying for a wrecking permit for the house prior to final approval of the vacation request.

Yeas:

All present (7)

Nays:

Absent:

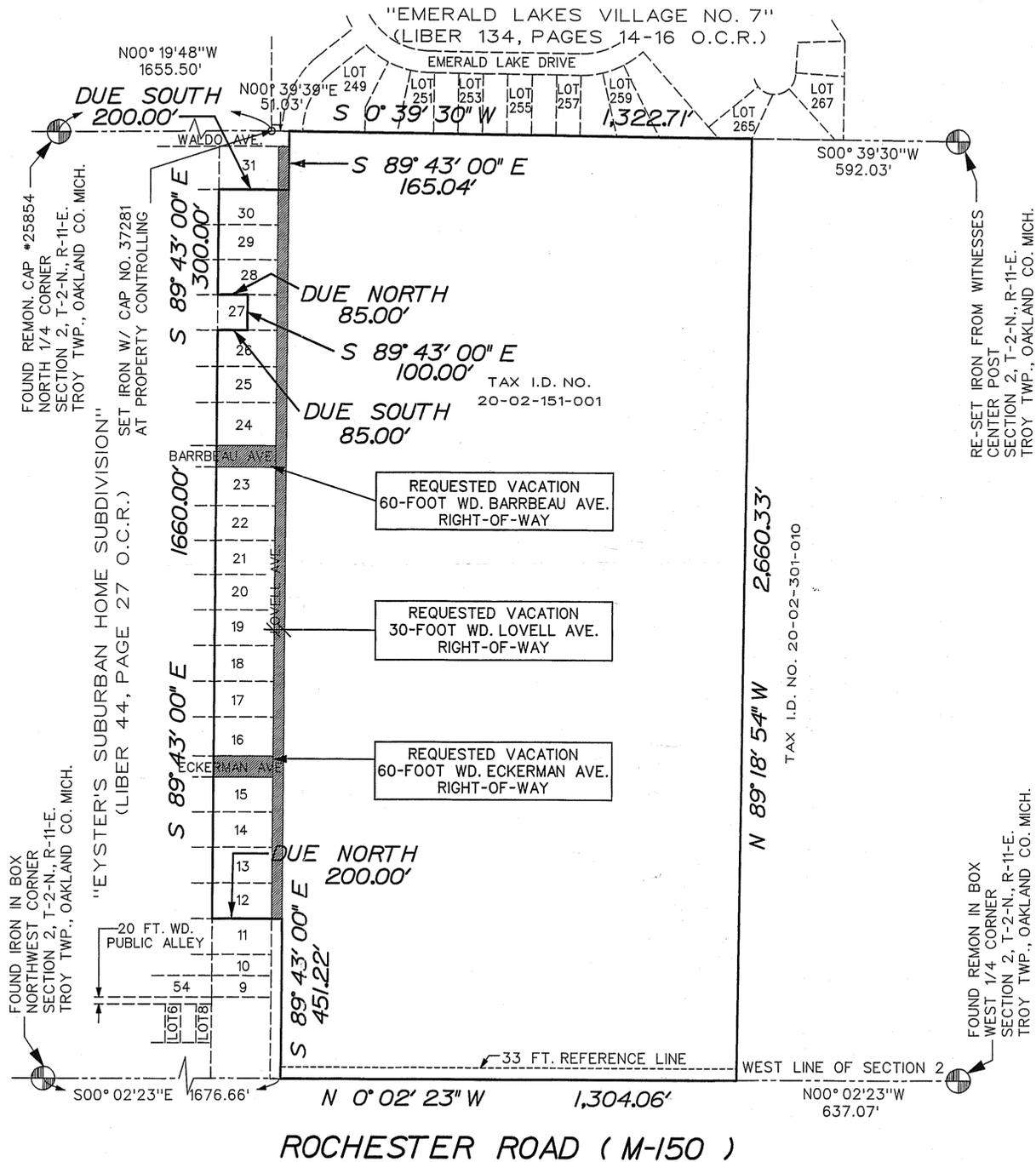
STREET VACATION REQUEST
LOVELL, ECKERMAN, & BARABEAU ST.
E OF ROCHESTER RD., S OF SOUTH BLVD.
ROBERTSON BROS./WOODSIDE BIBLE P.U.D.
SEC. 2 (SV-178)



STREET VACATION REQUEST
LOVELL, ECKERMAN, & BARABEAU ST.

0 50 100 200 300 400 Feet





PROPERTY DESCRIPTION

A PART OF THE NORTHWEST 1/4 OF SECTION 2, T-2-N., R-11-E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN INCLUDING LOTS 12 THROUGH 26 AND THE SOUTH 1/2 OF LOT 27 AND LOTS 28 THROUGH 30 OF "EYSTERS SUBURBAN HOME SUBDIVISION" AS RECORDED IN LIBER 44, PAGE 27, OAKLAND RECORDS; ALSO THE REVISIONARY INTEREST IN THAT PART OF ECKERMAN AVENUE (60 FEET WIDE), BARRBEAU AVENUE (60 FEET WIDE) AND LOVELL AVENUE (30 FEET WIDE) ALL LYING WITHIN THE BOUNDS OF THIS PARCEL, ALL BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 2; THENCE N.00°02'23"W., 637.07 FEET ALONG THE WEST LINE OF SAID SECTION 2 (ROCHESTER ROAD) TO THE POINT OF BEGINNING; THENCE CONTINUING N.00°02'23"W., 1304.06 FEET TO A POINT ON THE SOUTH LINE OF "EYSTERS SUBURBAN HOME SUBDIVISION"; THENCE S.89°43'00"E., 451.22 FEET ALONG SAID SOUTH LINE; THENCE DUE NORTH, 200.00 FEET; THENCE S.89°43'00"E., 1660.00 FEET; THENCE DUE SOUTH, 85.00 FEET; THENCE S.89°43'00"E., 100.00 FEET; THENCE DUE NORTH, 85.00 FEET; THENCE S.89°43'00"E., 300.00 FEET; THENCE DUE SOUTH, 200.00 FEET; THENCE S.89°43'00"E., 165.04 FEET TO A POINT ON THE WEST LINE OF "EMERALD LAKES VILLAGE No. 7" AS RECORDED IN LIBER 134, PAGES 14-16, OAKLAND COUNTY RECORDS, SAID POINT ALSO BEING A POINT ON THE NORTH-SOUTH 1/4 LINE AS OCCUPIED; THENCE S.00°39'30"W., 1322.72 FEET ALONG SAID LINE; THENCE N.89°18'54"W., 2660.33 FEET TO THE POINT OF BEGINNING.

REVISED
NOV 07 2002
PLANNING DEPT.

DATE:	09/25/02	REVISED PER CITY COMMENTS
DATE:	11/01/02	REVISED PER CITY COMMENTS (LOT 30)
ISSUE:		
72 HOURS BEFORE YOU DIS CALL MISS DICK 800-482-7171 (TOLL FREE)		
PRINCIPAL:	MS	
PROJ. MNGR:	MP	
DESIGN:	JA	
DRAWN:	KT	
IND. REVIEW:		
SECTION:	2	
T- 2 -N-,R- 11 -E.-		
PROPRIETOR:	ROBERTSON BROTHERS 6905 TELEGRAPH RD., SUITE 200 BLOOMFIELD HILLS, MICH. 48301 (248)644-3460	
	 Giffels-Webster Engineers, Inc. ENGINEERS LAND SURVEYORS PLANNERS LANDSCAPE ARCHITECTS 2871 BOND STREET ROCHESTER HILLS, MI 48309 (248) 852-3100	
SHEET TITLE:	LOVELL AVE. VACATION NORTHWYCK CONDOMINIUM CITY OF TROY, OAKLAND CO., MICH.	
DATE:	9-12-02	
SCALE:	1"=200'	
SHEET:	1 OF 1	
JOB#:	15786	

December 10, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director
Steve Vandette, City Engineer
Mark F. Miller, Planning Director

SUBJECT: FINAL STREET VACATION APPLICATION (SV-175) – Larchwood Street and Eastport Street running through Robinwood Park, North of Maple Road and East of Livernois Road, Section 27

RECOMMENDATION

On November 12, 2002 the Planning Commission recommended that the street vacation request be approved as submitted, subject to the City retaining a 20-foot wide water main easement. City Management concurs with the Planning Commission approval recommendation.

GENERAL INFORMATION

Name of applicant(s):

City of Troy.

Location of property owned by applicant(s):

Both sections of right-of-way are located within and intersect in Robinwood Park, which is owned by the City of Troy.

Length and width of right-of-way:

The right-of-way is 50 feet wide. The portion of the Eastport Street right-of-way to be vacated is adjacent to lots 148 through 158 and lots 165 through 175 of the Council Heights Subdivision, which was platted in 1917. This portion of right-of-way runs north to south and is approximately 835 feet long. The portion of the Larchwood Street right-of-way to be vacated is adjacent to lots 152, 153, 170 and 171. The Larchwood Street right-of-way runs east to west and is approximately 435 feet long.

Current use of adjacent parcels:

The parcel is currently used for a city park.

Zoning classification of adjacent parcels:

Adjacent parcels are zoned R-1E One Family Residential.

ANALYSIS

Reason for street vacation (as stated on the Street/Alley Vacation Application):

The application states the following: “ To consolidate separate parcels into one description. This will eliminate a paper road which runs through Robinwood Park and will help with future tracking of the property”.

Impact on existing traffic patterns within the area:

The vacation will have no impact on traffic patterns within the area.

Impact on access to existing lots or buildings (including emergency service vehicles):

The vacation will have no impact on access to existing lots or buildings.

Future need for easements:

There is an 8-inch water main running the length of the Eastport Street right-of-way for which the City will require a 20-foot wide easement.

Proposed ownership of vacated street/alley:

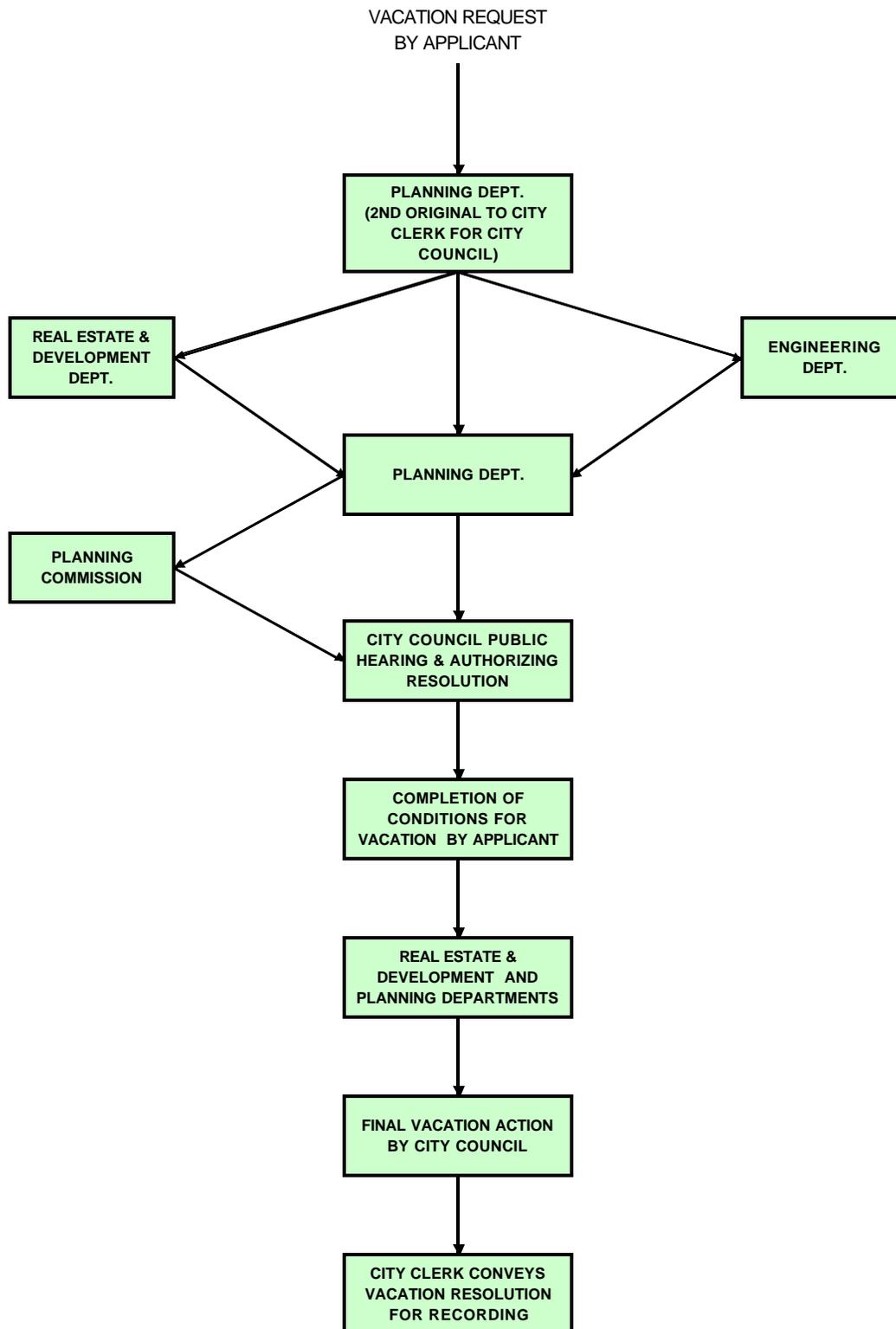
The ownership of the vacated right-of-way will revert to the City of Troy.

Future Land Use Designation:

The area is designated on the Future Land Use Plan as City Park.

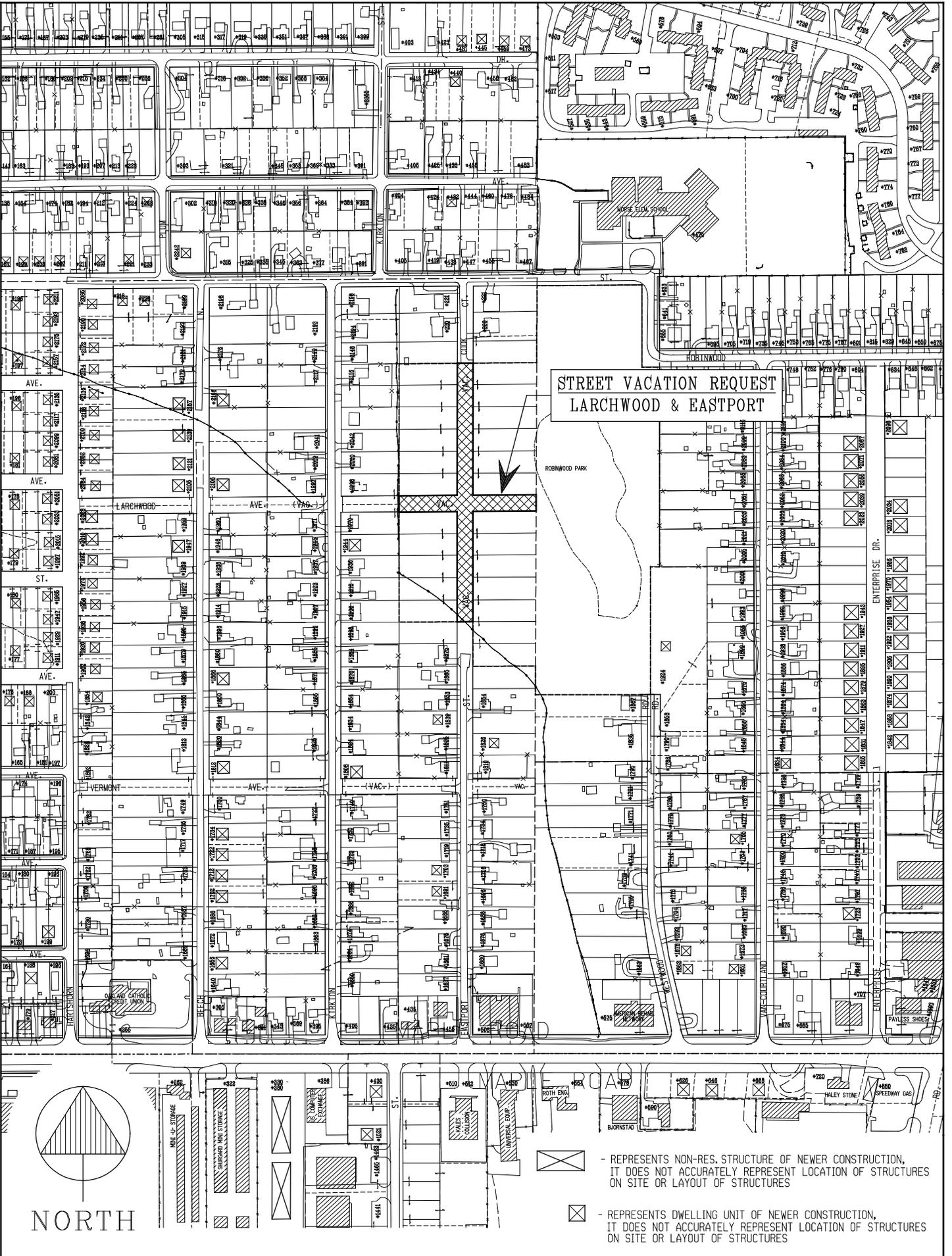
cc: File/ SV-175

STREET AND ALLEY VACATION PROCESS



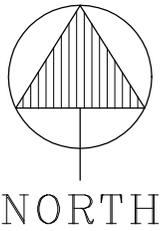
CITY OF TROY



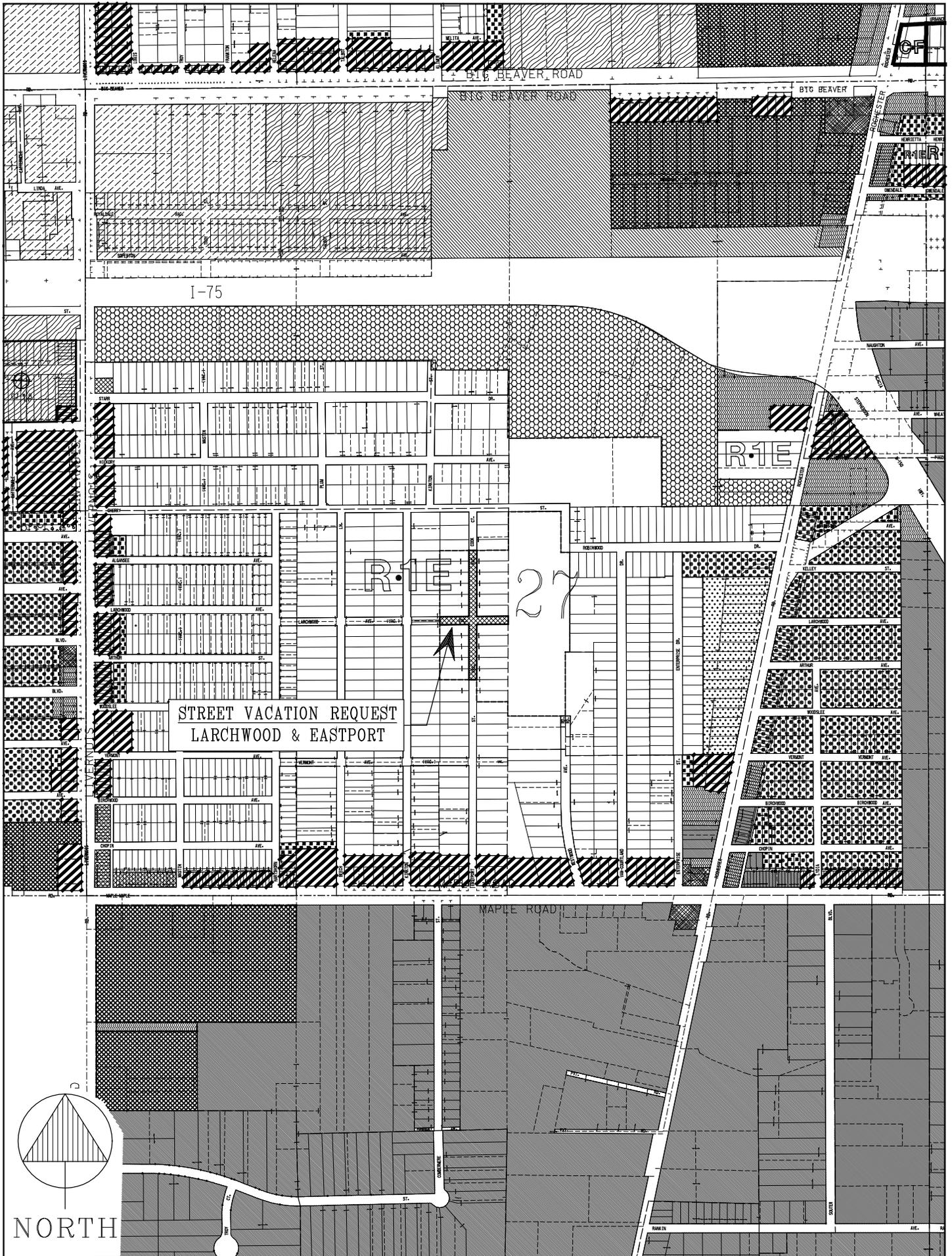


**STREET VACATION REQUEST
LARCHWOOD & EASTPORT**

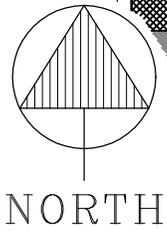
ROBINWOOD PARK



- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES
- ☒ - REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



STREET VACATION REQUEST
LARCHWOOD & EASTPORT



10. PUBLIC HEARING – STREET VACATION REQUEST (SV-175) – Larchwood and Eastport Streets, Abutting Lots 148-158, 165-175 Council Heights Sub. (for parcel consolidation of Robinwood Park), North of Maple, West of Rochester, Section 27 – R-1E

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the street vacation request.

PUBLIC HEARING OPENED

Antoine Delaforterie, 1970 Kirkton Drive, lives on Lot 147 on Kirkton, which abuts the Larchwood paper street. He believes the street next to his lot was vacated in the past, however he still sees a public street on the map. He asked the city to clarify this on their maps.

Mr. Kramer asked Mr. Savidant to verify the status of this past vacation application.

William Heiner, 1998 Kirkton Drive, asked the Planning Department to update the maps.

PUBLIC HEARING CLOSED RESOLUTION

Moved by Kramer

Seconded by Waller

RESOLVED, that the Planning Commission hereby recommends to the City Council that the street vacation request for the Eastport Street right-of-way, which is 50 feet wide and approximately 835 feet in length, and the Larchwood Street right-of-way, which is 50 feet wide and approximately 435 feet in length, located within Robinwood Park in Section 27, be approved, subject to the City retaining a twenty (20) foot wide easement for the existing water line in Robinwood Park.

Yeas:
All present (7)

Nays:

Absent:

STREET VACATION REQUEST
LARCHWOOD & EASTPORT (IN ROBINWOOD PARK)
W SIDE ROCESTER RD, N OF MAPLE
SEC. 27 (SV-175)



STREET VACATION REQUEST
LARCHWOOD & EASTPORT

100 50 0 100 200 300 400 Feet



December 10, 2002

TO: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: REZONING APPLICATION – B-2 to M-1, Empire Electronics World Headquarters (Z-#685), located on the south side of Maple Road, east of Livernois and west of Rochester Road (Sidwell 88-20-34-101-025), section 34

RECOMMENDATION

The rezoning application is consistent with the City of Troy Future Land Use Plan and is compatible with existing land uses and zoning districts. On November 12, 2002 the Planning Commission recommended approval of the rezoning request. City Management concurs with the Planning Commission and recommends approval of the rezoning from B-2 Community Business to M-1 Light Industrial.

GENERAL INFORMATION

Name of Owner / Applicant:

The applicant is Reb Construction Services, Inc. The owner is East Maple Development Co., LLC.

Location of Subject Property:

The property is located on the south side of Maple Road, east of Livernois Road and west of Rochester Road (Sidwell 88-20-34-101-025), section 34.

Size of Subject Parcel:

6.95 acres (net).

Current Use of Subject Property:

The property is currently vacant and is used for a stormwater detention basin.

Current Zoning Classification:

The parcel is currently zoned B-2 Community Business.

Proposed Zoning of Subject Parcel:
M-1 Light Industrial.

Proposed Uses and Buildings on Subject Parcel:

The application states that the applicant wishes to construct a building with “office area of 7,000 square feet and manufacturing of 23,000 square feet”, for “corporate administration, manufacturing and distribution of wiring”. A site plan submitted with the application reflects this intent.

Current Use of Adjacent Parcels:

North: Commercial and industrial uses.

South: Industrial trucking facility.

West: Commercial strip mall and K-Mart shopping center.

East: Industrial and office uses.

Zoning Classification of Adjacent Parcels:

North: B-2 Community Business.

South: M-1 Light Industrial.

West: B-2 Community Business.

East: M-1 Light Industrial.

ANALYSIS

Range of Uses Permitted in Proposed Zoning District and Potential Build-out Scenario:

The M-1 Light Industrial district permits the most intensive uses in the City of Troy.

Vehicular and Non-motorized Access:

Vehicular access will be provided by an easement to the property to the north.

Potential Stormwater and Utility Issues:

The 30,000 square foot building is proposed in the location of an existing stormwater detention basin, which will be required to be relocated.

Natural Features and Floodplains:

The Natural Features Map indicates that there are woodlands and wetlands in the southwest portion of the property.

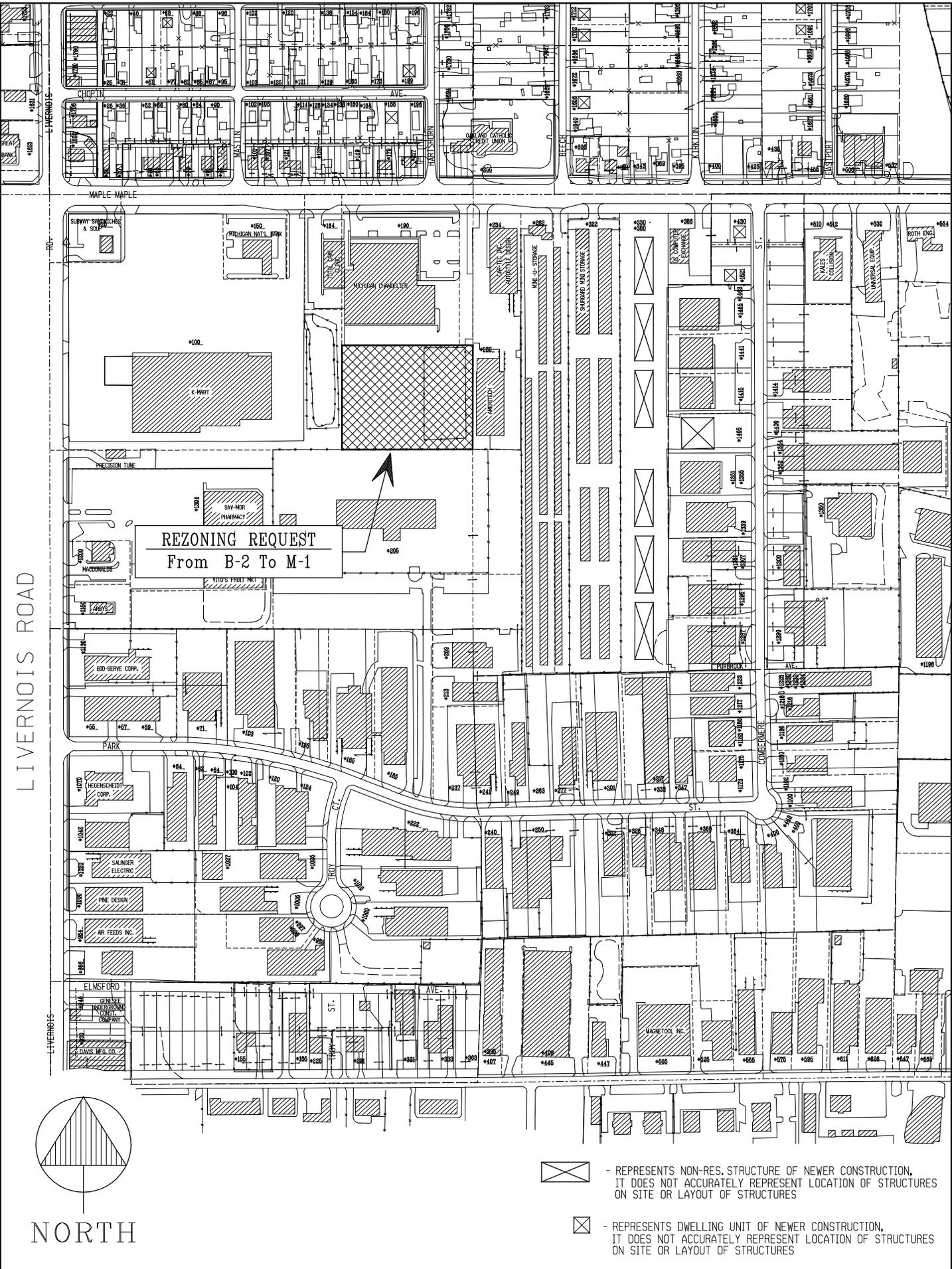
Compliance with Future Land Use Plan:

The Plan designates this property as Light Industrial/Research. The southeast corner of Maple Road and Livernois Avenue, abutting this property to the west, is classified as Community Service Area.

cc: Applicant
File (Z-#685)
Planners (4)

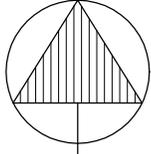
CITY OF TROY





LIVERNOIS ROAD

REZONING REQUEST
From B-2 To M-1



NORTH



- REPRESENTS NON-RES. STRUCTURE OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES



- REPRESENTS DWELLING UNIT OF NEWER CONSTRUCTION, IT DOES NOT ACCURATELY REPRESENT LOCATION OF STRUCTURES ON SITE OR LAYOUT OF STRUCTURES

12. PUBLIC HEARING - PROPOSED REZONING (Z-685) – Empire Electronics World Headquarters, South of Maple and East of Livernois, Section 34 – B-2 to M-1

Mr. Savidant presented a summary of the Planning Department report to the Planning Commission for the rezoning request.

Mr. Kramer asked if it made sense to rezone the parcel given the fact that there was a detention basin located on the property.

Mr. Savidant replied that this was a rezoning application and not a site plan application. At this time the Planning Commission needed to determine whether the rezoning application was compatible with adjacent land use and zoning and consistent with the Future Land Use Plan.

Petitioner Jim Reb, 1801 Opdyke, Auburn Hills, stated that there is a storm water detention basin presently located on the property but has never had any storm water in it. It was designed as an overflow system to be used in the event that the existing systems in the area fill up. He proposes to construct a detention area in the south 80 feet of the property to serve future development on the property.

PUBLIC HEARING OPENED

No public comment.

PUBLIC HEARING CLOSED

RESOLUTION

Moved by Storrs

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the B-2 to M-1 rezoning request located on the south side of Maple Road and east of Livernois Road in Section 34, being 6.95 acres in size, be granted.

Yeas:

All present (7)

Nays:

Absent:

REZONING REQUEST
EMPIRE ELECTRONICS
FROM B-2 TO M-1
S OF MAPLE, E OF LIVERNOIS
SEC. 34 (Z-685)



REZONING REQUEST
FROM B-2 TO M-1

0 50 100 200 300 400 Feet



A Regular Meeting of the Troy City Council was held Monday, December 2, 2002, at City Hall, 500 W. Big Beaver Road. Mayor Matt Pryor called the Meeting to order at 7:40 P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor
 Robin E. Beltramini
 Cristina Broomfield
 David Eisenbacher
 Martin F. Howrylak (Arrived 8:02 PM)
 David A. Lambert
 Anthony N. Pallotta

The Invocation was given by Council Member Anthony N. Pallotta and the Pledge of Allegiance to the Flag was given.

A-1 Presentations: (a) Mayor Pryor presented Certificates of Graduation to the Graduates of the City of Troy's Citizens Academy; (b) Mayor Pryor presented a Proclamation recognizing December 3, 2002 as International Day of Persons with Disabilities to Leonard Bertin – Member of Advisory Committee for Persons with Disabilities; and (c) Fire Station #3 – Status Report given by Joe Novitsky – JSN Architecture

Council Member Howrylak arrived at 8:02 PM.

PUBLIC HEARINGS

C-1 Brownfield Plan #3

Resolution #2002-12-
 Moved by Pallotta
 Seconded by Beltramini

RESOLVED, That City Council **APPROVES** Brownfield Plan #3 for redevelopment of the current Masco Corporation site (formerly Davis Manufacturing); having Sidwell Nos. #88-20-34-153-041 (vacant Elmwood), #88-20-34-153-042 (930 Livernois/N. Main St.), and #88-20-34-153-043 (946 Livernois/N. Main St.).

Amendment

Resolution #2002-12-
 Moved by Pryor
 Seconded by Lambert

RESOLVED, That City Management is directed to meet with the property owners to discuss additional development possibilities.

Vote on Division of the Proposed Motion and Proposed Amendment

Resolution #2002-12-624
Moved by Pryor
Seconded by Howrylak

RESOLVED, That the motion be divided to separate the proposed amendment, That City Management is directed meet with the property owners to discuss additional development possibilities, to be a separate question after the main motion.

Yes: All-7

Vote on Main Motion

Resolution #2002-12-625
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That City Council **APPROVES** Brownfield Plan #3 for redevelopment of the current Masco Corporation site (formerly Davis Manufacturing); having Sidwell Nos. #88-20-34-153-041 (vacant Elmwood), #88-20-34-153-042 (930 Livernois/N. Main St.), and #88-20-34-153-043 (946 Livernois/N. Main St.).

Yes: Broomfield, Eisenbacher, Lambert, Pallotta, Pryor, Beltramini
No: Howrylak

MOTION CARRIED

Vote on Amendment

Resolution #2002-12-626
Moved by Pryor
Seconded by Lambert

RESOLVED, That City Management is directed meet with the property owners to discuss additional development possibilities.

Yes: All-7

PUBLIC COMMENT:

A. Items on the Current Agenda

F-4 Final Action on Parking Variance – 3670 John R – Boys and Girls Club of Troy

Resolution #2002-12-627

Moved by Beltramini

Seconded by Eisenbacher

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

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

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

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

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal.

NOW, THEREFORE, BE IT RESOLVED, That the request from Ehersman Associates, representing the Boys and Girls of Troy for waiver of 68 parking spaces at the development at 3670 John R be **APPROVED**.

Yes: All-7

F-8 Preliminary Site Condominium Review – Turner Site Condominium – West Side of Beach Road – North of Wattles – Section 18 – R-1A

Resolution #2002-12-628

Moved by Pallotta

Seconded by Broomfield

RESOLVED, That the Preliminary Site Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Turner Site Condominium and as recommended for approval by City Management and the Planning Commission, located on the west side of Beach Road and north of Wattles, including 4 home sites, within the R-1A zoning district, being 2.86 acres in size, is hereby **APPROVED**; and

BE IT FURTHER RESOLVED, That a private road easement, 40 feet in width will **PROVIDE** public access through a private road to the Turner Site Condominium, as permitted by Section 34.30.04; and

BE IT FURTHER RESOLVED, That City Management shall **REQUEST** a MDNR Wetlands Permit public hearing, due to the proposed site condominium location on the Rouge River.

Yes All-7

F-9 Preliminary Site Condominium Review – Colleen Site Condominium – West of Dequindre Road and South of Square Lake Road – Section 12 – R-1C

Resolution #2002-12-629
Moved by Beltramini
Seconded by Pallotta

RESOLVED, That the Preliminary Site Plan “C1” as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Colleen Site Condominium, located on the west of Dequindre Road and south of Square Lake Road, including 20 home sites, within the R-1C zoning district, being 7.5 acres in size, is hereby **APPROVED** contingent upon the Ruby Street entrance being utilize solely as an emergency/pedestrian entrance.

Yes: All-7

RECESS: 9:05 – 9:20 PM

B. Items Not on the Current Agenda

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2002-12-630-E-1
Moved by Pallotta
Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented as printed.

Yes: All-7

E-2 Minutes: Regular Meeting of November 18, 2002

Resolution #2002-12-630-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of November 18, 2002, be **APPROVED** as corrected.

F-3 City of Troy Proclamation

Resolution #2002-12-630-E-3

RESOLVED, That the following City of Troy Proclamation be **APPROVED**:

- (a) International Day of Persons with Disabilities – December 3, 2002
-

E-4 Additional Cost for Appraisal Services – O’Rilley Property - Sidwell #88-20-27-017

Resolution #2002-12-630-E-4

RESOLVED, That the Troy City Council **APPROVE** the additional amount of \$1,075.00 for the appraisal of the O’Rilley property at 2780 Rochester Road.

E-5 Authorization for Mayor and City Clerk to Sign Permanent Easement for Houghten Drain – Sidwell #88-20-10-452-010

Resolution #2002-12-630-E-5

RESOLVED, That the Mayor and City Clerk be **AUTHORIZED** to sign the permanent easement to the Houghten Drain Drainage District for the Houghten Drain over part of Lot 49, Crystal Springs Subdivision.

E-6 Crooks Road – Square Lake to Auburn Road – Cost Participation Agreement with RCOC – Right-of-Way Phase – Project No. 94.108.6

Resolution #2002-12-630-E-6

RESOLVED, That the Cost Participation Agreement for right-of-way between the City of Troy and the Road Commission for Oakland County for the Crooks Road, Square Lake to Auburn project, Project No. 94.108.6, is hereby **APPROVED** and the Mayor and City Clerk are authorized to **EXECUTE** the Agreement.

E-7 Troy V. Seth Walker (Fire Station #3 Acquisition)

Resolution #2002-12-630-E-7

RESOLVED, That the Consent Judgment between the City of Troy and Seth E. Walker & Company is hereby **APPROVED**. The Mayor and City Clerk are authorized to **EXECUTE** the document, and a copy is to be attached to the original Minutes of this meeting.

E-8 Standard Purchasing Resolution 3: Exercise Renewal Option – Hauling/Disposal of Dirt and Debris

Resolution #2002-12-630-E-8

WHEREAS, On March 4, 2002, one-year contracts with an option to renew for one additional year to provide hauling and disposal of dirt and debris from the DPW Yard were awarded to A&B Trucking, Inc. and Republic Waste Services of Michigan (Resolution #2002-03-142-E-4); and

WHEREAS, Both awarded bidders have agreed to exercise the option to renew the contracts for one additional year under the same prices, terms, and conditions.

NOW, THEREFORE, BE IT RESOLVED, That the **OPTION TO RENEW** the contracts are hereby **EXERCISED** with A&B Trucking, Inc. and Republic Waste Services of Michigan to provide hauling and disposal of dirt and debris under the same contract prices, terms, and conditions for one-year expiring March 4, 2004.

E-9 Swider v. Flagstar Bank and the City of Troy

Resolution #2002-12-630-E-9

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy, only, in any and all claims and damages in the matter of Irvin F. Swider v. Flagstar Bank and the City of Troy, and to retain necessary expert witnesses and pay costs to adequately represent the City.

E-10 Acceptance of (2) Permanent Sanitary Sewer Easements – Acceptance of Permanent Water Main Easement – Required for an Office Development at the Southwest Corner of Wattles and Dequindre Roads – Sidwell #88-20-24-226-028, 029

Resolution #2002-12-630-E-10

RESOLVED, That the City Council of the City of Troy hereby **ACCEPTS** the permanent sanitary sewer easement and the permanent water main easement from Harry H. Kwon and Sunnie Kwon, for one dollar (\$1.00) each, and the permanent sanitary sewer easement from Phillip D. Cohen and Karen S. Cohen for one dollar (\$1.00); and

BE IT FURTHER RESOLVED, That the City Clerk shall **RECORD** the said (2) permanent sanitary sewer easements and (1) water main easement with the Oakland County Register of Deeds, a copy of which shall be attached to the original Minutes of this meeting.

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons w/Disabilities; (b) CATV Advisory Committee; (c) Ethnic Community Issues Advisory Committee; (d) Historic District; and (e) Planning Commission

Resolution #2002-12-631
 Moved by Howrylak
 Seconded by Pallotta

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

CATV Advisory Committee

Appointed by Council (7)- 3 years

Michael J. Farrug

Term expires 11-30-2005

Ethnic Community Issues Advisory Committee

Approved by Council (9)- 3 years

Oniell Shah

Term expires 9-30-2005

Yes: All-7

**Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting
 Agenda Scheduled for December 16, 2002:**

Advisory Committee for Persons w/Disabilities

Approved by Council (9)- 3 years

Term expires 7-01-2003 (Student)

CURRENT MEMBERS

NAME	TERM EXPIRES
Susan Burt (Alternate)	Nov. 1, 2003
Angela Done	Nov. 1, 2005
Nancy Johnson	Nov. 1, 2003
Leonard Bertin	Nov. 1, 2005
Pauline Manetta (Alternate)	Nov. 1, 2003
Dick Kuschinsky	Nov. 1, 2004

Theodora House	Nov. 1, 2003
Sharon Lu (Student)	July 1, 2002
Dorothy Ann Pietron	Nov. 1, 2004
Nada Raheb (Student)	July 1, 2003
John J. Rodgers	Nov. 1, 2003
Cynthia Buchanan	Nov. 1, 2004
Kul B. Gauri	Nov. 1, 2005
Jayshree Shah (Alternate)	Nov. 1, 2003

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file.		

Ethnic Community Issues Advisory Committee

Approved by Council (9)- 3 years

Term expires 9-30-2005

CURRENT MEMBERS

NAME	TERM EXPIRES
Anju C. Brodbine	Sept. 30, 2005
Dhimant Chhaya	Sept. 30, 2005
Brian S Griffen	Sept. 30, 2005
Tom Kaszubski	Sept. 30, 2005
Padma Kuppa	Sept. 30, 2005
Victoria Lang	Sept. 30, 2005
Hailu S. Robele	Sept. 30, 2005

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Haight, Melissa	10/18/02 – 10/2004	11/04/02
Hashmi, Amin	8/22/02	9/09/02

Historic District

Appointed by Council (7) – 3 years

(One member must be an architect)

(Two members recommended by Troy Historical Society)

(One member recommended by Troy Historical Commission)

Kevin Danielson (Resigned)

Unexpired Term expires 5-15-2003

CURRENT MEMBERS

NAME	TERM EXPIRES
Marjorie A. Biglin	March 1, 2004
Wilson Deane Blythe	March 1, 2005
Kevin Danielson (Resigned)	May 15, 2003

Paul C Lin	May 15, 2003
Jacques O. Nixon	March 1, 2005
Ann Partian	March 1, 2005
Dorothy Scott	May 15, 2003

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Kerry S Krivoshein	8/12/99/6/14/01-5/2003	7/09/01

Planning Commission

Appointed by Council (9) – 3 years

	Term expires 7-01-2003 (Student)
	Term expires 12-31-2005
	Term expires 12-31-2005
	Term expires 12-31-2005

CURRENT MEMBERS

NAME	TERM EXPIRES
Gary G. Chamberlain	Dec. 31, 2002
Jordan C. Keoleian (Student)	July 01, 2002
Dennis A. Kramer	Dec. 31, 2003
Larry Littman	Dec. 31, 2004
Cynthia Pennington BZA Rep	Dec. 31, 2002
James H. Starr	Dec. 31, 2002
Walter A. Storrs, III	Dec. 31, 2003
Mark J Vleck	Dec. 31, 2004
David T. Waller BZA Alt	Dec. 31, 2003
Wayne C. Wright	Dec. 31, 2004

INTERESTED STUDENT APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
None on file		

INTERESTED APPLICANTS

NAME	DATE APPLIED	DATE SENT TO COUNCIL
Deborah L Baughman	3/29/01/6/18/01 - 5/2003	4/09/01/7/09/01
Leonard G Bertin	10/10/02	11/04/02
Michael Culpepper	12/97	
Philip D'Anna	2/08/99	
Ryan J Deel	5/17/01/6/25/01	5/21/01
W S Godlewski		
Patrick C Hall	1/26/01 - 01/2003	2/05/01
Atef A Hanna	10/28/02 - 10/2004	11/04/02
Paul V Hoef	8/14/02 - 08/2004	8/2002
Frank J Howrylak	4/05/01	4/09/01
Matthew Kovacs	1/08/01	1/22/01
Victoria Lang	7/09/01 - 06/2003	7/23/01
Rudolf Q Laze	3/01/01 - 03/2003	3/05/01

Gary Lepp	4/16/01 - 04/2003	4/23/01
Paul Chu Lin	5/22/00	6/05/00
Pauline Manetta	11/26/01	12/03/01
Carmelo Milia	6/14/01 - 05/2003	7/09/01
Richard D Minnick II	4/29/02 - 04/2004	5/06/02
Albert Taylor Nelson		
David Ogg	2/9/99/4/16/01	4/23/01
James R. Peard	11/25/02	12/02/02
James Rocchio	4/16/01 - 04/2003	4/23/01
Thomas G Sawyer	10/04/02 - 10/2004	11/04/02
Robert M Schultz	1/15/01/6/19/01- 05/2003	1/22/01/7/09/01
Jayshree Shah	12/06/00 - 12/2002	12/04/00
Neil S Silver	8/11/00/6/20/01 - 05/2003	8/21/00
Thomas Strat	9/16/02	9/23/02
Lon M Ullmann	3/19/01	4/09/01
James Walker	6/11/99/6/14/01 - 05/2003	7/09/01
Brian J Wattles	7/10/01	7/23/01
Bruce Wilberding	8/05/99	
Peter F Ziegenfelder	12/07/00/6/11/01	12/18/00/07/09/01

F-2 Closed Session

Resolution #2002-12-632
 Moved by Pallotta
 Seconded by Beltramini

RESOLVED, That the City Council of the City of Troy **SHALL MEET** in Closed Session as permitted by State Statute MCLA 15.268, Section (e), Rabbani v. Troy and Russ v. Troy, after adjournment of this meeting.

Yes: All-7

F-3 Chapter 64 & Chapter 60 – Gasoline Station Licenses

Resolution #2002-12-633
 Moved by Pallotta
 Seconded by Howrylak

RESOLVED, That Section 7.95 of Chapter 64 and Section 5 of Chapter 60, of the Troy City Code, are hereby **REPEALED**.

Yes: All-7

F-5 City Manager's New Office Renovation

Resolution #2002-12-634
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That City staff is **AUTHORIZED** to renovate the City Manager's new office space, as outlined in the memorandum by the Assistant City Manager/Services at an estimated total project cost of \$202,000.00, utilizing in-house personnel, approved contracts, and standard purchasing procedures.

BE IT FURTHER RESOLVED, That if used furniture is found to be more economical and meets the needs of staff, authorization is given to purchase the used furniture as part of the City Manager's Office Renovation Project. In addition, if additional work is required, such additional work is authorized in an amount not to exceed 10% of the total project cost.

Yes: All-7

F-6 Preliminary Engineering for Maplelawn – Maple to Crooks – Project No. 90.903.1

Resolution #2002-12-635
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That the proposal submitted by Hubbell, Roth & Clark, Inc. is **APPROVED** and **AUTHORIZATION** is hereby given to Hubbell, Roth & Clark, Inc., to proceed with the Preliminary Engineering for Maplelawn, from Maple to Crooks, Project No. 90.93.1, at an estimated cost to the City of Troy not to exceed \$200,000.00

Yes: All-7

F-7 Award of Contract for Construction Manager for Fire Station 3 – Project to J.M. Olson Corporation

Resolution #2002-12-636
Moved by Pallotta
Seconded by Beltramini

RESOLVED, That the proposal for Construction Management Services for Fire Station 3 with the J.M. Olson Corporation for an amount not to exceed \$245,754.00 is hereby **APPROVED** and the Mayor and City Clerk are hereby **AUTHORIZED** to execute a contract in accordance with the proposal dated August 23, 2002, subject to the submission of required bonds and insurance, and payments are hereby authorized for construction costs including any fixtures and equipment to be paid through J.M. Olson Corporation in the amount of \$1,323,971.00.

BE IT FURTHER RESOLVED, That if additional work is required, such additional work is authorized in an amount not to exceed 10% of the total project cost, or \$132,397.00.

Yes: All-7

COUNCIL COMMENTS/REFERRALS

SOCRRA Delegate and Alternate Delegate Appointments

Resolution #2002-12-637

Moved by Pryor

Seconded by Eisenbacher

RESOLVED, That Mayor Pro Tem Howrylak is reappointed as the delegate to the SOCRRA board effective immediately until May 5, 2003; and

BE IT FURTHER RESOLVED, That Mayor Pryor is reappointed as the alternate delegate to the SOCRRA board effective immediately until May 5, 2003.

Yes: All-7

REPORTS AND COMMUNICATIONS

G-1 Minutes – Boards and Committees:

- (a) Advisory Committee for Persons with Disabilities/Final – October 2, 2002
- (b) Employees' Retirement System Board of Trustees/Final – October 9, 2002
- (c) Library Advisory Board/Final – October 17, 2002
- (d) Brownfield Redevelopment Authority/Draft – October 24, 2002
- (e) Planning Commission/Draft – November 5, 2002
- (f) Advisory Committee for Persons with Disabilities/Draft – November 6, 2002
- (g) Advisory Committee for Senior Citizens/Draft – November 7, 2002
- (h) Liquor Advisory Committee/Draft – November 11, 2002
- (i) Planning Commission/Draft – November 12, 2002
- (j) Employees' Retirement System Board of Trustees/Draft – November 13, 2002
- (k) Library Advisory Board/Draft – November 14, 2002

Noted and Filed

G-2 Department Reports

G-3 Announcement of Public Hearings:

- (a) Parking Variance Request – 2938 E. Maple Road – Polish Market – Scheduled for December 16, 2002
- (b) Street Vacation Application (SV-178) – A Portion of Lovell, Eckerman and Barabeau Streets, East of Rochester Road, South of South Boulevard – Section 2 – Scheduled for December 16, 2002
- (c) Street Vacation Application (SV-175) – Larchwood Street and Eastport Street Running Through Robinwood Park – North of Maple Road and East of Livernois Road – Section 27 – Scheduled for December 16, 2002
- (d) Rezoning Application – B-2 to M-1 – Empire Electronics World Headquarters (Z#685) – Located on the South Side of Maple Road, East of Livernois and West of Rochester Road (Sidwell 88-20-34-101-025) – Section 34 – Scheduled for December 16, 2002

Noted and Filed

G-4 Proclamations/Resolutions from Other Organizations:

- (a) Resolution of Commendation Regarding The Public-Private Partnership of the Department of Defense and General Dynamics in the Manufacture of STRYKER – An Eight-Wheeled Armored Vehicle

Noted and Filed

G-5 Letters of Appreciation:

- (a) Letter from Judge Eugene Arthur Moore to Lori Grigg Bluhm - City Attorney Complimenting her Article on “Addressing the Ever-Expanding Uses of the Freedom of Information Act”
- (b) Letter from Wally Palazzolo, Lone Oak Nature Photography, Thanking Nature Center Staff for their Assistance with Mr. Palazzolo’s “Opening Night”

Noted and Filed

G-6 Calendar

Noted and Filed

G-7 Section 1 – Golf Course Update

Noted and Filed

G-8 Memorandum (Green) – Re: Possible Review of Chapter 83 – The Fence Ordinance

Noted and Filed

G-9 WPW Acquisitions v. City of Troy (On Remand)

Noted and Filed

G-10 Memorandum (Green) – Re: Meeting with Planning Commission – January 7, 2003

Noted and Filed

G-11 Memorandum (Green) – Re: Initiatory/Referendary Petitions

Noted and Filed

G-12 Memorandum (Green) – Re: Mayor’s Exchange

Noted and Filed

G-13 Memorandum (Green) – Re: Update on Proposed Skateboard Park

Noted and Filed

PUBLIC COMMENT

The meeting adjourned at 10:11 PM.

Matt Pryor, Mayor

Tonni L. Bartholomew, MMC - City Clerk

A Special Meeting of the Troy City Council was held Monday, December 9, 2002, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Howrylak called the Meeting to order at 7:33 P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor (Arrived 7:45 PM)
Robin E. Beltramini
Cristina Broomfield (Absent)
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Anthony N. Pallotta

Presentation from the Michigan Cricket Association

Representatives of the Michigan Cricket Association gave a presentation to City Council about the interest and participation in cricket playing in the area, and the need for fields to hold matches. The proposed area selected for fields is located on property owned by the Oakland County Drain Commission known as the Nelson Drain (Rochester Rd. North of Long Lake).

Goals and Objectives

City Management reviewed the results of the survey of Council members rating the importance of suggested areas of improvement.

The City's Goals and Objectives were also reviewed and the following suggested revisions were offered for consideration:

1. **Goal #1:** Minimize the cost *and increase the efficiency* of government to citizens and businesses.
2. **Objective J:** *Provide only the services that cannot be cost effectively provided by private enterprise (Serves Goals # 1 & 4).*

Update on Big Beaver Road Project

City Management informed City Council that there is a need to acquire several parcels in connection with the next phase of widening Big Beaver. However, City Management further indicated that the exact number and specific parcels would not be known until the design is complete.

Discuss Potential Changes by Senator Shirley Johnson to Troy's Language, which was Passed by SOCRRA on Senate Bill 3

No discussion took place on this item.

Issues Raised at Professional Workshops with Professor John Nalbandian of the University of Kansas and Carl Hendrickson of Market Measurement

This item is postponed to an undetermined future Study Session.

Resolution to Excuse Council Member Broomfield

Resolution #2002-12-638

Moved by Lambert

Seconded by Howrylak

RESOLVED, That Council Member Broomfield's absence be excused.

Yes: All-6

No: None

Absent: Broomfield

PUBLIC COMMENT

The meeting adjourned at 10:40 PM.

John M. Lamerato – Assistant City Manager/
Finance and Administration

Matt Pryor - Mayor

RESOLUTION OF COMMENDATION

WHEREAS, The City of Troy recognizes the great value of public-private partnerships, and

WHEREAS, The nation faces new challenges and must respond more readily than ever to calls to action, and

WHEREAS, The STRYKER, an eight-wheeled Armored Vehicle designed to fill the niche between light and heavy armored vehicles, provide a means by which to respond, and

WHEREAS, The STRYKER provides a stunning example of the successful public-private partnership of the Department of Defense, General Dynamics, and

THEREFORE, BE IT RESOLVED, That the City Council, on behalf of the City of Troy commends General Dynamics in its efforts to transform our future military force to maximize deployability, lethality and survivability.

Service Commendation
BONNIE KORTTILA

WHEREAS, Bonnie Korttila began her employment with the City of Troy as a Clerk-Typist in Police Records on July 1, 1975, transferred to the Patrol Division, was promoted to Administrative Clerk in Police Administration, and finally promoted to her current position as Administrative Supervisor in Police Records on May 5, 1986; and

WHEREAS, Bonnie's career highlights include being co-chair of the LERMA (Law Enforcement Records Management Association) legislative committee, becoming a notary, and training Police personnel in the Records Section; and

WHEREAS, In 1998 Bonnie was chosen as the Troy Police Department's Non-Sworn Employee of the Year; and

WHEREAS, Bonnie received an appreciation plaque from LERMA in 2002 for her dedication to the organization, her contributions to LERMA including the creation of their Firearms Manual; and

WHEREAS, Bonnie will now have more time to spend with her husband Kenneth, two daughters Beth and Kimberly, two granddaughters Chelsea and Alecia and grandson Seth; and

WHEREAS, During the course of her employment, **Bonnie** has contributed many tireless hours of dedicated service to the City of Troy and its citizens.

NOW, THEREFORE, BE IT KNOWN, That the City Council of the City of Troy takes this opportunity to express its appreciation to **Bonnie Korttila** for her many contributions to the betterment of the City; and

BE IT FURTHER KNOWN That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Bonnie** during her retirement years.

Signed this 16th day of December 2002.

December 3, 2002

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
 Gary Shripka, Assistant Manager/Services
 Douglas Smith, Real Estate & Development Director
 Larysa Figol, Right of Way Representative

RE: Request for Acceptance of 2 Warranty Deeds and 3 Permanent Easements; Huntington Estates Site Condominiums – Fernleigh Development, LLC – Sidwell #88-20-24-226-066

In connection with the construction of a residential site condominium development on the east side of Fernleigh south of Wattles, the Real Estate & Development Department has acquired the following documents:

<u>GRANTOR</u>	<u>TYPE OF DOCUMENT</u>
Fernleigh Development, LLC	Warranty Deed – Detention
Fernleigh Development, LLC	Warranty Deed – ROW
Fernleigh Development, LLC	Public Utility Easement
Fernleigh Development, LLC	Storm Sewer Easement
Fernleigh Development, LLC	Sanitary Sewer Easement

In order for the developers to proceed with this project, management recommends that City Council accept the attached 2 warranty deeds and 3 permanent easements. Consideration on each document is \$1.00.

WARRANTY DEED

Sidwell #88-20-24-226-066 (pt. of)
Project #02.902.3
Resolution #

The Grantor(s), FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company whose address is 50215 Schoenherr Road, Shelby Twp., MI 48315, convey(s) and warrant(s) to the City of Troy, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar and 00/100 Dollars (\$1.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 18th day of September, 2002.

FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company

By: [Signature]
Joseph Maniaci, Managing Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 18th day of September 2002, by Joseph Maniaci, Managing Member of FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company, on behalf of the Company.

[Signature]
* LARYSA FIGOL
Notary Public, OAKLAND County, MI

My commission expires: MAR 2, 2006

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to:	Drafted by: Larysa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

EXHIBIT "A"

Description

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N., R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence S.89°58'21"E. 485.50 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 351.05 feet (recorded as S.01°18'30"W. 351.31 feet) along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.89°58'09"W. 487.07 feet along the South line of said Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning. Containing 3.92 acres, more or less.

Subject to any and all easements and right of way of record or otherwise.

Description Detention Area

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N., R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 466.51 feet along the North line of Lot 12 to the point of beginning; thence continuing S.89°58'21"E. 167.05 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 245.16 feet along the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence 20.03 feet along a nontangent curve to the left having a central angle of 05°12'57", a radius 220.00 feet and whose chord is N.86°03'17"W. 20.02 feet; thence N.01°20'15"E. 149.87 feet; thence N.89°58'21"W. 76.52 feet; thence N.36°02'01"W. 116.15 feet to the point of beginning.

Subject to any and all easements and right of way of record or otherwise.

WARRANTY DEED

Sidwell #88-20-24-226-066 (pt. of)
Project #02.902.3
Resolution #

The Grantor(s), FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company whose address is 50215 Schoenherr Road, Shelby Twp., MI 48315, convey(s) and warrant(s) to the City of Troy, Grantee, whose address is 500 West Big Beaver, Troy, MI 48084, the following described premises situated in the City of Troy, County of Oakland and State of Michigan:

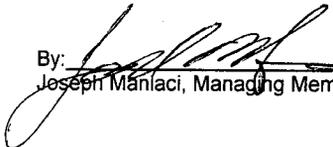
SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

For the sum of One Dollar and 00/100 Dollars (\$1.00)

subject to easements and building and use restrictions of record and further subject to

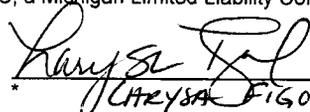
Dated this 18th day of September, 2002.

FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company

By: 
Joseph Maniaci, Managing Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 18th day of September, 2002, by Joseph Maniaci, Managing Member of FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company, on behalf of the Company.


*LARISA FIGOL
Notary Public, OAKLAND County, MI

My commission expires: MAR. 2, 2006

County Treasurer's Certificate		City Treasurer's Certificate	
When recorded return to: City Clerk City of Troy 500 West Big Beaver Troy, MI 48084	Send subsequent tax bills to:	Drafted by: Larisa Figol City of Troy 500 West Big Beaver Troy, MI 48084	

Tax Parcel # _____ Recording Fee _____ Transfer Tax _____

*TYPE OR PRINT NAMES UNDER SIGNATURES

Description

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence S.89°58'21"E. 485.50 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 351.05 feet (recorded as S.01°18'30"W. 351.31 feet) along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.89°58'09"W. 487.07 feet along the South line of said Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning. Containing 3.92 acres, more or less.

Subject to any and all easements and right of way of record or otherwise.

Description Springtime Drive Right of Way

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 633.56 feet along the North line of Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 245.16 feet along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records to the point of beginning; thence 136.31 feet along a nontangent curve to the right having a central angle of 35°30'01", a radius of 220.00 feet, whose chord is N.70°54'45"W. 134.14 feet; thence 127.42 feet along a tangent curve to the left having a central angle of 26°04'25", a radius of 280.00 feet, whose chord is N.66°11'56"W. 126.32 feet; thence 24.19 feet along a tangent curve to the right having a central angle of 40°46'05", a radius of 34.00 feet, whose chord is N.58°51'06"W. 23.69 feet; thence 286.13 feet along a tangent curve to the left having a central angle of 273°13'46", a radius of 60.00 feet, whose chord is S.04°55'04"W. 82.43 feet; thence 33.54 feet along a tangent curve to the right having a central angle of 56°31'00", a radius of 34.00 feet, whose chord is N.76°33'41"E. 32.19 feet; thence 84.54 feet along a tangent curve to the left having a central angle of 22°01'05", a radius of 220.00 feet, whose chord is S.64°10'16"E. 84.02 feet; thence 173.49 feet along a tangent curve to the left having a central angle of 35°30'01", a radius of 280.00 feet, whose chord is S.70°54'45"E. 170.73 feet; thence N.01°20'15"E. 60.00 feet to the point of beginning.

PERMANENT EASEMENT

Sidwell # 88-20-24-226-066 (pt. of)
Resolution #
Project #

The Grantor, FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Corporation, whose address is 48315 Schoenherr Road, Shelby Twp., Michigan 48315 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace public utilities, said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 18th day of September A.D. 2002.

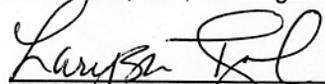
FERNLEIGH DEVELOPMENT, LLC,
a Michigan Limited Liability Company



Joseph Maniaci, Managing Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 18th day of September 2002 by Joseph Maniaci, Managing Member of FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company, on behalf of the company.



LARYSA FIGOL

Notary Public, OAKLAND County, Michigan
My Commission Expires MAY - 2, 2006

Prepared by:
Larysa Figol
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Return to:
City Clerk
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

EXHIBIT "A"**Description**

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence S.89°58'21"E. 485.50 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 351.05 feet (recorded as S.01°18'30"W. 351.31 feet) along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.89°58'09"W. 487.07 feet along the South line of said Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning. Containing 3.92 acres, more or less.

Subject to any and all easements and right of way of record or otherwise.

Description Public Utility

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 633.56 feet along the North line of Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 235.16 feet along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records to the point of beginning; thence 130.12 feet along a nontangent curve to the right having a central angle of 35°30'01", a radius of 210.00 feet, whose chord is N.70°54'45"W. 128.04 feet; thence 131.97 feet along a tangent curve to the left having a central angle of 26°04'25", a radius of 290.00 feet, whose chord is N.66°11'56"W. 130.83 feet; thence 17.08 feet along a tangent curve to the right having a central angle of 40°46'05", a radius of 24.00 feet, whose chord is N.58°51'06"W. 16.72 feet; thence 333.81 feet along a tangent curve to the left having a central angle of 273°13'46", a radius of 70.00 feet, whose chord is S.04°55'04"W. 96.17 feet; thence 23.67 feet along a tangent curve to the right having a central angle of 56°31'00", a radius of 24.00 feet, whose chord is N.76°33'41"E. 22.73 feet; thence 80.70 feet along a tangent curve to the left having a central angle of 22°01'05", a radius of 210.00 feet, whose chord is S.64°10'16"E. 80.20 feet; thence 179.68 feet along a tangent curve to the left having a central angle of 35°30'01", a radius of 290.00 feet, whose chord is S.70°54'45"E. 176.82 feet; thence N.01°20'15"E. 10.00 feet; thence 173.49 feet along a nontangent curve to the right having a central angle of 35°30'01", a radius of 280.00 feet, whose chord is N.70°54'45"W. 170.73 feet; thence 84.54 feet along a tangent curve to the left having a central angle of 22°01'05", a radius of 220.00 feet, whose chord is N.64°10'16"W. 84.02 feet; thence 33.54 feet along a tangent curve to the left having a central angle of 56°31'00", a radius of 34.00 feet, whose chord is S.76°33'41"W. 32.19 feet; thence 286.13 feet along a tangent curve to the right having a central angle of 273°13'46", a radius of 60.00 feet, whose chord is N.04°55'04"E. 82.43 feet; thence 24.19 feet along a tangent curve to the left having a central angle of 40°46'05", a radius of 34.00 feet, whose chord is S.58°51'06"E. 23.69 feet; thence 127.42 feet along a tangent curve to the right having a central angle of 26°04'25", a radius of 280.00 feet, whose chord is S.66°11'56"E. 126.32 feet; thence 136.31 feet along a tangent curve to the left having a central angle of 35°30'01", a radius of 220.00 feet, whose chord is S.70°54'45"E. 134.14 feet; thence N.01°20'15"E. 10.00 feet to the point of beginning.

PERMANENT EASEMENT

Sidwell # 88-20-24-226-066 (pt. of)
Resolution #
Project #

The Grantor, FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Corporation, whose address is 48315 Schoenherr Road, Shelby Twp., Michigan 48315 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace storm sewer, said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 18th day of September A.D. 2002.

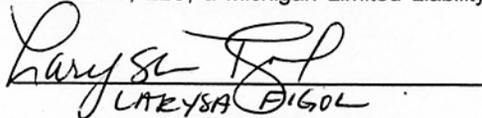
FERNLEIGH DEVELOPMENT, LLC,
a Michigan Limited Liability Company



Joseph Maniaci, Managing Member

STATE OF MICHIGAN)
COUNTY OF DAKLAND)

The foregoing instrument as acknowledged before me this 18th day of September 2002 by Joseph Maniaci, Managing Member of FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company, on behalf of the company.



LARYSA FIGOL

Notary Public, DAKLAND County, Michigan
My Commission Expires MAR 2, 2006

Prepared by:
Larysa Figol
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Return to:
City Clerk
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

EXHIBIT "A"

Description

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N., R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence S.89°58'21"E. 485.50 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 351.05 feet (recorded as S.01°18'30"W. 351.31 feet) along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.89°58'09"W. 487.07 feet along the South line of said Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning. Containing 3.92 acres, more or less.

Subject to any and all easements and right of way of record or otherwise.

Description Storm Sewer

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N., R.11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence continuing S.89°58'21"E. 324.13 feet along the North line of said Lot 12; thence S.66°29'21"E. 85.17 feet; thence S.76°55'11"E. 35.57 feet; thence S.69°06'57"E. 24.80 feet; thence S.80°33'43"E. 24.51 feet; thence S.01°20'15"W. 15.15 feet along the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.80°33'43"W. 28.15 feet; thence N.69°06'57"W. 25.28 feet; thence N.76°55'11"W. 35.91 feet; thence N.66°29'21"W. 83.42 feet; thence N.89°58'21"W. 74.91 feet; thence S.01°20'15"W. 136.49 feet; thence 5.58 feet along a nontangent curve to the left having a central angle of 01°08'29", a radius of 280.00 feet, whose chord is N.78°39'54"W. 5.58 feet; thence 10.02 feet along a tangent curve to the right having a central angle of 16°53'36", a radius of 34.00 feet, whose chord is N.70°47'21"W. 9.99 feet; thence N.01°20'15"E. 132.12 feet; thence N.89°58'21"W. 216.50 feet; thence S.01°35'34"W. 321.05 feet; thence S.89°58'09"E. 204.12 feet; thence N.00°01'51"E. 115.47 feet; thence 0.33 feet along a nontangent curve to the left having a central angle of 00°19'05", a radius of 60.00 feet, whose chord is N.48°27'43"E. 0.33 feet; thence 25.02 feet along a tangent curve to the right having a central angle of 42°09'28", a radius of 34.00 feet, whose chord is N.69°22'55"E. 24.46 feet; thence S.27°44'02"W. 17.50 feet; thence S.00°01'51"W. 108.82 feet; thence S.89°58'09"E. 81.16 feet; thence S.29°56'31"W. 17.30 feet to the South line of Lot 12; thence N.89°58'09"W. 307.07 feet along the South line of Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning.

PERMANENT EASEMENT

Sidwell # 88-20-24-226-066 (pt. of)
Resolution #
Project #

The Grantor, FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Corporation, whose address is 48315 Schoenherr Road, Shelby Twp., Michigan 48315 for and in consideration of the sum of: One Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace sanitary sewer, said easement for land situated in the City of Troy, Oakland County, Michigan, described as:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

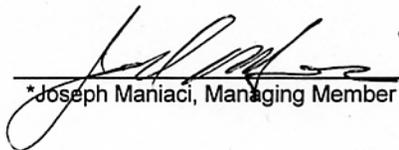
and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

The premises so disturbed by the exercise of any of the foregoing powers shall be reasonably restored to its original condition by the Grantee.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

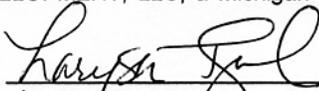
IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 18th day of September A.D. 2002.

FERNLEIGH DEVELOPMENT, LLC,
a Michigan Limited Liability Company


*Joseph Maniaci, Managing Member

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

The foregoing instrument as acknowledged before me this 18th day of September 2002 by Joseph Maniaci, Managing Member of FERNLEIGH DEVELOPMENT, LLC, a Michigan Limited Liability Company, on behalf of the company.


LARYSA FIGOL

Notary Public, OAKLAND County, Michigan
My Commission Expires MAR. 2, 2006

Prepared by:
Larysa Figol
City of Troy
500 West Big Beaver
Troy, Michigan 48084

Return to:
City Clerk
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084

EXHIBIT "A"

Description

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 148.06 feet along the North line of Lot 12 to the point of beginning; thence S.89°58'21"E. 485.50 feet along the North line of said Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 351.05 feet (recorded as S.01°18'30"W. 351.31 feet) along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records; thence N.89°58'09"W. 487.07 feet along the South line of said Lot 12; thence N.01°35'34"E. 351.06 feet to the point of beginning. Containing 3.92 acres, more or less.

Subject to any and all easements and right of way of record or otherwise.

Description Sanitary Sewer

Part of lot 12 of "Eyster's Dequindre Farms Subdivision No. 5", being a part of the Northeast Quarter of Section 24, T.2N.,R11E., Troy Township (Now City of Troy), Oakland County, Michigan as recorded in Liber 55 of Plats, Page 58, Oakland County records being described as:

Commencing at the North Quarter corner of Section 24; thence S.90°00'00"E. 679.67 feet along the North line of Section 24, also being the centerline of Wattles Road (120.0 feet wide); thence S.01°35'34"W. (recorded as S.01°35'00"W.) 1324.33 feet along the East right of way line of Fernleigh (recorded as Forsyth Avenue) (60.0 feet wide) to the Northwest corner of Lot 12 of said "Eyster's Dequindre Farms Subdivision No. 5"; thence S.89°58'21"E. 633.56 feet along the North line of Lot 12 to the Northeast corner of said Lot 12; thence S.01°20'15"W. 299.95 feet along the East line of said Lot 12, also being the West line of "Glenwood Park" as recorded in Liber 268 of plats, pages 38 thru 44, Oakland County records to the point of beginning; thence N.71°39'25"W. 170.54 feet; thence N.68°05'39"W. 234.58 feet; thence S.21°54'21"W. 15.00 feet; thence S.68°05'39"E. 235.05 feet; thence S.71°39'25"E. 175.60 feet; thence N.01°20'15"E. 15.69 feet to the point of beginning.

December 2, 2002

To: The Honorable Mayor and City Council

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

Re: Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidders –
Traffic Control Signs

RECOMMENDATION

Bid proposals were opened November 20, 2002, for one (1) year requirements of Traffic Control Signs with an option to renew for one (1) additional year. After reviewing the bid proposals, City management recommends awarding contracts to the lowest acceptable bidders, Vulcan Signs, Signs and Blanks Inc., and Rocal Inc. at an estimated total cost of \$22,500.00 per year. These signs are required for new installations as well as for repair and replacement. The material is ordered throughout the year as needed.

SUMMARY**VULCAN SIGNS****PROPOSAL A: Complete Signs, Single Face**

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE
		3M High Intensity on Aluminum	
1.	50	36" Yield	\$14.72
2.	50	30"X30" S2-1 School Crossing	\$21.40
3.	50	30"X30" S1-1 School Advance	\$21.40

PROPOSAL B: Standard, Warning Diamond, Rectangular or Square - One Color

2.	15	12" x 18" One Color	\$3.80
3.	50	12" x 36" One Color	\$7.56
4.	10	12" x 48" One Color	\$10.08
5.	10	12" x 60" One Color	\$12.60
6.	5	12" x 72" One Color	\$15.12
8.	15	18" x 18" One Color	\$5.67
9.	50	18" x 24" One Color	\$7.56
10.	10	18" x 48" One Color	\$15.12
11.	2	18" x 60" One Color	\$18.90
12.	2	18" x 72" One Color	\$22.68
13.	15	24" x 24" One Color	\$10.08
14.	150	24" x 30" One Color	\$12.60
15.	25	24" x 36" One Color	\$15.12
16.	15	24" x 48" One Color	\$20.16
17.	75	30" x 30" One Color	\$15.75
18.	10	30" x 36" One Color	\$18.90
19.	25	36" x 36" One Color	\$22.68
20.	10	36" x 48" One Color	\$30.24
21.	10	48" x 30" One Color	\$25.20
22.	25	48" x 48" One Color	\$40.32
23.	100	12"X30 Hi Int W/Round Corners	\$9.10
24.	100	12"X36 Hi Int W/Round Corners	\$10.92
25.	20	12"X42 Hi Int W/Round Corners	\$12.74
26.	100	12"X48 Hi Int W/Round Corners	\$14.56

PROPOSAL E: Double Faced, Two Sided on White

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE
1.	50	24" X30" 3M Scotchlite on Aluminum	\$16.99

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign.

\$25.00

ESTIMATED GRAND TOTAL--**\$15,094.36**

December 2, 2002

TO: Honorable Mayor and City Council

RE: Bid Award – Traffic Control Signs

Page 2 of 3

SUMMARY - Continued

SIGNS AND BLANKS INC.

PROPOSAL B: Standard, Warning Diamond, Rectangular or Square – One Color

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE
1.	15	12" X 6" One Color	<u>\$1.45</u>

PROPOSAL C: Standard, Warning Diamond, Rectangular or Square - Two or more colors

1.	50	12" X 12" Two Color	<u>\$2.65</u>
3.	50	12" x 18" Two Color	<u>\$3.98</u>
4.	15	24" x 24" Two Color	<u>\$10.60</u>
6.	15	30" x 30" Two Color	<u>\$16.56</u>
7.	15	36" x 36" Two Color	<u>\$23.85</u>
9.	10	36" x 48" Two Color	<u>\$31.80</u>

PROPOSAL E: Double Faced, Two Sided on High Intensity White

2.	40	9" X 30" Extruded High Int Wht	<u>\$11.16</u>
3.	40	9" X 36" Extruded High Int.Wht	<u>\$13.40</u>
4.	40	9" X 42" Extruded High Int.Wht	<u>\$15.62</u>
5.	40	6" X 24" Extruded High Int Wht	<u>\$6.25</u>
6.	100	6" X 30" Extruded High Int Wht	<u>\$7.81</u>
7.	100	6" X 36" Extruded High Int Wht	<u>\$9.40</u>
8.	100	6" X 42" Extruded High Int Wht	<u>\$10.94</u>

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign.

\$10.00

ESTIMATED GRAND TOTAL-- **\$6108.60**

ROCAL INC.

PROPOSAL B: Standard, Warning Diamond, Rectangular or Square - One Color

7.	50	18" x 6" One Color	<u>\$2.10</u>
----	----	--------------------	---------------

PROPOSAL C: Standard, Warning Diamond, Rectangular or Square - Two or more colors

2.	15	12" x 12" Three Color	<u>\$2.90</u>
5.	15	24" x 48" Three Color	<u>\$22.80</u>
8.	10	36" x 36" Three Color	<u>\$25.60</u>

PROPOSAL D: 3M Standard Pre-Printed Traffic Sign Faces

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE
1.	500	12" X 12" No Parking Symbol R8-3A	<u>\$1.10</u>

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign.

\$25.00

ESTIMATED GRAND TOTAL-- **\$1296.50**

December 2, 2002

TO: Honorable Mayor and City Council

RE: Bid Award – Traffic Control Signs

Page 3 of 3

EXPLANATION OF UNAWARDABLE BID ITEM

Whitco Sign & Mfg Corporation was the low bidder for Item #1 under Proposal B, 12" X 6" one color standard sign face. However, the City cannot meet Whitco's minimum shipment requirement of \$1,000.00 with only one item.

BUDGET

Funds are available in the Streets Department Operating Budget.

47 Bids Sent

7 Bids Rec'd

9 No Bids: (6) Companies do not handle the type of product bid.
(2) Companies had insufficient time to respond. Sales staff working on other projects.
(1) Company could not be competitive.

Prepared by: Vicki C. Richardson, Administrative Aide

Opening Date -- 11/20/02
 Date Prepared -- 11/26/02

CITY OF TROY
 BID TABULATION
 TRAFFIC CONTROL SIGNS

SBP 02-48
 Pg. 1 of 4

VENDOR NAME:

ITEM	EST QTY	DESCRIPTION	VULCAN	SIGNS &	ROCAL	WHITCO
			SIGNS	BLANKS INC	INC	SIGN & MFG
			UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
PROPOSAL A: COMPLETE SIGNS, SINGLE FACE 3M HIGH INTENSITY ON ALUMINUM						
1.	50	36" YIELD	\$ 14.72	\$ 18.25	\$ 17.37	\$ 17.78
2.	50	30" x 30" S2-1 SCHOOL CROSSING	\$ 21.40	\$ 24.49	\$ 23.38	\$ 23.99
3.	50	30" x 30" S1-1 SCHOOL ADVANCE	\$ 21.40	\$ 24.49	\$ 23.38	\$ 23.99
PROPOSAL A: EST TOTAL AWARDED ITEMS --			\$ 2,876.00	\$ -	\$ -	\$ -
PROPOSAL B: STANDARD, WARNING DIAMOND, RECTANGULAR OR SQUARE - ONE COLOR						
1.	15	12" X 6"	\$ 1.89	\$ 1.45	\$ 1.50	* (\$1.43)
2.	15	12" X 18"	\$ 3.80	\$ 3.98	\$ 4.20	\$ 4.32
3.	50	12" X 36"	\$ 7.56	\$ 7.92	\$ 8.40	\$ 8.63
4.	10	12" X 48"	\$ 10.08	\$ 10.60	\$ 11.20	\$ 11.51
5.	10	12" X 60"	\$ 12.60	\$ 13.25	\$ 14.00	\$ 14.39
6.	5	12" X 72"	\$ 15.12	\$ 15.90	\$ 16.80	\$ 17.26
7.	50	18" X 6"	\$ 2.35	\$ 2.21	\$ 2.10	\$ 2.16
8.	15	18" X 18"	\$ 5.67	\$ 5.96	\$ 6.30	\$ 6.48
9.	50	18" X 24"	\$ 7.56	\$ 7.95	\$ 8.40	\$ 8.63
10.	10	18" X 48"	\$ 15.12	\$ 15.90	\$ 16.80	\$ 17.26
11.	2	18" X 60"	\$ 18.90	\$ 19.95	\$ 21.00	\$ 21.58
12.	2	18" X 72"	\$ 22.68	\$ 27.00	\$ 25.00	\$ 25.90
13.	15	24" X 24"	\$ 10.08	\$ 10.60	\$ 11.20	\$ 11.51
14.	150	24" X 30"	\$ 12.60	\$ 13.25	\$ 14.00	\$ 14.39
15.	25	24" X 36"	\$ 15.12	\$ 15.90	\$ 16.80	\$ 17.27
16.	15	24" X 48"	\$ 20.16	\$ 21.20	\$ 22.40	\$ 23.02
17.	75	30" X 30"	\$ 15.75	\$ 16.50	\$ 17.50	\$ 17.98
18.	10	30" X 36"	\$ 18.90	\$ 19.85	\$ 21.00	\$ 21.58
19.	25	36" X 36"	\$ 22.68	\$ 23.85	\$ 25.20	\$ 25.83
20.	10	36" X 48"	\$ 30.24	\$ 35.84	\$ 33.60	\$ 34.44
21.	10	48" X 30"	\$ 25.20	\$ 26.50	\$ 28.00	\$ 28.70
22.	25	48" X 48"	\$ 40.32	\$ 42.40	\$ 44.82	\$ 45.92
23.	100	12" X 30 Hi Int W/Round Corners	\$ 9.10	\$ 9.63	\$ 9.65	\$ 9.99
24.	100	12" X 36 Hi Int W/Round Corners	\$ 10.92	\$ 11.55	\$ 11.58	\$ 11.99
25.	20	12" X 42 Hi Int W/Round Corners	\$ 12.74	\$ 13.50	\$ 13.50	\$ 13.98
26.	100	12" X 48 Hi Int W/Round Corners	\$ 14.56	\$ 15.40	\$ 15.44	\$ 15.98
PROPOSAL B: EST TOTAL AWARDED ITEMS--			\$ 11,368.86	\$ 21.75	\$ 105.00	\$ -
PROPOSAL C: STANDARD, WARNING DIAMOND, RECTANGULAR OR SQUARE, TWO OR MORE COLORS						
1.	50	12" X 12" Two Color	\$ 3.32	\$ 2.65	\$ 2.80	\$ 3.12
2.	15	12" X 12" Three Color	\$ 3.80	\$ 2.95	\$ 2.90	\$ 3.37
3.	50	12" X 18" Two Color	\$ 4.52	\$ 3.98	\$ 4.20	\$ 4.68
4.	15	24" X 24" Two Color	\$ 12.04	\$ 10.60	\$ 11.20	\$ 12.48
5.	15	24" X 48" Three Color	\$ 27.92	\$ 24.00	\$ 22.80	\$ 26.98
6.	15	30" X 30" Two Color	\$ 18.81	\$ 16.56	\$ 17.50	\$ 19.50
7.	15	36" X 36" Two Color	\$ 27.09	\$ 23.85	\$ 25.20	\$ 28.08
8.	10	36" X 36" Three Color	\$ 31.41	\$ 27.00	\$ 25.60	\$ 30.33
9.	10	36" X 48" Two Color	\$ 36.12	\$ 31.80	\$ 33.60	\$ 37.44
PROPOSAL C: EST TOTAL AWARDED ITEMS--			\$ -	\$ 1,414.65	\$ 641.50	\$ -

VENDOR NAME:

VULCAN	SIGNS &	ROCAL	WHITCO
SIGNS	BLANKS INC	INC	SIGN & MFG
			CORP

PROPOSAL D: 3M STANDARD PRE-PRINTED TRAFFIC SIGN FACES

1.	500	12" X 12" No Parking Symbol R8-3A	\$ 1.66	\$ 1.25	\$ 1.10	\$ 1.34
PROPOSAL D: EST TOTAL AWARDED ITEMS--			\$ -	\$ -	\$ 550.00	\$ -

PROPOSAL E: DOUBLE FACED, TWO SIDED ON WHITE

1.	50	24" X 30" 3M Scotchlite on Aluminum	\$ 16.99	\$ 21.25	\$ 19.40	\$ 21.35
2.	40	9" X 30" Extruded High Intensity White	\$ 13.44	\$ 11.16	\$ 14.25	\$ 19.95
3.	40	9" X 36" Extruded High Intensity White	\$ 16.12	\$ 13.40	\$ 17.10	\$ 23.94
4.	40	9" X 42" Extruded High Intensity White	\$ 18.60	\$ 15.62	\$ 19.95	\$ 27.93
5.	40	6" X 24" Extruded High Intensity White	\$ 7.31	\$ 6.25	\$ 12.50	\$ 14.05
6.	100	6" X 30" Extruded High Intensity White	\$ 9.14	\$ 7.81	\$ 15.63	\$ 17.56
7.	100	6" X 36" Extruded High Intensity White	\$ 11.06	\$ 9.40	\$ 18.75	\$ 21.07
8.	100	6" X 42" Extruded High Intensity White	\$ 12.94	\$ 10.94	\$ 21.88	\$ 24.59
PROPOSAL E: EST TOTAL AWARDED ITEMS--			\$ 849.50	\$ 4,672.20	\$ -	\$ -

PROPOSAL F: SET UP FEES

\$ 25.00	\$ 10.00	\$ 25.00	\$ 22.50
-----------------	-----------------	-----------------	-----------------

ESTIMATED GRAND TOTAL AWARDED ITEMS: \$ 15,094.36 6,108.60 1,296.50 \$ -

DELIVERY:

Minimum Shipment	BLANK	BLANK	\$ 1,000	\$1,000
# of Days	3-5 DAYS ARO - STOCK	30	30-45	30

TERMS:

30 DAYS ARO-NONSTOCK	NET 30 DAYS	NET 30 DAYS	NET 30 DAYS	NET 30
----------------------	-------------	-------------	-------------	--------

WARRANTY:

STANDARD 3M	5 YEAR	PER MFG	3 YRS MFG	7 YRS EG
-------------	--------	---------	-----------	----------

DELIVERY:

3-5 DAYS ARO - STOCK	21-30 DAYS	30-45	10 YRS HI	30 DAYS
----------------------	------------	-------	-----------	---------

EXCEPTIONS:

30 DAYS ARO-NONSTOCK	BLANK	BLANK	BLANK	BLANK
----------------------	-------	-------	-------	-------

NO BIDS:

- Carrier & Gable Inc
- Electromark Company
- Kustom Signals Inc
- MLS Signs Inc
- Majik Graphics Inc
- National Signal Corporation
- Robert Noonan Company
- St Paul StampWorks Inc
- US Standard Sign

BOLDFACE TYPE DENOTES LOWEST ACCEPTABLE BIDDERS

* City cannot meet Vendor's minimum shipping requirements of \$1,000, with only one item.

Opening Date -- 11/20/02
 Date Prepared -- 11/26/02

CITY OF TROY
 BID TABULATION
 TRAFFIC CONTROL SIGNS

VENDOR NAME:

ITEM	EST QTY	DESCRIPTION	HALL SIGNS	FASTSIGNS	INNOVATIVE
				-NORTHVILLE-	GRAPHICS &
			UNIT PRICE	UNIT PRICE	UNIT PRICE
					SIGN
PROPOSAL A: COMPLETE SIGNS, SINGLE FACE 3M HIGH INTENSITY ON ALUMINUM					
1.	50	36" YIELD	\$ 20.76	\$ 35.10	\$ 95.00
2.	50	30" x 30" S2-1 SCHOOL CROSSING	\$ 25.81	\$ 56.42	\$ 78.00
3.	50	30" x 30" S1-1 SCHOOL ADVANCE	\$ 25.81	\$ 56.42	\$ 78.00
PROPOSAL A: EST TOTAL AWARDED ITEMS--			\$ -	\$ -	\$ -
PROPOSAL B: STANDARD, WARNING DIAMOND, RECTANGULAR OR SQUARE - ONE COLOR					
1.	15	12" X 6"	\$ 1.89	\$ 3.44	\$ 13.25
2.	15	12" X 18"	\$ 4.69	\$ 10.34	\$ 16.60
3.	50	12" X 36"	\$ 8.77	\$ 18.30	\$ 21.50
4.	10	12" X 48"	\$ 10.65	\$ 24.08	\$ 30.25
5.	10	12" X 60"	\$ 14.55	\$ 38.50	\$ 33.50
6.	5	12" X 72"	\$ 17.46	\$ 46.20	\$ 41.50
7.	50	18" X 6"	\$ 2.55	\$ 6.90	\$ 29.00
8.	15	18" X 18"	\$ 6.87	\$ 15.52	\$ 38.00
9.	50	18" X 24"	\$ 8.88	\$ 18.30	\$ 44.00
10.	10	18" X 48"	\$ 17.46	\$ 50.20	\$ 72.00
11.	2	18" X 60"	\$ 21.83	\$ 57.76	\$ 80.00
12.	2	18" X 72"	\$ 26.19	\$ 69.30	\$ 90.00
13.	15	24" X 24"	\$ 11.61	\$ 24.08	\$ 49.00
14.	150	24" X 30"	\$ 14.33	\$ 30.10	\$ 58.00
15.	25	24" X 36"	\$ 17.08	\$ 36.12	\$ 64.00
16.	15	24" X 48"	\$ 23.20	\$ 48.16	\$ 79.00
17.	75	30" X 30"	\$ 17.83	\$ 37.62	\$ 62.00
18.	10	30" X 36"	\$ 21.26	\$ 50.24	\$ 78.00
19.	25	36" X 36"	\$ 25.39	\$ 54.18	\$ 90.00
20.	10	36" X 48"	\$ 35.36	\$ 72.24	\$ 115.00
21.	10	48" X 30"	\$ 29.20	\$ 60.20	\$ 98.00
22.	25	48" X 48"	\$ 47.74	\$ 96.32	\$ 148.00
23.	100	12" X 30 Hi Int W/Round Corners	\$ 10.88	\$ 21.26	\$ 55.00
24.	100	12" X 36 Hi Int W/Round Corners	\$ 13.02	\$ 25.50	\$ 65.00
25.	20	12" X 42 Hi Int W/Round Corners	\$ 15.23	\$ 29.76	\$ 78.00
26.	100	12" X 48 Hi Int W/Round Corners	\$ 17.40	\$ 34.00	\$ 85.00
PROPOSAL B: EST TOTAL AWARDED ITEMS--			\$ -	\$ -	\$ -
PROPOSAL C: STANDARD, WARNING DIAMOND, RECTANGULAR OR SQUARE, TWO OR MORE COLORS					
1.	50	12" X 12" Two Color	\$ 3.54	\$ 8.90	\$ 14.75
2.	15	12" X 12" Three Color	\$ 3.74	\$ 10.90	\$ 18.25
3.	50	12" X 18" Two Color	\$ 4.94	\$ 12.34	\$ 18.50
4.	15	24" X 24" Two Color	\$ 12.23	\$ 26.08	\$ 43.95
5.	15	24" X 48" Three Color	\$ 25.78	\$ 52.16	\$ 96.58
6.	15	30" X 30" Two Color	\$ 18.77	\$ 35.80	\$ 80.25
7.	15	36" X 36" Two Color	\$ 26.73	\$ 56.08	\$ 125.25
8.	10	36" X 36" Three Color	\$ 28.22	\$ 58.18	\$ 150.25
9.	10	36" X 48" Two Color	\$ 37.57	\$ 74.24	\$ 179.25
PROPOSAL C: EST TOTAL AWARDED ITEMS--			\$ -	\$ -	\$ -

VENDOR NAME:

HALL SIGNS	FASTSIGNS	INNOVATIVE
	-NORTHVILLE-	GRAPHICS &
		SIGN

PROPOSAL D: 3M STANDARD PRE-PRINTED TRAFFIC SIGN FACES

1. 500 12" X 12" No Parking Symbol R8-3A	\$ 1.53	\$ 5.30	\$ 12.75
PROPOSAL D: EST TOTAL AWARDED ITEMS--	\$ -	\$ -	\$ -

PROPOSAL E: DOUBLE FACED, TWO SIDED ON WHITE

1. 50 24" X 30" 3M Scotchlite on Aluminum	\$ 21.29	\$ 52.38	\$ 66.00
2. 40 9" X 30" Extruded Hight Intensity White	\$ 15.71	\$ 60.78	N/A
3. 40 9" X 36" Extruded Hight Intensity White	\$ 18.79	\$ 72.92	N/A
4. 40 9" X 42" Extruded Hight Intensity White	\$ 21.89	\$ 85.08	N/A
5. 40 6" X 24" Extruded Hight Intensity White	\$ 8.93	\$ 32.42	N/A
6. 100 6" X 30" Extruded Hight Intensity White	\$ 11.11	\$ 40.52	N/A
7. 100 6" X 36" Extruded Hight Intensity White	\$ 13.26	\$ 48.62	N/A
8. 100 6" X 42" Extruded Hight Intensity White	\$ 15.44	\$ 56.72	N/A
PROPOSAL E: EST TOTAL AWARDED ITEMS--	\$ -	\$ -	\$ -

PROPOSAL F: SET UP FEES

DELIVERY:

Minimum Shipment
 # of Days

TERMS:

WARRANTY:

DELIVERY:

EXCEPTIONS:

\$ 50.00	LISTED IN BID	BLANK
\$1,000	N/A	\$ 750
21-30	15-30	10
0% NET 30	NET 30	NET 30 DAYS
7 YRS -EG	7 YR VINYL MFG WARR	ONE YEAR
10 YRS -HI		
21-30 DAYS	UPS	FOB OUR SHOP
BLANK	LISTED IN BID	LISTED IN BID
	-ONE LOT PRICING-	

PROPOSAL-- One (1) Year Requirements of Traffic Control Signs
 Including an Option to Renew for One (1) Additional Year

ATTEST:

Cheryl Morrell
 Vicki Richardson
 Linda Bockstanz

Jeanette Bennett
 Purchasing Director

ACCURATE SAFETY DISTRIBUTORS INC
10320 N THOR DRIVE
FREELAND MI 48623

AMERICAN SIGN SHOPS
31930 WOODWARD AVENUE
ROYAL OAK MI 48073-6449

AMERICAN TRAFFIC SAFETY MATERIALS INC
P O BOX 1449
ORANGE PARK FL 32067-1449

ASI SIGN SYSTEMS
1203 WHEATON
TROY MI 48083

BANNER SIGN COMPANY INC
20919 JOHN R
HAZEL PARK MI 48030

CARRIER & GABLE INC
24110 RESEARCH DRIVE
FARMINGTON HILLS MI 48335

CARSONITE INTERNATIONAL
10 BOB GIFFORD BLVD
P O BOX 98
EARLY BRANCH SC 29916-0098

CMS SALES COMPANY INC
2700 FRANKSON
ROCHESTER HILLS MI 48307

ELECTROMARK COMPANY
6188 WEST PORT BAY ROAD
P O BOX 25
WOLCOTT NY 14590

FAST SIGNS
17783 HAGGERTY RD SUITE A
NORTHVILLE MI 48167

GEORGE WHITE ASSOCIATES
1631 LIVERNOIS
TROY MI 48083

GOPHER SIGN COMPANY
1310 RANDOLPH AVENUE
ST PAUL MN 55105

GRAPHIC VISIONS, INC
16857 NORTHVILLE ROAD
NORTHVILLE MI 48167

GREAT LAKES DETROIT INC
13506 HELEN ST
DETROIT MI 48212

HALL SIGNS INC
4495 WEST VERNAL PIKE
P O BOX 515
BLOOMINGTON IN 47402

JAN SIGNS
5395 COGSWELL
WAYNE MI 48184

KUSTOM SIGNAL INC
9325 PFLUMM
LENEXA KS 66215-3347

MAJIK GRAPHICS
19751 FIFTEEN MILE ROAD
CLINTON TOWNSHIP MI 48035

MID-OHIO MARKINGS & TRAFFIC SIGNS INC
P O BOX 512
NORWALK OH 44857-0512

MLS SIGNS
25776 D'HONDT
CHESTERFIELD TWP MI 48051

NATIONAL SIGNAL CORP.
47433 RYAN ROAD
SHELBY TWP. MI 48317

PHILLIPS SIGN & LIGHTING INC
40920 EXECUTIVE DRIVE
HARRISON TWP MI 48045-1363

PROSEC INC
200 LINCOLN AVE SUITE #130
GRAND PRAIRIE TX 19460

RADIATOR SPECIALTY
P O BOX 34689
CHARLOTTE NC 48234

RATHCO SAFETY SUPPLY
6742 LOVERS LANE
PORTAGE MA 49002

ROBERT NOONAN COMPANY
1151 CHURCHILL CIRCLE
ROCHESTER HILLS MI 48307

ROCAL INC
24 SOUTH MAIN STREET
P O BOX 640
FRANKFORT OH 45628

SA-SO CO
1341 W MOCKINGBIRD LANE STE 1200E
DALLAS TX 75247-4944

SIGNMAKER
P O BOX 230310
FAIR HAVEN MI 48023

SIGNS & LINES
958 NORTH PONTIAC TRAIL
WALLED LAKE MI 48390

SIGNS AND BLANKS INC
P O BOX 2234
AKRON OH 44309-2234

SIGNS AND LINES
3683 ELIZABETH LAKE ROAD
WATERFORD MI 48328

SIGNS BY CRANNIE INC
4160 COMMERCE DRIVE
FLUSHING MI 48433

ST PAUL STAMP WORKS INC
87 EMPIRE DRIVE
ST PAUL MN 55103-1856

SWEEPSTER & JENKINS
2800 N ZEEB ROAD
DEXTER MI 48130

THE HUNT SIGN COMPANY
1724 COOLIDGE HWY
BERKLEY MI 48072-3032

TOWNSEND NEON INC
31550 GOSSETT DR
ROCKWOOD MI 48173

U S STANDARD SIGN CO
11400 ADDISON STREET
FRANKLIN PARK IL 60131

UNIVERSAL DIE-CUT CORP
P O BOX 552
NORWALK OH 44857

VOLK CORP
23936 INDUSTRIAL PARK DRIVE
FARMINGTON HILLS MI 48336

VULCAN SIGNS
P O BOX 1850
FOLEY AL 36536-1850

WARREN SIGN SYSTEMS
24808 THOMAS STREET
WARREN MI 48091-5852

WHITCO SIGN AND MFG CORP
P O BOX 817
749 NEW LUDLOW RD
SOUTH HADLEY MA 01075

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles T. Craft, Chief of Police

SUBJECT: Request to set a Public Hearing Regarding Acceptance of a Local Law Enforcement Block Grant

The City of Troy has preliminary approval to receive a Local Law Enforcement Block Grant (LLEBG). The federal award is \$23,857. The required city match is \$2,651 bringing the total grant to \$26,508. Upon City Council resolution accepting the award, the Police Department has two years to expend the funds.

The Department has submitted a plan to utilize the money to purchase a computer to replace the existing mugshot server, Lanx suits for the Tactical Support Team, laptop computers and composite software for the Evidence Technicians, and a bar code printer for the Property Room.

As required by the grant, an advisory board consisting of representatives from the Law Department, the 52-4 District Court, the Troy School District, and the Troy Community Coalition reviewed the plan. The advisory board unanimously agreed with the plan.

The grant further requires a public hearing. It is requested that City Council set a public hearing for January 6, 2003.

December 4, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Charles Craft, Chief of Police
Gary Mayer, Police Captain
Thomas Gordon, Police Sergeant

SUBJECT: Application for new Specially Designated Distributor (SDD) license by
TROY PARADISE, INC.

TROY PARADISE, INC. is requesting a **new** Specially Designated Distributor (SDD) licensed business located at 5945 John R, Troy, MI 48085, Oakland County.

At its August 12th meeting, the Liquor Advisory Committee entertained this request. Present to answer questions from the Board was Ms. Sandra Cotter, Attorney for Troy Paradise, and shareholders Sadik J. Sadik and Louay Joulakh. Troy Paradise indicated server training is in process and that this will be a family run store.

Troy Paradise has also applied for, and received, an SDM license to be held in conjunction with this proposed SDD. This SDM approval was granted by Council resolution #2002-09-510-E-6b, on September 9, 2002. The Liquor Advisory Committee recommended a 90-day waiting period between the passing of these resolutions; this time period has elapsed.

The police department's background investigation of the shareholders revealed no liquor violations or criminal activity. Consequently, we have no objection to this request.

**MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION**

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

POLICE INVESTIGATION REQUEST
[Authorized by MCL 436.1201(4)]

Troy Police Department
Chief of Police
500 W Big Beaver Road
Troy, Michigan 48084-5285

June 5, 2002

Request I.D.#186120

Chief of Law Enforcement Office

Applicant: **TROY PARADISE, INC.** requesting a **New Specially Designated Distributor License**, located at **5945 John R, Troy Michigan, 48085, Oakland County**, to be held in conjunction with **Proposed New Specially Designated Merchant License**.

STOCKHOLDER:

Sadik J. Sadik
1147 Baker Court
Troy, Michigan 48083

Home Phone: (248)526-9816

ATTORNEY:

Sandra M. Cotter
800 Michigan National Tower
Lansing, Michigan 48933-1742

Business Phone: (517)374-9100

Please make an investigation of the application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

NO FINGERPRINTS NECESSARY

PLEASE INCLUDE FINGERPRINT CARDS AND \$30.00 FOR EACH CARD, AND MAIL TO THE MICHIGAN LIQUOR CONTROL COMMISSION.

If you have any questions, contact the Licensing Division at (517) 322-1400.

jd

POLICE INSPECTION REPORT ON LIQUOR LICENSE REQUEST

(Authorized by MCL 436.7a)

Important: Please conduct your investigation as soon as possible and complete all four sections of this report. Return the completed report and fingerprint cards to the Commission. REQUEST I.D.#186120

BUSINESS NAME AND ADDRESS: (include zip code) TROY PARADISE, INC.
 5945 John R, Troy Michigan, 48085, Oakland County

REQUEST FOR: A New Specially Designated Distributor License, to be held in conjunction with Proposed New Specially Designated Merchant License

Section 1. APPLICANT INFORMATION

APPLICANT #1: SADIK J. SADIK	APPLICANT #2:
HOME ADDRESS AND AREA CODE/PHONE NUMBER: 1147 Baker Court Troy, Michigan 48083 (H.P.) 248-526-9816	HOME ADDRESS AND AREA CODE/PHONE NUMBER:
DATE OF BIRTH: If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No o Does the applicant have a Visa? Enter status:	DATE OF BIRTH: If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No o Does the applicant have a Visa? Enter status:
Date fingerprinted: 30.00	Date fingerprinted:

Attach the fingerprint card and \$15.00 for each card and mail to the Liquor Control Commission.

ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)	ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)
---	---

Section 2. Investigation of Business and Address to be Licensed

Can living quarters be reached from the inside of the establishment without going outside? Yes No

Does applicant intend to have dancing or entertainment?
 No Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit

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

Section 3. Local and State Codes and Ordinances, and General Recommendations

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

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

Section 4. Recommendation

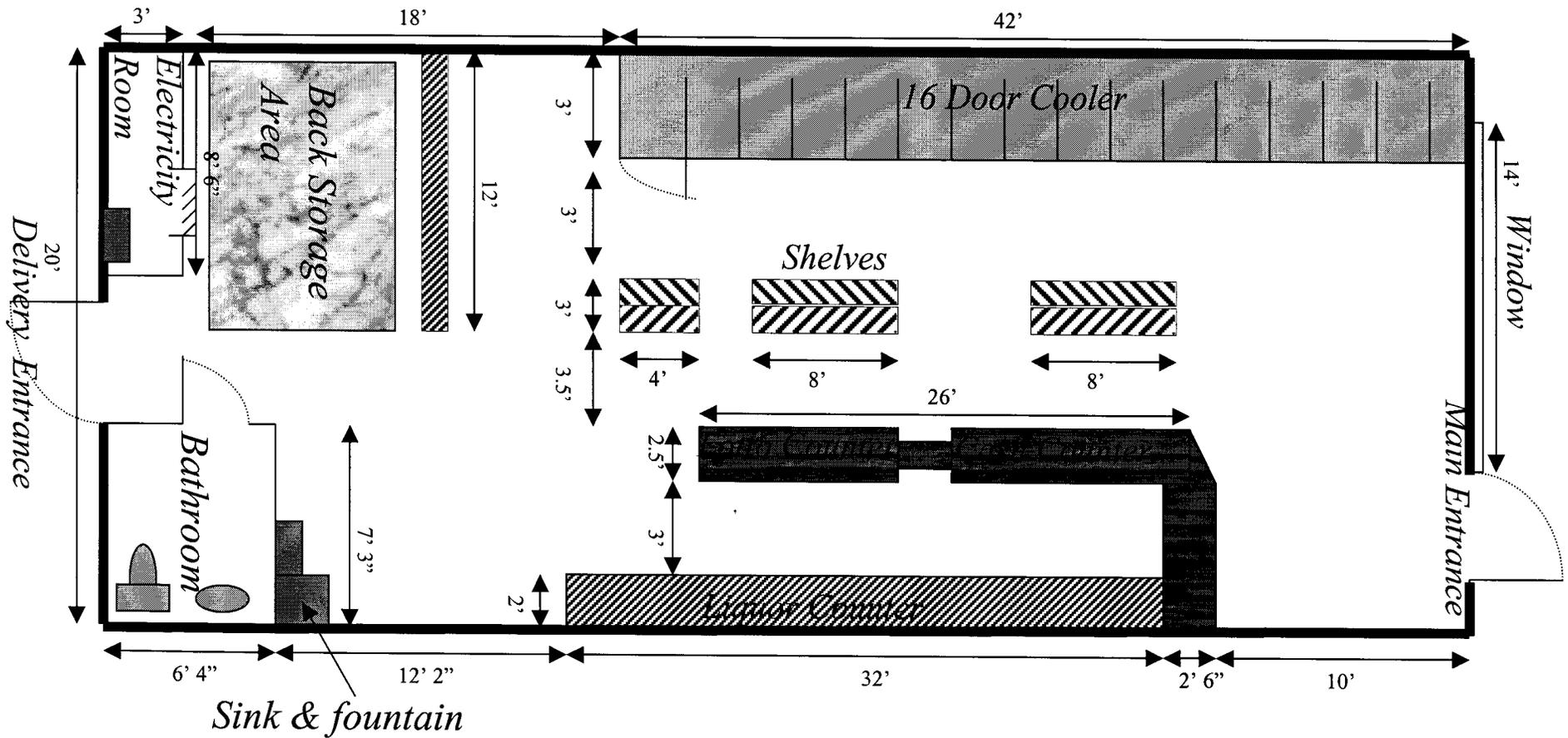
From your investigation:

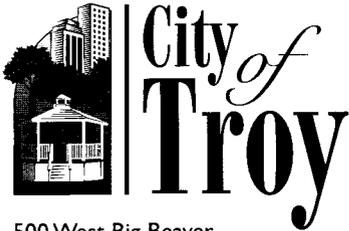
- Is this applicant qualified to conduct this business if licensed? Yes No
- Is the proposed location satisfactory for this business? Yes No
- Should this request be granted by the Commission? Yes No
- If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report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

Signature (Sheriff or Chief of Police)

Date

TOP VIEW OF THE STORE WITH DIMENSIONS





CITY OF TROY
OAKLAND COUNTY, MICHIGAN

RESOLUTION

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

At a Regular meeting of the Troy City Council held on Monday, September 9, 2002, the following Resolution was passed:

Troy Paradise, Inc., (a) Application for New Specialty Designated Merchant (SDM) License Business located at 5945 John R, Troy, MI 48085, Oakland County, [MLCC Req ID#186119]

(a) New SDM License

Moved by Pallotta
Seconded by Lambert

RESOLVED, That the request from TROY PARADISE, INC. for a new Specialty Designated Merchant (SDM) licensed business located at 5945 John R, Troy, MI 48085, Oakland County. [MLCC Req ID#186119; be considered for approval. It is the consensus of this legislative body that the application be **RECOMMENDED** for issuance.

Yes: Beltramini, Broomfield, Eisenbacher, Howrylak, Lambert, Pallotta, Pryor

I, Tonni L. Bartholomew, duly appointed Clerk of the City of Troy, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Troy City Council at a Regular Meeting duly called and held on Monday, the Ninth day of September, 2002.

Tonni L. Bartholomew, MMC
City Clerk

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this 22nd day of August, 2002, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and TROY PARADISE, INC. whose address is 5945 John R, Troy 48085, the Applicant, hereinafter known as APPLICANT.

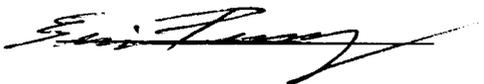
1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the request for a new Specially Designated Merchant (SDM) license, located at 5945 John R, Troy, Michigan 49085, Oakland County.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.


Sadik J. Sadik

TROY PARADISE, INC.

Witnesses:





Subscribed and sworn to before me
this 28th day of August, 2002

Linda Reeves

Notary Public, Oakland

County, Michigan

My commission expires:

LINDA REEVES
Notary Public, Oakland County, MI
My Commission Expires Feb. 6, 2003

Resolution #2002-09-510-E-6b, 9/9/02
CITY OF TROY

By: Matt Pryor
Matt Pryor, Mayor

By: Tonni Bartholomew
Tonni Bartholomew, City Clerk

Witnesses:

Cecilia A. Brukwinski

Cecilia A. Brukwinski

MaryAnn Hays
MaryAnn Hays

Subscribed and sworn to before me
this 9th day of September, 2002

MaryAnn Hays

Notary Public, Oakland

County, Michigan

My commission expires:

MARYANN HAYS
Notary Public, Oakland County, MI
My Commission Expires March 16, 2005

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 200____, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and TROY PARADISE, INC. whose address is 5945 John R, Troy 48085, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the request for a new Specially Designated Distributor (SDD) license, located at 5945 John R, Troy, Michigan 49085, Oakland County, to be held in conjunction with proposed new Specially Designated Merchant (SDM) license.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

Sadik J. Sadik

TROY PARADISE, INC.

Witnesses:

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

Notary Public, _____
County, _____
My commission expires:

CITY OF TROY

By: _____
Matt Pryor, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

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

Notary Public, Oakland
County, Michigan
My commission expires:

The meeting was called to order at 7:30 p.m. by Chairman Max Ehlert in Conference Room C.

PRESENT: Anita Elenbaum
Max Ehlert
W. Stan Godlewski
Captain Gary Mayer
James Moseley
James Peard
Terry Colussi, Clerk/Typist

ABSENT: David Balagna
Stephanie Robotnik
Thomas Sawyer
Sgt. George Zielinski

Moved by J.Peard, seconded by J. Moseley, to EXCUSE the absent members.
APPROVED unanimously

Moved by J. Moseley, seconded by A. Elenbaum, to APPROVE the minutes of the July 8, 2002 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **TROY PARADISE, INC.** requests a **new Specially Designated Distributor (SDD)** license, located at 5945 John R, Troy, Michigan 49085, Oakland County, to be held in conjunction with proposed **new Specially Designated Merchant (SDM)** license. [MLCC Req ID#186120]

Present to answer questions from the committee were Sandy Cotter, Attorney for Troy Paradise, Inc., Sadik Sadik, shareholder of Troy Paradise, Inc. and Louay Joulakh, Mr. Sadik's brother-in-law.

Ms. Cotter presented the committee with an information packet that included a layout of the building. They are working with distributors at this time to stock the store. They should be ready to open within a few weeks. This is to be a family run operation with a few employees to be hired when business increases. Cotter explained that they have good experience with this type of business; they live in Troy and have a strong commitment to the community.

Moseley inquired as to what experience they have in liquor sales. The owners have 5 years experience in the supermarket business in Jordan. This is the first business they have owned in the United States.

Ehlert inquired as to the hours of business and who will be working in the business. The business will be open from 8:00 am. to 10:00 pm. and will be run by family members until the business requires more employees.

Ehlert inquired as to the type of training the employees would receive. Ms. Cotter explained that Mrs. Sadik will go to the TAM course to be certified and then she will

train the rest of the staff. Mrs. Sadik is in the process of completing this State requirement.

Moseley stated that at one time they held back the SDD license on a requesting business until there was sufficient time to track the way the business was run. It is possible to give a SDM license and then when credibility has been established, reconsider the SDM license. Elhert inquired if this was something that been considered by the Troy Paradise Inc., representatives.

Ms. Cotter explained that the Liquor Control Board already went through their exhausting background check and they were just waiting for the local Police Department background check to be forwarded to them. Ms. Cotter reemphasized that profits are mainly from liquor sales thus making the SDD very important to their business.

Elhert inquired as to where other party stores are located in proximity to the location of Troy Paradise. There were many stores named that are in the same general area.

Moved by J. Moseley, to grant Troy Paradise, Inc. a **new Specially Designated Merchant (SDM)** license for 90 days so we can review the business and then after 90 days they can request a **new Specially Designated Distributor (SDD)** license. Seconded by S. Godlewski, APPROVED 5 votes yes, 1 opposed.

Elhert advised the committee from Troy Paradise, Inc. that this will now be an agenda item before City Council and they can make their presentation. Capt. Mayer advised that Sgt. Zielinski would be calling the Troy Paradise representatives.

2. **CALIFORNIA PIZZA KITCHEN, INC.** requests a Corporate **Reorganization** as made by **CALIFORNIA PIZZA KITCHEN, INC.** in connection with 2001 12 Months Resort Class C licensed business with Official Permit (Food).
[MLCC REF# 132874]

Present to answer questions from the committee were Pat Alandt, Attorney for California Pizza Kitchen, Inc. and Olivia Huynh, manager of California Pizza Kitchen, Inc.

The original owner of California Pizza Kitchen, Inc. was Pepsi Co., they sold off the business and it is now a publicly owned company. California Pizza Inc. has been located in Troy for 7 years. The state has approved the reorganization of the Livonia, Ann Arbor and Troy businesses. They are seeking local government approval for the reorganization.

Moved by M. Elhert, seconded by S. Godlewski to APPROVE the above request. APPROVED unanimously

(iii) The existence of mandatory contractual restrictions or inclusions attached to the sale of the license.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998;-Am 1998, Act 282, Imd. Eff. July 27, 1998.

436.1533 Eligibility for license as specially designated merchant or specially designated distributor.

Sec. 533. A retail vendor licensed under this act to sell for consumption on the premises may apply for a license as a specially designated merchant. A specially designated distributor may apply for a license as a specially designated merchant. In cities, incorporated villages, or townships, the commission shall issue only 1 specially designated distributor license for each 3,000 of population, or fraction of 3,000.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1535 Vendor as authorized to do business.

Sec. 535. A vendor shall be a person authorized to do business under the laws of this state.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1537 Classes of vendors permitted to sell alcoholic liquors at retail; sale of wine by wine maker; wine tastings.

Sec. 537. (1) The following classes of vendors may sell alcoholic liquors at retail as provided in this section:

- (a) Taverns where beer and wine may be sold for consumption on the premises only.
- (b) Class C license where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises.
- (c) Clubs where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises only to bona fide members, who have attained the age of 21 years.
- (d) Hotels of class A where beer and wine may be sold for consumption on the premises and in the rooms of bona fide registered guests. Hotels of class B where beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises and in the rooms of bona fide registered guests.
- (e) Specially designated merchants, where beer and wine may be sold for consumption off the premises only.
- (f) Specially designated distributors where spirits and mixed spirit drink may be sold for consumption off the premises only.
- (g) Special licenses where beer and wine or beer, wine, mixed spirit drink, and spirits may be sold for consumption on the premises only.
- (h) Dining cars or other railroad or Pullman cars, watercraft, or aircraft, where alcoholic liquor may be sold for consumption on the premises only, subject to rules promulgated by the commission.
- (i) Brewpubs where beer manufactured on the premises by the licensee may be sold for consumption on or off the premises by any of the following licensees:
 - (i) Class C.
 - (ii) Tavern.
 - (iii) Class A hotel.
 - (iv) Class B hotel.
- (j) Micro brewers where beer produced by the micro brewer may be sold to a consumer for consumption on or off the brewery premises.

- (3) "Professional account" means an account established for a person by a class C licensee or tavern licensee whose major business is the sale of food, by which the licensee extends credit to the person for not more than 30 days.
- (4) "Residence" means the premises in which a person resides permanently.
- (5) "Retailer" means a person licensed by the commission who sells to the consumer in accordance with rules promulgated by the commission.
- (6) "Sacramental wine" means wine containing not more than 24% of alcohol by volume which is used for sacramental purposes.
- (7) "Sale" includes the exchange, barter, traffic, furnishing, or giving away of alcoholic liquor. In the case of a sale in which a shipment or delivery of alcoholic liquor is made by a common or other carrier, the sale of the alcoholic liquor is considered to be made in the county within which the delivery of the alcoholic liquor is made by that carrier to the consignee or his or her agent or employee, and venue for the prosecution for that sale may be in the county or city where the seller resides or from which the shipment is made or at the place of delivery.
- (8) "School" includes buildings used for school purposes to provide instruction to children in grades kindergarten through 12, when that instruction is provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses. School does not include a proprietary trade or occupational school.
- (9) "Small wine maker" means a wine maker manufacturing or bottling not more than 50,000 gallons of wine in 1 calendar year.
- (10) "Special license" means a contract between the commission and the special licensee granting authority to that licensee to sell beer, wine, mixed spirit drink, or spirits. The license shall be granted only to such persons and such organization and for such period of time as the commission shall determine so long as the person or organization is able to demonstrate an existence separate from an affiliated umbrella organization. If such an existence is demonstrated, the commission shall not deny a special license solely by the applicant's affiliation with an organization that is also eligible for a special license.
- (11) "Specially designated distributor" means a person engaged in an established business licensed by the commission to distribute spirits and mixed spirit drink in the original package for the commission for consumption off the premises.
- (12) "Specially designated merchant" means a person to whom the commission grants a license to sell beer or wine, or both, at retail for consumption off the licensed premises.
- (13) "Spirits" means a beverage that contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except sacramental wine and mixed spirit drink.
- (14) "State liquor store" means a store established by the commission under this act for the sale of spirits in the original package for consumption off the premises.
- (15) "Supplier of spirits" means a vendor of spirits, a manufacturer of spirits, or a primary source of supply.

History: 1998, Act 58, Imd. Eff. Apr. 14, 1998.

436.1113 Definitions; T to W.

- Sec. 113. (1) "Tavern" means any place licensed to sell at retail beer and wine for consumption on the premises only.
- (2) "Vehicle" means any means of transportation by land, by water, or by air.
- (3) "Vendor" means a person licensed by the commission to sell alcoholic liquor.
- (4) "Vendor of spirits" means a person selling spirits to the commission.

December 5, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
 Gary A. Shripka, Assistant City Manager/Services
 Jeanette Bennett, Purchasing Director
 Carol Anderson, Parks and Recreation Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder -
 Annual Flowers & Bedding Plants

RECOMMENDATION

The Parks and Recreation Department recommends that the City Council award a contract to furnish annual flowers and bedding plants for various sites on Municipal grounds to the low bidder – *Dinser's Greenhouse and Flowers, 24501 Dinser Dr., Novi, Mi 48374, 248-349-1320* for an estimated total cost of \$9,532.00, at unit prices contained in the attached bid tabulation opened 11/26/02, with an option to increase quantities up to a maximum of 20 percent.

SUMMARY

Bids for the contract were opened November 26, 2002, with two companies responding. Dinser's Greenhouse, with the exception of size changes on two types of annuals, meets specifications. Size changes had no effect on cost or quantities.

BUDGET

Funds are available in the following accounts:

782.7740.010	Northfield Street Islands
344.7740.010	Fire Halls
276.7740.100	Cemetery maintenance
770.7740.010	Parks maintenance
787.7740.100	Aquatic Center maintenance
551.7740.010	DPW
807.7740.010	Museum Grounds maintenance
783.7740.010	DDA

41 Bids Sent
 2 Bid Responses Rec'd
 5 No Bids: 1 Company not interested at this time.
 1 Company could not be competitive.
 3 Companies do not handle the type of product bid.

Prepared by: Ron Hynd, Landscape Analyst

Opening Date-- 11/26/02
 Date Prepared-- 12/5/02

CITY OF TROY
 BID TABULATION
 ANNUAL FLOWERS/BEDDING PLANTS

VENDOR NAME:

** DINSER'S GREENHOUSE SHEMIN NURSERIES, INC

EST QTY	UNIT	SPECIES		UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
50	48/Flat	alyssum	blue	7.75		7.95	
50	48/Flat	alyssum	white	7.75		7.95	
90	48/Flat	begonia	red/bronze	7.75		7.95	
75	48/Flat	begonia	white/bronze	7.75		7.95	
40	48/Flat	calendula	Pacific Beauty Mix	7.75		7.95	SUB - MARIGOLD
20	48/Flat	candytuft	Dwarf fairy mix	7.75		7.95	SUB - ALYSSUM
10	32/Flat	cleome	Queen Mix	7.75		7.95	
125	48/Flat	dusty miller		7.75		7.95	
20	48/Flat	flax	Scarlet	7.75		7.95	SUB - NICOTIANA
20	48/Flat	gomprhena	Mixed colors	7.75		7.95	SUB - GROME MIX
40	48/Flat	impatiens	Mixed colors	7.75		7.95	
100	48/Flat	petunia	blue	7.75		7.95	
100	48/Flat	petunia	dark pink	7.75		7.95	
50	48/Flat	petunia	deep purple	7.75		7.95	
100	48/Flat	petunia	red	7.75		7.95	
100	48/Flat	petunia	white	7.75		7.95	
20	32/Flat	petunia-wave	Mist lilac	7.75		13.55	
200	48/Flat	salvia x superba	blue	7.75		7.95	SUB - VICTORIA BLUE
20	48/Flat	verbena	Ideal Florist Strain	7.75		\$ 7.95	SUB - OBSESSION

ESTIMATED GRAND TOTAL: ** \$ 9,532.50 \$ 9,890.50

SERVICE FACILITY:

Location:	24501 DINSER DRIVE	PONTIAC, MI
24 Hr Phone Number:	(248) 349-1320	(248) 333-1090
Hrs of Operation:	8AM-4:30PM	8-4

TERMS NET 30 NET 30

WARRANTY BLANK NONE

DELIVERY AS PER SPECIFICATIONS AS PER SPECIFICATIONS

EXCEPTIONS LISTED IN BID LISTED IN BID

NO BIDS:

- Marine City Nursery Co
- Mueller's Sunrise Nursery
- Owens Landscaping
- Rhino Seed & Supply
- Simplot Partners

** DENOTES LOW BIDDER

ATTEST:

- Cheryl Morrell
- Charlene McComb
- Ron Hynd
- Linda Bockstanz

 Jeanette Bennett
 Purchasing Director

ADVANCED IRRIGATION SYSTEMS INC
1183 COMBERMERE
TROY MI 48083-2701

ALL STATE TREE SERVICE
2128 ELMCREST
STERLING HEIGHTS MI 48310

BOGIE LAKE GREENHOUSES
1525 BOGIE LAKE ROAD
WHITE LAKE MI 48383-2727

BORDINE NURSERY
1835 S ROCHESTER ROAD
ROCHESTER MI 48307-3533

BRAINER'S GREENHOUSE
51701 GRAND RIVER
WIXOM MI 48393

C & H LANDSCAPE
5220 WILLIAMS LAKE ROAD
WATERFORD MI 48329-3556

CINDY'S FLORAL DISTRIBUTING
2931 RUSSELL STREET
DETROIT MI 48207

CLYDE SMITH & SONS GREENHOUSE
8000 N NEWBURGH
WESTLAND MI 48185-1153

DENEWITH'S GREENHOUSE
16125 22 MILE ROAD
MACOMB TOWNSHIP MI 48044-1503

DINO'S LANDSCAPING
7520 PONTIAC TRAIL
WEST BLOOMFIELD MI 48323

DINSERS GREENHOUSE
24501 DINSER DRIVE
NOVI MI 48374

DISCOUNT TREE SALES AND TRANSPLANTING
1808 HAGADORN RD
MASON MI 48854

GILLINGS NURSERY & LANDSCAPING
2976 S LAPEER ROAD
METAMORA MI 48455

HESELL'S GREENHOUSE
14497 23 MILE ROAD
SHELBY TOWNSHIP MI 48315-2917

HILLSIDE GREENHOUSE
5115 FISHER ESTATES
ROMEO MI 48065

IDENTIX INCORPORATED
5600 ROWLAND RD
MINNETONKA MN 55343

KDS LANDSCAPE
156 W MOREHOUSE
HAZEL PARK MI 48030

MAGED CONTRACTING
P O BOX 701421
PLYMOUTH MI 48170

MANTHEY'S GREENHOUSE
16520 22 MILE ROAD
MACOMB TOWNSHIP MI 48044-1504

MARINE CITY NURSERY COMPANY
P O BOX 189
MARINE CITY MI 48039

MICHAEL'S FARMS & GREENHOUSES
16055 PRATT ROAD
ARMADA MI 48005

MICHIGAN TURF INC
P O BOX 158
TAYLOR MI 48180

MIDWEST LANDSCAPE GROUP INC
5470 HURON HILLS DR
COMMERCE MI 48382

MJ&T LAWN CARE AND SNOW REMOVAL
2440 OXFORD
BERKLEY MI 48072

MUELLEERS SUNRISE NURSERY INC
4343 TWENTY-FOUR MILE ROAD
SHELBY TOWNSHIP MI 48316-3011

OWENS LANDSCAPING
39001 WEBB CT
WESTLAND MI 48185

PAYNE LANDSCAPING INC
5385 ROHNS
DETROIT MI 48213

RAKAS LANDSCAPE SUPPLY
27400 JOHN R ROAD
MADISON HEIGHTS MI 48071

RAKAS LANDSCAPING
2922 INDUSTRIAL ROW
TROY MI 48084

RHINO SEED AND LANDSCAPE SUPPLY
850 NORTH OLD US 23
BRIGHTON MI 48114

S & T LAWN & LANDSCAPE INC
5580 GATEWOOD STE 106
STERLING HEIGHTS MI 48312

SEMRAU GARDEN CENTER
23751 GRATIOT
EASTPOINTE MI 48021

SHEMIN NURSERIES INC
900 FEATHER STONE ROAD
PONTIAC MI 48342

SHERMAN NURSERY FARMS
2200 MAYER ROAD
COLUMBUS MI 48063

SIMPLOT PARTNERS
3847 LONG MEADOW LANE
ORION MI 48359

SUPERIOR SCAPE, INC
51989 SCHOENHERR
SHELBY TOWNSHIP MI 48315

THEISEN GREENHOUSE
11757 HILL ROAD
MEMPHIS MI 48041

TOM'S LANDSCAPE NURSERY
4086 ROCHESTER ROAD STE 102
TROY MI 49098

TRI VALLEY LANDSCAPING
2363 SOUTH MILLER ROAD
SAGINAW MI 48609

WALKER LAWN MAINTENANCE/LANDSCAPING INC
6656 BEVERLY PLAZA
ROMULUS MI 48174

WORRY FREE INC
1035 BADDER
TROY MI 48083

December 4, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manger/ Finance and Administration
Jeanette Bennett, Purchasing Director

Re: Standard Purchasing Resolution 3: Exercise Renewal Option – Auction Services

RECOMMENDATION

Our two-year contract with Mid-Thumb Auctioneers SVC LLC for auction services expires March 19, 2003. The contract contains an option to renew for an additional two-year period. Mid-Thumb has agreed to the renewal under the same commission rates, terms, and conditions; but has offered an additional lower commission rate of 6% to be charged for vehicles that are cleaned and moved to an auction site for off-site auctions. Since vehicles sell for a better price when they have been cleaned, and it is the City's standard operating procedure to perform this function, staff recommends accepting the reduced rate.

Also, pre-approval is requested by staff to participate in auctions with other agencies such as St. Clair County, the Troy School District, and other entities within the Metropolitan area. A sales report would be provided to City Council at the next scheduled Council meeting, after receipt of the final auction report from the auctioneer.

SUMMARY

Auction Services

Item	Commission Charged - On Site at City Location	Commission Charged - Auction House Site
City Owned Property from City Facilities	20%	25%
Optional: City Owned Vehicles/Heavy Equipment	9%	15%
ROW Furnishings Obtained During Road Projects	20%	25%
Optional: Police Forfeiture and Confiscated Items	20%	25%
Optional Services:	\$20.00/hr	\$20.00/hr
Cleaned Vehicles – (New Item)	N/A	6%

December 4, 2002

To: The Honorable Mayor and City Council
Re: Option to Renew – Auction Services

MARKET SURVEY

A market survey was not deemed necessary since auction services entail a professional service and Mid-Thumb was the only bidder to meet specifications. Mid-Thumb Auctioneers SVC LLC has provided very satisfactory service and the auctions have been successful in attracting buyers for City equipment. Also, a revised bid tabulation has been prepared that compares the commission rates of the bidder who did not meet specifications with our current auctioneer. The commission rates charged by Mid-Thumb are lower for off-site auctions. Since off-site auctions are the method of choice because staff has found this alternative to be the most cost effective, our current auctioneer can be recommended. Also, R. J. Montgomery Associates, Inc. had substantial additional fees for ads, mailings, and equipment transport, which are all costs that were to be included in the commission rates charged.

BUDGET IMPACT

The commission charged for auction services is subtracted from funds collected at the time of sale. Therefore, departmental budgets are not impacted. Funds obtained from the sale of general departmental used equipment (with the exception of Motor Pool equipment) goes into revenue account #4010.4673.020, sale of non-depreciable assets. Motor pool equipment sales are entered into revenue account #6610.4693; gain on sale of depreciable fixed assets.

 "Planning an Auction"
ESTATE • ANTIQUE • HOUSEHOLD • FARM • INDUSTRIAL
Let us Help Plan Your Auction
 **MID-THUMB**
AUCTIONEERING
SERVICE, L.L.C.
Goodells • Port Huron, MI
(810) 325-9595 • Mobile (810) 650-2730
800-968-2441 • Fax (810) 325-9555
For Complete & Professional Auction Service

JOHN TOMASCHKO AUCTIONEER/REALTOR
8769 Morris Road • Goodells, MI 48027

To: City of Troy

Reference: Auction Services Contract.

It is our wish that the contract be renewed for two more years in its current terms and conditions with only one change.

- A. a reduced commission charge of 6% on vehicles only. If they are steamed cleaned interior and washed exterior engine area, paint touched up (basically showroom condition) and delivered to auction site (as the City of Troy currently does) this would be extended to Tri County Public Purchasing Coop. And associates.

Thank-You for letting us be of service.



John Tomasehko
Mid Thumb Auctioneering SVC LLC

E-7 Private Agreement for Orchard Estates Condominiums – Project No. 00.952.3

Resolution #2001-03-160-E-7

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Chris Komasara is hereby approved for the installation of sanitary sewer, storm sewer, water main, and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-8 Sole Source – Fire Department Thermal Imaging Cameras

Resolution #2001-03-160-E-8

WHEREAS, The City of Troy Fire Department has funds for a thermal imaging camera; and

WHEREAS, The City of Troy Fire Department requires that the camera be the same as those already owned by the department; and

WHEREAS, Douglas Safety Systems is the only available vendor for the ISI camera in the State of Michigan; and

NOW, THEREFORE, BE IT RESOLVED, That bidding procedures are hereby waived and the purchase of one (1) thermal imaging camera is hereby approved at a cost of \$16,860.00.

E-9 Standard Resolution 2: Bid Award – Low Acceptable Bidder – Auction Services

Resolution #2001-03-160-E-9

RESOLVED, That a contract to provide auctioneering services is hereby awarded to the low acceptable bidder, Mid-Thumb Auctioneers SVC LLC, at commission rates contained in the bid tabulation opened February 21, 2001, a copy of which shall be attached to the original Minutes of this meeting; and

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

March 7, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager / Finance and Administration
Jeanette Bennett, Purchasing Director

Subject: Standard Resolution 2: Bid Award – Low Acceptable Bidder
Auction Services

RECOMMENDATION

The Purchasing Department recommends that City Council award a contract to provide auction services to the lowest acceptable bidder, Mid-Thumb Auctioneers SVC LLC, at rates contained in the attached bid tabulation opened 2/21/01. Approximately \$17,000 worth of items was sold during the previous two-year contract.

One other bid was received, but not considered. The bid was faxed to the Purchasing Department and, therefore, not submitted in compliance with sealed bid requirements noted on the bid cover page.

INSURANCE

If a bidder does not carry the amount of insurance specified, the bid proposal allows the bidder to indicate the amount it will cost him to pick-up the coverage. Mid-Thumb Auctioneers indicated that they could obtain the coverage specified for \$400. Since the City has coverage, Stephen Cooperrider, Acting Risk Manager, has determined that it is not in the City's best interest to pay for coverage. Our policy is to transfer the risk to the contract holder when possible. In some cases it is in our best interest to pay for coverage. In this case, Mid-Thumb is the only bidder and the City has this coverage.

HISTORY

In 1999, the Purchasing Department entered into the first contract for auction services. The contract was implemented because there is no storage space, and holding auctions is a time intensive and expensive undertaking. City staff felt that the contract went well with the auctions conducted off-site. The auctioneer transported the auction items to his site for disposal. Unfortunately, the Claud McMillan Auction Co. did not feel the same way. Mr. McMillan refused to extend the contract due to the low commission rate charged (7%). Also, he indicated that our items were true junk and the contract was not profitable.

The Purchasing Department has checked the references of the new bidder, and met with him to review the type of items to be disposed. Mid-Thumb conducts auctions for the Troy School District (TSD) and finds our items to be similar in nature. TSD has no problem combining the City's auctions with theirs at a School site, although, other locations may be used depending upon disposal timing.

BUDGET

Funds collected from the auctioneer will be deposited in the General Fund Auction Proceeds Account.

13 Bids Sent
2 Bids Received
1 Bid Faxed - Disqualified

Prepared by: Jeanette Bennett, Purchasing Director

E-9

Opening Date -- 2/21/2001
 Date Prepared -- 3/5/2001

CITY OF TROY
 BID PROPOSAL
 AUCTION SERVICES

SBP 01-08

VENDOR NAME:

** MID-THUMB AUCTIONEERING

SVC LLC

PROPOSAL PRICING, TERMS, AND CONDITIONS

Commission % On-Site - City Location

Item 1: City Owned Property from City Facilities

20 %

Item 2: Optional: City Owned Vehicles & Heavy Eqmt.

9 %

Item 3: Right-of-Way Furnishings Obtained during Road Projects

20 %

Item 4: Optional: Police Forfeiture & Confiscated Items

20 %

Commission % Auction House Site

Item 1: City Owned Property from City Facilities

Do not have, would consign to other location

25 %

Item 2: Optional: City Owned Vehicles & Heavy Eqmt.

15 %

Item 3: Right-of-Way Furnishings Obtained during Road Projects

25 %

Item 4: Optional: Police Forfeiture & Confiscated Items

25 %

OPTIONAL SERVICES: \$ per Hour

\$ 20.00

OTHER SERVICES INCLUDING COST:

1. BLANK
- 2.
- 3.

BUYER'S PREMIUM: Charges %
 Does not Charge %

XX

INSURANCE: Can Meet
 Cannot Meet

Cost of-- \$400.00

EXTENSION OF AWARD TO THE TRI-COUNTY PUBLIC PURCHASING COOPERATIVE: - OPTIONAL

AGREED:
 NOT AGREED:

XX

TERMS:

10 Business Days After Auction

PICKUP NOTICE FOR OFF-SITE AUCTION

20 Days

EXCEPTIONS:

BLANK

** DENOTES LOWEST ACCEPTABLE BIDDER

ATTEST:

Cheryl Morrell
 Jeanette Bennett
 Linda Bockstanz

Jeanette Bennett
 Jeanette Bennett
 Purchasing Director

Opening Date -- 2/21/2001
 Date Prepared -- 3/5/2001

CITY OF TROY
 BID PROPOSAL
 AUCTION SERVICES

SBP 01-08
 REVISED 11/02

VENDOR NAME:

** MID-THUMB AUCTIONEERING

R. J. Montgomery &

SVC LLC

Associates, Inc.

DMS - FAXED BID

and additional fees

should be inc.

PROPOSAL PRICING, TERMS, AND CONDITIONS

Commission % On-Site - City Location

Item 1: City Owned Property from City Facilities

20 %

10%

Item 2: Optional: City Owned Vehicles & Heavy Eqmt.

9 %

10%

Item 3: Right-of-Way Furnishings Obtained during Road Projects

20 %

10%

Item 4: Optional: Police Forfeiture & Confiscated Items

20 %

10%

Commission % Auction House Site

Item 1: City Owned Property from City Facilities

Do not have, would consign to other location

25 %

30%

Item 2: Optional: City Owned Vehicles & Heavy Eqmt.

15 %

30%

Item 3: Right-of-Way Furnishings Obtained during Road Projects

25 %

30%

Item 4: Optional: Police Forfeiture & Confiscated Items

25 %

30%

OPTIONAL SERVICES: \$ per Hour

Inventory Personnel

\$ 20.00

\$35.00

OTHER SERVICES INCLUDING COST:

- 1.
- 2.
- 3.

BLANK

Appraisals

100.00/hr

BUYER'S PREMIUM:

Charges %

Does not Charge %

XX

Up to City to Decide

INSURANCE:

Can Meet

Cannot Meet

Cost of-- \$400.00

Can Meet

EXTENSION OF AWARD TO THE TRI-COUNTY PUBLIC PURCHASING COOPERATIVE: - OPTIONAL

AGREED:

NOT AGREED:

XX

XX

TERMS:

10 Business Days After Auction

Blank

PICKUP NOTICE FOR OFF-SITE AUCTION

20 Days

Blank

EXCEPTIONS:

BLANK

Attachment - add'l fees
 Newspaper Ads

Mailings: \$1/ea pc mailed

Transport: \$200 to \$1,500

depending on location

** DENOTES LOWEST ACCEPTABLE BIDDER

ATTEST:

Cheryl Morrell

Jeanette Bennett

Linda Bockstanz



Jeanette Bennett

Purchasing Director

MID-THUMB AUCTIONEERING SERVICES REFERENCES FOR AUCTION SERVICES

Troy School District
1140 Renkin
Troy, MI 48084
(248) 583-7286

St. Clair Co. Sheriff Dept
204 Bard Street
Port Huron, MI 48060
(810) 987-1732

Milnes Chev. Dealer
1900 So. Van Dyke
Imlay City, MI
(810) 724-0561

Mr. Frank Lams

Capt. Barry Brockdorff

Bruce Milner

Information

Has been doing Auctions
with Mid-Thumb for 4 years.

Information

Has been doing Auctions
with Mid-Thumb for 4 years

Information

Did only one Auction for
their Company – but was
very impressed on what
he sold for them.

Good Reference

Good Reference

Good working relationship
Sets up & has a good crew

Good working relationship
Well Staffed

Good Reference

On site auctions

On site auctions

Well Staffed

Computerized for better
tracking and settlement
is quicker.

Computerized for quicker
settlement

Did on site auction

Not a boring auctioneer

Sells everything – even junk items
Will combine with other items, if they
are the same type of items in the
auction.

Sold junk that he thought
would not sell.

Tries to sell all junk items,
furniture, & computers
“If you cannot nail it down
he can sell it.”

Does mailing to groups interested
in special items in your auction.

Flyers for this Auction
were well informed and
distributed to people
that buy these items.

Has a Pope Mobile for
outside selling.

Mailing Name	Address Line 1	Address Line 2	City City	ST	Postal Code
BEAVER AUCTION SERVICE	5581 24 MILE ROAD		SHELBY TWP	MI	48316-3203
C B KAYE & ASSOCIATES	18530 MACK AVENUE STE 237		GROSSE POINTE	MI	48236-3223
CAMPBELL'S CORNER	316 E 11 MILE ROAD		ROYAL OAK	MI	48068
CLAUD McMILLEN AUCTION COMPANY	777 W GOGUACK STREET STE C2		BATTLE CREEK	MI	49015
JOHN BELL AUCTIONEERS	336 W FIRST STREET	P O BOX 681	FLINT	MI	48501
LITTLEBITS AUCTIONS & LIQUIDATORS	18361 12 MILE RD		ROSEVILLE	MI	48066
ATTN MR TOMASCHKI	MID THUMB AUCTIONEERING SERVICE	7557 SOUTH BROCKWAY RD	YALE	MI	48097
MIEDEMA AUCTIONEERING INC	P O BOX 453		GRANDVILLE	MI	49418
PRO-TECH AUCTION INC	13000 HAGGERTY		BELLEVILLE	MI	48111
R J MONTGOMERY & ASSOCIATES INC	165 W LIBERTY		PLYMOUTH	MI	48170
ROLLO A JUCKETTE	16241 BREWER RD		DUNDEE	MI	48131
PETE RATU	STATE OF MICHIGAN	OFFICE OF SUPPORT SERVICES	LANSING	MI	48913
WILLIAMS & LIPTON COMPANY	101 SOUTHFIELD RD SUITE 302		BIRMINGHAM	MI	48009

COMMODITY CODE: 962-09
AUCTIONEERING SERVICES

December 3, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager
Douglas J. Smith, Real Estate & Development Director
Larysa Figol, Right of Way Representative

SUBJECT: Request for Acceptance of Permanent Water Main Easement for Storm Drain/Sewer – Sidwell # 88-20-14-278-017, The Archdiocese of Detroit/St. Anastasia Catholic Church

In connection with the installation of a water main project, the Real Estate and Development Department has acquired a permanent water main easement from the Archdiocese of Detroit, the owners of the property at 4571 John R Road, St. Anastasia Catholic Church. The consideration on the document is \$1.00.

In order to proceed with this project, we recommend that City Council accept the attached easement.

PERMANENT EASEMENT
St. Anastasia Catholic Church

Sidwell #88-20-14-278-017
Project#01.954.3
Resolution #

Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit, Grantor, whose address is 1234 Washington Boulevard, Detroit, MI 48226, for and in consideration of the sum of: One and no/100 Dollar (\$1.00) paid by the CITY OF TROY, a Michigan Municipal Corporation, Grantee, whose address is 500 West Big Beaver Road, Troy, Michigan, grants to the Grantee the right to construct, operate, maintain, repair and/or replace water main, said easement for land situated in the City of Troy, Oakland County, Michigan described as:

SEE EXHIBIT "A" ATTACHED HERETO & BY REFERENCE MADE A PART HEREOF

and to enter upon sufficient land adjacent to said improvement(s) for the purpose of the construction, operation, maintenance, repair and/or replacement thereof.

Grantee agrees to repair and/or restore any damage to the land or any improvements caused by Grantee or its employees or contractors.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors and assigns and the covenants contained herein shall run with the land.

IN WITNESS WHEREOF, the undersigned hereunto affixed his signature(s) this 25th day of November A.D. 2002.

By Adam J. Maida (L.S.)
* Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit

STATE OF MICHIGAN)
COUNTY OF Wayne)

The foregoing instrument was acknowledged before me this 25th day of November, 2002, by Adam J. Maida, Roman Catholic Archbishop of the Archdiocese of Detroit.

DEBBI L BROWN
Notary Public, Oakland County, MI
My Commission Expires Jul 31, 2004

Debbi L. Brown
Notary Public, Oakland County, Michigan
Acting in Wayne County, Michigan
My Commission Expires 7/31/04

Prepared by: Larysa Figol
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

Return to: City Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

PLEASE SIGN IN BLUE INK AND PRINT OR TYPE NAMES IN BLACK INK UNDER SIGNATURES

EXHIBIT "A"
20' WIDE WATERMAIN EASEMENTS

A 20 feet wide strip of land located in the East ½ of the Northeast ¼ of Section 14, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, whose centerline is more particularly described as starting at the East ¼ corner of said Section 14, thence North 03°02'20" East, 334.26 feet; thence North 86°39'34" West, 59.28 feet; thence North 03°02'20" East, 130.07 feet to the Point of Beginning; thence 86°39'00" West, 478.08 feet to the Point of Ending. Subject to any and all easement or restrictions of record.

A 20 feet wide strip of land located in the East ½ of the Northeast ¼ of Section 14, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, whose centerline is more particularly described as starting at the East ¼ corner of said Section 14, thence North 03°02'20" East, 334.26 feet; thence 86°39'34" West, 896.31 feet; thence North 03°02'26" East, 165.11 feet to the Point of Beginning; thence North 86°36'00" West, 21.45 feet to a point "A"; thence North 86°39'00" West, 68.26 feet, thence North 41°36'00" West, 16.97 feet; thence North 03°24'00" East, 15.00 feet to the Point of Ending.

Also Beginning at said Point "A", thence South 03°24'00" West, 34.51 feet to the Point of Ending.
Also Beginning at said Point "B", thence North 86°36'00" West, 33.00 feet to the Point of Ending.
Subject to any and all easement or restrictions of record.

December 9, 2002

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
 Gary A. Shripka, Assistant City Manager/Services
 Carol K. Anderson, Parks and Recreation Director

SUBJECT: Loan of Art Works to Hope College

RECOMMENDATION

Staff recommends City Council approval of a loan agreement with Hope College, Holland, MI to borrow several pieces of art donated by Kmart to the City of Troy. The three (3) sculptures and six (6) drawings, by artist Michael Ayrton will be displayed at the Hope College DePree Gallery from January 13, 2003 to February 7, 2003.

BACKGROUND

In 2000, the Kmart Corporation donated a large sculpture from the entrance of their Corporate Headquarters on Big Beaver Road to the City of Troy. The sculpture, created by Michael Ayrton and known as *Corporate Head/Reflective Head*, will eventually be located on the grounds of the Civic Center. Along with the main sculpture, the City received several small sculptures and drawings produced by the artist. These smaller pieces have been in storage at the Parks and Recreation Department since they were received from Kmart.

The City of Troy received a request from Jacob E Nyenhuis, Professor of Classics and Provost, Emeritus Director for the A. C. Van Raalte Institute at Hope College to borrow the three smaller sculptures and six drawings by Michael Ayrton to be included in an exhibition of the artist's works running from January 13, 2003 to February 7, 2003 in the DePree Gallery on the Hope College campus. The works requested for loan to Hop College are as follows:

1. Reflective Head II: bronze maquette for Kresge Sculpture, dated 1971
2. Reflex II: bronze and Perspex sculpture, dated 1969
3. Contained Heads: bronze sculpture with interior heads, dated 1970
4. Kresge Drawing: dated August 28, 1968
5. "Kresge Sculpture: Full Profile": drawing dated September 15, 1971
6. "Kresge Project Drawing I": drawing dated October 10, 1971
7. "Kresge Sculpture: Outside and Inside of Head": drawing dated October 10, 1971
8. "Kresge Sculpture: Oblique I": drawing dated October 27, 1971
9. "Kresge Sculpture: Main Oblique II": drawing dated October 28, 1971

Hope College has provided the necessary insurance requested by the City of Troy Risk Management Department and will arrange for secure transportation of the works to the DePree gallery and back to the City of Troy following the exhibit.

Prepared by: Jeffrey J Biegler

December 10, 2002

TO: The Honorable Mayor and City Council

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

SUBJECT: Request for Acceptance of Warranty Deeds and Easements
 Troy Pines Condominiums and Troy Pines #2 Condominiums -
 Troy Pines L.L.C., Premium Construction L.L.C., Kent and Pam
 Clark, and Pietro and Victoria Arena

In connection with the construction of the Troy Pines and Troy Pines #2 site condominium developments on the east side of John R Road, South of Long Lake road the Real Estate & Development Department has acquired the documents listed below. The consideration on each document is \$1.

<u>GRANTOR</u>	<u>TYPE OF DOCUMENT</u>
Troy Pines L.L.C.	Warranty Deed - Blue Spruce Drive, Scotch Drive, and Douglas Fir Drive
Troy Pines L.L.C.	Warranty Deed - John R Road
Troy Pines L.L.C.	Warranty Deed - Detention Area
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities and Sanitary Sewer
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities and Storm Sewer
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities
Premium Construction L.L.C.	Warranty Deed – Douglas Fir Drive and Mangla Court
Kent and Pam Clark	Warranty Deed – Douglas Fir Drive and Mangla Court
Pietro and Victoria Arena	Warranty Deed – Douglas Fir Drive and Mangla Court
Premium Construction L.L.C.	Warranty Deed – Pedestrian Access
Kent and Pam Clark	Permanent Easement–Pedestrian Access
Pietro and Victoria Arena	Permanent Easement– Pedestrian Access
Premium Construction L.L.C.	Warranty Deed – Storm Detention
Kent and Pam Clark	Permanent Easement – Storm Detention
Pietro and Victoria Arena	Permanent Easement – Storm Detention
Premium Construction L.L.C.	Permanent Easement – Public Utilities/ Sanitary Sewer
Kent and Pam Clark	Permanent Easement – Public Utilities/ Sanitary Sewer
Pietro and Victoria Arena	Permanent Easement – Public Utilities/ Sanitary Sewer

Premium Construction L.L.C.
Kent and Pam Clark
Pietro and Victoria Arena
Premium Construction L.L.C.
Kent and Pam Clark
Pietro and Victoria Arena

Permanent Easement – Storm Sewer
Permanent Easement – Storm Sewer
Permanent Easement – Storm Sewer
Permanent Easement – Public Utilities
Permanent Easement – Public Utilities
Permanent Easement – Public Utilities

The Engineering Department has required these Deeds and Easements for the development of these two Site Condominium Developments. City management recommends that City Council accept the attached deeds and easements.

cc: Steve Vandette, City Engineer
William Need, Public Works Director
Parcel File

Att.

**REQUEST FOR ACCEPTANCE OF DEEDS AND EASEMENTS FOR
TROY PINES AND TROY PINES #2 SITE CONDOMINIUM PROJECTS**

Resolution #2002-

RESOLVED, that the Warranty Deeds and Permanent Easements for the Troy Pines and Troy Pines #2 Site Condominium Developments listed below are hereby accepted.

<u>GRANTOR</u>	<u>TYPE OF DOCUMENT</u>
Troy Pines L.L.C.	Warranty Deed - Blue Spruce Drive, Scotch Drive, and Douglas Fir Drive
Troy Pines L.L.C.	Warranty Deed - John R Road
Troy Pines L.L.C.	Warranty Deed - Detention Area
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities and Sanitary Sewer
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities and Storm Sewer
Troy Pines L.L.C.	(3) Permanent Easements – Public Utilities
Premium Construction L.L.C.	Warranty Deed – Douglas Fir Drive and Mangla Court
Kent and Pam Clark	Warranty Deed – Douglas Fir Drive and Mangla Court
Pietro and Victoria Arena	Warranty Deed – Douglas Fir Drive and Mangla Court
Premium Construction L.L.C.	Warranty Deed – Pedestrian Access
Kent and Pam Clark	Permanent Easement–Pedestrian Access
Pietro and Victoria Arena	Permanent Easement–Pedestrian Access
Premium Construction L.L.C.	Warranty Deed – Storm Detention
Kent and Pam Clark	Permanent Easement – Storm Detention
Pietro and Victoria Arena	Permanent Easement – Storm Detention
Premium Construction L.L.C.	Permanent Easement – Public Utilities/ Sanitary Sewer
Kent and Pam Clark	Permanent Easement – Public Utilities/ Sanitary Sewer
Pietro and Victoria Arena	Permanent Easement – Public Utilities/ Sanitary Sewer
Premium Construction L.L.C.	Permanent Easement – Storm Sewer
Kent and Pam Clark	Permanent Easement – Storm Sewer
Pietro and Victoria Arena	Permanent Easement – Storm Sewer
Premium Construction L.L.C.	Permanent Easement – Public Utilities
Kent and Pam Clark	Permanent Easement – Public Utilities
Pietro and Victoria Arena	Permanent Easement – Public Utilities

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

TROY PINES II

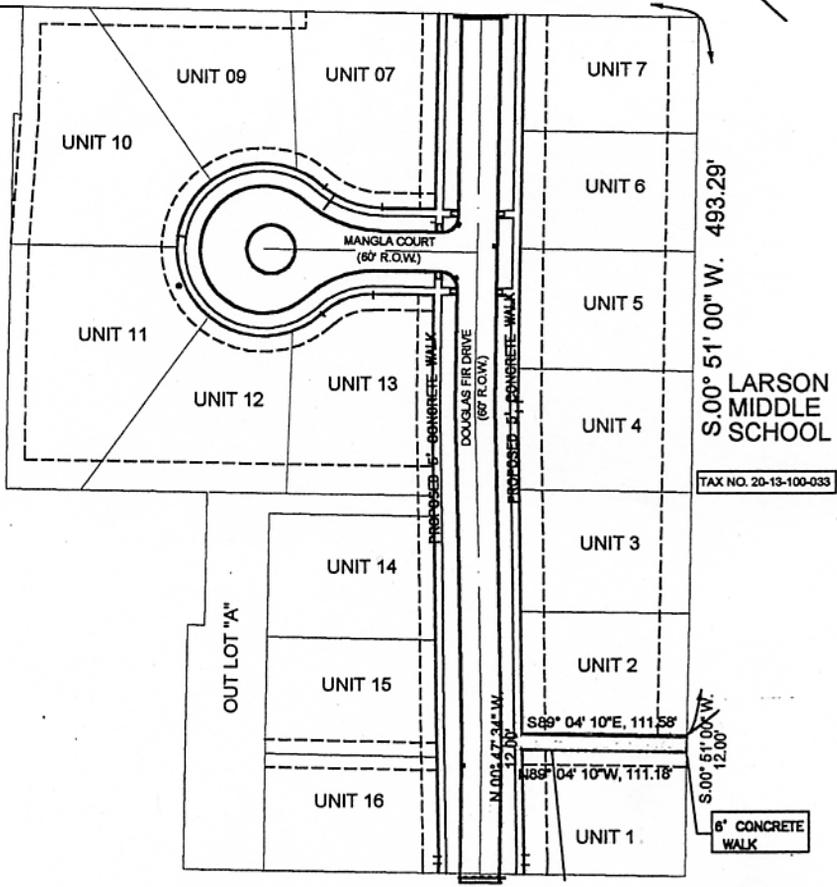
NORTHWEST CORNER
SECTION 13, T-2-N., R-11-E.,
TROY, MICHIGAN



S.1° 04' 30"W. 1445.78'
WESTLINE SECTION 13
JOHN R. ROAD
60' 1/2 R.O.W.



S.89° 04' 10"E. 665.68'

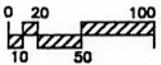


LARSON
MIDDLE
SCHOOL
TAX NO. 20-13-100-033

6' CONCRETE
WALK

"TROY PINES"
O.C.C.P.#1261

CD
Consolidated
Development
Corporation
CIVIL ENGINEERS



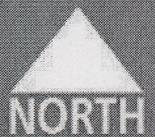
1050 Webster
Birmingham Mi 48009
Telephone:(248) 425-7787
Facsimile :(248) 706-1266



Geographical Information Systems



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



November 26, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager – Finance/Administration
Gary Shripka, Assistant City Manager – Services
Steve Vandette, City Engineer
Nino Licari, City Assessor

Re: Petition Analysis, Paving of Walnut Hill & Chestnut Hill SAD# 02.109.1

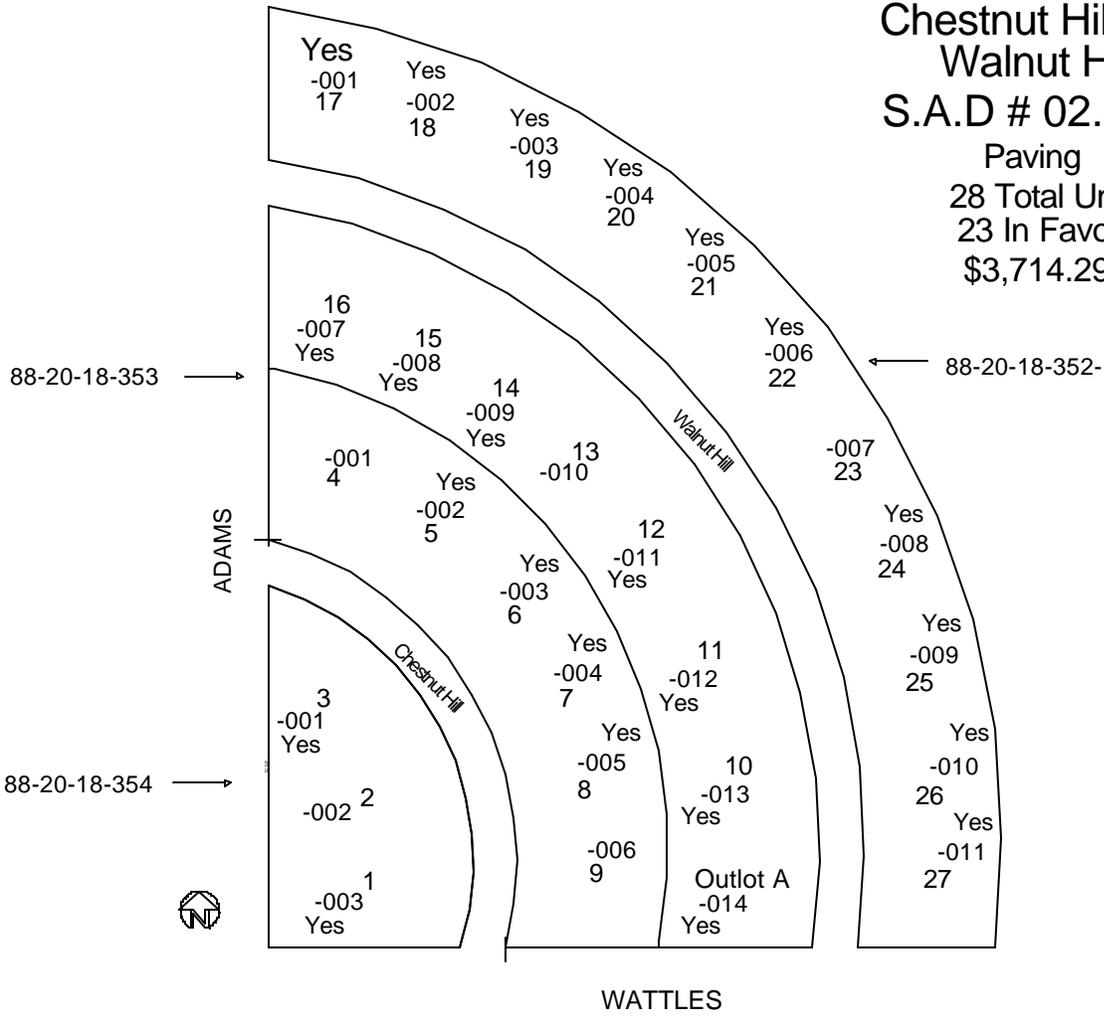
Attached is a petition from residents and property owners on Chestnut Hill and Walnut Hill, in Section 18, requesting asphalt paving of the streets, and the creation of a Special Assessment District to finance the project.

There are 28 assessable units in the project area. Twenty three of the affected unit owners have signed the petition in favor of the project. This equates to 82% of the owners being in favor of the paving.

It is recommended that City Council approve Standard Resolution #1 (preparation of plans and cost estimates for the project), Standard resolution #2 (approval of the cost estimates, and directing the Assessor to create the roll), and Standard Resolution #3 (setting a Public Hearing for the project) as submitted.

**Chestnut Hill &
Walnut Hill
S.A.D # 02.109.1**

Paving
28 Total Units
23 In Favor 82%
\$3,714.29 each



Walnut Hill & Chestnut Hill Paving Petition Analysis 11/26/02

Parcel ID	Address	Owner	Units	Owners	Owners Signed	Valid Vote	
88-20-18-352-001	4190	Walnut Hill	Marguerite Ayers	1	1	1	1
88-20-18-352-002	4174	Walnut Hill	Raymond & Jennifer Schwarb	1	2	2	1
88-20-18-352-003	4158	Walnut Hill	Clark & Mary Pardee	1	2	2	1
88-20-18-352-004	4140	Walnut Hill	Paul & Michelle Miller	1	2	2	1
88-20-18-352-005	4120	Walnut Hill	Sue Belknap	1	1	1	1
88-20-18-352-006	4100	Walnut Hill	Elizabeth & George Sold	1	2	2	1
88-20-18-352-007	4090	Walnut Hill	Anthony & Kathy Valente	1	2	0	0
88-20-18-352-008	4080	Walnut Hill	Albert Poole	1	1	1	1
88-20-18-352-009	4054	Walnut Hill	Pamela Banduric	1	1	1	1
88-20-18-352-010	4030	Walnut Hill	Anthony & Mary Gholz, Jr	1	2	2	1
88-20-18-352-011	4010	Walnut Hill	Richard & Gertrude Thomas	1	2	2	1
88-20-18-353-001	4110	Chestnut Hill	Oliver & Claire Kiamtia	1	2	0	0
88-20-18-353-002	4096	Chestnut Hill	Jerry Rodgers	1	1	1	1
88-20-18-353-003	4076	Chestnut Hill	Muhammad Zakir	1	1	1	1
88-20-18-353-004	4056	Chestnut Hill	Peter & Lisa Malota	1	2	2	1
88-20-18-353-005	4036	Chestnut Hill	Leland & Bernice Morgan	1	2	2	1
88-20-18-353-006	4016	Chestnut Hill	David Salkowski	1	1	0	0
88-20-18-353-007	4185	Walnut Hill	Mark Weber	1	1	1	1
88-20-18-353-008	4159	Walnut Hill	Craig & Susan Hurley	1	2	2	1
88-20-18-353-009	4135	Walnut Hill	Robert & Vera Dixon	1	2	2	1
88-20-18-353-010	4111	Walnut Hill	Jason & Lisa Wanecek	1	2	0	0
88-20-18-353-011	4095	Walnut Hill	Janina & Dale Markowski	1	2	2	1
88-20-18-353-012	4085	Walnut Hill	Geraldine Bakka & Glenn Hoagg	1	2	2	1
88-20-18-353-013	4053	Walnut Hill	Myung Hwang	1	1	1	1
88-20-18-353-014	4021	Walnut Hill	James & Margaret Oliver	1	2	2	1
88-20-18-354-001	4075	Chestnut Hill	Gary & Lee O'Hare Blaser	1	2	2	1
88-20-18-354-002	4045	Chestnut Hill	William & Sharon Gall	1	2	0	0
88-20-18-354-003	4015	Chestnut Hill	Shari Gordon	1	1	1	1

23 of 28 units in favor of the paving project = 82%
--

FEASIBILITY REPORT
Proposed Special Assessment

CITY ENGINEER'S REPORT TO CITY MANAGER AND CITY ASSESSOR

Project Number	<u>02.109.1</u>
Project Title	<u>Walnut Hill & Chestnut Hill Paving</u>
Project Location	<u>Section 18</u>
Description of Proposed Improvements:	<u>2,200 lf, 24' wide, bituminous surfacing</u>
Preliminary Cost Estimate:	<u>\$454,000.00</u>
Proposed Portion of Cost to be Special Assessed:	<u>\$104,000.00</u>
Proposed Scheduling of Project:	<u>Summer 2003</u>
Plan and Cost Estimate could be completed in:	<u>120 days</u>
Is this project feasible?	<u>Yes</u>
	<u>11/26/02</u>
_____ Steven Vandette, City Engineer	<u>Date</u>

CITY ASSESSOR'S REPORT TO THE CITY MANAGER

Amount to be Special Assessed:	<u>\$104,000.00</u>
Amount to be General Assessed:	<u>\$350,000.00</u>
Total Cost:	<u>\$454,000.00</u>

	<u>BENEFIT METHOD</u>	<u>BENEFIT RATE</u>
Frontage @ 12' width	<u>3,910.32</u>	<u>\$26.5963</u>
Area	<u>N/A</u>	<u>N/A</u>
Unit 28	<u>28.00</u>	<u>\$3,714.29</u>

Owners Signed	<u>35 of 46</u>	Percent of Total	<u>76.00%</u>
Frontage Signed	<u>3,206.46</u>	Percent of Total	<u>82.00%</u>
Occupied Units Signed	<u>23</u>	Percent of Total	<u>82.00%</u>

Is this Project feasible? Yes

Nino Licari, City Assessor 11/26/02
Date

Preliminary Cost Estimate

Oct. 24, 2002

Project Location: Walnut Hill & Chestnut Hill S.A.D. Paving

Project No.: 02.109.1

Proposed Improvement: 2200 lf, 24' Bituminous Asphalt Pavement with Underdrain,
Adams to Wattles

Item	Quantity		Description	Unit Cost	Total Cost
			SAD Share - Asphalt Section (2,000')		
1.	1000	Tons	Bit. Mix No. 500, 20C - 3"	45.00	45,000.00
2.	500	Tons	Bit. Mix No. 1100T, 20AA - 1 1/2"	50.00	25,000.00
3.	80	Tons	Bit. Mix No. 1100T, 36B - 4" Driveway	100.00	8,000.00
4.	350	Tons	21AA Aggregate for Shoulders	15.00	5,250.00
			Sub-Total		83,250.00
			Engineering, Admin. And Contingencies, 25%		20,750.00
			Total Special Assessment Share - Asphalt		104,000.00
			City Share		
5.	200	SY	Remove Pavement	10.00	2,000.00
6.	30	Each	Remove Culvert	150.00	4,500.00
7.	350	CY	Earth Excavation	10.00	3,500.00
8.	40	CY	Subgrade Undercut	30.00	1,200.00
9.	5900	SY	Grading	3.00	17,700.00
10.	195	Tons	Aggregate Base, 21AA	18.00	3,510.00
11.	150	CY	Subbase	15.00	2,250.00
12.	200	LF	18" Storm Sewer	50.00	10,000.00
13.	400	LF	15" Storm Sewer	40.00	16,000.00
14.	1,000	LF	12" Storm Sewer	35.00	35,000.00
15.	10	Each	4' Dia. Manhole	1,700.00	17,000.00
16.	4,400	LF	8" Edge Drain	25.00	110,000.00
17.	40	Each	Drainage Structure	750.00	30,000.00
18.	28	Each	Relocate Mailbox Post	100.00	2,800.00
19.	5	Each	Reconstruct/Adjust Structure	500.00	2,500.00
20.	4,400	LF	Ditching	5.00	22,000.00
21.	4,600	SY	Turf Restoration		Incidental
			Sub-Total		279,960.00
			Engineering, Admin. And Contingencies, 25%		70,040.00
			Total City Share		350,000.00
			TOTAL PROJECT COST		454,000.00

Prepared by: Gary Streight

\\G\Projects\Projects - 2002\02.109.1 - Walnut & Chestnut Road SAD\Preliminary Cost Estimate for Walnut & Chestnut Hill.xls

(4110 Chestnut Hill)

88-20-18-353-001
KIAMTIA, OLIVER & CLAIRE
320 E MAPLE #253
BIRMINGHAM MI 48009
1 unit - \$3,714.29

88-20-18-353-002
RODGERS, JERRY L
4096 CHESTNUT HILL
TROY MI 48098-4206
1 unit - \$3,714.29

88-20-18-353-003
ZAKIR, MUHAMMAD AMIR
4076 CHESTNUT HILL
TROY MI 48098-4206
1 unit - \$3,714.29

88-20-18-353-004
MALOTA, PETER & LISA
4056 CHESTNUT HILL
TROY MI 48098-4206
1 unit - \$3,714.29

88-20-18-353-005
MORGAN TRUST, LELAND & BERNICE
4036 CHESTNUT HILL
TROY MI 48098-4206
1 unit - \$3,714.29

88-20-18-353-006
SALKOWSKI, DAVID M
4016 CHESTNUT HILL
TROY MI 48098-4206
1 unit - \$3,714.29

88-20-18-354-001
BLASER, GARY & LEE O'HARE
4075 CHESTNUT HILL
TROY MI 48098-4205
1 unit - \$3,714.29

88-20-18-354-002
BACHAN, MICHAEL & ROSE
4045 CHESTNUT HILL
TROY MI 48098-4205
1 unit - \$3,714.29

88-20-18-354-003
GORDON TRUST, SHARI
4015 CHESTNUT HILL
TROY MI 48098-4205
1 unit - \$3,714.29

88-20-18-352-001
AYERS, MARGUERITE
4190 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-002
SCHWARB, RAYMOND E
4174 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-003
PARDEE, CLARK E & MARY G
4158 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-004
MILLER, PAUL & MICHELLE
4140 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-005
BELKNAP, SUE A
4120 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-006
SOLD, ELIZABETH & GEORGE
4100 WALNUT HILL
TROY MI 48098-5906
1 unit - \$3,714.29

88-20-18-352-007
VALENTE, ANTHONY & KATHRYN
4090 WALNUT HILL
TROY MI 48098-4221
1 unit - \$3,714.29

88-20-18-352-008
POOLE, ALBERT & SANDRA
4080 WALNUT HILL
TROY MI 48098-4221
1 unit - \$3,714.29

88-20-18-352-009
BANDURIC, PAMELA T
4054 WALNUT HILL
TROY MI 48098-4221
1 unit - \$3,714.29

88-20-18-352-010
GHOLZ JR, ANTHONY & MARY
4030 WALNUT HILL
TROY MI 48098-4221
1 unit - \$3,714.29

88-20-18-352-011
THOMAS TRUST, RICHARD & GERTRUDE
4010 WALNUT HILL
TROY MI 48098-4221
1 unit - \$3,714.29

88-20-18-353-007
WEBER, MARK E
4185 WALNUT HILL
TROY MI 48098-5907
1 unit - \$3,714.29

88-20-18-353-008
HURLEY, CRAIG & SUSAN
4159 WALNUT HILL
TROY MI 48098-5907
1 unit - \$3,714.29

88-20-18-353-009
DIXON, ROBERT W & VERA R
4135 WALNUT HILL
TROY MI 48098-5907
1 unit - \$3,714.29

88-20-18-353-010
WANECEK, JASON K & LISA
4111 WALNUT HILL
TROY MI 48098-5907
1 unit - \$3,714.29

88-20-18-353-011
MARKOWSKI, JANINA & DALE
4095 WALNUT HILL
TROY MI 48098-4220
1 unit - \$3,714.29

88-20-18-353-012
BAKKA, GERALDINE B, HOAGG GLENN
4085 WALNUT HILL
TROY MI 48098-4220
1 unit - \$3,714.29

88-20-18-353-013
HWANG, MYUNG S
4055 WALNUT HILL
TROY MI 48098-4220
1 unit - \$3,714.29

88-20-18-353-014
OLIVER, JAMES & MARGARET
4021 WALNUT HILL
TROY MI 48098-4220
1 unit - \$3,714.29

Project Name **Walnut Hill & Chestnut Hill**

Project # **02.109.1**

**Amortization Table
10 Year**

Interest Rate **0.06**

Assessment \$3,714.29

Year	Principal	Interest	Payment	Balance
1	\$ 371.43		\$ 371.43	\$ 3,342.86
2	\$ 371.43	\$ 200.57	\$ 572.00	\$ 2,971.43
3	\$ 371.43	\$ 178.29	\$ 549.71	\$ 2,600.00
4	\$ 371.43	\$ 156.00	\$ 527.43	\$ 2,228.57
5	\$ 371.43	\$ 133.71	\$ 505.14	\$ 1,857.15
6	\$ 371.43	\$ 111.43	\$ 482.86	\$ 1,485.72
7	\$ 371.43	\$ 89.14	\$ 460.57	\$ 1,114.29
8	\$ 371.43	\$ 66.86	\$ 438.29	\$ 742.86
9	\$ 371.43	\$ 44.57	\$ 416.00	\$ 371.43
10	\$ 371.43		\$ 371.43	\$ (0.00)
TOTAL	\$ 3,714.29	\$ 980.57	\$ 4,694.86	

Rec'd 11/25/02

Engineering

**REQUEST FOR PUBLIC IMPROVEMENTS
(TO BE USED ONLY FOR SPECIAL ASSESSMENT IMPROVEMENTS)**

To the Honorable,
The Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

BITUMINOUS PAVING OF WALNUT HILL + ~~WALNUT HILL~~

CONTINGENT ON FUNDS BEING AVAILABLE FOR COMMUNITY DEVELOPMENT BLOCK GRANT
QUALIFIED HOUSEHOLDS

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made.

	NAME	ADDRESS	DATE	SUBDIVISION	LOT #	TELEPHONE #
✓ X	Robert H. Foote	4080 Walnut Hill	11-6-02	Pine Hill	24	248-773-9358
✓	Robert W. Dupre	4135 WALNUT Hill	11-9-02	" "	14	248-644-5452
✓	Vera R. Dupre	4135 Walnut Hill	11-9-02	" "	14	248-644-5452
✓	Craig C. Hardy	4159 Walnut Hill	11-9-02	" "	15	248-988-9934
✓	Susan Eximly	4159 WALNUT Hill	11-9-02	" "	15	248-988-9934
✓	Raymond E. Schell	4174 Walnut Hill	11-9-02	" "	18	248-645-9969
✓	Jamie Kay Schumb	4174 Walnut Hill	11-9-02	18-552-002 ..	18	248-645-9969
✓	PEG MARGUERITE A AYERS	4190 WALNUT HILL		TROY 11		248-647-3762
✓	Clerk E. Farnley	4158 Walnut Hill	11/9/02	" "	19	248-646-3093
✓	Mary G. Pardee	4158 Walnut Hill	11/9/02	" "	19	248-646-3093
✓	Paul Miller	4140 WALNUT Hill	11/9/02	" "	20	248-203-1810
✓	Michelle Deen	4140 Walnut Hill	11/9/02	" "	20	248-205-1910
✓	Gerard Solal	4100 Walnut Hill	11/9/02	" "	22	248-646-1794

In case of joint ownership, husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

State of Michigan
County of Oakland

I, ROBERT W. DIXON, being duly sworn, say that I reside at address
4135 WALNUT HILL; that I know of my own personal knowledge that each
of the persons purporting to sign the foregoing request did sign the same and that all of said signers
are property owners of the City of Troy.

Signed,

Robert W. Dixon

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 25th
day of November, 2002.

Signed,

Maryann Hays

My commission expires: _____
MARYANN HAYS
Notary Public, Oakland County, MI
My Commission Expires March 16, 2005

**REQUEST FOR PUBLIC IMPROVEMENTS
(TO BE USED ONLY FOR SPECIAL ASSESSMENT IMPROVEMENTS)**

To the Honorable,
The Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

BITUMINUS PAVING OF WALNUT HILL

CONTINGENT ON FUNDS BEING AVAILABLE FOR COMMUNITY DEVELOPMENT BLOCK GRANT
QUALIFIED HOUSEHOLDS

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made.

NAME	ADDRESS	DATE	SUBDIVISION	LOT #	TELEPHONE #
✓ G. J. Smith	4160 WALNUT HILL	11-9-02	PINE HILL	22	(248) 593
✓ Annika J. Baker	4054 Walnut Hill	11/9/02	" "	25	8431
✓ R. J. Thomas Jr	4010 WALNUT HILL	11/9/02	" "	27	248 646-2305
✓ G. L. Thomas	4010 WALNUT HILL	11/9/02	" "	27	248 646-2305
✓ DALE D. MARKOWSKI	4095 WALNUT HILL	9 NOV 2002	" "	12	248 203-9320
✓ J. A. Oliver	4021 WALNUT HILL	11/10/02	" "	9	248 642-9448
✓ M. A. Oliver	4021 WALNUT HILL	11/10/02	" "	9	248 642-9448
✓ Mary Grob	4030 WALNUT HILL	11/17/02	" "	26	248 647-3369
✓ Mary Grob	4030 Walnut Hill	11/18/02	" "	26	248 447-3369
✓ Geri Bakka	4085 Walnut Hill	11-17-02	" "	11	248-594-1680
✓ Eric Beckman	4120 Walnut Hill	11-17-02	" "	21	248-586-1304
✓ Ed Hoeg	4085 WALNUT HILL	11-17-02	" "	11	248-594-1680
✓ Paul E. Welch	4185 Walnut Hill	11-18-02	" "	16	248-258-2782

In case of joint ownership, husband and wife and/or other joint owner must sign. Affidavit on reverse side of form must be filled out.

State of Michigan
County of Oakland

I, ROBERT W. DIXON, being duly sworn, say that I reside at address 4135 WALNUT HILL; that I know of my own personal knowledge that each of the persons purporting to sign the foregoing request did sign the same and that all of said signers are property owners of the City of Troy.

Signed,

Robert W. Dixon

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 25th day of November, 2002.

Signed,

Maryann Hays

MARYANN HAYS
Notary Public, Oakland County, MI
My Commission Expires March 16, 2005

My commission expires: _____

State of Michigan
County of Oakland

I, ROBERT W. DIXON, being duly sworn, say that I reside at address
17135 WALNUT HILL; that I know of my own personal knowledge that each
of the persons purporting to sign the foregoing request did sign the same and that all of said signers
are property owners of the City of Troy.

Signed,

Robert W. Dixon

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 25th
day of November, 2002.

Signed,

Maryann Hays

MARYANN HAYS
Notary Public, Oakland County, MI
My Commission Expires March 16, 2005

My commission expires: _____

**REQUEST FOR PUBLIC IMPROVEMENTS
(TO BE USED ONLY FOR SPECIAL ASSESSMENT IMPROVEMENTS)**

To the Honorable,
The Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

BITUMINOUS PAVING OF ~~CHESTNUT HILL~~ + CHESTNUT HILL

CONTINGENT ON FUNDS BEING AVAILABLE FOR COMMUNITY DEVELOPMENT BLOCK GRANT QUALIFIED HOUSEHOLDS

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made.

NAME	ADDRESS	DATE	SUBDIVISION	LOT #	TELEPHONE #
✓ (GARY BLASER)	4075 CHESTNUT HILL	NOV 6	Pine Hill	3	248-546-7585
Lee Blaser	4075 Chestnut Hill	NOV 9	Pine Hill	3	248-540-7585
✓ (Leland E. Wagoner)	4036 Chestnut Hill Dr.	11/9/02	Pine Hill	8	248-646-3211
Bernice V. Wagoner	4036 Chestnut Hill	11-9-02	Pine Hill	8	248-646-3211
✓ SHARI GORDON	4015 CHESTNUT HILL	11-10-02	PINE HILL	1	248-646-951
✓ (PETER MALOTA)	4056 CHESTNUT HILL	NOV 19	PINE HILL	7	248 594 309
LISA MALOTA	4056 CHESTNUT HILL	NOV 19	PINE HILL	7	248 594 309
✓ JERRY L. ROGERS	4075 Chestnut Hill	Nov 22	Pine Hill	5	248-723-292
✓ Amit Zaker	4076 Chestnut	Nov 22	Pine Hill	6	248-723-248

In case of joint ownership, husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

State of Michigan
County of Oakland

I, Leland E. Morgan, being duly sworn, say that I reside at address 4036 Chestnut Hill Dr.; that I know of my own personal knowledge that each of the persons purporting to sign the foregoing request did sign the same and that all of said signers are property owners of the City of Troy.

Signed,

Leland E. Morgan

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 25th day of November, 2002.

Signed,

Maryann Hays

MARYANN HAYS
Notary Public, Oakland County, MI
My Commission Expires March 16, 2005

My commission expires: _____

December 4, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/ Finance and Administration
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Peggy E. Clifton, Human Resources Director

SUBJECT: Rejection of Proposals for RFP 02-46 – Job Study

RECOMMENDATION

Eight proposals were received for a job classification and compensation study on September 26, 2002. This project was for the purpose of evaluating the classification and compensation system for Classified and Exempt employees. It is requested that all proposals be rejected, and the project be re-opened at a later date for implementation during the next fiscal year.

BACKGROUND

In May 2002, it was determined that proposals would be requested for a new comprehensive classification and compensation plan. This project was initiated following receipt from the HayGroup of costs to continue the Hay system another year. However, plans were already in place for the 2002-03 budget, therefore, no additional funds could be budgeted for this process.

The costs proposed in the RFPs are considerably higher than anticipated, and cannot be met with the current budget. Funding issues are further strained with the revenue projections for the next fiscal year. Therefore, it is recommended that the proposals be rejected at this time. Assuming funds can be budgeted for the next fiscal year, the RFP process will be resumed early in 2003.

19 Proposals sent
8 Proposals received
1 Late Proposal

Opening Date -- 9/26/02
 Date Prepared -- 10/30/02

CITY OF TROY
 TABULATION
 COMPREHENSIVE JOB CLASSIFICATION & STUDY

VENDOR NAME:	MAXIMUS	CONDREY & ASSOC	ERNEST & YOUNG LLP
--------------	---------	-----------------	--------------------

Proposal: Develop a comprehensive job classification & compensation study and all related work as specified in the proposal scope of work.

Vendor Questionnaire: Returned	XX	XX	XX
Not returned			
Years in Business:	26	BLANK	93
STUDY: COMPLETE FOR THE SUM OF:	\$ 35,000.00	\$ 44,500.00	53,500 - 58,400
MANDATORY SUBMITTAL: PRICING FOR BENEFIT SUMMARY		PLUS \$95 PER NEW JOB DESCRIPTION	
COMPLETE FOR THE SUM OF:	\$ 8,620.00	INCLUDED IN ABOVE	15,000 - 20,000
ESTIMATED TOTAL PROJECT COST:	\$ 43,620.00	\$ 44,500.00	68,500 - 78,400
SCHEDULE OF PROJECT COSTS: MARKED AS	SCHEDULE OF PROJECT COSTS	BLANK	SEE PAGE 26 OF PROPOSAL
INSURANCE: Can Meet	XX	XX	XX
Cannot Meet			
Alternate Insurance LETTER	NO	NO	NO
PAYMENT SCHEDULE: YES OR NO	YES	YES, 12/1/02 and 3/1/03 1/2 EACH TIME	NO - MONTHLY
EXCEPTIONS:	NONE	NONE	BLANK

RECOMMEND REJECTION OF PROPOSALS

ATTEST:

Laura Fitzpatrick

MaryAnn Hays

Linda Bockstanz

 Jeanette Bennett
 Purchasing Director

Opening Date -- 9/26/02
 Date Prepared -- 10/30/02

CITY OF TROY
 TABULATION
 COMPREHENSIVE JOB CLASSIFICATION & STUDY

VENDOR NAME:

PLANTE & MORAN LLP	CPS HUMAN RESOURCE	RSM MCGLADREY INC
	SERVICES	

Proposal: Develop a comprehensive job classification & compensation study and all related work as specified in the proposal scope of work.

Vendor Questionnaire: Returned	XX	XX	XX
Not returned			
Years in Business:	BLANK	67	88
STUDY: COMPLETE FOR THE SUM OF:	\$ 65,000.00	\$ 66,500.00	\$ 88,600.00
MANDATORY SUBMITTAL: PRICING FOR BENEFIT SUMMARY			
COMPLETE FOR THE SUM OF:	\$ 3,000.00	\$ 7,000.00	\$ 4,000.00
ESTIMATED TOTAL PROJECT COST:	\$ 68,000.00	\$ 73,500.00	\$ 92,600.00
SCHEDULE OF PROJECT COSTS: MARKED AS	PROJECT COST	SCHEDULE OF PROJECT COSTS	"ADDITIONAL"
INSURANCE: Can Meet	XX	XX	XX
Cannot Meet			
Alternate Insurance LETTER	NO	YES, BUT NOT CORRECT VERBIAGE	NO
PAYMENT SCHEDULE: YES OR NO	YES - MONTHLY	YES - NET 30	YES, MONTHLY - NET 30 DAYS
EXCEPTIONS:	BLANK	BLANK	NONE

RECOMMEND REJECTION OF PROPOSALS

Opening Date -- 9/26/02
 Date Prepared -- 10/30/02

CITY OF TROY
 TABULATION
 COMPREHENSIVE JOB CLASSIFICATION & STUDY

VENDOR NAME:

THE SEGAL CO	DELOITTE & TOUCHE	
--------------	-------------------	--

Proposal: Develop a comprehensive job classification & compensation study and all related work as specified in the proposal scope of work.

Vendor Questionnaire: Returned	XX	XX	
Not returned			
Years in Business:	N/A	107	
STUDY: COMPLETE FOR THE SUM OF:	\$ 118,000.00	\$ 141,669.00	
MANDATORY SUBMITTAL: PRICING FOR BENEFIT SUMMARY			
COMPLETE FOR THE SUM OF:	\$ 27,000.00	\$ 20,000.00	
ESTIMATED TOTAL PROJECT COST:	\$ 145,000.00	\$ 161,669.00	
SCHEDULE OF PROJECT COSTS: MARKED AS	APPENDIX "G"	SECTION FIVE	
INSURANCE: Can Meet	XX	XX	
Cannot Meet			
Alternate Insurance LETTER	YES, BUT NOT FROM PROVIDER	NO	
PAYMENT SCHEDULE: YES OR NO	YES - MONTHLY	YES, \$15,000 TO START REMAINDER BI-WEEKLY	
EXCEPTIONS:	BLANK	LISTED IN BID	

RECOMMEND REJECTION OF PROPOSALS

CHARLES BLOCKETT JR & ASSOCIATES
3537 WAVERLY HILLS
LANSING MI 48917

COMMONWEALTH PERSONNEL MGT SERVICES
1280 KENT
WHEATON IL 60187

CONDREY AND ASSOCIATES INC
110 SHARON CIRCLE
ATHENS GA 30606

DELOITTE & TOUCHE LLP
600 RENAISSANCE CENTER STE 900
DETROIT MI 48243

DMG-MAXIMUS
MAC BUILDING
935 N WASHINGTON
LANSING MI 48906

ERNST & YOUNG LLP
1401 MCKINNEY
SUITE 1200
HOUSTON TX 77010-2007

FOX LAWSON & ASSOCIATES LLC
1335 COUNTY RD D EAST
ST PAUL MN 55109

MANAGEMENT ADVISOR GROUP
3305 CAPITAL CIRCLE NE
SUITE 203
TALLAHASSEE FL 32308

MANAGEMENT DYNAMICS INC
1155 SO. CAMINO REAL
PALM SPRINGS CA 92264

MICHIGAN MUNICIPAL LEAGUE
P O BOX 1487
ANN ARBOR MI 48106

O WILLIAM RYE & COMPANY
2145 UNIVERSITY PARK DR SUITE 372
OKEMOS MI 48864-3986

ORGANIZATION DIAGNOSTICS INC
P O BOX 40449
LAFAYETTE LA 70504

PLANTE & MORAN LLP
27400 NORTHWESTERN HIGHWAY
P O BOX 307
SOUTHFIELD MI 48037-0307

RSM MCGLADREY INC
221 FIRST AVENUE WEST
SUITE 310
SEATTLE WA 98119

THE REHMAN GROUP
5750 NEW KING STREET SUITE 100
TROY MI 48098

THE SEGAL COMPANY
1920 N STREET NW
SUITE 400
WASHINGTON DC 20036

WATSON WYATT DATA SERVICES
218 ROUTE 17 NORTH
ROCHELLE PARK NJ 07662

December 3, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven J. Vandette, City Engineer *SV*

SUBJECT: Approval of Contract with MDOT for Right-of-Way Acquisition for the Reconstruction and Widening of Big Beaver Road, from Rochester Road to Dequindre Road
Project No. 01.105.5

RECOMMENDATION

Staff recommends that City Council approve the attached contract with the Michigan Department of Transportation for right-of-way acquisition for the reconstruction and widening of Big Beaver Road, from Rochester Road to Dequindre Road. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreement. The agreement as submitted is based on estimated costs, as is standard with all MDOT agreements, since these agreements are prepared when funding for the project is obligated and long before actual cost are known. The City's reimbursements from MDOT, under the agreement, will be based on the actual cost incurred.

SUMMARY

The Engineering Department will complete the preliminary engineering for this project with our staff engineers. The scope of the project is to provide the design to allow for three (3) lanes of concrete pavement in each direction on Big Beaver, between Rochester and Dequindre. This will be accomplished by filling in those areas between existing acceleration/deceleration lanes. In addition to the widening, the project will also incorporate the removal and replacement of deteriorated road slabs, drive approaches and a widening of eastbound Big Beaver for a dedicated right turn lane at Dequindre.

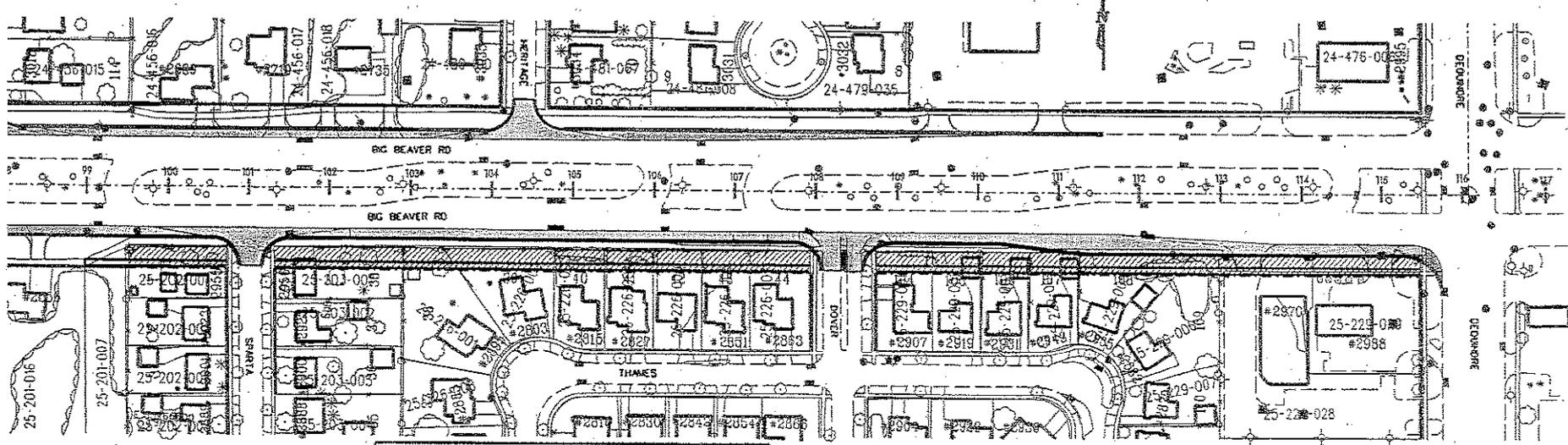
ADDITIONAL INFORMATION

Once preliminary design has been completed, Staff will invite all residents and business owners affected by the project to an informational meeting to discuss the project. In addition, staff will hold individual meetings with the property owners directly affected by the widening on the south side of Big Beaver at Dequindre Road to discuss the impacts of the project on their property and the potential for relocation due to the project. Attached is a preliminary plan of the area showing the proposed improvements and the properties directly affected.

FUNDING

The estimated cost for the right-of-way phase is \$4,200,000. Of this amount, \$3,360,000 in Transportation Economic Development funds are available. The local share of the project, to be paid for by the City, is estimated to be \$840,000. Funds for the City of Troy's share are included in the 2002-03 Major Road Capital budget, account number 401479.7989.011055.

BIG BEAVER, ROCHESTER to DEQUINDRE



LEGEND

	PROPOSED CONC. PAVEMENT		PROPOSED ROW
	PROPOSED CONC. SIDEWALK		



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JOHN ENGLER
GOVERNOR

GREGORY J. ROSINE
DIRECTOR

November 6, 2002

Ms. Vivian Spann, Clerk
City of Pontiac
47450 Woodward
Pontiac, MI 48342-5021

Dear Ms. Spann:

RE: MDOT Contract No.: 02-5394
Control Section: EDCF 63544
Job Number: 59072

RECEIVED
NOV 14 PM 5:17
MURRAY D. VAN WAGONER BUILDING
ENGINEERING DIVISION

Enclosed is the original and one copy of the above described contract between your organization and the Michigan Department of Transportation (MDOT). Please take time to read and understand this contract. If this contract meets with your approval, please complete the following checklist:

- ___ **Please do not date the contracts.** MDOT will date the contracts when they are executed. A contract is not executed unless it has been signed by both parties.
- ___ **Secure the necessary signatures on all contracts.**
- ___ **Include a certified resolution.** The resolution should specifically name the officials who are authorized to sign the contracts.
- ___ **Return all copies of the contracts to my attention of the Department's Design Division, 2nd floor for MDOT execution.**

A copy of the executed contract will be forwarded to you. If you have any questions, please feel free to contact me at (517) 335-2264.

Sincerely,

Jackie Burch
Contract Processing Specialist
Design Division

Enclosure

TED (C)
FED
RIGHT-OF-WAY

CAB
Project MG 0263 (064)
Job Number 59072
Control Section EDCF 63544
Federal Item RR 3308
Contract # 02-5394

RECEIVED
CITY OF TROY
02 NOV 14 1986

PART I

THIS CONTRACT, consisting of PART I and PART II (Modified Standard Agreement Provisions), is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF TROY, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the acquisition by the REQUESTING PARTY of the right-of-way necessary for the following improvements in the City of Troy, Michigan, which right-of-way acquisition is hereinafter referred to as the "PROJECT":

Acquisition of right-of-way for the widening to a six-lane boulevard of Big Beaver Road from Rochester Road to Dequindre Road; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal and State law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the PROJECT has been approved for financing in part with funds appropriated to the Transportation Economic Development Fund, hereinafter referred to as "TED FUNDS", pursuant to PA 234 of the Public Acts of 1987, MCL 247.660; and

WHEREAS, it was determined that the PROJECT as described by this contract qualifies for funding pursuant to PA 231, Section 11(3)(c); Public Act of 1987 and categorized as:

C FUNDED PROJECT

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s):

MINIMUM GUARANTEE FUNDS

WHEREAS, the Minimum Guarantee Funds will be used as TED FUNDS Category C; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as all the costs necessary for the performance of the PROJECT work including engineering, appraisals, acquisition, legal, financing, the costs of technical guidance, monitoring, training and any other costs as may be incurred by the DEPARTMENT as a result of this contract.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to administer on behalf of the REQUESTING PARTY all phases of the PROJECT. The DEPARTMENT, at PROJECT COST, will provide technical guidance to the REQUESTING PARTY, will monitor the performance of the PROJECT work to assure conformance with Federal and state requirements, and will provide such training to the REQUESTING PARTY as is necessary for the performance of the PROJECT work.

Any items of the PROJECT COST incurred by the DEPARTMENT may be charged to the PROJECT.

4. The REQUESTING PARTY will perform or cause to be performed all the PROJECT work. The method of performing the work will be indicated on the work authorization.

5. The PROJECT COST shall be met in part by contributions by the Federal Government and/or TED FUNDS. Federal Minimum Guarantee Funds being used as TED FUNDS Category C shall be applied to the eligible items of the PROJECT COST at a participation ratio equal to 80 percent. The balance of the PROJECT COST, after deduction of Federal Funds and/or TED FUNDS, shall be paid by the REQUESTING PARTY. The PROJECT COST is estimated to be as follows:

<u>ESTIMATED COST</u>	<u>Federal Minimum Guarantee Funds Being Used As TED FUNDS</u>	<u>REQUESTING PARTY'S SHARE</u>
\$4,200,000	\$3,360,000	\$840,000

Any items of PROJECT COST not reimbursed by Federal Funds and/or TED FUNDS will be the sole responsibility of the REQUESTING PARTY.

6. The DEPARTMENT will issue a separate authorization to the REQUESTING PARTY to proceed with the performance of the PROJECT.

7. The construction of the improvements for which the PROJECT work is being performed and the construction engineering and inspection work related thereto will be covered by a separate contract.

8. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the state and/or the Federal Highway Administration pursuant to Title 23 of the United States Code and/or State Funds.

9. The performance of the entire PROJECT under this contract, whether Federally funded or not, will be subject to the provisions and requirements of PART II that are applicable to a Federally funded project. In addition, the following provisions will apply:

All work will be performed in accordance with the Procedure Manual of the DEPARTMENT'S Real Estate Division. Variations from the procedures within the manual will be developed in cooperation with the DEPARTMENT.

Reimbursement for right-of-way acquisition will be governed by FAPG Chapter I, Subchapter H, Part 710, Subpart C, Reimbursement Provisions, and other applicable directives of the FHWA.

Procedures for relocation assistance, if necessary, will conform to the requirements set forth in FAPG Chapter I, Subchapter H, Part 740, and other applicable directives of the FHWA.

Disposal of any right-of-way acquired as the PROJECT will conform to the requirements set forth in FAPG Chapter I, Subchapter H, Part 713, Subpart C, Disposal of Right-of-Way, and other applicable directives of the FHWA.

10. In the event that actual construction of the roadway on the right-of-way being acquired as the PROJECT is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the FHWA and the DEPARTMENT project contract covering the PROJECT work is executed, the REQUESTING PARTY will be required to repay to the DEPARTMENT for forwarding to the FHWA all monies distributed as the FHWA'S contribution to the PROJECT COST.

11. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY 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.

12. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF TROY

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____

FORM 10
11/5/02
[Signature]
ASSISTANT
ATTORNEY
GENERAL

By _____
Title:

REVISED
10-25-02
WATKINSON

DOF

BUREAU OF HIGHWAYS
NON CONSTRUCTION

03-15-93

PART II
MODIFIED

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV SPECIAL PROGRAM AND PROJECT CONDITIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. All work shall be performed in accordance with the requirements and procedures of the DEPARTMENT
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
- C. In conformance with FAPG (23 CFR 630C): Project Agreements, the parties to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
 - 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
 - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
 - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. On those projects funded with Federal monies, the DEPARTMENT shall, as may be required, secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- C. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than \$25,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

- D. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- E. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- F. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- G. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- H. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 201, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- I. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- J. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- K. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- L. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and

reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 98-502.

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

- a. Agencies expending a total of \$300,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

- The Reporting Package
- The Data Collection Form
- The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than \$300,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant numbers(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Transportation
Bureau of Highways Technical Services
425 W. Ottawa, P.O. Box 30050
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FAPG Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _____", or

"Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. General Conditions:

1. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
2. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to

withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

SECTION IV

SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- D. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

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 Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an 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 shall 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 insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a 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, 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 will, 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 his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will 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 himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which 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, and including the governing boards of institutions of higher education, until the contractor complies with said order of the 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 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 Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

March, 1998

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

December 9, 2002

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Asst. City Manager/Services
Steven J. Vandette, City Engineer
John K. Abraham, Traffic Engineer 

SUBJECT: Traffic Committee Recommendations

At the Traffic Committee meeting of November 20, 2002, the following recommendations were made for City Council approval:

1. Recommend installing two YIELD signs on Vanderpool at Ellenboro (Item 6).
2. Recommend installation of signs indicating NO PARKING BETWEEN 8:00-9:00 a.m. and 3:00-4:00 p.m., SCHOOL DAYS ONLY on both sides of Quincy for 100 feet east of Mill Pond and on Mill Pond 100 feet north of Quincy (Item 7).
3. Recommend that fire lanes/tow away zones be established on the south side of 1737 Thunderbird, and on the north side of 1765 Thunderbird per the Fire Department's request (Item 4).
4. Recommend that fire lanes at Wattles Creek Condominiums be established per the attached sketch (Item 11).

DRAFT

The Traffic Committee meeting was called to order at 7:30 p.m. in the Lower Level Conference Room at Troy City Hall on November 20, 2002 by Charles Solis.

1. Roll Call

PRESENT: John Diefenbaker
Ted Halsey
Jan Hubbell
Richard Kilmer
Robert Schultz
Charles Solis

ABSENT: Eric Grinnell

Also present: Sgt. Robert Redmond, Troy Police Department
John Abraham, Traffic Engineer
Lt. Robert Matlick, Fire Department
Lori Grigg Bluhm, City Attorney

and Item 3 Fr. Edward Belczak, St. Thomas More, 4580 Adams Road
Geoffrey Hutchison, Kasco Co. 26075 Woodward, Huntington Woods
Jill Rusgo, 2538 Red Fox Trail
Kathy Fryhoff, 2464 Red Fox Trail
Chris Mann, 4269 Wentworth
Dan Di Cosmo, 2872 Orchard Trail
Jim Schultz, 4771 Squirrel Hill
David Hipp, 4815 Rambling Drive

Item 6 John Murphy, 555 Vanderpool
Edwin Heineken, 574 Vanderpool

Item 7 Janice Brzezinski, Principal, Hill Elementary School, 4600 Forsyth
Cindy Nurak, 2750 Renshaw

2. Minutes – September 18, 2002

Motion by Kilmer
Seconded by Hubbell

To approve the September 18, 2002 minutes as printed.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

PUBLIC HEARINGS

3. Request for Sidewalk Waiver – 4580 Adams Road

St. Thomas More Church is requesting a waiver for the sidewalk at 4580 Adams Road. There are no sidewalks existing near this parcel. Petitioner has signed an "Agreement for Irrevocable Petition for Sidewalks." The sidewalk ordinance requires that sidewalk be installed due to a recent addition.

The request for sidewalk waiver for the above parcel was considered by the Traffic Committee in May and was denied. Since then, the church's contractor has been consulting with the City's Engineering Department regarding sidewalk installation. Attached please find a letter dated July 5, 2002, describing engineering impediments to sidewalk installation. The City engineers have resolved issues with sidewalk installation on Timberwyck and Red Fox Trail. The contractor feels the City's solution to installing sidewalk on Adams is difficult and cost prohibitive, and requested a rehearing of the waiver for Adams Road only. At a different meeting the church's willingness to settle issues regarding driveways to residential roads was also expressed. Please see attached letters for details.

At the September Traffic Committee meeting Father Belczak, of St. Thomas More Church, also requested a re-hearing of the sidewalk waiver requests for Red Fox Trail and Timberwyck, since he believed that the notifications were not sent to all neighbors for the May meeting when it was acted upon. However, our City Attorney has looked into the mailing lists from May 2002 and determined that all residents within 300 feet of the church property were notified of the meeting, and that a rehearing for the residential road sidewalks is not required.

On September 18, 2002, the Traffic Committee resolved to grant a rehearing on the issue of the sidewalk waiver for Adams Road only.

The public hearing was declared open.

Geoff Hutchison of Kasco Inc. presented a handout (attached) listing five reasons why St. Thomas More church should receive its sidewalk waiver, including several photographs illustrating the obstacles to sidewalk installation.

Neall Schroeder, from the City Engineering Department, was asked to give a summary based on his long experience with the City and St. Thomas More site. In summary, he said that in 1988 improvements made to the church required sidewalk installation and other code improvements. At that time, the City advised against installing the sidewalk because a water main was being installed along Adams Road. That project was delayed and changed many times and the installation of the improvement was not done. This issue came up again when the church modified its building in 2000.

Mr. Schroeder reported that Adams Road is already at a higher elevation than the church property, causing water to stand on the front lawn. A sidewalk would have to be even higher, causing more rain water to flow onto church property. In response to a question by Mr. Schultz, Mr. Schroeder said the only real solution would be a major storm sewer project by Oakland County, the likelihood of which almost nonexistent. Mr. Schroeder also reported that the church has given the City an easement to establish a rain garden to hold water runoff at the rear of the church property.

Mr. Schroeder added that before waiver-granting responsibility was given to the Traffic Committee, City Council was the deciding body, and all sidewalk waivers previously requested for Adams Road were granted.

The public hearing was declared closed.

RESOLUTION #2002-14

Motion by Diefenbaker
 Seconded by Halsey

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

WHEREAS, St. Thomas More Church has requested a temporary waiver of the requirement to construct a sidewalk along Adams Road because Adams is already developed with no sidewalks existing.

WHEREAS, the Traffic Committee has determined the following:

1. A variance will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
2. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
3. The construction of a new sidewalk on the property line would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way,

NOW THEREFORE, BE IT RESOLVED that the Traffic Committee grants a temporary two-year waiver of the sidewalk requirement along Adams Road for the property at 4580 Adams, which is owned by St. Thomas More Church.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

REGULAR BUSINESS

Motion by Hubbell
 Seconded by Schultz

To take Items 6 and 7 out of order.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

6. **Install YIELD Sign on Vanderpool at Ellenboro**

Ms. Debra Bogole of 543 Vanderpool requests a YIELD sign on Vanderpool at Ellenboro. Ms. Bogole remembers that there used to be a sign at the intersection and thought that the sign was never replaced after some road work. All Traffic Control Orders related to YIELD signs were searched but no TCO was found for this location, which would mean that even if the sign had been there previously, it was not approved by City Council.

Ms. Bogole wanted to pursue getting a sign at the intersection. Traffic crash records indicate that there have been no crashes at the intersection in the past five years. Traffic volume counts indicate that Vanderpool west of Ellenboro carries less than 300 vehicles per day while Ellenboro carries around 400 vehicles per day. The range of traffic volumes on Troy residential streets is between 300-5000 vehicles per day. Many low volume intersections are not signed within the City, and basic traffic laws apply to these intersections.

Ed Heineken, 574 Vanderpool, wants STOP signs on Ellenboro. He has had several close calls at that intersection, and also reports that two large spruce trees cause a sight obstruction. He also pointed out that there are four STOP signs on Hartland, and feels they would be warranted on Ellenboro also. Dr. Abraham will have the Parks & Recreation Department check the sight obstruction.

John Murphy, 555 Vanderpool, mentioned that the intersection is the only one in the subdivision that has no traffic control signs.

Motion by Halsey

Seconded by Hubbell

To recommend installing two YIELD signs on Vanderpool at Ellenboro.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

7. **Restrict Parking on both sides of Quincy between Mill Pond and Hill Elementary School**

Ms. Cindy Nurak reports a traffic safety concern during school arrival and dismissal times in the section of Quincy between Mill Pond and Hill Elementary School. This section of Quincy is around 130 feet, and during arrival and dismissal a number of parents park in this area and take their kids to the school building. Observations indicate that during the 15 minutes before school starts, there is a solid line of cars

extending from the STOP sign at the school to the intersection of Mill Pond, often in violation of the minimum distance requirement (15 feet) from STOP signs and intersections.

The intersection of Mill Pond and Quincy also has a marked crosswalk for students, controlled by school safety patrol students. Observations indicate that the school safety students are doing a good job of crossing students in a safe manner. However, in many instances vehicles (particularly SUVs) parked in this section of Quincy cause sight obstructions, so the safety patrol students may not be able to see vehicles approaching from the school. Also, vehicles approaching the intersection from the school may not be able to see students crossing Mill Pond. The Assistant Superintendent for the Troy School District also reported similar concerns and said that the school principal has made several attempts to talk to parents about not parking in this area. Observations during school "off peak" times indicate few or no parked vehicles in this section. Ms. Nurak presented this item at the meeting and furnished a petition signed by 23 citizens supporting parking restrictions.

Mr. Halsey asked that letters be sent from the school informing parents of the new regulations. Ms. Brzezinski, Hill School Principal, agreed with the resolution and stated that she would notify parents.

Sergeant Redmond will initiate some selective enforcement in the area.

Motion by Schultz
Seconded by Kilmer

To recommend installation of signs indicating NO PARKING BETWEEN 8:00-9:00 a.m. and 3:00-4:00 p.m., SCHOOL DAYS ONLY on both sides of Quincy for 100 feet east of Mill Pond and on Mill Pond 100 feet north of Quincy,

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

4. Install Fire Lanes at 1737 Thunderbird

Lou Wagner of Star Builders, owner of 1765 Thunderbird, requests that fire lanes be posted on the north side of 1737 Thunderbird. Mr. Wagner says that 1737 was supposed to be posted at the time of construction, as was 1765.

The distance between the two buildings is 33 feet, and there are two utility poles on the property line towards the rear (west) of the buildings. People park on the north side of 1737, reducing the width of the driveway.

Section 8.28, Chapter 106, Troy City Code, provides for the establishment of fire lanes on private property. The Fire Department recommends that the fire lanes

shown on the attached sketch be provided to allow proper deployment of and travel by emergency vehicles (fire, police, medical).

The Fire Department has worked with the owners of both buildings and come up with a compromise agreed upon by all involved. Fire lanes will be posted on the south side of 1737 and on the north side of 1765.

Motion by Hubbell
Seconded by Schultz

To recommend that fire lanes/tow away zones be established on the south side of 1737 Thunderbird and on the north side of 1765 Thunderbird.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

5. Restrict Parking on Hale Drive

This item was withdrawn by the petitioner.

8. Report from the Traffic Engineer – Section 27 Traffic Study

At the September Traffic Committee meeting some members requested that a complete study of the southwest corner of Section 27 be performed to quantify traffic concerns and to find solutions. This is an update to what is being done. Following studies are proposed for this area that includes Hartshorn, Chopin, Birchwood, Vermont, Woodslee, Arthur, Larchwood and Alganssee Streets.

- a. Traffic volume counts for all streets have been performed, and the attachment presents the results of the study.
- b. A license plate survey is planned to quantify the cut-through traffic in the neighborhood. Ms. Hutchinson agreed to talk to her neighbors about participating in the study, and this will be scheduled based on the availability of volunteers. Since we have not heard from Ms. Hutchinson, our traffic technicians performed a study to find the extent of through traffic between Livernois and Maple using Alganssee and Hartshorn (highest volume streets). There were eight vehicles observed to enter from Maple and exit onto Livernois in the morning peak and nine vehicles in the evening peak from Livernois to Maple. The Committee felt that this was not a significant number.

9. Update on Concerns about Left Turns from Post Office Driveways.

At the last meeting Mr. Kilmer indicated that it is difficult to make a left turn out of the post office on Livernois, and felt that it may be hazardous. Attached is a collision

diagram that shows pictorially the traffic crashes that occurred in 2000 and 2001. In 2000 there were four right angle type crashes and one rear-end type crash at the post office driveway. One crash resulted in an injury. In 2001 there was only one right angle type and one rear-end crash in the proximity of the driveway.

10. **Update on Concerns about Left Turns from Shell Station at Crooks and Big Beaver.**

Mr. Schultz indicated at the last meeting that the gas station at the northwest corner of the intersection of Crooks and Big Beaver had some left-turn challenges; i.e., left turns onto Crooks Road which are very difficult, but motorists still try to do it. Attached is a collision diagram for the intersection of Crooks and Big Beaver for 2000 and 2001. In 2000, there were five crashes in the proximity of the gas station drive onto Crooks Road. Two angle-type crashes involved vehicles exiting the drive involved in crashes with southbound vehicles.

In 2001 there were three right-angle crashes involving vehicles trying to make a left turn from northbound Crooks into the gas station. There was one head-on crash related to the same maneuver. Three rear-end type crashes also occurred near the driveway. The rear end type crashes are typical at driveways such as this close to the intersection. Three right angle crashes and the head-on are of concern.

From the two-year crash analysis, however, there is no pattern of crashes that can be targeted with improvements. In 2000 the angle crashes involved outbound vehicles making left turns, while in 2001 it involved inbound left-turning vehicles. Making left turns in or out of this driveway is a considerable challenge due to high traffic volumes at the intersection and the fact that left turners will need a gap in three lanes (two southbound through and one southbound right turn lane) to safely complete their turn.

11. **Install Fire Lanes at Wattles Creek Condominiums**

Traffic Control Order 88-03-MR of May 1988 established fire lanes on the west side (fire hydrant side) of Old Creek Road. There are many other fire lane signs posted on private roads within the condo complex (see attached sketch) to facilitate access for emergency vehicles. Lt. Matlick requests a traffic control order to correspond with the actual signage in place.

Motion by Diefenbaker
Seconded by Schultz

To recommend that the fire lanes/tow away zones shown on the attached sketch be established at Wattles Creek Condos.

YEAS: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED

12. Visitors' Time

No one appeared to address the Committee on items not on the agenda.

13. Other Business

Mr. Schultz suggested that the City enforce the fire lane ordinance more aggressively. Sgt. Redmond said the patrol officers can ticket violators parked in fire lanes on private property if the fire lanes are City approved.

14. Adjourn

Mr. Diefenbaker reported that he will be unable to attend the January and February meetings, as he will be out of town.

Motion by Halsey
Seconded by Schultz

To adjourn the meeting at 8:43. The next meeting is scheduled for January 15, 2003.

YEAS: 6

NAYS: 0

ABSENT: 1

To: Traffic Committee of the City of Troy

**Re: St. Thomas More Church Request for Sidewalk Waiver
4580 Adams**

Date: November 20, 2002

St. Thomas More has requested a sidewalk waiver with respect to the required sidewalk along Adams Rd. There are five reasons why this waiver should be granted:

1. To install the sidewalk, there will be significant additional cost to move a utility pole, fire hydrant, site lighting poles, and remove and relocate trees and flower beds. These items will cost approximately \$20,000. This will be in addition to the \$30,000 for an 8 ft wide sidewalk and ditch revisions, bringing the total construction to \$50,000 for the Adams Rd. sidewalk.
2. The City Engineer has agreed that there are obstacles to completion of the sidewalk, and has redirected us back to the Traffic Committee for consideration of the sidewalk waiver request.
3. There are safety issues. The sidewalk will act as a dam, trapping the water flowing off Adams Rd., possibly creating flooding of the ditch and road, and causing damage to the sidewalk itself. Also, the sidewalk will have to be located dangerously close to the deceleration lane the church is installing.
4. All of the cost of the sidewalk will be wasted if and when Adams Rd is widened, and the necessary drainage system is installed along Adams. The sidewalk will have to be removed when that work is done.
5. The sidewalk will lead to nowhere. There is no connecting sidewalk at the south end of the property. We believe the burden of the items mentioned is too great for a sidewalk that ends at this property. The church would be willing to install sidewalk along Adams when property owners along Adams install what will become a continuous sidewalk.

For these reasons, St. Thomas More requests a waiver of the Adams Rd. sidewalk. This is for Adams Rd. only. As of this date, the deceleration lane and passing lane work are in progress and scheduled to be completed this fall. The Timberwyck and Red Fox sidewalks are permitted and scheduled to begin in the spring.

ITEM 3



33 Ft. Right of Way

Adams Road

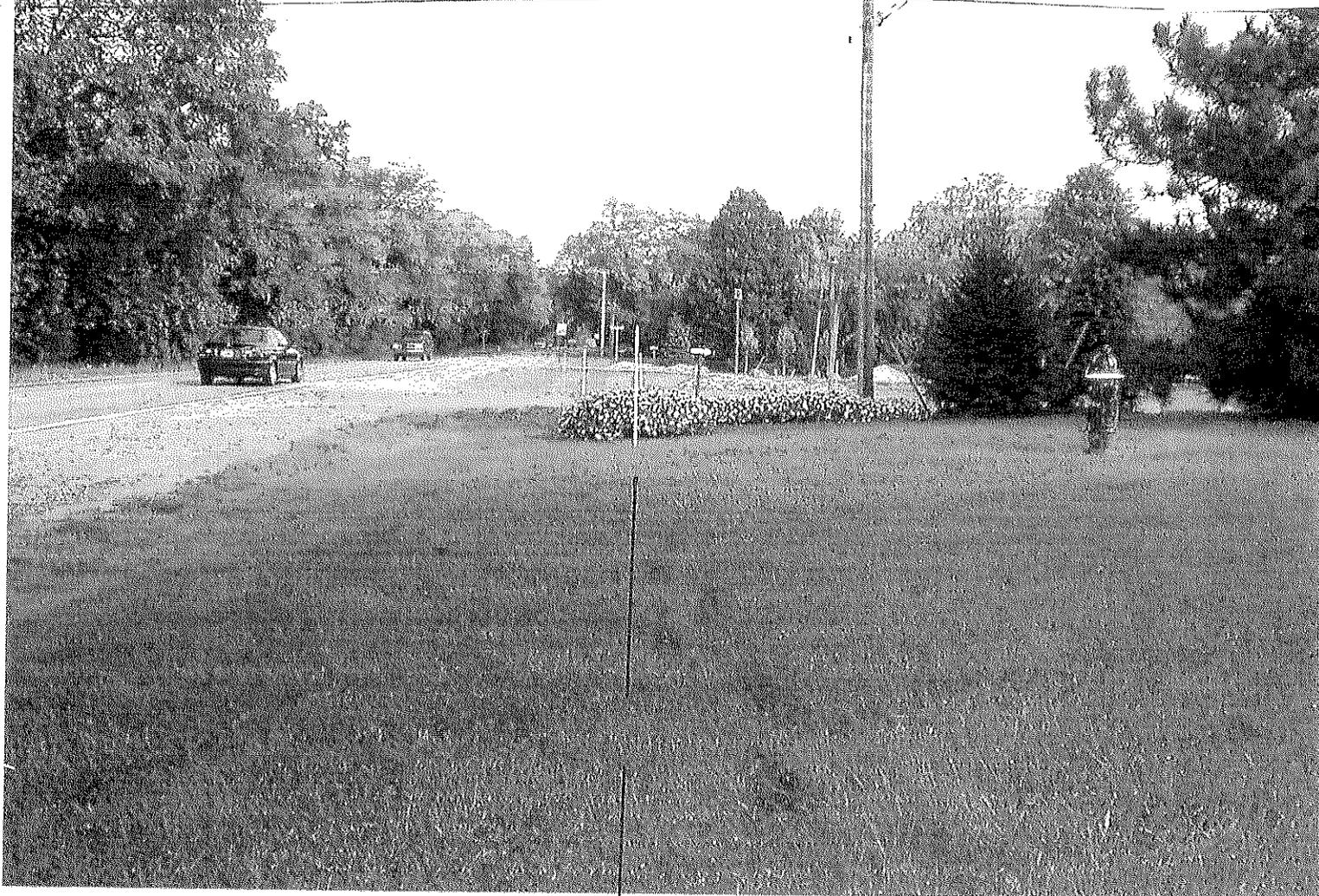
Looking North



33 Ft. Right of Way

Adams Road

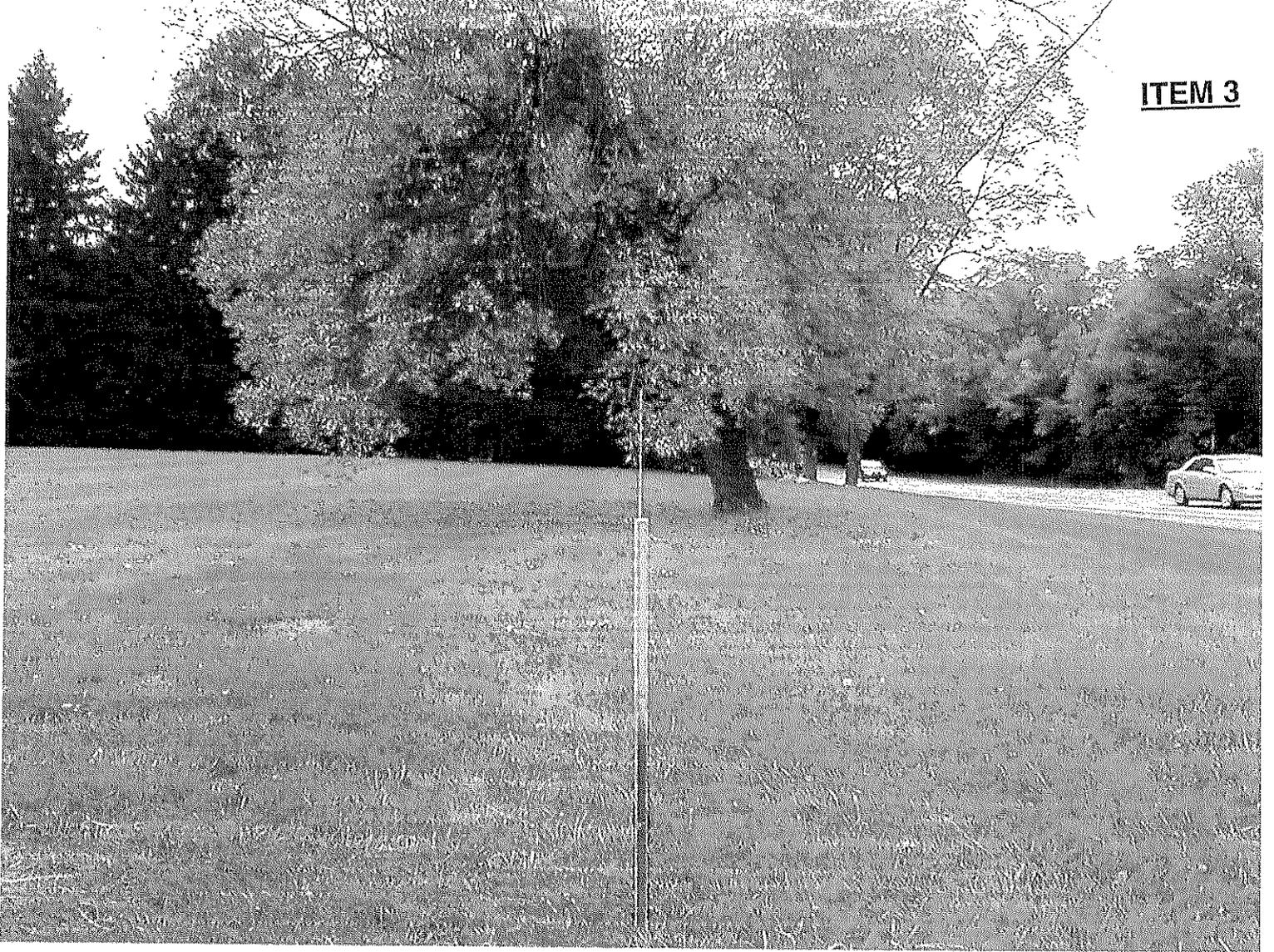
Looking South



Adams Road

Looking North

Decel. Shoulder



60 Ft. Right of Way

Adams Road

Looking South

ITEM 3



60 Ft. Right of Way

Adams Road

Looking North



60 Ft. Right of Way

Adams Road

Looking South

ITEM 3



60 Ft. Right of Way

Adams Road

Looking South



60 Ft. Right of Way

Adams Road

Looking South

ITEM 3

Existing Standing Water with No Recent Rain

ITEM 3

RECEIVED

JUL 15 2002

ENGINEERING



City of Troy
500 West Big Beaver
Troy, MI 48084

July 5, 2002

Attn: Gary Shripka
Assistant City Manager

Re: Sidewalk at 4580 Adams
St. Thomas More Catholic Church

Dear Gary:

Kasco has been contracted by St. Thomas More to widen Adams Rd and install sidewalks to meet the City of Troy's requirements. We have encountered some site obstacles that will make it difficult to install the sidewalks as directed by the city Traffic Committee. We request that the City review these issues, listed below, and determine if they can be resolved.

1. **Adams Rd:** The Traffic Committee is requiring an 8 ft wide sidewalk. The city engineering department has indicated that it is to be located 1 ft off the 55 ft Right of Way. This will require relocation of (3) landscape beds, (2) of the church's site lighting poles, and possibly an electrical pole. 33'

Adams Rd storm water runs off onto the St. Thomas More property. No storm culverts or storm water management system is in place to conduct this run off. The water must either be collected by the church's storm system, or pond until it drains into the surrounding grass areas. Installation of a sidewalk in this area will cause the water to dam between the road and the sidewalk. Major grading and utility renovations should be completed before this sidewalk is installed. Any sidewalk installed at this time will most likely be removed by the upgrade of utilities necessary for this area.

The church is willing to agree to install sidewalks when adequate storm water management is in place and the other residents on Adams Road are installing sidewalks. Additionally the church will agree to grant the city an additional 5 foot Right of Way easement for the installation of future sidewalks.

2. **Timberwyck (Boulevard Area at Adams):** The road currently encroaches on the church's property, and a sidewalk will encroach further. The church has no record of an easement being granted to the city for this road. The church and the city must reach an easement/purchase agreement for this area.
3. **Timberwyck (directly north of the church):** The location of a sidewalk in the Right of Way, anywhere between each of the two entrances, will require removal of (3) mature pines trees. There will then be an open area between the church and their neighbors where there is currently landscape screening. This may further anger the neighbors. The church does not understand going to the considerable expense of removing these (3) 30-40 ft. trees to install sidewalk in an area where pedestrian access is readily available through the parking lot.

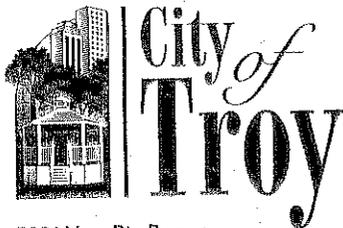
Please consider each of the above conditions and direct me to someone who can help us reach a resolution so that we may begin construction. Feel free to contact me with any further questions.

Sincerely,



Geoffrey Hutchison
Vice President

Dist: Steve Vandette, City of Troy Engineering
Neall Schroeder, City of Troy Engineering
Fr. Edward Belczak, St. Thomas More Catholic Church
David Hipp, Bodman, Longley & Dahling, LLP
865-03



September 4, 2002

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Kasco, Inc.
Attention: Mr. Geoffrey Hutchinson, Vice President
26075 Woodward Avenue, Suite 300
Huntington Woods, Michigan 48070

Re: Sidewalk Installation at 4580 Adams Road
St. Thomas More Catholic Church

Dear Geoff:

This is an addendum to the letter we sent you on August 17, 2002. Thanks for meeting with us on August 14. At the meeting you mentioned the Church's desire to settle all issues with the driveways onto residential roadways. A thorough search of our records indicates that the driveway onto Red Fox Trail from the Church was installed without the approval of the Planning Commission as required by the Troy Zoning Ordinance. Therefore, this driveway must be closed.

Please advise if there are any further questions or concerns.

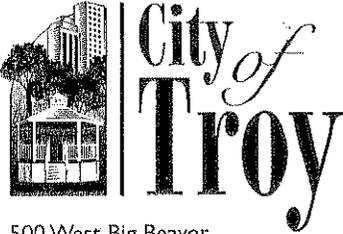
Sincerely,

Steven J. Vandette, City Engineer

SJV/in

cc: Fr. Edward Belczak, St. Thomas More, 4580 Adams Rd., Troy 48098
John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
Gary A. Shripka, Assistant City Manager/Services
William J. Huotari, Deputy City Engineer
John Abraham, Deputy City Engineer/Traffic
C. Neall Schroeder, Civil Engineer

K:\Projects\Projects - 1988\88.915.3 - St Thomas More\Kasco letter re sidewalk - addendum.doc



August 17, 2002

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Kasco, Inc.
Attention: Mr. Geoffrey Hutchinson, Vice President
26075 Woodward Avenue, Suite 300
Huntington Woods, Michigan 48070

Area code (248)

Re: Sidewalk Installation at 4580 Adams Road
St. Thomas More Catholic Church

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Dear Geoff:

Thanks for meeting with us on August 14. Based on the discussion, the church will grant an easement for the required sidewalk construction at the west end of Timberwyck. We would be happy to assist by preparing all necessary easement documents for execution by the church. We will forward them to you shortly.

Additionally, it was agreed that the sidewalk could meander so as to save existing trees along Timberwyck. Since this may require additional easements, we request that a sidewalk plan be submitted as soon as possible, and we can prepare documents for these easements as well. Your plans should be submitted no later than August 30 so that completion of this sidewalk this fall can be assured.

As far as the sidewalk on Adams Road, we will submit your letter describing the hardships involved to the Traffic Committee, who would determine if there is any new information that would warrant a rehearing of the waiver request. If the Traffic Committee decides to rehear the request, it will be placed on October 16, 2002 meeting of the Traffic Committee.

Please advise if there are any further questions or concerns.

Sincerely,

Steven J. Vandette, City Engineer

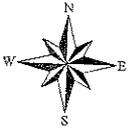
SJV/in

cc: Fr. Edward Belczak, St. Thomas More, 4580 Adams Rd., Troy 48098
John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Lee Liston, RCOC Permits Division, 2420 Pontiac Lake Rd., Waterford MI 48328
William J. Huotari, Deputy City Engineer
John Abraham, Deputy City Engineer/Traffic
C. Neall Schroeder, Civil Engineer

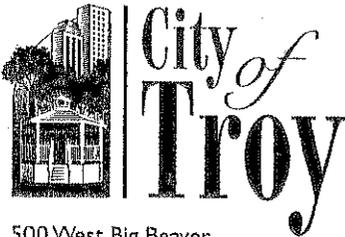


existing Sidewalk

St. Thomas More Church



ITEM 3



July 31, 2002

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
524-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Kasco, Inc.
Attention: Mr. Geoffrey Hutchinson, Vice President
26075 Woodward Avenue, Suite 300
Huntington Woods, Michigan 48070

Re: Sidewalk Installation at 4580 Adams Road
St. Thomas More Catholic Church

Dear Geoff:

We have received your letter of July 5, 2002, citing site obstacles making sidewalk installation difficult.

The Traffic Committee has determined that the sidewalk is to be installed in accordance with the approved site plan. Although there is no appeal process for the Traffic Committee decision, we would agree to a rehearing of your waiver request at the next Traffic Committee meeting on September 18, 2002.

This will be the last opportunity for this waiver request to be heard. Failure to apply for the waiver will automatically enforce the previous decision of the Traffic Committee and the sidewalk will have to be installed.

Please advise if there are any further questions or concerns.

Sincerely,

Steven J. Vandette, City Engineer

SJV/in

Attachment: Aerial plan of site

cc: Fr. Edward Belczak, St. Thomas More, 4580 Adams Rd., Troy 48098
John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Lee Liston, RCOC Permits Division, 2420 Pontiac Lake Rd., Waterford MI 48328
William J. Huotari, Deputy City Engineer
John Abraham, Deputy City Engineer/Traffic
C. Neall Schroeder, Civil Engineer

Edward P. Sheeran 2801 HYLANE DRIVE, TROY, MICHIGAN 48098 313.647-4477

248

October 1, 2002

RECEIVED

OCT 03 2002

ENGINEERING

City of Troy
Traffic Engineering Dept.
500 W. Big Beaver Rd.
Troy, MI 48084

ATTN: John Abraham, Traffic Engineer

RE: Request for Waiver of Sidewalk Requirements
along Adams Rd at St. Thomas More Church,

Gentlemen:

As a nearby resident, I wish to express my opinion regarding the request for waiver of sidewalk requirements along Adams Rd at St. Thomas More Church.

I regularly walk as exercise throughout the neighborhood. Side streets in other residential areas pose no problems for walkers due to the relatively light automobile traffic. But Adams Road is another matter. There is nowhere to walk except on the roadway shoulder next to very fast traffic. This is no good by any standards. I heartily encourage sidewalks along Adams Rd. How nice it would be to walk this beautiful street safely.

Respectfully,
Edward P. Sheeran

Traffic Committee
 City of Troy
 10-9-02

Dear Members,

We are writing to protest the process by which a decision has seemingly been made to install sidewalks on the St. Thomas More property that fronts Timberwyck and Red Fox Trails. It has been very difficult to gather information in order to address this issue in a fair and meaningful way. We live directly across the street from the church on the north side of Timberwyck. Some of the neighbors who attended a meeting in May left with the understanding that the issue would be resolved at a future meeting. Several neighbors were not notified of the meeting, and therefore could not attend. At the next meeting, those in attendance were surprised to discover that the decision had been made. It was requested that the Secretary check the notification process to determine how and if proper notice had been sent to all residents within 300' of the church property. We have not received any feedback from this search. When speaking to our neighbors on Orchard Trail, which is also less than 300' from St. Thomas More, we discovered that they also had not been notified.

The October meeting apparently is scheduled to only consider the sidewalk proposal on Adams Road (a separate issue). Not only do we feel that we have not been informed and able to voice our opinions, but we also fail to see how the addition of this sidewalk would enhance the safety of the neighborhood. The proposed sidewalk on Timberwyck and Red Fox would, for all intents, be a sidewalk to nowhere. There are no other sidewalks in our subdivision (with the exception of a very small length that leads from the church to what was once a nun's home).

We all benefit from the greenbelt, landscaped view that we now enjoy, which provides a buffer between our homes and the church parking lots. We believe that the landscape would be jeopardized by adding the sidewalks, because several trees and bushes would have to be removed or severely cut back. This seems a large price to pay for a sidewalk that leads nowhere and in no way would make our neighborhood any safer. The church has adequate parking, and overflow street parking is only needed on special occasions like Christmas or Easter. Even under these circumstances, we fail to see any safety features.

Thank you for your attention and consideration in this matter.

Joan Vogel
 Alan Vogel
 Michael R. Zemb
 Janet C. Zube
 Barbara Zint
 Tom Leone

B. Janice Lawson
 Charles Lawson
 Peter K. Daly
 Linda Daly
 [Signature]
 Coraly Clark

October 15, 2002

To: Traffic Committee

From: Lt. E. Caloia
Troy Fire Dept.

Re: Fire lanes 1737/1765 Thunderbird

I spoke with Gary Reiber of Craft-Tech Enterprises, 1737 Thunderbird and Lou Wagner of Star Builder's, owner of 1765 Thunderbird regarding posting of fire lane between these two addresses. Mr. Reiber and Mr. Wagner agreed that posting the south side of 1737 and the north side of 1765 (already posted) was a better solution than creating a fire lane between the two. There is approximately 20' clearance between the south side of 1737 and parking on the north side of 1711, and approximately 20' clearance between the north side of 1765 and the south side of 1801. This exceeds the minimum 18' required for FD access. The most clearance between 1737 and 1765 would be approximately 15' since the drive is split by two utility poles.

The south side of 1765 is already posted as a fire lane, and if approved Mr. Wagner would remove and relocate those signs to the north side and use this space for additional parking if needed.

CRAFT-TECH

ENTERPRISES, INC.

1737 Thunderbird Troy, MI 48084
TEL: (248) 362-0090
FAX: (248) 362-9060
E-MAIL: crafterch@earthlink.net

October 15, 2002

City of Troy
Attention: Eric Caloia.
500 W. Big Beaver Rd.
Troy, MI 48084

Dear Eric,

Thank you for taking the time to discuss our fire lane situation this morning on the phone. Per our conversation, this letter is sent to provide an explanation as to why we believe the fire lane proposed for the north side of our property (1737 Thunderbird) should not happen.

A package we received before the September Traffic Committee Meeting from John Abraham, traffic engineer, contained several pictures of the site for the proposed fire lane (see attached). Per a follow up conversation with Lt. Matlick the week of 9/16/02, he informed us that the width requirement for a fire lane in Troy is 18'. The area that is designated for the new fire lane on the north side of the 1737 Thunderbird property is only 15-1/2' wide - from our building to a set of utility poles in the middle of the conjoined drive, and 14-1/2' from the poles to the building north of us next door. As a result, neither side of the conjoined drive meets the 18' requirement because of the poles being in the way. This is a difficult lane to negotiate with more than one or two small trucks, let alone a group of fire rigs, should an emergency occur.

As I discussed with you today, the lane on the south side of our property is 20' wide, is unencumbered by utility poles, and would better meet the city's criteria for a fire lane. This side of our building would be a much better location for a fire lane should one need to be assigned, and would assure emergency access should the need arise.

Thank you for your assistance in this matter. Please call if any questions.

Regards,



Gary Reiber
President

GR/bb: Enclosure

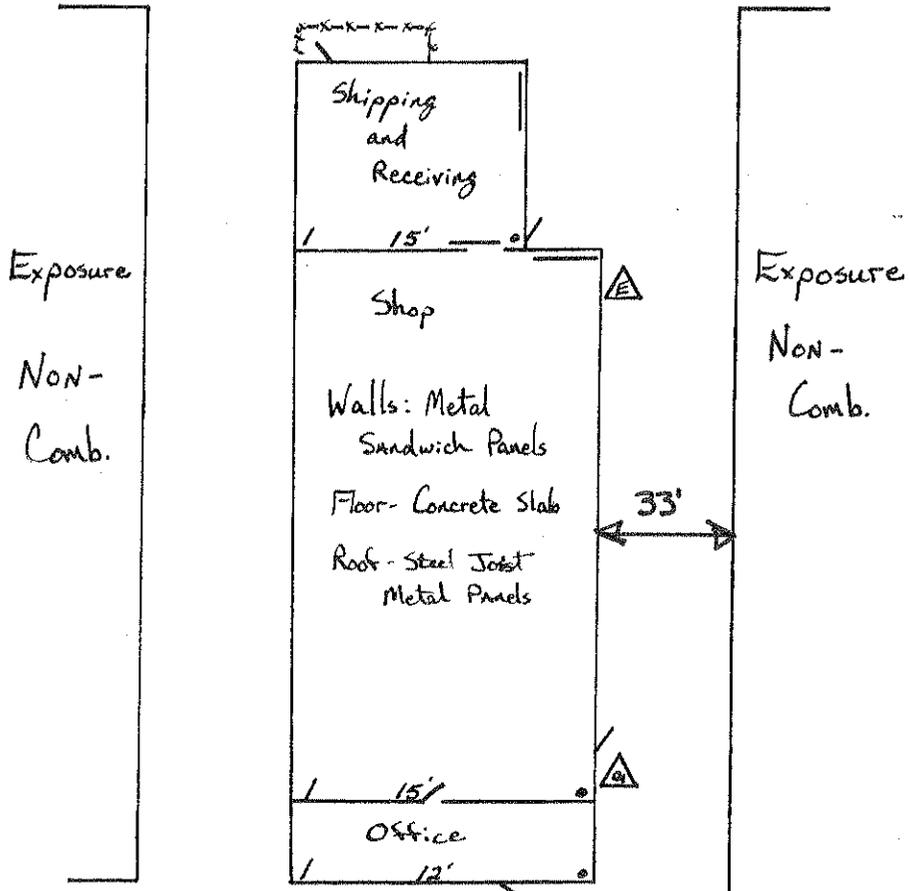


PRE-FIRE PLANNING INSPECTION

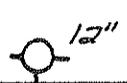
ITEM 4

Building being inspected (Give Name) <hr/> Name of Owner, Occupant, Lessee, Tenant <hr/> Address Phone <hr/> Name of Responsible party who can be reached at night <hr/> Address Phone	DATE 5-28-81	(Circle) Copy for; Company Battalion Bureau			
	Inspector	Company	Platoon	Battalion	Division
	Make one diagram for the complex and one diagram for each fire area or building. This is page _____ of a set of _____ pages.				
	SHOW ON EVERY DIAGRAM 1. Arrow North 2. Street and Number 3. Height 4. Fire Walls 5. Stairs and Fire Escapes 6. Doors 7. Vertical Openings 8. Scale: 1" (10', 25', 50'.)				

1737 Thunderbird
 Street Name and Address
 Aggressive Manufacturing
 Name of Company or Occupancy



1737



Thunderbird

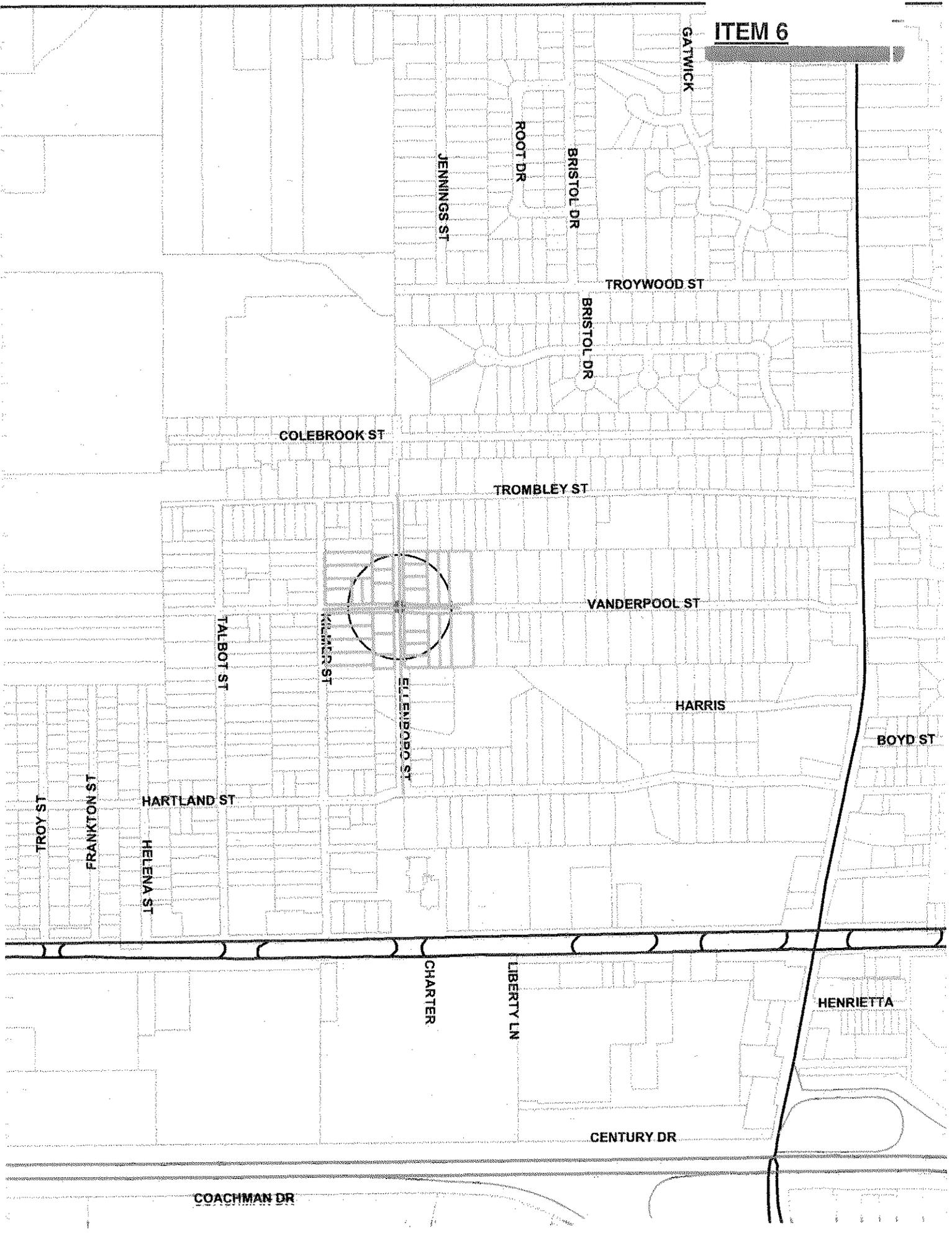
Scale 1" = 50'

HAZARD

RESPONDING COMPANIES: Engine _____ Sqn _____ Snorkels _____
 Trucks _____
 Arterial WATER MAIN _____
 Street _____ Size _____ Cistern _____

1737

ITEM 6



GATWICK

ROOT DR

JENNINGS ST

BRISTOL DR

TROYWOOD ST

BRISTOL DR

COLEBROOK ST

TROMBLEY ST

VANDERPOOL ST

HARRIS

BOYD ST

TALBOT ST

KILMER ST

ELLENBORO ST

HARTLAND ST

TROY ST

FRANKTON ST

HELENA ST

CHARTER

LIBERTY LN

HENRIETTA

CENTURY DR

COACHMAN DR

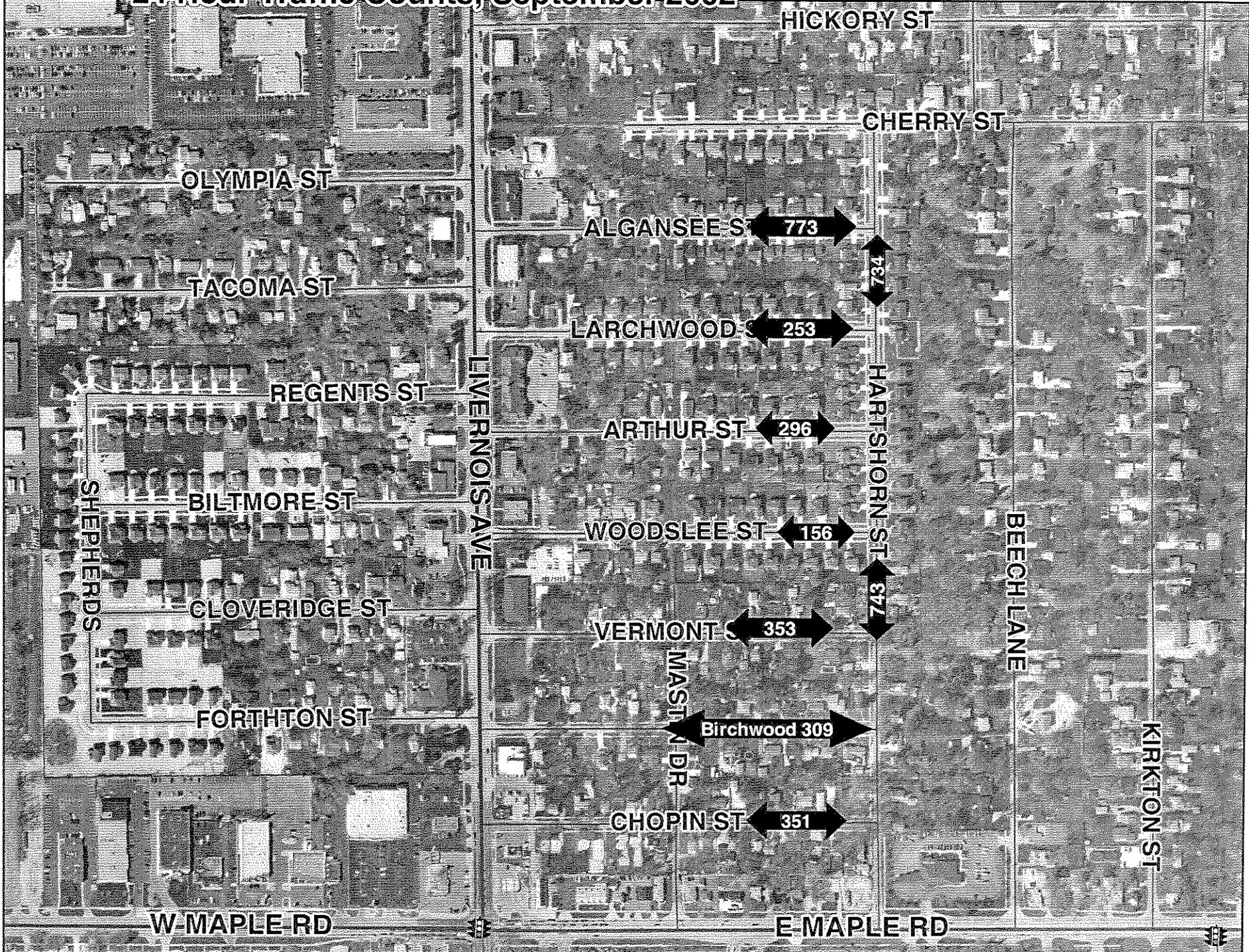
We, the undersigned hereby petition the city of Troy to make parking illegal on the north side of Quincy between Hill Elementary School and Mill Pond from 8:00 a.m. until 9:00 a.m. and 3:00 p.m. until 4:00 p.m., Monday through Friday due to our concern for the safety of students crossing Mill Pond at Quincy on their way to and from Hill Elementary School.

#	Signature	Name	Address	Telephone
1	John Stindt	John Stindt	2792 Quincy	248-689-7961
2	Ran Stindt	MIAN STINDT	2792 Quincy	248-689-7961
3	Machelle Kinsla	Machelle Kinsla	2987 Idid Dr.	248-689-2370
4	Margaret Holan	Margaret Holan	4954 Foxcroft	248 619-4437
5	Cathy Peterson	Cathy Peterson	2619 Remsho	248 790-0672
6	Mark C. Funk	Mark C. Funk	2352 Tenover	248 899-4159
7	John Brink	JOHN BRINKER	784 MARENCO	248 828 8907
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

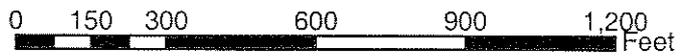
We, the undersigned hereby petition the city of Troy to make parking illegal on the north side of Quincy between Hill Elementary School and Mill Pond from 8:00 a.m. until 9:00 a.m. and 3:00 p.m. until 4:00 p.m., Monday through Friday due to our concern for the safety of students crossing Mill Pond at Quincy on their way to and from Hill Elementary School.

#	Signature	Name	Address	Telephone
1	<i>Marlene Breish</i>	Marlene Breish	2780 Quincy	
2	<i>Al Breish</i>	Al Breish	2780 Quincy	
3	<i>Wendy R Tralka</i>	Wendy Tralka	2762 Vernier	248 740-8671
4	<i>Jo Maiorana</i>	Jo Maiorana	4895 Stoddard	248 689-9288
5	<i>Rachel Childress</i> <small>Secretary</small>	Rachel Childress	4301 Eleanor	248 689-5490
6	<i>Charla Lau</i>	Charla Lau	5168 Hale	(248) 528-0805
7	<i>Patty Webster</i>	same	4301 Yucca	248- 680-0221
8	<i>Mathias Warumborn</i>	Mathias Warumborn	4551 Mill Pond	528-9654
9	<i>Laura Duzey</i>	Laura Duzey	2690 Windsor	524-1053
10	<i>Cindy Nurak</i>	Cindy Nurak	2750 Renshaw	528-0299
11	<i>Mark Papenberg</i>	MARK PAPERBERG	2758 Renshaw	619-0528
12	<i>Alex Strakhan</i>	ALEX STRAKHAN	2706 Renshaw	528-6501
13	<i>B. Brochetti</i>	BRYANT BICHASEL	2369 LONDON	528-1492
14	<i>John J Nviak</i>	John J Nviak	2750 Renshaw	528-0299
15	<i>Shanna Weagle</i>	Shanna Weagle	2798 Renshaw	528-0311
16	<i>John Jorgenson</i>	John Jorgenson	2798 Renshaw	528-0311
17				
18				
19				
20				

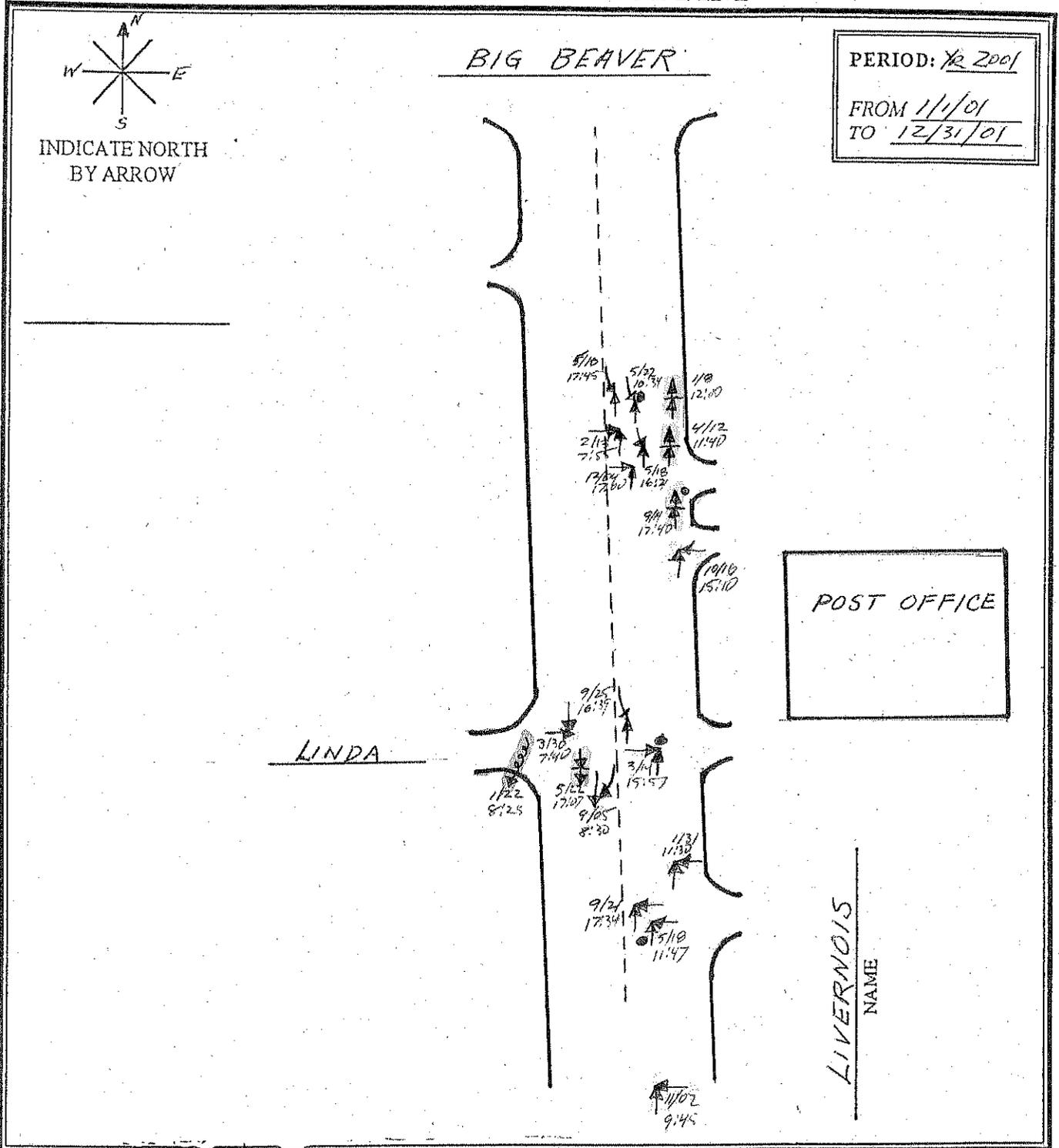
24-Hour Traffic Counts, September 2002



ITEM 8

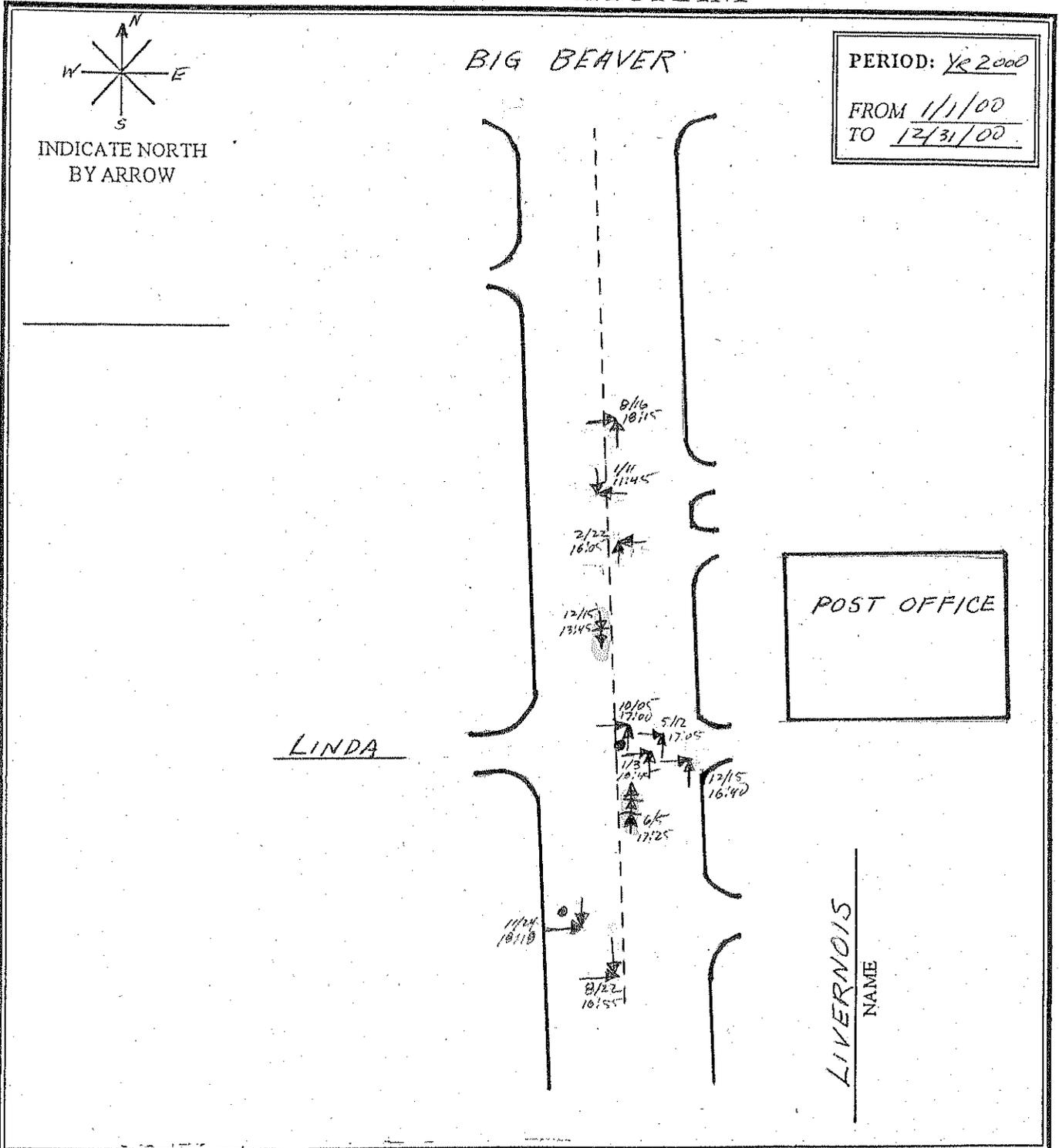


COLLISION DIAGRAM



SYMBOLS		TYPES OF COLLISIONS		FOR EACH ACCIDENT SHOW:	
←	MOVING VEHICLE	← →	REAR END	1.	Date & Time
↔↔↔	BACKING VEHICLE	→ ←	HEAD ON	2.	Weather & Road Surface Conditions
←---	PEDESTRIAN	← ↘	SIDE SWIPE	<u>LIVERNOIS</u> <u>SOUTH OF BIG BEAVER</u> BY: <u>HL</u> DATE: <u>10/2/02</u>	
▨	PARKED VEHICLE	→ ↓	RIGHT ANGLE		
□	FIXED OBJECT	→ ↙	LEFT TURN HEAD ON		
●	INJURY ACCIDENT	↘ ↙	OUT OF CONTROL		
●	FATAL ACCIDENT				

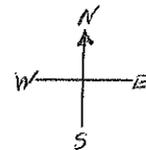
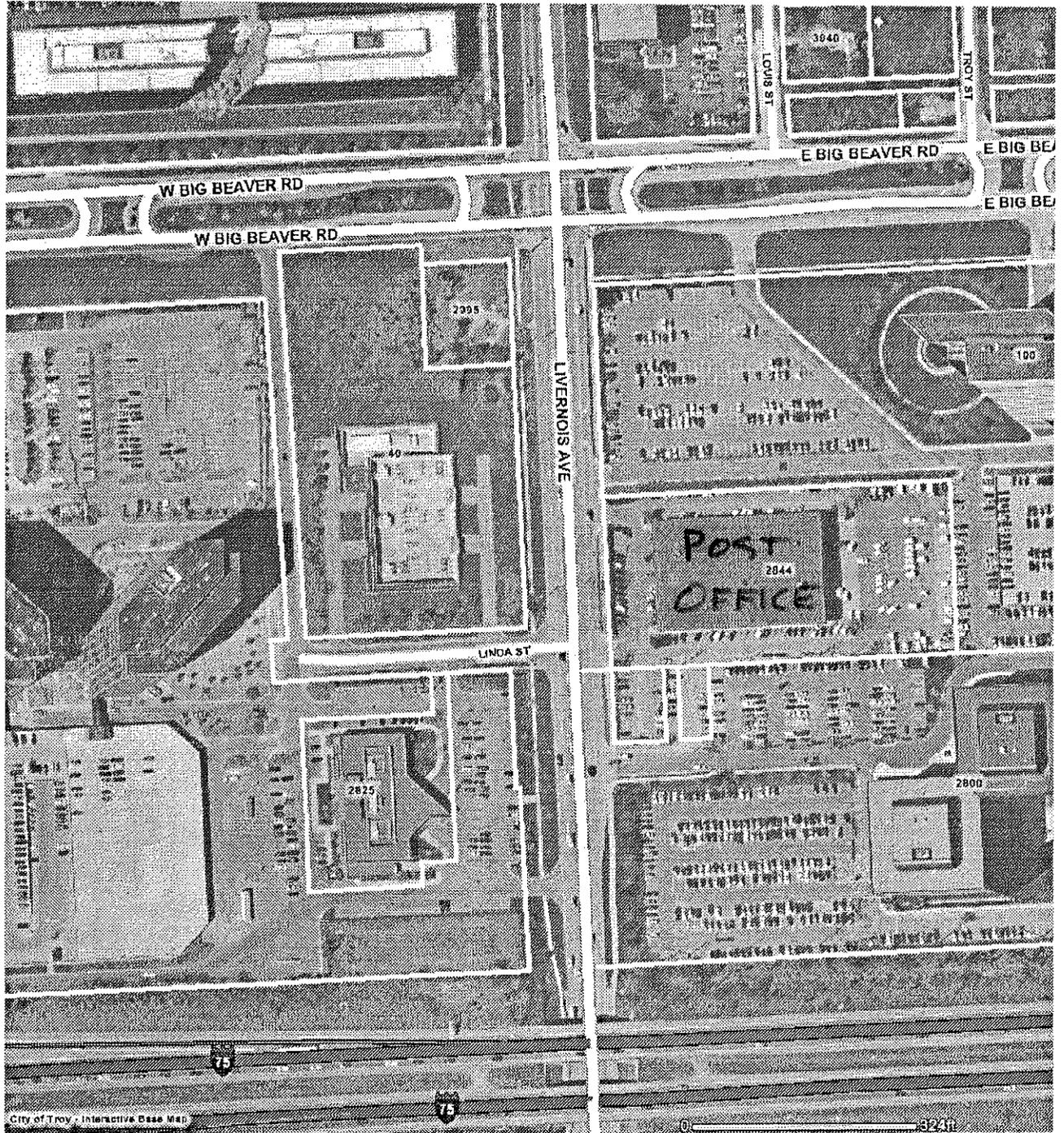
COLLISION DIAGRAM



SYMBOLS	TYPES OF COLLISIONS	FOR EACH ACCIDENT SHOW:
<ul style="list-style-type: none"> ← MOVING VEHICLE ←←← BACKING VEHICLE ← - - - PEDESTRIAN ▣ PARKED VEHICLE □ FIXED OBJECT ● INJURY ACCIDENT ● FATAL ACCIDENT 	<ul style="list-style-type: none"> ←← REAR END →← HEAD ON ←↘ SIDE SWIPE ↘↓ RIGHT ANGLE ↘↙ LEFT TURN HEAD ON ↘ 90° OUT OF CONTROL 	<ol style="list-style-type: none"> Date & Time Weather & Road Surface Conditions
		<p><u>LIVERNOIS</u></p> <p><u>SOUTH OF BIG BEAVER</u></p> <p>BY: <u>AL</u> DATE: <u>10/2/02</u></p>



Geographical Information Systems



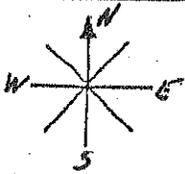
COLLISION DIAGRAM

ITEM 10

PERIOD: 1 yr

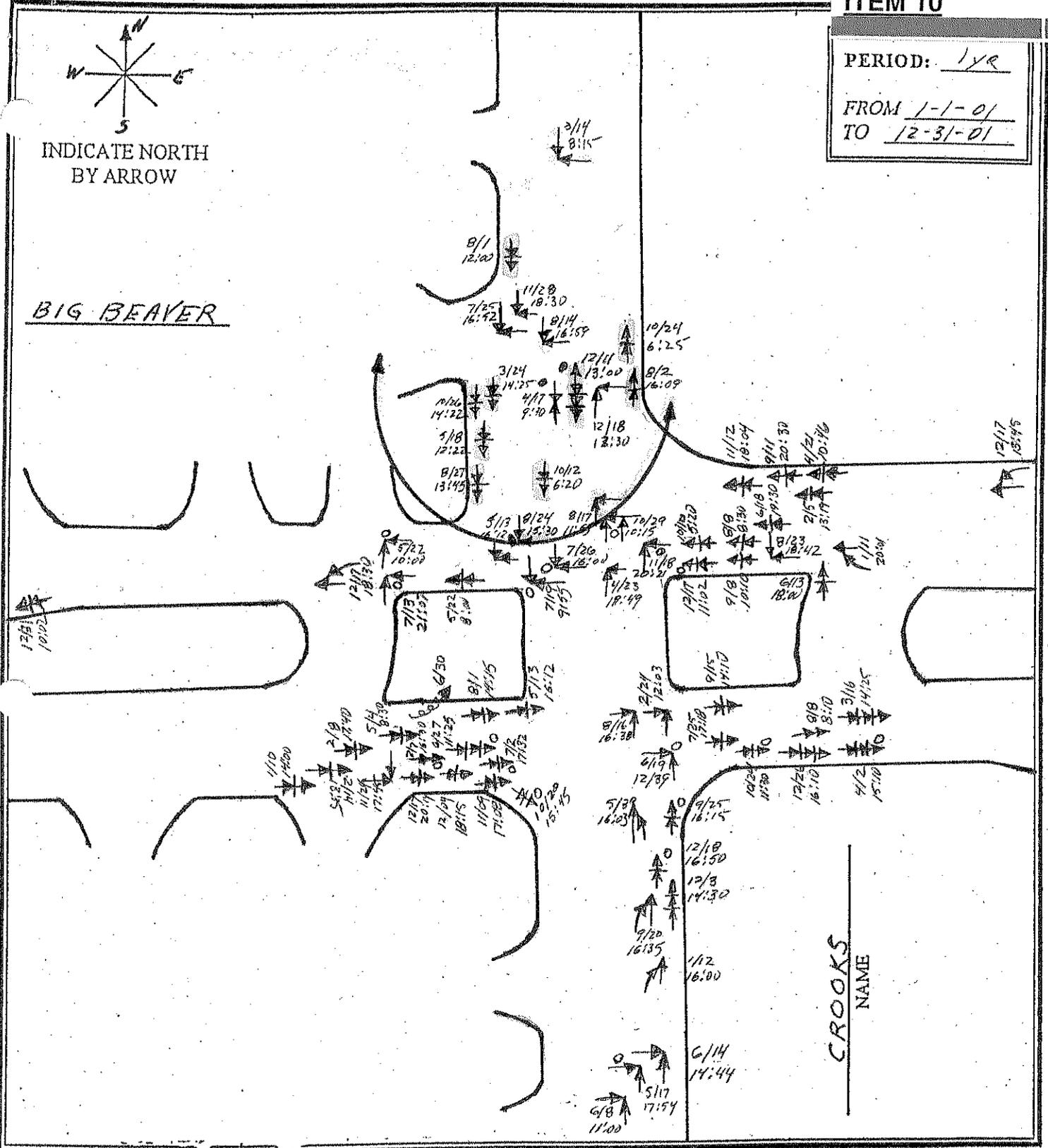
FROM 1-1-01

TO 12-31-01



INDICATE NORTH BY ARROW

BIG BEAVER

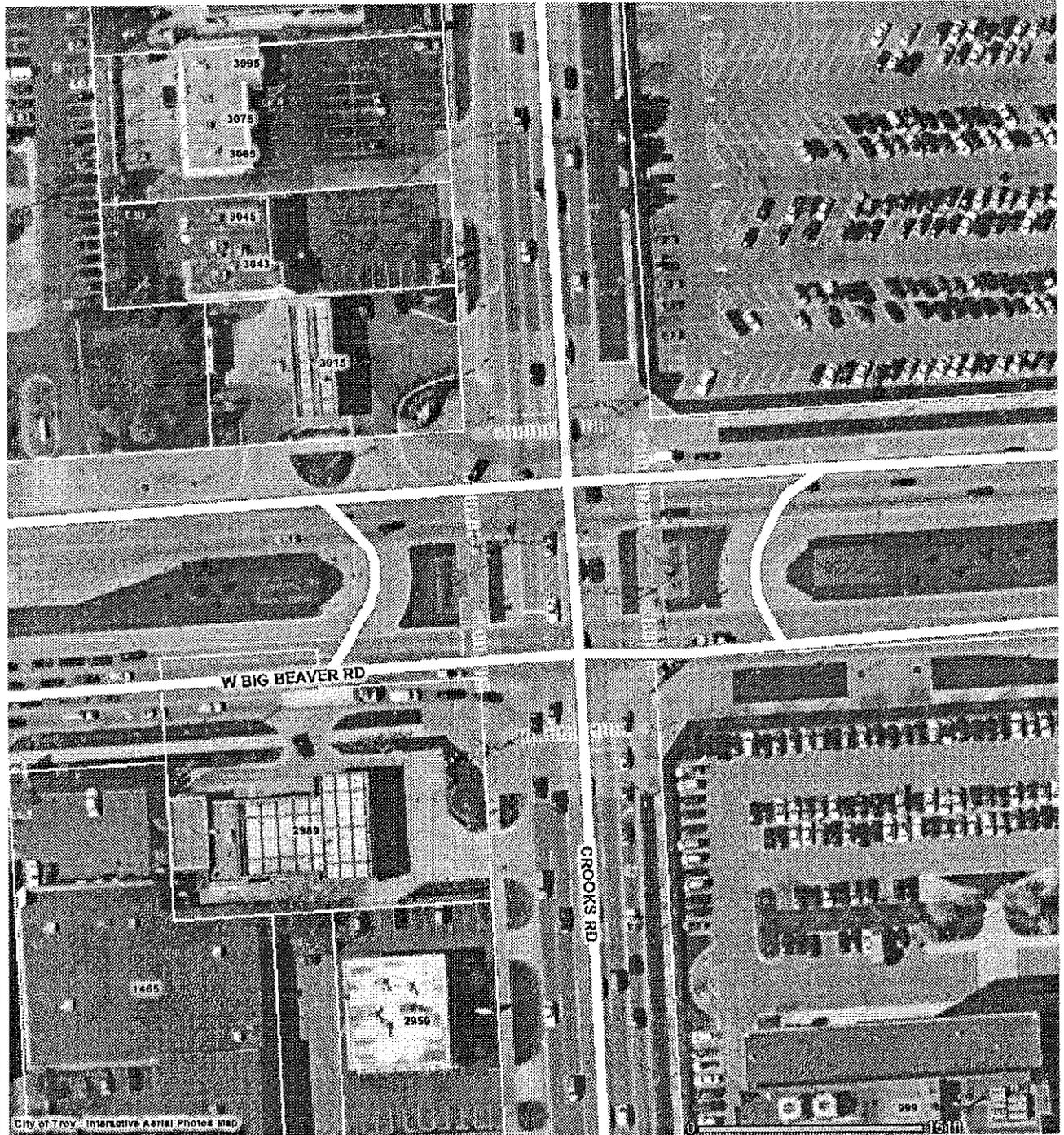


CROOKS
NAME

SYMBOLS	TYPES OF COLLISIONS	FOR EACH ACCIDENT SHOW:
<ul style="list-style-type: none"> MOVING VEHICLE BACKING VEHICLE PEDESTRIAN PARKED VEHICLE FIXED OBJECT INJURY ACCIDENT 	<ul style="list-style-type: none"> REAR END HEAD ON SIDE SWIPE RIGHT ANGLE LEFT TURN HEAD ON OUT OF CONTROL 	<ol style="list-style-type: none"> 1. Date & Time 2. Weather & Road Surface Conditions
		<p><u>BIG BEAVER</u> #</p> <p><u>CROOKS</u></p> <p>BY: <u>JK</u> DATE: <u>6-12-02</u></p>



Geographical Information Systems



ATT:
JOAN MINER

3805 Old Creek Rd.
Troy, Michigan 48084-1657
Phone (248) 362-4418
Fax (248) 362-1802

FF #
Fire Department ITEM 11

500 West Big Beaver Road
Troy, Michigan 48084
Phone: 248-524-3419
Fax: 248-689-7520

September 26, 2002

Ms. Joan Miner
Wattles Creek Condominium Association
3805 Old Creek Rd.
Troy, MI 48084-1657

RE: Fire Lanes

Dear Ms. Miner:

Troy City Code, Chapter 93, titled Fire Prevention, requires fire apparatus access roads / fire lanes be provided for every facility, building, or portion of a building within the City of Troy. Fire apparatus access roads / fire lanes shall have an unobstructed clear width of not less than 18 feet (5508 mm) and an unobstructed vertical clearance of not less than 14 feet (4284 mm).

Approved signs shall be provided for fire apparatus access roads / fire lanes to identify such roads / lanes or prohibit the obstruction thereof. Signs shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Fire apparatus access roads / fire lanes shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances shall be maintained at all times.

Violation of this code shall be considered a misdemeanor.

Hopefully this information helps. If you require any further information please feel free to contact this office.

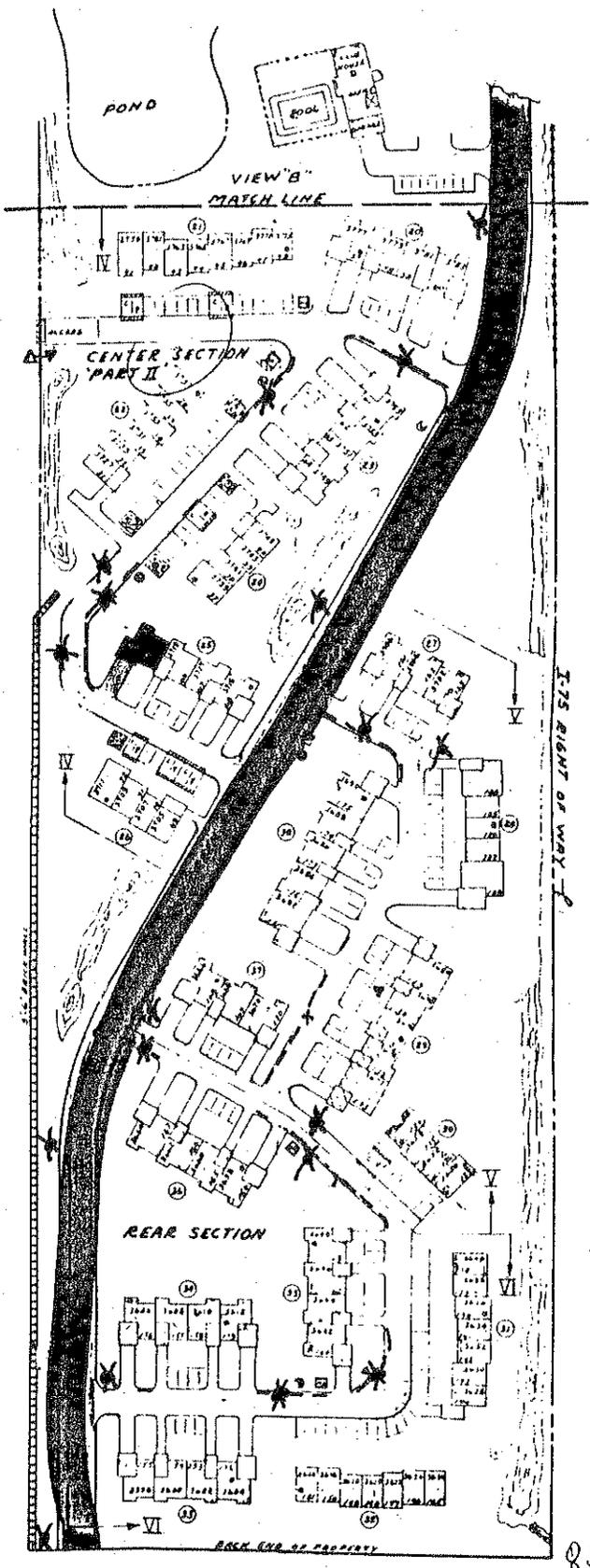
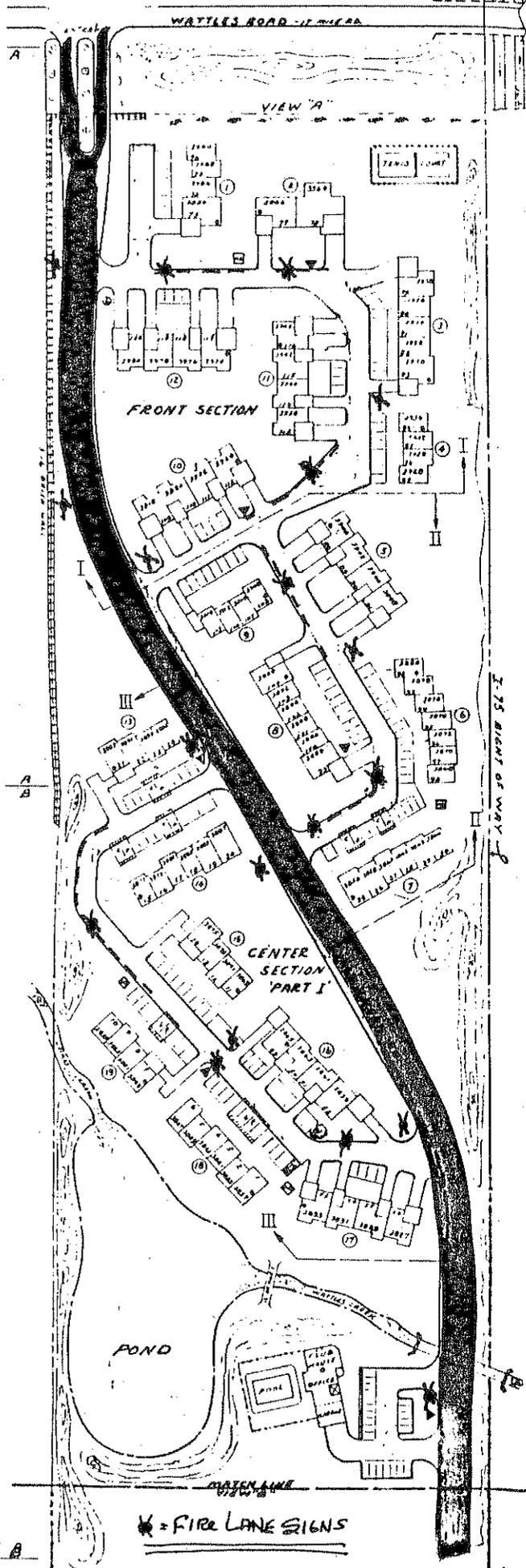
Sincerely,



Lt. Robert Matlick
Fire Prevention Division

dr/RDM

WATTLES CREEK CONDOS



LEGEND
PHASES

1-7-85

Per

December 9, 2002

TO: The Honorable Mayor and City Council

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

RE: Upgrade – Water Meter Reading System –

RECOMMENDATION

The Public Works Department would like approval to purchase the Psion TTL Workabout System from SLC Meter Service Inc at an estimated total cost of \$22,495.00. – See equipment list in Appendix A. -

BACKGROUND

The Schlumberger Advanced Handheld Meter Reading System was originally bid and awarded in 1996 to the low total bidder, SLC Meter Service. The hand-held units and the memory cards purchased at that time are now worn-out and need to be replaced. At this time it is impossible to purchase new or used handheld computers or memory cards for this system. Parts are not available to repair equipment that is no longer operational. Without the proper reading equipment, water meters cannot be read and water bills cannot be produced. Therefore, the equipment needs to be upgraded to a system, which is compatible, convertible, durable, and cost effective.

It is not recommended that the upgraded equipment be re-bid at this time for the following reasons:

- None of the meters currently owned could be read without an adapter. The use of adapters is not recommended for the field, since they cause additional man-hours reading meters. The meter readers would be forced to carry multiple types of equipment causing other inefficiencies.
- If “other brand” upgrade equipment were purchased, either complete meter replacement or “register” replacement on the meters would result.

ADDITIONAL INFORMATION

The Psion TTL Workabout System being offered by SLC Meter Service meets the following criteria:

- Compatible with existing billing software products, and easily converts to another billing software package should a change be necessary.
- Compatible with existing hardware in the field, i.e. meter registers and ROM's.
- Convertible – ability to add onto or easily convert existing equipment into the next technical advance with minimal expenditure of time and money.
- Durable – this type of equipment is used daily in all types of outdoor weather, rain, snow, heat, and must be able to withstand hard use.
- Cost effective at \$22,495 when compared to the only other Neptune system available at \$41,150.

BUDGET

Funds are available from the Water Department's operating budget #555.7978.010.

Prepared by: Michael Karloff, Superintendent of Water and Sewer

Appendix A

Psion TTL Workabout System:

6-Unit Meter Reading System to allow for Manual Entry, Data Capture and Radio Reads Simultaneously

Hand-Held System Components

<u>Description</u>	<u>Part #</u>	<u>Price</u>	<u>Qty.</u>	<u>Extension</u>
2 Meg TTL Workabout	1800-0021	\$ 995	6	\$5,970
4 Meg Ram Data Card	2300-00198	\$ 350	6	\$2,100
Meter Reading Program Card	2300-0016	\$ 350	6	\$2,100
Hand Straps	2802-0008	\$ 25	2	\$ 50
Probe	MP-ARB	\$ 800	6	\$4,800
Workabout Holster	917-660	\$ 75	6	\$ 450
Backup Cable		\$ 25	1	\$ 25
Meter Monitor Route Management Software				\$5,000
2-Day Training, Installation & Setup		\$1,000	2	\$2,000
One Year Warranty , and One Year Workmanship included				
Total Cost:				<u>\$22,495</u>

(d) Water Meter Reading Devices

Resolution #96-694
Moved by Pallotta
Seconded by Allemon

RESOLVED, that a contract to provide water meter reading devices and operating software is hereby awarded to the low total bidder, SIC Meter Service, pursuant to bid tabulation opened June 28, 1996, a copy of which shall be attached to the original minutes of this meeting, at a cost of \$25,750; and

BE IT FURTHER RESOLVED, that the City of Troy reserves the right to purchase the extended maintenance program for up to five years pursuant to the bid tabulation.

Yeas: All-7

RECEIVED

JUL - 9 1996

CITY OF TROY
CITY MANAGER'S OFFICE

Date: July 1, 1996
To: James C. Bacon
City Manager
From: Nancy Hines
Administrative Aide, DPW
Re: Water Meter Reading Devices Bid

After reviewing the bid proposals for Water Meter Reading Devices and Operating Software, I recommend the contract be awarded to SLC Meter Service, the lowest total bidder, as follows:

<u>Qty</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
6	Hand Held Meter Reading Devices Including All Adapters	\$ 2,900.00	\$ 17,400.00
6	Communication Charging Stand	400.00	2,400.00
1	Operating Software	5,950.00	\$ 5,950.00
	Grand Total		\$ 25,750.00

The City of Troy also reserves the right to purchase the extended maintenance program, at a later time, if needed. The City understands that the extended maintenance program can be purchased at any time before the equipment becomes not older than five (5) years, as noted on the maintenance and update costs sheet, attached to the SLC Meter Service bid proposal.

If you have any questions regarding this recommendation, please contact me at x501.

Respectfully submitted,

Nancy Hines
Nancy Hines
Administrative Aide

Reviewed and recommended,

Jeanette Bennett
Jeanette Bennett
Director of Purchasing

Reviewed by,

Michael W. Culpepper
Michael Culpepper
Coordinator of Public Works

of Bids Sent -- 15
of Bids Rec'd - 6
of No Bids -- 3

cc: John Szerlag, Assistant City Manager
File

C-15(d)

Opening Date: 6/28/96
 Date Prepared: 7/07/96

CITY OF TROY
 BID TABULATION
 WATER METER READING DEVICES AND OPERATING SOFTWARE

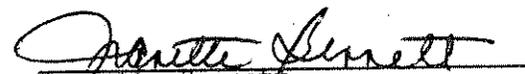
SBP 96-24

VENDOR NAME:		SLC METER SERVICE	BADGER METER, INC	SENSUS TECHNOLOGIES, INC	
PROPOSAL	DESCRIPTION	QTY	UNIT PRICE	UNIT PRICE	UNIT PRICE
I.	HAND HELD METER READING DEVICE INCLUDING ALL ADAPTERS QUOTING ON: ADVANCE HANDHELD MANUFACTURED BY: SCHLUMBERGER	6	\$2,900.00 *	\$5,455.00	\$5,747.94
II.	COMMUNICATION CHARGING STAND IN ACCORDANCE WITH SPECIFICATIONS QUOTING ON: ADV HANDHELD RAC MANUFACTURED BY: SCHLUMBERGER	6	\$400.00 *	\$1,350.00	A) \$ 718.19 B) \$ 675.95
III.	PACKAGE OF OPERATING SOFTWARE QUOTING ON: ADVANCE MANUFACTURED BY: SCHLUMBERGER	1	\$5,950.00 *	\$4,150.00	\$4,276.63
GRAND TOTAL			\$25,750.00 *	\$38,230.00	\$42,862.21
OPTIONAL FEATURES:					(SYSTEM SUPPORT \$450/YR)
	A) R.F. ADAPTOR		\$2,500.00	---	---
	B) R.F. MIU		\$110.00	---	---
	C) INBOUND MIU		\$160.00	---	---
	D) MC-V BATTERY FOR INTERNAL HEATER		---	\$100.00	---
	E) MODEL 3093 TOUCHGUN/TR & ARB		---	---	\$1,234.08
MAINTENANCE/UPDATE COSTS: (AFTER 2 YRS)					
	HANDHELD MAINTENANCE--	CRADLE	\$500/UNIT	\$250/YR/UNIT	\$452.80/UNIT
	ADAPTER		\$90/UNIT	---	\$86.40/UNIT
	UPDATE COST--	SOFTWARE	\$100/UNIT	---	INCLUDED IN SYST
			\$600/UNIT	\$500/YR (RMS+)	SUPPORT ANNUAL F
ADDITIONAL LICENSES:			NOT NEEDED	N/A	N/A
			SITE LICENSE		
REQUIRED LIST OF STANDARD FEATURES	Y/N		YES	YES	YES
INSURANCE	Y/N		YES	NO	YES
REQUIRED LIST OF REFERENCES	Y/N		YES	YES	YES
COMPUTER CONFIGURATION			386, 8MEG RAM 8 OMB HARD DISK 1 SERIAL PORT	386,641K MEMORY 3 1/2"DISC DRIVE 1 SERIAL PORT	BLANK
TRAINING			SEE HANDHELD TRAINING AGREEMENT	8 HOURS 8 HOURS	AS REQUIRED 2 DAYS
TERMS			NET 30 DAYS	NET 30 DAYS	NET 30 DAYS
WARRANTY			TWO YEARS	SEE MCV-W-01 ATTACHED TO BID	ATTACHED TO BID
DELIVERY DATE			AS REQUIRED	30 DAYS ARO	30/40 DAYS ARO
EXCEPTIONS			NONE	NO PROMPTS	SEE COVER LETTER ATTACHED TO BID
NO BIDS:			PROPOSAL--	Water Meter Reading Devices and Operating Software	
	Water Pro Supplies Etna Supply Co ABB Kent Meters Inc				

* Denotes Low Total Bidder

ATTEST:
 Ester Corbin
 Nancy Hines
 Susan Leirstein

A: Watsoft.wk1


 Jeanette Bennett
 Purchasing Director

BIDDERS LIST
WATER METER READING DEVICES AND OPERATING SOFTWARE

COMPANY	ADDRESS	CITY	STATE	ZIP
BADGER METER COMPANY	4545 W BROWN DEER	MILWAUKEE	WI	53223
CARLTON METER COMPANY	P O BOX 264	GRAND HAVEN	MI	49417
ETNA SUPPLY COMPANY	529 32ND STREET SE	WYOMING	MI	49508
HERSEY METER COMPANY	P O BOX 128 HWY 70	CLEVELAND	NC	27103
KENT METERS INC	903 NE OSCEOLA AVE	OCALA	FL	32670
METROL COMPANY	7145 E DAVISON	DETROIT	MI	48212
MID-WEST METER COMPANY INC	P O BOX 366 1003 W MADISON	ARKANSAS CITY	KS	67005
NEPTUNE METER CO	14700 FARMINGTON RD SUITE 106	LIVONIA	MI	48154
PRICE BROTHERS COMPANY	1995 E 10 MILE RD	WARREN	MI	48091
ROCKWELL INTERNATIONAL	1996 UNIVERSITY LANE	LISLE	IL	60532
ROCKWELL INTERNATIONAL WATER PRODUCTS	12363 JOSHUA LANE	HARTLAND	MI	48029
THLUMBERGER	ROUTE 229 SOUTH	TALLASSEE	AL	36078
SENSUS TECHNOLOGIES	P O BOX 487	UNIONTOWN	PA	15401
SINGER AMERICAN WATER DIVISION	13500 PHILMONT AVE	PHILADELPHIA	PA	19116
SLC METER SERVICE	3059 DIXIE HWY	WATERFORD	MI	48328

December 10, 2002

TO: Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Dennis C. Stephens, ROW Representative

SUBJECT: Request for Authorization to Make Unconditioned Offer to purchase
2780 Rochester Road (O'Rilley Building), Parcel #88-20-27-277-017

Currently the 2780 Rochester Road building is a nonconforming structure and a safety hazard. The primary purpose of the city's purchase of the property is the issue of safety, concerning vehicular traffic on Rochester Road and the I-75 on and off ramps. The intent in purchasing this property would be to demolish the building and reserve this property as open space with signage welcoming people to Troy, as an entrance into the City of Troy. In addition, the purchase of this property furthers the ability of the City to move forward in closing Owendale if access can be provided to all of the businesses along Owendale east of Rochester Road.

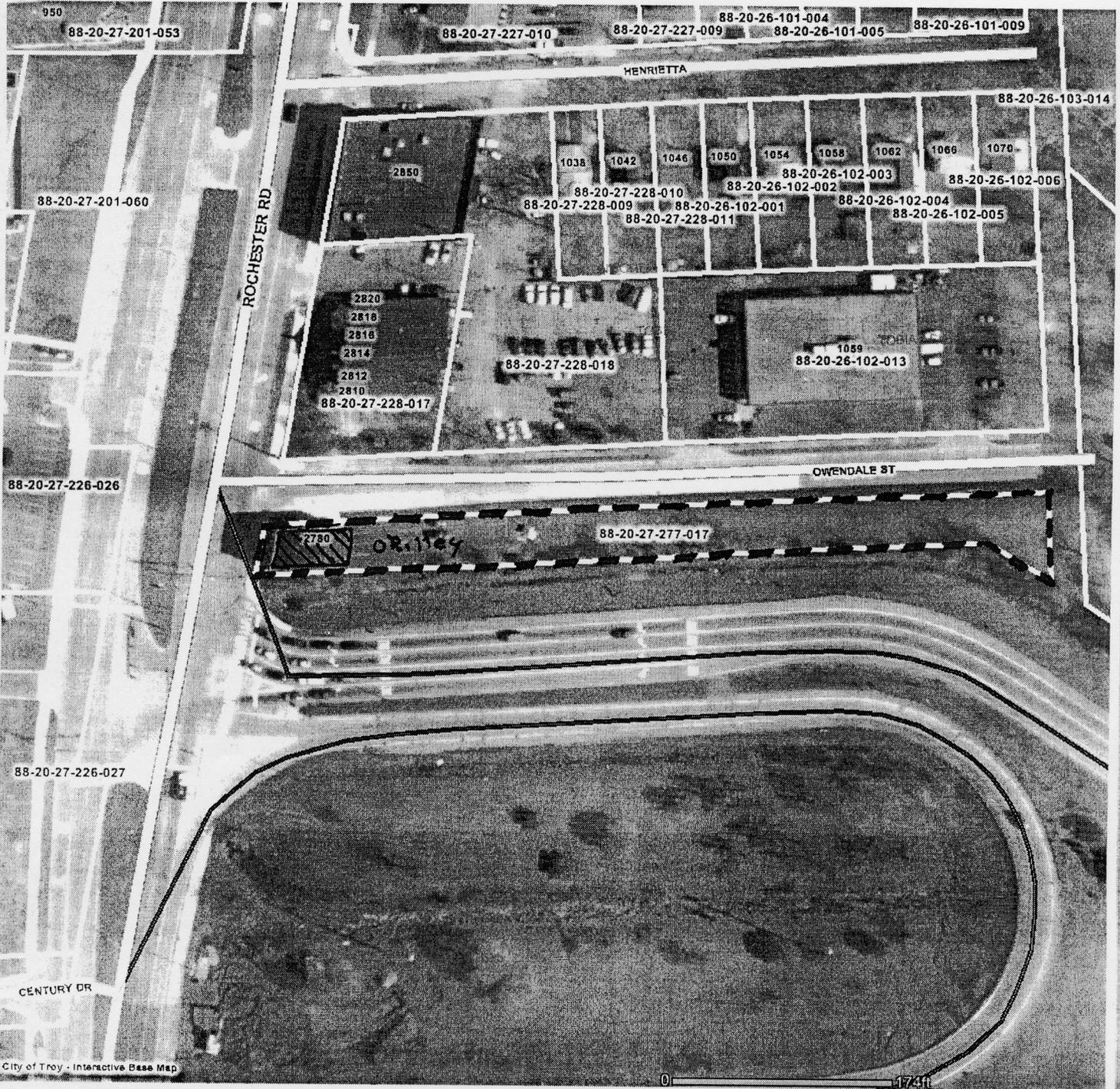
The original property purchase was delayed with the death of Mr. O'Rilley and then the attempted negotiation of a possible property exchange or purchase with the new owner was not successful.

In order to proceed with the acquisition of 2780 Rochester Road, which is commonly referred to as the O'Rilley Building, the Real Estate and Development Department, requests authorization to make an unconditioned offer to all parties of interest in the appraised amount of \$500,000.00, as appraised by Integra/Dean in an appraisal dated September 5, 2002

The Downtown Development Authority (DDA) budget for land acquisition is to cover the cost of purchasing the O'Rilley property located at I-75 and Rochester Road.



Geographical Information Systems



City of Troy - Interactive Base Map

0 1/4" = 100'

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



December 12, 2002

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager

SUBJECT: Technical Review of Agenda Items

The purpose of this memo is to determine if Council desires to amend the starting time of Council meetings in to allow for a 45-minute technical review of agenda items with staff at the top of each meeting. If so, it is recommended that as of January 1, 2003, regularly scheduled Council meetings will begin at 6:45 PM in the Council Board Room, recess at 7:15 PM and reconvene in Council Chambers at 7:30 PM.

JS/mr

December 11, 2002

To: Honorable Mayor and City Council

From: John Szerlag, City Manager 
 Gary A. Shripka, Assistant City Manager/Services 
 Lori Grigg Bluhm, City Attorney 
 Carol K. Anderson, Parks and Recreation Director 

Subject: License and Use Agreement

Recommendation

Attached please find the agreement with Oakland County Drain Commission for the lease of the Nelson Drain Drainage District. Staff recommends approval of the lease. As you know, it is intended that this property be used to construct, maintain and operate a cricket field.

Background

City Council directed staff to provide a space for a cricket field for the Michigan Cricket Association. The league is made up of teams from Michigan with two teams from Troy participating in the league.

Staff has worked with the County Drain Commission to secure the Nelson Drain area for this purpose. The available land is large enough for the cricket field, bleachers and parking. While the property has limitations, the Michigan Cricket Association representatives have expressed approval and appreciation for the possible use of the site.

NOTE TO COUNCIL:

As indicated at the December 9, 2002 Study Session, staff will work with the Michigan Cricket Association for reason of sharing costs for cricket field set-up, and maintenance.


 John Szerlag,
 City Manager

LICENSE AND USE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2002, by and between the **NELSON DRAIN DRAINAGE DISTRICT**, a Michigan Statutory Corporation, acting through the Drainage Board for the **NELSON DRAIN**, under Chapter 20 of Act 40 of the Public Acts of 1956, as amended, whose address is One Public Works Drive, Waterford, Michigan 48328 (herein after referred to as the "DISTRICT") and the **CITY OF TROY**, a Michigan Municipal Corporation, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as the "CITY").

WITNESSETH:

WHEREAS, the **DISTRICT** is the fee owner of certain property located in the **CITY OF TROY**, said property being more particularly described as:

Lots 1 and 2, except the West 15.0 ft. taken for Rochester Rd. and Lots 3 thru 6 inclusive, except the West 265.0 ft. of said lots of Golf Stream Subdivision, being part of the Southwest ¼, Section 11, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 49, Page 57, Oakland County Records and also the North 165.0 ft. of the Southwest ¼ of the Southwest ¼, except the West 75.0 ft. taken for Rochester Road.
Sidwell No. 20-11-301-018; and

WHEREAS, the **CITY** desires to construct, operate and maintain a "cricket" field, a gravel parking lot and pathway(s) over and within the **DISTRICT'S** property as described; and

WHEREAS, the **CITY** acknowledges and accepts the paramount rights of the **DISTRICT** to permanently maintain control and usage of the **DISTRICT'S** property; and

WHEREAS, the **DISTRICT** does not object to the proposed cricket field and improvements as approved at its Board meeting September 18, 2001 ~~2002~~.

NOW, THEREFORE, in consideration of the premises, covenants and undertakings hereinafter contained, and for **ONE (\$1.00) DOLLAR**, receipt of which is hereby acknowledged by the **DISTRICT**, the **DISTRICT** and the **CITY** mutually agree as follows:

- 1) The **CITY** shall be allowed to construct the Cricket Field, including an 12.0 ft. x 66.0 ft. "pitch" area, a parking lot, and pathway in accordance with the plan submitted and approved by the **DISTRICT**. No other permanent structures of any kind shall be allowed. The improvements shall be constructed in such a manner and location as to prevent any damage to the existing drain or its related drainage systems which lie within the property.
- 2) The **CITY** shall be responsible for any and all costs associated with the construction, operation or maintenance of the field and improvements.
- 3) The **CITY** agrees, that if it is ever necessary for the **DISTRICT** to remove and/or cause damage to any of the improvements because of operation, maintenance, repair and/or replacement of the **NELSON DRAIN** or its related systems, the **DISTRICT** shall not be held liable for restoring or replacing said improvements. All restoration will be paid for and accomplished by the **CITY**, and such restoration shall be approved by the **DISTRICT**.
- 4) The **CITY** further agrees to remove any of the improvements that the **DISTRICT** deems necessary to facilitate maintenance, repair and/or replacement activities to the **NELSON DRAIN** within 30 days of receiving written notice from the **DISTRICT** of any impending maintenance, repair and/or replacement activity.
- 5) In the event that the **CITY** fails to so remove said improvements as deemed necessary by the **DISTRICT** within 30 days of the date of receiving such notice or any later date as set by the **DISTRICT** for such removal, the **DISTRICT** may proceed to clear all or any area by any means expeditious to the project and assess and bill the **CITY** for all costs additional to the project and attendant to such clearing of the right-of-way area. The **CITY** agrees that it shall be liable for and will pay all such costs upon receipt of any billing for such costs.
- 6) The **CITY** shall be allowed to replace and re-establish the improvements upon completion of any maintenance, repair and/or replacement project consistent with the specifications of the plans as approved by the **DISTRICT**.
- 7) To the extent provided by law, the **CITY OF TROY** shall indemnify and hold the **DISTRICT** harmless from any and all liability, loss or damage the **DISTRICT** may suffer as a result of all claims, demands, costs or judgments against it or claimed by any third party, their heirs, successors or assigns arising out of the **CITY OF TROY'S** use of the **DISTRICT'S** property.

- 8) To the extent provided by law, the **CITY** agrees to defend and hold the **DISTRICT** harmless against any and all claims of any nature or type, lawsuits, actions, arbitrations, or any form of claim or demand brought against the **DISTRICT** for the use of its property.
- 9) The **CITY** shall name as an additional insured on its present and future insurance contracts, the **DISTRICT** for any and all coverage or contract that the **CITY** shall have in effect that provides coverage for the **CITY'S** use of the **DISTRICT'S** property. Notwithstanding the foregoing, the City may fulfill the insurance requirements herein by requiring any and all City authorized users of the site to purchase and maintain general liability insurance which names the District as an additional insured. The City or other authorized users shall submit insurance certificates to the Drain Commissioner for his review and approval.
- 10) The **DISTRICT** will grant and issue such permits as are deemed necessary prior to starting construction of improvements on its property. The **CITY** shall secure approval from any other municipality, agency, utility company or private property owner as may be required prior to commencing construction of improvements.

It is hereby expressly reserved unto the **DISTRICT** that this Agreement may be terminated by the **DISTRICT** in writing to the **CITY** for cause or without cause at any time during its duration. Furthermore, in the event the **CITY** chooses to abandon its use of the property, this Agreement may be terminated by the **CITY** in writing to the **DISTRICT** for cause or without cause.

In the event this Agreement is terminated by the **DISTRICT**, the **CITY** hereby releases the **DISTRICT** from any loss, damage or liability of any kind of nature caused by or due to the termination of this Agreement by the **DISTRICT**. Furthermore, if this Agreement is terminated by the **CITY**, the **DISTRICT** hereby releases the **CITY** from any loss, damage or liability of any kind of nature caused by or due to the termination of this Agreement by the **CITY**.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors or assigns.

IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures this _____ day of _____, 2002.

In the Presence of:

**NELSON DRAIN
DRAINAGE DISTRICT**

JOHN P. McCULLOCH, CHAIRMAN

CITY OF TROY

MATT PRYOR, MAYOR

TONNI BARTHOLOMEW, CITY CLERK

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
)SS:
COUNTY OF OAKLAND)

On this _____ day of _____, A.D., 2002, before
me personally appeared _____,
MAYOR, and _____, CLERK, of
the CITY OF TROY, who are to me known to be the persons described in and who
executed the above License and Use Agreement and acknowledged the same to be their
own free act and deed.

Notary Public

County, _____
My Commission Expires: _____

This instrument drafted by:

**James W. Isaacs, Jr., P.S.
Oakland County Drain Commissioner
Building 95 West
One Public Works Drive
Waterford, Michigan 48328-1907**

PED/kmb

Kimberly Brown's Files\10:\Dove\EastUse_Agr\NELSONDRAIN.J17\17/02-(Chg's. made on 10/7/02)

December 12, 2002

TO: The Honorable Mayor and City Council Members
FROM: John Szerlag, City Manager
SUBJECT: Civic Center Economic Model – Theater Size

At the December 12, 2002 DDA meeting a five-page summary regarding the Civic Center economic model was distributed. One of the elements that was identified as a component of the potential \$250 million development was a theater with a seating capacity up to 5,000 seats. Mayor Pryor indicated that a 5,000-seat theater was unacceptable and will ask Council to formally determine the maximum number of seats for a potential performing arts center.

Mr. Kiriluk indicated that no member of the DDA were champions of a performing arts center up to 5,000 seats. Rather, the assignment given to the DDA from City Council was to determine the economic feasibility for various site plan elements. Any misunderstanding was unfortunate.

In a related issue, the Michigan Economic Development Corporation (MEDC) has indicated that it will not be until January or February before Senator Johnson, Representative Pappageorge, Mayor Pryor, Doug Smith, and myself can meet with MEDC to discuss the feasibility of capital financing for a conference center.

JS/mr\AGENDA ITEMS\2002\Civic Center Economic Model – Theater Size

c: Downtown Development Authority Members
Doug Smith, Real Estate & Development Director

December 11, 2002

To: Honorable Mayor and City Council

From: John Szerlag, City Manager 
Gary A. Shripka, Assistant City Manager/Services 
Lori Grigg Bluhm, City Attorney 
Carol K. Anderson, Parks and Recreation Director 

Subject: License and Use Agreement

Recommendation

Attached please find the agreement with Oakland County Drain Commission for the lease of the Nelson Drain Drainage District. Staff recommends approval of the lease. As you know, it is intended that this property be used to construct, maintain and operate a cricket field.

Background

City Council directed staff to provide a space for a cricket field for the Michigan Cricket Association. The league is made up of teams from Michigan with two teams from Troy participating in the league.

Staff has worked with the County Drain Commission to secure the Nelson Drain area for this purpose. The available land is large enough for the cricket field, bleachers and parking. While the property has limitations, the Michigan Cricket Association representatives have expressed approval and appreciation for the possible use of the site.

NOTE TO COUNCIL:

As indicated at the December 9, 2002 Study Session, staff will work with the Michigan Cricket Association for reason of sharing costs for cricket field set-up, and maintenance.


John Szerlag,
City Manager

F-10

LICENSE AND USE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2002, by and between the **NELSON DRAIN DRAINAGE DISTRICT**, a Michigan Statutory Corporation, acting through the Drainage Board for the **NELSON DRAIN**, under Chapter 20 of Act 40 of the Public Acts of 1956, as amended, whose address is One Public Works Drive, Waterford, Michigan 48328 (herein after referred to as the "DISTRICT") and the **CITY OF TROY**, a Michigan Municipal Corporation, whose address is 500 West Big Beaver Road, Troy, Michigan 48084 (hereinafter referred to as the "CITY").

WITNESSETH:

WHEREAS, the **DISTRICT** is the fee owner of certain property located in the **CITY OF TROY**, said property being more particularly described as:

Lots 1 and 2, except the West 15.0 ft. taken for Rochester Rd. and Lots 3 thru 6 inclusive, except the West 265.0 ft. of said lots of Golf Stream Subdivision, being part of the Southwest ¼, Section 11, T.2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 49, Page 57, Oakland County Records and also the North 165.0 ft. of the Southwest ¼ of the Southwest ¼, except the West 75.0 ft. taken for Rochester Road.
Sidwell No. 20-11-301-018; and

WHEREAS, the **CITY** desires to construct, operate and maintain a "cricket" field, a gravel parking lot and pathway(s) over and within the **DISTRICT'S** property as described; and

WHEREAS, the **CITY** acknowledges and accepts the paramount rights of the **DISTRICT** to permanently maintain control and usage of the **DISTRICT'S** property; and

WHEREAS, the **DISTRICT** does not object to the proposed cricket field and improvements as approved at its Board meeting September 18, 2001 ~~2002~~.

NOW, THEREFORE, in consideration of the premises, covenants and undertakings hereinafter contained, and for **ONE (\$1.00) DOLLAR**, receipt of which is hereby acknowledged by the **DISTRICT**, the **DISTRICT** and the **CITY** mutually agree as follows:

- 1) The **CITY** shall be allowed to construct the Cricket Field, including an 12.0 ft. x 66.0 ft. "pitch" area, a parking lot, and pathway in accordance with the plan submitted and approved by the **DISTRICT**. No other permanent structures of any kind shall be allowed. The improvements shall be constructed in such a manner and location as to prevent any damage to the existing drain or its related drainage systems which lie within the property.
- 2) The **CITY** shall be responsible for any and all costs associated with the construction, operation or maintenance of the field and improvements.
- 3) The **CITY** agrees, that if it is ever necessary for the **DISTRICT** to remove and/or cause damage to any of the improvements because of operation, maintenance, repair and/or replacement of the **NELSON DRAIN** or its related systems, the **DISTRICT** shall not be held liable for restoring or replacing said improvements. All restoration will be paid for and accomplished by the **CITY**, and such restoration shall be approved by the **DISTRICT**.
- 4) The **CITY** further agrees to remove any of the improvements that the **DISTRICT** deems necessary to facilitate maintenance, repair and/or replacement activities to the **NELSON DRAIN** within 30 days of receiving written notice from the **DISTRICT** of any impending maintenance, repair and/or replacement activity.
- 5) In the event that the **CITY** fails to so remove said improvements as deemed necessary by the **DISTRICT** within 30 days of the date of receiving such notice or any later date as set by the **DISTRICT** for such removal, the **DISTRICT** may proceed to clear all or any area by any means expeditious to the project and assess and bill the **CITY** for all costs additional to the project and attendant to such clearing of the right-of-way area. The **CITY** agrees that it shall be liable for and will pay all such costs upon receipt of any billing for such costs.
- 6) The **CITY** shall be allowed to replace and re-establish the improvements upon completion of any maintenance, repair and/or replacement project consistent with the specifications of the plans as approved by the **DISTRICT**.
- 7) To the extent provided by law, the **CITY OF TROY** shall indemnify and hold the **DISTRICT** harmless from any and all liability, loss or damage the **DISTRICT** may suffer as a result of all claims, demands, costs or judgments against it or claimed by any third party, their heirs, successors or assigns arising out of the **CITY OF TROY'S** use of the **DISTRICT'S** property.

- 8) To the extent provided by law, the **CITY** agrees to defend and hold the **DISTRICT** harmless against any and all claims of any nature or type, lawsuits, actions, arbitrations, or any form of claim or demand brought against the **DISTRICT** for the use of its property.
- 9) The **CITY** shall name as an additional insured on its present and future insurance contracts, the **DISTRICT** for any and all coverage or contract that the **CITY** shall have in effect that provides coverage for the **CITY'S** use of the **DISTRICT'S** property. Notwithstanding the foregoing, the City may fulfill the insurance requirements herein by requiring any and all City authorized users of the site to purchase and maintain general liability insurance which names the District as an additional insured. The City or other authorized users shall submit insurance certificates to the Drain Commissioner for his review and approval.
- 10) The **DISTRICT** will grant and issue such permits as are deemed necessary prior to starting construction of improvements on its property. The **CITY** shall secure approval from any other municipality, agency, utility company or private property owner as may be required prior to commencing construction of improvements.

It is hereby expressly reserved unto the **DISTRICT** that this Agreement may be terminated by the **DISTRICT** in writing to the **CITY** for cause or without cause at any time during its duration. Furthermore, in the event the **CITY** chooses to abandon its use of the property, this Agreement may be terminated by the **CITY** in writing to the **DISTRICT** for cause or without cause.

In the event this Agreement is terminated by the **DISTRICT**, the **CITY** hereby releases the **DISTRICT** from any loss, damage or liability of any kind of nature caused by or due to the termination of this Agreement by the **DISTRICT**. Furthermore, if this Agreement is terminated by the **CITY**, the **DISTRICT** hereby releases the **CITY** from any loss, damage or liability of any kind of nature caused by or due to the termination of this Agreement by the **CITY**.

This instrument shall be binding upon and inure to the benefit of the parties hereto, their heirs, representatives, successors or assigns.

IN WITNESS WHEREOF, the Parties have hereunto affixed their signatures this _____ day of _____, 2002.

In the Presence of:

**NELSON DRAIN
DRAINAGE DISTRICT**

JOHN P. McCULLOCH, CHAIRMAN

CITY OF TROY

MATT PRYOR, MAYOR

TONNI BARTHOLOMEW, CITY CLERK

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
)SS:
COUNTY OF OAKLAND)

On this _____ day of _____, A.D., 2002, before
me personally appeared _____,
MAYOR, and _____, CLERK, of
the CITY OF TROY, who are to me known to be the persons described in and who
executed the above License and Use Agreement and acknowledged the same to be their
own free act and deed.

Notary Public

County, _____
My Commission Expires: _____

This instrument drafted by:

**James W. Isaacs, Jr., P.S.
Oakland County Drain Commissioner
Building 95 West
One Public Works Drive
Waterford, Michigan 48328-1907**

PED/kmb

Kimberly Brown's Files\10:\Dove\EastUse_Agr\NELSONDRAIN.J17\17/02-(Chg's. made on 10/7/02)

Meeting was called to order at 7:40 P.M., on Tuesday, September 24, 2002.

PRESENT: Rosemary Kornacki
 Roger Kaniarz
 Jack Turner
 Kevin Lindsey
 Brian Wattles
 Ed Bortner

ABSENT: Muriel Rounds (excused)
 Sucheta Sikdar, High School Rep. (excused)

STAFF Lorraine Campbell

ITEM #1 APPROVAL OF MINUTES OF MEETING OF AUGUST 27, 2002

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF AUGUST 27, 2002 AS SUBMITTED.

ITEM #2 OLD BUSINESS

A. Church and Parsonage Status:

City Council approved the site plan (and church parsonage relocation) Monday, September 23, 2002. The Ground breaking will be held on Monday, October 7, 2002 at 10:00 am at the Historic Village. Museum Staff and Community Affairs are planning the ceremony with the assistance of Jack Turner representing the Historical Society. The ceremony will emphasize the continuing partnerships that have moved the project towards completion. The press has been invited.

The construction fence on the east end of the Green will be in place within two weeks. Troy Hall relocation and installation of the new parking lots will occur soon. Staff and Building Operations will move the agriculture equipment from the east coral to the coral behind the Wagon Shop.

The Commissioners also reviewed the site plan, construction drawings and elevations.

B. Programs:

Sixty-five people attended the first Past-Port to Preservation Program that has brought 39 new members to the Historical Society. Participants also offered cash donations for the Church Parsonage Project. Lorraine will discuss with the Historical Society board the need for an organized Capital Fund Raising Program to accept contributions.

Sawdust, Cider and Sweet Music will be held on September 28.

C. Interns:

The Museum has accepted two Oakland University interns for Fall Term, 2002. Kathleen Belmont will research Johnson Niles and Angelo LoPiccolo will work on Frank Cutting. Both have begun their research.

D. Capital Improvements:

Caswell Waterproofing:

The lead abatement and waterproofing project has been completed.

Office and exhibit gallery refurbishing:

The exhibit gallery and stairwell was painted. New carpeting has been installed in the exhibit gallery, front office, manager's office, and resource room. The Gift Shop will be carpeted within the month. Old file cabinets and office furniture were sent to City auction. New lateral file cabinets and office furnishings for the Resource Room have been ordered.

Drainage Plan:

Loraine showed a site plan provided by Engineering, detailing a two-phase project to improve drainage in the Village. Catch basins, drainage pipe and a dry retention pond in the northeast corner of the property will be installed. Phase 1 includes the area occupied by the Church, Parsonage, relocated Troy Hall, Wagon Shop and new parking lot. This phase will be completed in FY 2002-03 after the buildings are relocated at a cost of \$73,069. Phase 2, will tie in the remainder of the green. It will be completed in FY 2003-04. This project represents work identified in the Church Parsonage Project and needs identified in the Physical Maintenance and Conservation Plan.

E. Museum Sign

Loraine presented the revised construction drawings for the new sign.

MOVED, TO APPROVE THE PROPOSED PLAN AS AMENDED.

YEAS: 6 — Ayes. Kornacki, Kaniarz, Bortner, Lindsey, Wattles, Turner.

NAYS: 0

F. Review of Physical Maintenance and Conservation Plan

The group reviewed the Phase 1 report briefly. There were no questions.

ITEM #3 NEW BUSINESS

A. Troy Historical Society Liaison Report:

No report.

B. New Acquisitions:

William Boardman is looking for experts on 19th Century furniture to appraise a china cabinet offered as a donation. If the piece is authentic, and can be dated at 1900 or earlier we will accept it for use in the parsonage.

C. HDC Nominations:

Ann Partlan was appointed to the HDC by City Council on September 23, 2002.

D. Other:

Full time staff met with Brian Stoutenburg and Hedy Brodak on Thursday, September 19, in a preliminary strategic planning session. Initial steps included assessment of assets, programs, services and projects.

ITEM # 4 REPORTS AND COMMUNICATIONS

A. Visitors:

No report.

B. Staff:

Human Resources posted the new Museum Assist position. This position is for 20-hrs/ week and includes mostly weekend office work.

Loraine completed the six-month evaluation for Historic Interpreter Ray Lucas. Ray has excellent research skills, is experienced in genealogical research and is doing good work with school groups.

C. Commission Members:

The Troy Historical Commission meeting adjourned at 9:25 P.M.

The next regular meeting is scheduled on Tuesday, October 22, 2002. Muriel Rounds will take minutes at that meeting.

Respectively submitted,

Loraine Campbell
Museum Manager

A meeting of the **Troy Youth Council (TYC)** was held on Wednesday, September 25, 2002, at City Hall in the Lower Level Conference Room. The meeting was called to order at 7:00 p.m.

MEMBERS PRESENT: Emily Burns
 Allister Chang (arrived 7:06)
 Ryan Chandonnet
 Chris Cheng (arrived 7:35)
 Min Chong
 Juliana D'Amico (co-secretary)
 Raymond Deng
 Monika Govindaraj
 Eric Gregory
 Omar Hakim (co-chair)
 Catherine Herzog
 Maniesh Joshi
 Andrew Kalinowski
 Christina Krokosky
 Matthew Michrina
 Brian Rider (co-chair)
 Manessa Shaw
 YuJing Wang (co-secretary; arr.7:05)
 Fred Wong

MEMBERS ABSENT: David Vennettilli

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager

VISITORS: Mayor Matt Pryor
 Annette Kingsbury, Troy Eccentric Reporter

1. Roll Call

2. Minutes

Resolution # 02-03

Moved by Wong

Seconded by Krokosky

RESOLVED, that the minutes of the July 10, 2002 meeting be approved.

Yeas: All – 19

No: None

Absent: Vennettilli

3. General Info:

- a. Personalized portfolios displaying the City of Troy logo were distributed
- b. Updated meeting schedules were distributed, including extra copies for members' parents
- c. Next Meeting: Oct 23rd @ City Hall; Nov & Dec Meetings on 3rd Wednesday @ Community Center

4. Visitor: Annette Kingsbury, Reporter from the Troy Eccentric

Annette introduced the idea of having a youth editorial board for the purpose of getting input on stories. A sign-up sheet was passed around. This board would function separately from the TYC; however it was agreed that TYC meetings may be a good place to get such input providing there is time on the agenda. Since there was time permitting, Annette also solicited input from the Youth Council regarding topics of interest to the Youth of Troy.

5. Discussion of Library Internet Policy: Topic Submitted by Fred Wong

Members reviewed the City Policy and the State Policy
Wong clarified that the main issue of concern is that there currently is no way of saving research information electronically (on the "Under Age 18" computers).

Update from Fitzpatrick: More Microsoft Word licenses are being purchased in two months and at that time there will be functioning disk drives so that information can be downloaded to disk. Fitzpatrick will advise when this occurs.

6. Topics for Joint Meeting with Teen Recreation Committee(s):

Skate Park : Fitzpatrick provided an update. Per City Council's request, staff is currently gathering information re: 1) funding of such parks in other communities; and 2) the option of constructing a temporary skate park.

Community Center: Memberships were discussed. One of the nineteen members present has a membership. A couple others (their families) had considered memberships, but decided against it. Lifetime Fitness was cited as having a much better facility. The members stated that there are no lines for equipment at Lifetime because Lifetime has much more equipment. The members realize that Lifetime, being a private enterprise, costs much more than the Community Center.

Mayor Pryor thanked the members for their involvement in the Youth Council. He also stated that he wanted to get their input on the Community Center issues of hours of operation (so youth can hang out there on Friday or Saturday nights) and the teen room.

Later in the meeting, one member added re: extended hours on Friday and Saturday nights, that realistically teenagers are not going to want to hang out at the Community Center on Friday and Saturday nights. There was general agreement with this statement among the members.

October 23 Meeting Topics:

1. Rules & Bylaws: review proposed
2. Flyer: review proposed
3. Logo Ideas
4. Parliamentary Procedure: discuss handout that was distributed on 9/25/01

The next meeting October 23, 2002 from 7 – 8:30PM. at the Troy City Hall in the *Lower Level Conference Room*.

The meeting adjourned at 8:09 p.m.

Laura Fitzpatrick, Assistant to the City Manager

Meeting was called to order at 7:40 P.M., on Tuesday, October 22, 2002.

PRESENT: Rosemary Kornacki
 Roger Kaniarz
 Jack Turner
 Brian Wattles
 Ed Bortner
 Muriel Rounds
 Sucheta Sikdar, High School Rep
 Connie Chang, High School Rep

ABSENT: Kevin Lindsey (excused)

STAFF: Loraine Campbell
 Brian Stoutenburg

ITEM #1 APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 24, 2002

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2002 AS SUBMITTED.

ITEM #2 OLD BUSINESS

A. Church and Parsonage Status:

Action on the Church Parsonage project this month included:

October 7	70 people attended the Groundbreaking Ceremony at the Museum.
October 10 -15	Agricultural equipment moved from east coral, Troy Hall emptied
October 17	New location for Troy Hall and the Parking Lot were surveyed and staked
October 21	Large maples and sycamore were trimmed to facilitate Troy Hall relocation
October 22	John Bowes of Shadetree Stained Glass Studios, Petoskey Michigan removed the stained glass windows from the church. Green was re-flagged by Miss Dig and construction fencing installed at east end of the Green

A Detroit Free Press reporter and photographer are following the project. They photographed the windows being removed from the Church and will be back when the structures are moved. A videographer from Community Affairs will film the windows in the restoration studio when he is in Petoskey this month.

Muriel Rounds asked if glass shards from the restoration project could be made into paperweights or other items and sold during a fundraiser.

B. Programs:

See attached report.

125 people attended Sawdust, Sweet Cider and Music, however overall public program attendance was down from last October. Due to the anticipated building moves, Harvest Home Festival was not held.

Winter Public programs are planned. Hanging of the Greens will be held December 8.

C. Interns:

Kathleen Belmont has submitted a very rough draft of her paper on Johnson Niles. Loraine will meet with Angela LoPiccolo in the next week.

D. Capital Improvements:

Office and gallery refurbishing– The new carpet in the gift shop was laid. The furniture for the resource room will be delivered and installed next week.

E. Museum Sign

Museum Sign Construction– The cost for constructing the new sign, (per design approved by the commission) is \$36,726. See attached cost analysis.

MOVED, TO REJECT THE PROPOSAL FOR CONSTRUCTING THE SIGN FOR \$36,726.

YEAS: 6: Kornacki, Kaniarz, Bortner, Rounds, Wattles, Turner.

NAYS: 0.

ITEM #3 NEW BUSINESS

A. Troy Historical Society Liaison Report:

Muriel Rounds reported that Harriet Barnard has stepped down as President. Vera Milz was elected the new President of the Society. Thelma Holdburg will continue as Secretary, and Walter Cornelius and Fred Rounds will serve as Co-Treasurers. Election of the Vice President was tabled for one month.

Plans for the Hand and Eye Show are nearly complete. Muriel is still seeking additional volunteers to work the day of the show.

The Society approved paying for the rental of additional off site storage space for six months for the Museum.

The Society has formed a Capital Fundraising Committee to solicit and accept additional donations for the Church Parsonage Restoration Project. The committee is discussing procedures and for accepting and acknowledging gifts.

B. New Acquisitions:

See attached report.

Loraine noted that research requests at the Museum seem to be increasing. This month Bill Boardman had 10 separate requests. Staff will work on better ways of handling the requests including:

1. Scheduling researchers by appointment
2. Using a trained volunteer to search archive materials for requested information.

Loraine also noted that Ann Partlen has been gaining more genealogy data through the Birmingham Eccentric microfilm files at Baldwin Public Library.

A. HDC Nominations:

Rosemary Kornacki has contacted three individuals as potential nominees to the HDC.

B. Other:

ITEM # 4 REPORTS AND COMMUNICATIONS

A. Visitors:

No report.

B. Staff:

Loraine, John Skeens and a representative from Human Resources will interview 15 applicants in November for the new part time weekend position.

C. Commission Members:

Muriel visited Sauder Village in Ohio and suggested it as a very nice day trip destination.

The Troy Historical Commission meeting adjourned at 8:50 P.M.

The next regular meeting is scheduled on Tuesday, November 26, 2002. Kevin Lindsey will take minutes at that meeting.

Respectively submitted,

Loraine Campbell
Museum Manager

A meeting of the **Troy Youth Council (TYC)** was held on Wednesday, October 23, 2002, at City Hall in the Lower Level Conference Room. The meeting was called to order at 7:00 p.m.

MEMBERS PRESENT: Emily Burns
Allister
Chris Cheng
Min Chong
Juliana D'Amico
Raymond Deng
Eric Gregory (co-chair)
Catherine Herzog
Maniesh Joshi
Christina Krokosky
Brian Rider (co-chair)
Manessa Shaw
Fred Wong

MEMBERS ABSENT: Ryan Chandonnet
Monika Govindaraj
Omar Hakim
Andrew Kalinowski
Matthew Michrina
David Vennettilli
YuJing Wang

ALSO PRESENT: Laura Fitzpatrick, Assistant to the City Manager

VISITOR: Annette Kingsbury, Troy Eccentric Reporter

1. Roll Call

2. Minutes

Resolution # 02-04

Moved by Wong

Seconded by Krokosky

RESOLVED, that the minutes of the September 25, 2002 meeting be approved with changes.

Yeas: All – 13

No: None

Absent: Chandonnet, Govindaraj, Hakim, Kalinowski, Michrina, Vennettilli, Wang

3. **Visitor:** Annette Kingsbury, Reporter from the Troy Eccentric
Discussion: Recent Supreme Court decision on drug testing for extra-curricular activities
4. Parliamentary Procedure: Questions & Comments re: reading

5. Troy Youth Council Bylaws & Operational Guidelines - Reviewed Proposed and Made Comments; Final Version to be brought back for approval in November or December

Changed the terms of rotating co-chairs and co-secretaries from 3 months to 2 months. Shaw and Wong will be co-chairs for the last term (June, July) Chong and Gregory will be co-secretaries for the last term.

Revised Schedule of Co-chairs and Co-secretaries

CO-CHAIRS (oversee the meeting, ensure agenda is followed):

Rider, Hakim – July, September, October
Kalinowski, Gregory – November, December,
Krokosky, Deng – January, February
Michrina, Joshi – March, April
Wong, Shaw - May, June

CO-SECRETARIES (to take roll and minutes)

D’Amico, Wang: July, Sept, Oct
Herzog, Cheng: Nov, Dec
Vennettilli, Govindaraj: Jan, Feb
Krokosky, Michrina: March, April
Chong, Gregory: May, June

6. Web Site Brainstorming (content, links, etc.) – brief discussion took place

Email Address is TYC@ci.troy.mi.us Email messages sent there will be presented at TYC meetings and/or forwarded as information to the TYC email distribution list.

Flyer on hold until web site address is determined.

The next meeting is on November 20, 2002 at 7 to 8:30PM at the Troy Community Center in Room 503.

The meeting adjourned at 8:20 p.m.

Laura Fitzpatrick, Assistant to the City Manager

A meeting of the Advisory Committee for Persons with Disabilities was held on Wednesday, November 6, 2002, in the Lower Level Conference Room. The meeting was called to order at 7:06 p.m.

PRESENT: Leonard Bertin, Chair
Cynthia Buchanan, Member
Angela Done, Member
Theodora House, Member
Pauline Manetta, Alternate
Dick Kuschinsky, Member
Dorothy Pietron, Member
Jayshree Shah, Alternate (arrived 7:20 p.m.)

NOT PRESENT: Susan Burt, Alternate
Kul Gauri, Member
Nancy Johnson, Member
John Rodgers, Member
Nada Raheb, Student Representative

ALSO PRESENT: Mitch Grusnick, Staff
Kathy Czarnecki, Staff

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

The following members of the Advisory Committee for Senior Citizens were present:

Jane Crowe	Jo Rhoads
Merrill Dixon	JoAnn Thompson
Ed Forst	Bill Weisgerber
David Ogg, Chair	

Members of the Advisory Committee for Senior Citizens were present to discuss concerns with respect to the Community Center. References were made to the October 9, 2002 letter from David Ogg addressed to City Council and management's response to City Council dated October 14, 2002.

The major concerns of both Committees are: lack of handicap parking; need for handrails on both sides of the hallway; high costs of food, coffee and bus services; need for larger restrooms; and lack of water fountains within lobby area.

Discussion commenced with concerns for additional handicap parking spaces and the distances from the handicap parking spaces to the building entrance. Grusnick noted that Phase II would result in additional handicap parking spaces.

The Committees were assured that all ADA guidelines and state requirements were followed with respect to providing the required handicap parking spaces. Both Committees expressed their desire that handicap parking spaces above the minimum requirement be provided. Both Committees agree that some of the current green space could be turned into additional handicap parking spaces.

Discussion continued with respect to the need of handrails on both sides of the hallway. It was agreed to bring attention to Carol Anderson, Parks & Recreation Director, the difference between a chair rail and a handrail, in that a handrail offers balancing support for a person with a disability and/or a senior citizen.

Discussion followed about water fountains being located only in the area that persons with memberships can access. It was noted that water dispensers have been provided within the lobby area until the completion of Phase II, but that the taste of that water is similar to the paper cup in which it is served.

The Committees agreed that several of their concerns have already been addressed by management; i.e., fabric panels have been placed in the lunchroom to alleviate noise, the heating system has been corrected, scooters are now available at each entrance, and a few additional handicap parking spaces have been added.

MOTION

It was moved by Kuschinsky, seconded by Buchanan, to create and provide a list of recommendations by both Committees to City Council with respect to the Community Center, and to further request a joint meeting between the Advisory Committee for Persons with Disabilities and the Advisory Committee for Senior Citizens and City Council to discuss such recommendations, and that such meeting be held at an agreed upon date and time during the month of January.

AMENDED MOTION

It was moved by Bertin, seconded by House, to amend the motion on the floor to request such joint meeting to be held at City Council's earliest convenience with follow-up meetings to be scheduled if necessary.

Motion, as amended, carried unanimously.

MOTION

It was moved by Bertin, seconded by Kuschinsky, that management install safety handrails in the Community Center on both sides of the hall for use by senior citizens, persons with disabilities and others, and that such safety handrails be installed from the Lobby 1309 through the Corridor 14 C-1 to the Restrooms 1522 and 1523.

Motion carried unanimously.

Bertin encouraged the Advisory Committee for Senior Citizens to address these concerns with Carol Anderson at their next Committee meeting (Thursday, November 7) and to be specific as to the location of the handrails, location of additional handicap parking, and the need to provide a paved and/or asphalt sidewalk from the back lot to the Community Center entrance.

Bertin suggested the Advisory Committee for Persons with Disabilities cannot address concerns on the high costs of coffee, food and bus services.

There was a short discussion about the senior citizens newsletter. Bertin suggested that Mary McGinnis look into the possibility of the members receiving the senior citizens newsletter in their Committee meeting packet.

Rhoads reminded Grusnick that she would like a copy of the Committee's monthly meeting minutes mailed to her.

ITEM B - APPROVAL OF MINUTES FROM THE OCTOBER 2, 2002 MEETING

MOTION

Moved by Kuschinsky, seconded by Done, to approve the minutes of the October 2, 2002 meeting as published.

Motion carried unanimously.

ITEM F – OLD BUSINESS

Attendance at City Council Meetings

Buchanan agreed to attend the next City Council Regular Business meeting scheduled on November 18, 2002.

Shah agreed to attend the City Council Regular Business meeting scheduled on December 2, 2002.

ITEM D – NEW BUSINESS

Regularly Scheduled January Meeting

It was discussed and agreed by the Committee to cancel the January 1, 2003 meeting because it falls on a City holiday. It was further decided to leave the January meeting date open for the requested joint meeting with City Council and the Advisory Committee for Senior Citizens.

MOTION

Moved by Pietron, seconded by Kuschinsky, to cancel the January 1, 2003 Advisory Committee for Persons with Disabilities regular meeting because it falls on a City holiday.

Motion carried unanimously.

City of Warren Disabilities Fair

Bertin reported that he attended the Disabilities Fair sponsored by the City of Warren in October. There were approximately 15 booths at the fair with a variety of vendors, both non-profit and profit such as Binson and Wright & Fillipis. Bertin had a collection of informational handouts with him.

Bertin announced that he has spoken with the Troy Daze Committee and they are in favor of having a disabilities booth at the next Troy Daze Festival on the Thursday evening that is reserved for adults with special needs. He mentioned that the Michigan Advocacy and Protection Services is also interested in having a booth. Bertin indicated the cost of the booths would be very minimal. Paul Buscemi volunteered to provide food for this event.

Additionally, Bertin reported that there have been discussions with Tony Fillipis who is looking for a venue for a wheelchair and hand cycle race. It appears that the Troy Daze Committee is wholeheartedly in favor of this concept to complement its 5K and 10K races.

Bertin asked if there would be any volunteers from the Committee to work with Troy Daze and other vendors to plan these special events. Manetta, House, Don and Shah responded positively.

International Day of Disabled Persons

Bertin read the United Nations General Assembly proclamation of October 14, 1992 proclaiming that December 3 be observed every year as the International Day of Disabled Persons. Bertin asked for a motion to request adoption of this proclamation by City Council to recognize December 3, 2002 as International Day of Disabled Persons.

MOTION

Moved by Bertin, seconded by Kuschinsky, that City Council pass a resolution proclaiming December 3, 2002 as International Day of Disabilities Persons; such proclamation is attached and made a part of these minutes.

Motion carried unanimously.

ITEM E – REGULAR BUSINESS

ITEM G – INFORMATIONAL ITEMS

Bertin circulated two recent articles that he wrote. “Scrutinize Candidates and Then Make Your Vote Count Nov. 5” was published in the October 24th edition of the *Observer & Eccentric*. ~~“What Family Caregivers Think”~~ “Self-Conscious?” was published in the Fall 2002 issue of the *MS Connection*.

Done questioned if there is a directory published for persons with disabilities and senior citizens. Grusnick acknowledged he was aware of a directory published at one time, but has not seen a directory for quite some time.

ITEM H – ADJOURN

Moved by Kuschinsky, seconded by House, to adjourn the meeting.

The meeting adjourned at 8:50 p.m.

The Chairman, Michael Hutson, called the meeting of the Board of Zoning Appeals to order at 7:30 P.M., on Tuesday, November 19, 2002.

PRESENT: Kenneth Courtney
Christopher Fejes
Marcia Gies
Michael Hutson
Matthew Kovacs
Mark Maxwell
Cindy Pennington

ALSO PRESENT: Mark Stimac
Allan Motzny
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES, MEETING OF OCTOBER 15, 2002

Motion by Fejes
Supported by Gies

MOVED, to approve the minutes of the meeting of October 15, 2002 as written.

Yeas: All – 7

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – APPROVAL OF ITEMS #3 THROUGH #6

Mr. Courtney asked if Items #5 and #6 could be made permanent variances and Mr. Stimac stated that he would suggest that Item #5 only be renewed for another three years. Mr. Stimac explained that the residential property that abuts this property, which is supposed to be screened, may at sometime in the future change use. Mr. Stimac further explained that this property is owned by the Industrial building and is an isolated piece of property. In addition the property to the north is controlled by Consent Judgment and is still vacant and at this time City Staff does not know what will ultimately be built on this property.

Mr. Stimac further stated that in regards with Item #6 and said that he had spoken to Mr. Welch regarding making this a permanent variance. Mr. Stimac also stated that the area around this property has remained stable. Mr. Welch indicated that he would be willing to have this request heard as a Public Hearing.

RESOLVED, that Items #3 through #5 are hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Motion by Courtney
Supported by Pennington

RESOLVED, that Item #6 is postponed until the meeting of December 17, 2002.

- To allow a Public Hearing in order that this request is made a permanent variance.

ITEM #3 – RENEWAL REQUESTED. BLOOMFIELD MANAGEMENT COMPANY, 1100-1174 E. BIG BEAVER, for relief to permit parking in the front yard setback of an industrial site.

Petitioner is requesting renewal of a variance granted by this Board to locate parking within the front yard setback of an M-1 Zoned site. This variance was originally granted in 1973 because of the large open drain that runs through the back of the site, preventing the installation of parking in the usual rear yard location. This item last appeared before this Board in 1999 and was granted a three (3) year renewal. Conditions remain the same and we have no objections or complaints on file.

MOVED, to grant Bloomfield Management Company, 1100-1170 E. Big Beaver, a three-year (3) renewal of relief to permit parking in the front yard setback of an industrial site.

- The large drain on the site creates a practical difficulty in that it does not permit parking in the usual rear yard location.
- Conditions remain the same.
- We have no objections or complaints on file.

ITEM #4 – RENEWAL REQUESTED. COLEMAN'S WRECKING SERVICE, 1871 BIRCHWOOD, for relief to maintain a 7' high obscuring fence in lieu of the 6' high masonry-screening wall along Birchwood.

Petitioner is requesting renewal of relief granted by this Board to screen an outdoor storage area with a 7' high obscuring fence in lieu of the normally required 6' high masonry screen wall. This Board has granted this variance on a yearly basis since 1986. This item last appeared before this Board in November 1999 and was granted a three (3) year renewal at that time. Conditions remain the same and we have no complaints or objections on file.

MOVED, to grant Coleman's Wrecking Service, 1871 Birchwood, a three (3) year renewal for relief to maintain a 7' high obscuring fence in lieu of the 6' high masonry screen wall along Birchwood.

- Conditions remain the same.
- There are no complaints or objections on file

ITEM #5 – RENEWAL REQUESTED. SCHENCK-PEGASUS, 2890 JOHN R., for relief of the 6' high masonry-screening wall required along the east and a portion of the north property line.

Petitioners are requesting relief granted by this Board of the 6' high masonry screen wall required along the east property line and a portion of the north property line where their site abuts residential zoning. This relief has been granted on a yearly basis since 1969 primarily due to the fact that the residential land at the east end of their site is undeveloped and owned by the petitioner as well as the fact that the land to the north, although residentially zoned, is controlled by consent judgment and is in fact a portion is developed as an office development. This item last appeared before this Board at the meeting of November 1999 and was granted a three (3) year renewal at that time. Conditions remain the same and we have no complaints or objections on file.

MOVED, to grant Schenck-Pegasus, 2890 John R., a three (3) year renewal of relief of the 6' high masonry-screening wall required along the east and a portion of the north property line.

- Conditions remain the same.
- There are no complaints or objections on file.

ITEM #6 – RENEWAL REQUESTED. WILLIAM D. WELCH, HOLLYWOOD MARKETS, 2670 W. MAPLE, for relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning.

Petitioner is requesting relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning. This relief has been granted, by this Board, on a yearly basis since 1976 primarily due to the fact that the property to the north is a Michigan Bell telephone utility site, which is permitted use in a residential zoning district. This item last appeared before this Board at the meeting of November 1999 and was granted a three (3) year renewal at that time. Conditions remain the same and we have no complaints or objections on file.

RESOLVED, that Item #6 is postponed until the meeting of December 17, 2002.

- To allow a Public Hearing in order that this request is made a permanent variance.

ITEM #7 – VARIANCE REQUESTED. ANTHONY TISLER, 854 BROOKLAWN, for relief of the side yard setback to remove and replace an existing carport with a larger attached garage having a 3.5' side yard where 10' is required.

The Chairman moved this Item to the end of the Agenda, Item #10, to allow the petitioner the opportunity to be present.

ITEM #8 – VARIANCE REQUESTED. BRYAN MONAGHAN, SCHNELZ, WELLS, MONAGHAN & WELLS, REPRESENTING NEXTEL WEST CORPORATION, 6966 CROOKS ROAD, for relief of the Zoning Ordinance to construct a 100' tall monopole tower with a 100' setback to residential property where a 500' setback to residential property is required for a 100' tower.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a 100' tall monopole tower. The adjacent property to the east is located in the R-1B (One Family Residential) Zoning District and the property located 208' south of this site is in the REC (Residential Elder Care) Zoning District. Paragraph E of Section 24.30.05 of the Troy Zoning Ordinance requires that freestanding communication towers be located no less than a distance five times their height from residentially zoned property. In the case of a 100' tower this would require a 500' setback. This tower is proposed to be located 100' from the east property line and 310' from the residential property to the south.

Mr. Bryan Monaghan of Schnelz, Wells, Monaghan & Wells, was present and Ron Roach, a Radio Frequency Supervisor from Nextel, was also present. Mr. Monaghan stated that in the spring of last year a request was brought before City Council for a similar tower on the property on the west side of Crooks Road and due to a very large number of residents that objected to this tower, City Council rejected their proposal. Mr. Monaghan also stated that City Council had suggested that Nextel look at other locations for a tower. Mr. Monaghan explained that they had attempted to co-locate their equipment by using existing towers, however there are none available that would give them the coverage they desire. Mr. Monaghan also explained that they had looked into the possibility of locating this tower at the Pine Trace Golf Course in Rochester Hills, however, once again they would not gain the coverage they desire. Mr. Monaghan had brought in several radio frequency maps and explained to the Board how far the coverage extends. Mr. Monaghan said that there are areas along I-75, Coolidge and South Boulevard, where calls are dropped due to the fact that there are not any towers in the area that can receive signals. Mr. Monaghan also explained that this tower will be over built for safety and that the tower is designed to buckle rather than fall completely over. Mr. Monaghan said that monopoles have a history of not falling over in storms, and due to the fact that it would be 100' from the property line, and in conjunction with the fact that it is designed to buckle he does not believe that safety would be an issue. Mr. Monaghan also stated that they have a mandate from the Federal Government as part of their license, which states that they have to complete the coverage area and this is their biggest concern.

Mr. Maxwell asked about the height of the existing towers and Mr. Monaghan stated that he did not have that information, however, there are a number of areas that are under 100', as well as a number of roof top antennas. Mr. Maxwell asked if a higher height would be more beneficial and Mr. Monaghan said that sometimes the higher tower creates more interference. Mr. Maxwell then asked if there was any way Nextel could change their current towers to provide the coverage they are looking for with this

ITEM #8 – con't.

new monopole tower, and Mr. Roach of Nextel stated that they do not have any way to modify these towers, which would give them the coverage they are seeking. Mr. Monaghan also said that each location has a number of cell phones that they are able to reach and cellular technology limits the height of towers. Mr. Maxwell then asked what the purpose of the tower was and Mr. Monaghan said that the tower is merely there to hold the apparatus for the antennas. Mr. Maxwell then asked if there were any options available at this location for the construction of the monopole. Mr. Monaghan said that he thought that the tower could be moved farther west on the property and also that Nextel would be agreeable to complying with that request.

Mr. Courtney asked why the tower couldn't be moved to Northfield Commons. Mr. Monaghan stated that that had been their first choice, however, due to a large number of complaints by the adjacent neighbors, City Council rejected their proposal.

Mr. Kovacs stated that he was not worried about the intensity of the rays from cell phones, but asked about the rays from the tower. Mr. Monaghan stated that the Federal Government has taken over the entire field of safety in regards to cell towers. Mr. Monaghan said that the emissions are less than 1% of the standards set by the Federal Commission. Mr. Monaghan also stated that there is a very low power wattage due to the fact that they are designed to cover very limited areas and receive a finite number of calls. Mr. Monaghan also stated that OSHA has very strict exposure standards for the people that work on these towers on a daily basis and these guidelines are very strict.

Mr. Courtney asked if other carriers also had dropped calls in this area and also needed extra coverage. Mr. Monaghan said that this tower has been designed to accommodate three other carriers and if they wished they would be able to add their equipment to this tower. Mr. Monaghan again stated that if they had been able to co-locate their equipment with an existing tower they would have, however, there are no existing towers in the area that would meet their needs.

Mr. Fejes asked what the current problems were in this area for cell phone users. Mr. Monaghan stated that presently calls are dropped and this is the main issue. Mr. Monaghan also said that this problem is complicated by the amount of traffic in this area, which makes it very difficult for calls to get through. Mr. Monaghan also said that there are a number of customer complaints that they get from people in this area during peak traffic hours. Mr. Fejes also asked about the platforms that would be added to the monopole. Mr. Monaghan also said that Nextel's platform would be at the top of the tower, and each co-locator would add a platform as close to the top platform as they could. Mr. Fejes asked about the distance between towers and Mr. Monaghan said that in area where there is a lot of traffic and a high demand, several towers may be required to cover the area. Mr. Fejes said that he is concerned due to the fact that he thinks that this may open the door to other carriers coming in and asking for towers also and thinks that there may be a proliferation of towers in the area. Mr. Monaghan also said that this is a very difficult area due to the fact that there is not any space available that is non-

ITEM #8 – con't.

residential. Mr. Monaghan further stated that this tower will allow three (3) other carriers to co-locate on this tower. Mr. Fejes then asked how many carriers were in the area and Mr. Monaghan said that presently there are six. Mr. Monaghan also said that he thought some of these companies would probably merge and therefore be able to use the same tower. Mr. Monaghan said that in other areas where a tower had the maximum number of co-locaters on it, the solution was to raise the tower an additional 40', which made room for the other carriers to put their platforms on it. Mr. Fejes then asked what would happen if the variance was denied and Mr. Monaghan said that there are a number of options available that Nextel would have to explore. Mr. Monaghan also said that there is not another location in this area that a tower could be added.

Mr. Courtney asked if Mr. Monaghan had ever approached Council after they had explored the possibilities that Council had suggested and Mr. Monaghan stated that they did not. Mr. Courtney also asked what the coverage area would be with a 50' tower and Mr. Monaghan said that a 50' tower would not give them the coverage they are looking to get.

Mr. Kovacs asked if the tower could be located at the westernmost edge of the building and Mr. Monaghan stated that it would probably add another 80 or 90 feet. Mr. Stimac said that it appears that if they could move the tower to the west end of the building, the tower would be approximately 200' from the property line.

Ms. Pennington asked about the placement of the tower at the Golf Course. Mr. Monaghan said that this is in the City of Rochester Hills and Ms. Pennington asked about the coverage of the tower from this location. Mr. Monaghan said that part of the coverage area here is because of the topography in the area. Mr. Monaghan further stated that the golf course is in a low area, and therefore the area on I-75 loses coverage.

Mr. Courtney asked if they could put the tower there and raise the height of the tower and Mr. Monaghan said that the location of the tower would have to be at the east end of the golf course near residential developments and would also require a variance from the City of Rochester Hills.

The Chairman opened the Public Hearing.

Mr. John Kennedy, 1825 W. South Boulevard, was present and said that the location of the tower would be approximately 400' from his home and he objects to the location of the tower. Mr. Kovacs asked if Mr. Kennedy had a cell phone and was concerned about the safety issue or the look of the tower. Mr. Kennedy said that it is a combination of both in that he is concerned about the waves from the tower as well as the look of the tower.

No one else wished to be heard and the Public Hearing was closed.

ITEM #8 – con't.

There is one (1) written objection on file. There are no written approvals on file.

Mr. Fejes expressed concern over the construction of the tower and said that he is afraid that this will open the door for a large number of towers in the area. Mr. Fejes also said that he would not want to look out his window and see a tower.

Mr. Courtney stated that he would prefer to see a number of small towers in the area, rather than a very high tower. Mr. Courtney feels that the higher towers are more of an eyesore than the shorter towers.

Mr. Hutson stated that Mr. Monaghan had indicated that they are mandated by the FCC to provide full coverage for their customers, and asked what the penalty was if this coverage was not met. Mr. Monaghan said that he did not know, but did not think there was any real penalty other than the fact that they would have to redo their application with the FCC indicating the area that they could cover. Mr. Monaghan said that the FCC does not put a time limit on this area coverage requirement. Mr. Monaghan also stated that the life of their license runs for approximately 25 years and a new application indicating the area they would be able to cover would have to be filled out at that time.

Mr. Maxwell asked what would happen if the tower height would be limited to 80'. Mr. Monaghan said that they would be able to operate at that height however, they still would not get the coverage they desire and doesn't believe that the height difference would be noticeable. Mr. Maxwell asked if the height of the current towers could be raised and give them the coverage they desire and Mr. Monaghan stated that he did not believe that would alleviate the problem and also stated that the height of their building mounted antennas are limited.

Motion by Kovacs

Supported by Courtney

MOVED, to grant Bryan Monaghan, Schnelz, Wells, Monaghan & Wells, representing Nextel West Corporation, 6966 Crooks Road, relief of the Zoning Ordinance to construct a 100' tall monopole tower installed at the farthest edge on the west side of the property, where a 500' setback to residential property is required for a 100' tower.

- Tower is to be constructed at the farthest western edge of the building.
- Public Health, Safety and Welfare could be affected if this variance is not granted.
- Variance is not contrary to public interest.
- Variance does not establish a prohibited use in a Zoning District.

Yeas: 6 – Kovacs, Maxwell, Pennington, Courtney, Gies, Hutson

Nays: 1 – Fejes

MOTION TO GRANT VARIANCE CARRIED

ITEM #9 – VARIANCE REQUESTED. BOYS AND GIRLS CLUB OF TROY, 3670 JOHN R. (PROPOSED ADDRESS), for relief to the Zoning Ordinance to construct a new community recreation facility with parking located at the rear property line where the ordinance requires a 50' setback of the parking lot from adjacent residentially zoned property. They are also asking for relief of the required 4'-6" high masonry screen wall required along the east property line between the parking lot and the adjacent residentially zoned property.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a new community recreation facility at 3670 John R. (proposed address). This property is located in the R-1C Zoning District. Paragraph C of Section 10.30.07 requires that a 50-foot wide landscape area be maintained in any yard adjacent to residential districts. The plans submitted indicate parking in the rear yard adjacent to the residential property (Barnard Elementary School) to the east. In addition, Paragraph E of Section 10.30.07 requires a 4'-6" high masonry screen wall be provided along parking areas adjacent to residential land. No such wall is shown along the east property line where the parking lot is adjacent to the residential land (Barnard Elementary School).

Mr. Hutson asked what was on the property adjacent to this parking area and Mr. Stimac explained that it backs up to the school's athletic field.

Elizabeth Muzyk, of Ehersman Associates was present and stated that the nearest home is located 400' away from this proposed parking lot. Ms. Muzyk brought in a letter from the School District indicating support of the deletion of the screen wall due to the fact that they believe the increased visibility would be safer for the children at the school. Ms. Muzyk also said that the present fence allows for greater visibility of the children while in both play yards. Ms. Muzyk further stated that due to the configuration of the parcel it was not possible to provide the rear yard landscaped area and also provide other required elements of the site.

Mr. Maxwell asked how many additional parking spaces this would add. Ms. Muzyk stated that originally they had shown 53 parking spaces, this would now provide up to 100 parking spaces. Ms. Muzyk also said that they had spoken to each of the neighbors and they did not object.

Ms. Pennington asked if they felt they needed a 100 parking spaces and Ms. Muzyk said that they did not think that they would. Ms. Pennington then asked if they had approached City Council with the possibility of land banking and Mr. Stimac stated that there is no provision in the Ordinance to allow for land banking for uses of this type.

Mr. Maxwell stated that according to the plan submitted it was indicated that this area would have additional uses. Ms. Muzyk said that previously they were going to put in a blacktop area for basketball, however, now they would use it for parking.

ITEM #9 – con't.

Mr. Courtney asked if the petitioner would go back to City Council if this Board approved this request. Mr. Stimac explained that the number of parking spaces provided to City Council was 53 parking spaces, where up to 150 parking spaces are required. Because of the location of the parking in the rear yard, City Council could not grant a lesser parking variance until this variance request on the setback was granted.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Motion by Maxwell

Supported by Courtney

MOVED, to grant Boys and Girls Club of Troy, 3670 John R. (proposed address), relief of the Zoning Ordinance to construct a new community recreation facility with parking located at the rear property line where the ordinance requires a 50' setback of the parking lot from adjacent residentially zoned property; and relief of the required 4'-6" high masonry screen wall required along the east property line between the parking lot and the adjacent residentially zoned property.

- The adjacent property, although residentially zoned, is not used for single-family development.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- Variance will not establish a prohibited use in a Zoning District.

Yeas: All – 7

MOTION TO GRANT REQUEST CARRIED

ITEM #10 (ITEM #7) - VARIANCE REQUESTED. ANTHONY TISLER, 854

BROOKLAWN, for relief of the side yard setback to remove and replace an existing carport with a larger attached garage having a 3.5' side yard where 10' is required.

The Chairman moved this Item to the end of the Agenda, Item #10, to allow the petitioner the opportunity to be present.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to remove and replace a carport with an attached garage. The site plan submitted indicates a 3.5' legal non-conforming side yard setback to the existing house and carport. Section 30.10.04 requires a 10' minimum side yard setback in the R-1C Zoning District. The application submitted proposes replacing the 16' wide carport with a 28' wide garage, continuing the 3.5' side yard setback an additional 12'. Section 40.50.04

ITEM #10 (ITEM #7) – con't.

prohibits expansions to legal non-conforming structures in a way that increases its non-conformity.

Mr. Tisler was present and stated that the garage would not create another setback issue due to the fact that the front of it will come out even with his neighbor's garage. Mr. Tisler also stated that the carport was built on a slab without a footing and it is beginning to sink, which in turn is causing roof problems to the home due to the fact that it is attached to the roof.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written approval on file. There is one (1) written objection on file.

Motion by Maxwell
Supported by Courtney

MOVED, to approve the request of Anthony Tisler, 854 Brooklawn, relief of the side yard setback to remove and replace an existing carport with a larger attached garage having a 3.5' side yard where 10' is required.

- This garage will fit in with other garages in the neighborhood.
- Variance will not have an adverse effect on surrounding property.
- Variance is not contrary to public interest.

Yeas: All – 7

MOTION TO GRANT REQUEST CARRIED

The Board of Zoning Appeals meeting adjourned at 9:10 P.M.

MS/pp

Call to Order

The regular meeting was called to order at 7:05 p.m.

Roll Call

Present:	Alex Bennett	Richard Hughes
	Penny Marinos	Cindy Stewart
	Kent Voigt	Brian Wehrung
	Monika Sata	Cindy Stewart

Absent:	Jerry Bixby
	Michael Farrug

Introduction

Monika Sata, CATV student representative

Approval of Minutes

Corrections to the minutes of the regular meeting of July 18, 2002 are as follows:

Pg 3 moved by Voigt and second by Marinos

Motion to approve minutes as amended by Hughes, second by Bennett. Approved unanimously.

Correspondence

A. Sept. 12- Comcast Basic Analog Channel Line-up:

New services for customers- Video on Demand, High Definition TV, Digital Sneak Preview Channel

B. Sept. 16- Comcast High Speed Internet- price increases

C. Oct. 30- Comcast Channel Changes

Old Business

A. List of CATV members (correction)

Bryan will contact Michael re: resigning from board. He's only made 2 meetings in 3 years.

B. Discrimination on Practice Review- When Mark Dineen met with CATV Committee he spoke about the discrimination practice review. WOW filed a complaint with FCC challenging Comcast's pricing practices. Tim Currier (ICCA

attorney) was instructed by ICCA to follow up and report back. It appears that Comcast has discontinued that practice since brought up by WOW.

New Business

- A. ICCA Meeting Minutes- October meeting
 - B. Quarterly Reports- Comcast and WOW – CATV members previously suggested doing a “report card.” Example: “We feel Comcast service has been improving. Less complaints than 2001.” Comments:
 - a. It still appears based on Board’s own experiences that all complaints are not being logged. Some are missing.
 - b. Future Report Cards: Service is improving based on the decreased number of complaints. Both providing superior product, but need to work on their customer service.
 - c. Would like to see days to resolution decrease.
 - d. Observations- Remove reporting party, phone number, customers name and number before copying.
 - i. More complaints from Troy (would be due to more customers)
 - ii. Majority of complaints/calls related to reception, billing, drops
 - iii. Overall judgement on how cable company is doing this quarter:
A=5, B=4, C=3, D=2, E=1
 - 1. Grade WOW (based on report) B-
 - a. Work on improving customer service
 - b. Not terrible, but we’d like to see them respond and deal with problem within 48 hours
 - 2. Grade Comcast (based on report) C
 - a. Work on customer service and billing complaints
 - b. Problems need to be resolved much quicker
 - c. Complaints have gone from overwhelming to manageable
 - C. CMN Studio- very nice opening, available to residents from all 11 communities. Training offered monthly at CMN Studio in Troy and one at Oakland University - mention this in *Troy Today*.
- Ask John L is there any more grant money available (from TCI and Ameritech) that needs to be disbursed.
- Ask CMN how are they advertising their services to the 11 communities. Where will the new brochure be distributed? Should mail to cities to be placed in City Halls, Libraries, Community Centers.
- D. 2003-04 budget will be lean this coming year. Will ask for some new equipment (Report of what’s being asked for to board in next packet)
 - E. Member comment
 - a. Bennett- Viewership: suggestion to show speaker more than wide shots. Makes it more interesting to viewers
 - b. Bennett- Increase frequency of meetings

News Articles

AT & T/Comcast merger: Very technical, be sure and read

Motion to adjourn by Marinos, second by Voigt to adjourn the meeting.

Meeting adjourned at 9:10 pm

**TROY DAZE MINUTES
NOVEMBER 26, 2002**

Called to order at 7:33PM by Bob Berk

Present:	Bill Hall	Dave Swanson
	Jim Cyrulewski	Jessica Zablocki
	Sue Bishop	Robert Preston
	Cindy Stewart	Cheryl Whitton Kaszubski
	Bob Berk	Kessie Kaltsounis
	Steve Zavislak	Bob Matlick

Chairpersons & Guests:	Tom Kaszubski	JoAnn Preston
	Daniel P. O'Brien	Leonard Bertin
	Dave Lambert	Jeff Winiarski
	Tarcisio Massaini	Mike Gonda
	Tom Connery	

Motion by Jim, second by Cheryl, and carried, to excuse Cele & Dick.

Secretary Report – Old Business, MFEA Convention, amend by adding Bob P. as one of the attendees. Motion by Cheryl, second by Kessie, and carried, to approve minutes as amended.

Old Business – None.

New Business – ELECTION OF TROY DAZE ADVISORY COMMITTEE OFFICERS – No new nominations. Motion by Jim, second by Cheryl, and carried, to elect Bob Berk as Chairman. Motion by Bob Preston, second by Sue, and carried, for unanimous acclimation of entire slate. Bob Berk, Chairman; Kessie Kaltsounis, Vice Chairman; and Cheryl Whitton-Kaszubski, Treasurer.

APPOINTMENT OF MAGIC OF FALL / TROY DAZE FESTIVAL ACTIVITY

CHAIRPERSONS – The same as last year as well as adding Dr. Norwood in place of Edie, Leonard as Disabilities Committee Liaison, Bob Bishop to the Operations Sub-Committee, and Jessica to P.A. Announcements. Motion by Cheryl, second by Kessie, and carried, to appoint Chairpersons as presented.

Adjourned at 7:41PM.

Next Troy Daze Advisory Committee meeting January 28, 2003 at 7:30PM, followed by the Festival Committee meeting.

ITEM #3 – con't.

Mr. Wilner indicated that they have reviewed the agreement drawn up by the City Attorney and are in agreement with the language contained in it.

Mr. Dziurman asked if the Building Department was satisfied with this agreement and Mr. Stimac stated that the agreement does cover the removal of the sign if Maple Road is widened and additional right of way is acquired. Mr. Stimac also said that currently this is private property.

Motion by Need
Supported by Nelson

MOVED, to grant the request of David Wilner, 2073 East Maple Road, for relief of Chapter 78 to install a 32 square foot ground sign 47' from the section line in the ultimate right of way.

- Contingent upon execution of the agreement between the City and petitioner.

Yeas: All – 4

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUESTED. JAN GARANT, 4985 ALTON DRIVE, for relief of Chapter 83 to install a fence.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install a 6' high fence in the front setback. This lot is a double front lot. As such, it has a front yard along both Alton and East Long Lake. Chapter 83 limits fences in required front yards to 30" in height. The site plan submitted indicates a 6' high privacy fence in the required front setbacks along Alton and East Long Lake.

This item appeared on the agenda for the meeting of November 6, 2002 and was tabled to allow the petitioner the opportunity to bring in a detailed plan of the landscaping and fence location. Revised plans are provided.

Mr. and Mrs. Garant were present. Mr. Garant stated that they wished to construct this fence 11.5' from the sidewalk. Mrs. Garant indicated that she plans to add shrubs along the north side of the fence line, which will soften the look of this fence. Mr. Garant also indicated that they had decided to put up a shadow box wood fence, rather than a vinyl fence.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written objection on file. Ms. Garant had brought in five (5) signatures indicating approval of this request.

ITEM #4 – con't.

Motion by Need

Supported by Nelson

MOVED, to grant the request of Mr. and Mrs. Jan Garant, 4985 Alton, for relief of Chapter 83 to install a 6' high privacy fence and 36" high shadow box wood fence in the required front setbacks along Alton and East Long Lake Road.

- Fence will be installed 11.5' from the sidewalk.
- Variance is not contrary to public interest.

Yeas: All – 4

MOTION TO GRANT REQUEST CARRIED

ITEM #5 – VARIANCE REQUESTED. HARDY & SONS SIGN SERVICE, 2017

LIVERNOIS, for relief of Chapter 78 to maintain two 20 square foot signs on an existing canopy.

Mr. Stimac explained that the petitioner is requesting relief to maintain two 20 square foot signs on an existing canopy. These signs were installed without first obtaining the required permits. Section 9.02.04 of Chapter 78, the Sign Ordinance, permits ground and wall signs. The facility already has the allowed ground and wall signage and there is no provision to allow for the additional signs on canopies.

Mr. Harold Hardy of Hardy & Sons Sign Service, as well as Mr. Naad Ouro, the owner of the Service Station, were present. Mr. Hardy stated that the canopy company had installed these two signs when they put in the canopies. Mr. Hardy also indicated that he thought that the signs are necessary in order to increase the visibility for potential customers.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one (1) written objection on file. There are no written approvals on file.

Mr. Kessler indicated that he thought that this location had too many existing signs, and did not see the need for any additional signage. Mr. Ouro indicated that he feels that the new signs are necessary to help increase customer business. Mr. Kessler also stated that he thought that the existing sign over the door of the station could be removed, as he feels that this is unnecessary signage.

Mr. Ouro indicated that he had planned on removing this sign sometime in the next year.

ITEM #5 – con't.

Motion by Kessler

Supported by Nelson

MOVED, to grant Hardy & Sons Sign Service, 2017 Livernois, relief of Chapter 78 to maintain two 20 square foot signs on an existing canopy.

- Existing awning sign over door will be removed within sixty (60) days.
- Variance will not have an adverse effect to surrounding property.

Yeas: All – 4

MOTION TO GRANT VARIANCE WITH STIPULATION CARRIED

ITEM #6 – VARIANCE REQUESTED. PHILIP SERAFINI, 1413 OGDEN, for relief of Chapter 83 to install a fence.

Mr. Stimac explained that the petitioner is requesting relief to install a 48" high non-obscuring split rail fence 3' from the north property line, in the required setback along East Wattles. Because of the orientation of other houses in the same block, this lot is classified as a double front, through lot. As such, it has front yard requirements along both Ogden and East Wattles. This area is also is the location of a 24' wide landscape and greenbelt easement. The Parks and Recreation department has reviewed and approved the proposed location and type of fence in the greenbelt easement. Chapter 83 limits fences in required front yard setbacks to 30" in height.

Mr. Serafini was present and stated that he has three (3) children under the age of five and is concerned for their safety. Mr. Serafini said that he would like to protect his children from both the traffic that runs along East Wattles and also to provide a barrier from pedestrians along Wattles going through his yard.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written objections or approvals on file.

Motion by Nelson

Supported by Kessler

MOVED, to grant the request of Philip Serafini, 1413 Ogden, for relief of Chapter 83 to install a 48" high non-obscuring split rail fence 3' from the north property line, in the required setback along East Wattles.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

ITEM #6 – con't.

Yeas: 3 – Nelson, Kessler, Dziurman

Nays: 1 – Need

MOTION TO GRANT VARIANCE CARRIED

ITEM #7 – VARIANCE REQUESTED. ANIL MEHTA, 2422 CEDAR KNOLL, for relief of Chapter 83 to install a fence.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install a fence at 2422 Cedar Knoll. This lot is a double front corner and through lot. As such, it has a front yard requirement along Big Beaver to the south, and Cedar Knoll Drive to the north and east. Chapter 83 limits fences in required front yard setback along Big Beaver to not more than 30" in height. In addition a fence in the yard along Cedar Knoll to the east is limited to a 48" high non-obscuring type fence. Previous action by this Board on behalf of the subdivision developer approved a 6' high privacy fence, located 15' from the south property line along Big Beaver, for the western 50 feet of this lot. The site plan submitted indicates continuing this 6' high privacy fence an additional 25' to the east property line. In addition, the petitioner proposes a 4' high solid wood fence along the east property line along Cedar Knoll Drive.

Mr. Anil Mehta was present and stated that he has two (2) young children and is concerned about their safety. Mr. Mehta indicated that before he purchased this home, he was assured that he would not have a problem installing a fence. Mr. Mehta expressed concern that his children are visible to the traffic on westbound Big Beaver, as well as the cars that are turning into this subdivision.

Mr. Stimac explained to the Board that there is a 25' corner clearance requirement and that the proposed fence would have to be setback 10' from Cedar Knoll in order for it to stay out of the corner clearance requirement.

Mr. Need stated that he thought that the petitioner could extend the existing fence 15' to the east and construct the fence 10' from the property line. The petitioner indicated that he would rather construct the fence right next to the sidewalk. Mr. Need explained that the Board would not be inclined to grant this type of request.

The Chairman opened the Public Hearing.

Mr. Christopher Pratt, 3031 Cedar Crest Drive, was present and stated that he was the developer of this site. Mr. Pratt indicated that Detroit Edison has a permanent easement that excludes fences constructed within 10' of the east property line. Mr. Pratt also stated that this property has a catch basin located in the rear yard and occasionally this basin gets clogged up and the City is required to come out and clean up this area. Mr. Pratt stated that a solid fence would limit the City's access to this site. Mr. Pratt also stated that there are deed restrictions regarding fencing in this area, as

ITEM #7 – con't.

well as a Condo Association, which requires review and approval of proposed fencing. Mr. Pratt indicated that because his home is directly across the street he would be opposed to a privacy fence, unless it was constructed with the “good” side facing out.

No one else wished to be heard and the Public Hearing was closed.

There are two (2) written objections on file. There are no written approvals on file.

Motion by Need
Supported by Nelson

MOVED, to grant the request of Anil Mehta, 2422 Cedar Knoll for relief of Chapter 83 to extend an existing 6' high privacy fence, located 15' from the south property line along Big Beaver an additional 15' to the east; and also to construct a 4' high solid wood fence along Cedar Knoll Drive.

- 4' high fence will be constructed 10' from the right of way line along Cedar Knoll.
- A 6' gate will be installed at the south end of the fence along Cedar Knoll.
- “Good” side of the fence will face out to the public view.
- Proposed fence will be subject to review and approval of the Condo Association.

Yeas: All – 4

MOTION TO GRANT REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 9:20 A.M.

MS/pp

Advisory Committee for Senior Citizens
Minutes of December 5, 2002

Present: David Ogg, Member Merrill Dixon, Member
Bill Weisgerber, Member JoAnn Thompson, Member
Lawrence Jose, Member Carla Vaughan, Staff
Steven Banch, Member Ed Forst, Member

Excused: Jo Rhoads, Member; Jane Crowe, Member

Absent: None

Visitors: Kraig Schmottlach

Approval of Minutes: Motion by Larry Jose, supported by Ed Forst that the minutes of Nov. 7, 2002 be approved submitted. Ayes: All Nays: None MOTION CARRIED.

Visitor Comments:

Kraig Schmottlach, Community Center Supervisor, answered questions about the Community Center. Parking, handicap parking, room rental rates, the catering service, coffee service, and pool hours were discussed.

Old Business:

Certificate of Appreciation: The Committee presented Merrill Dixon with a certificate of appreciation for his past service as chairperson.

Video Taping of Meetings: The tables need to be arranged in a U shape. There will be a seating arrangement and name plates are needed.

Handicap Parking: Discussion continues about handicap parking at the Community Center. David Ogg reported that the Senior Advisory Committee, along with the Committee for Persons with Disabilities, will request to be placed on the City Council agenda to discuss this issue.

Microwave Ovens: Carla reported that she talked to the head of the Pacemaker Center at Beaumont Hospital, and was told that microwave ovens pose no danger to wearers of pacemakers.

Lunch Attendance: Bill Weisgerber reported that attendance at the federally funded congregate meal program is down nation wide, not just in Troy. He distributed a memo that he sent to the Area Agency of Aging requesting statistics about senior lunch attendance. He also submitted a report to the Committee suggesting that the quality of the food preparation may contribute to decreased attendance in Troy, since seniors complain that it is “institutional cooking.” A discussion was held about other possible reasons for lower attendance, and David Ogg suggested that many seniors are busy doing other things. The recommendations in Mr. Weisgerber’s memo were tabled.

New Business

Advisory Committee Minutes: A discussion was held about making the minutes more available to the seniors. Motion by Bill Wiesgerber, seconded by Larry Jose, to post the minutes on an easel at the Community Center. Ayes: 2. Nays: 5. MOTION DENIED. Motion by Larry Jose, seconded by Bill Weisgerber, to post the minutes on the bulletin board at the Community Center. Ayes: 3. Nays: 4. MOTION DENIED. Motion by JoAnn Thompson, seconded by Steve Banch, to recommend that the minutes be included in the senior newsletter. Ayes: 5. Nays: 2. MOTION CARRIED.

Suggestions: David Ogg read three suggestions from senior citizens, all complaints about inadequate handicap parking at the Community Center.

October 14 Memo to Council: Bill Weisgerber suggested that Stuart Alderman be invited to attend the next meeting to explain the last paragraph on page 2 of his memo to City Council dated October 14, 2002. Carla will invite him to attend.

Reports

Park Board: Larry Jose reported that the tour of the new golf course was postponed due to muddy conditions.

Medi-Go: No report.

Lunch Program: No report.

OLHSA: No report.

Member Comments

Bill Weisgerber suggested that copies of the minutes be made available at the Community Center desk for committee members as soon as they are completed. Carla will do this.

David Ogg reported on two groups, Troy Shareholders and Troy Citizens United, who hold opposing views about development of the Civic Center. He shared a letter from Troy Citizens United.

The meeting was adjourned at 12:05 pm

Respectfully submitted,

Carla Vaughan, Secretary

DATE: December 3, 2002
 TO: John Szerlag, City Manager
 FROM: Mark Stimac, Director of Building & Zoning
 SUBJECT: Permits issued during the Month of November 2002

	NO.	VALUATION	PERMIT FEE
<u>INDUSTRIAL</u>			
Add/Alter	8	\$360,585.00	\$2,974.25
Sub Total	8	\$360,585.00	\$2,974.25
<u>COMMERCIAL</u>			
Add/Alter	23	\$3,440,877.00	\$23,420.80
Sub Total	23	\$3,440,877.00	\$23,420.80
<u>RESIDENTIAL</u>			
New	18	\$3,094,826.00	\$37,347.85
Add/Alter	24	\$705,486.00	\$6,828.30
Garage/Acc. Structure	4	\$25,772.00	\$545.00
Pool/Spa/Hot Tub	3	\$32,500.00	\$395.00
Repair	1	\$17,821.00	\$250.00
Wreck	5	\$0.00	\$670.00
Sub Total	55	\$3,876,405.00	\$46,036.15
<u>TOWN HOUSE/CONDO</u>			
New	5	\$824,460.00	\$7,107.35
Sub Total	5	\$824,460.00	\$7,107.35
<u>MISCELLANEOUS</u>			
Satellite/Antennas	4	\$30,400.00	\$868.00
Signs	17	\$0.00	\$1,805.00
Fences	10	\$0.00	\$84.00
Sub Total	31	\$30,400.00	\$2,757.00
TOTAL	122	\$8,532,727.00	\$82,295.55

PERMITS ISSUED DURING THE MONTH OF NOVEMBER 2002

	NO.	PERMIT FEE
Cert. of Occupancy	49	\$2,148.25
Plan Review	66	\$2,424.90
Microfilm	35	\$229.00
Building Permits	122	\$82,295.55
Electrical Permits	179	\$12,044.00
Heating Permits	111	\$5,420.00
Air Condt. Permits	34	\$1,945.00
Refrigeration Permits	1	\$30.00
Plumbing Permits	87	\$7,931.00
Storm Sewer Permits	12	\$301.00
Sanitary Sewer Permits	7	\$253.00
Sewer Taps	27	\$5,128.40
TOTAL	730	\$120,150.10

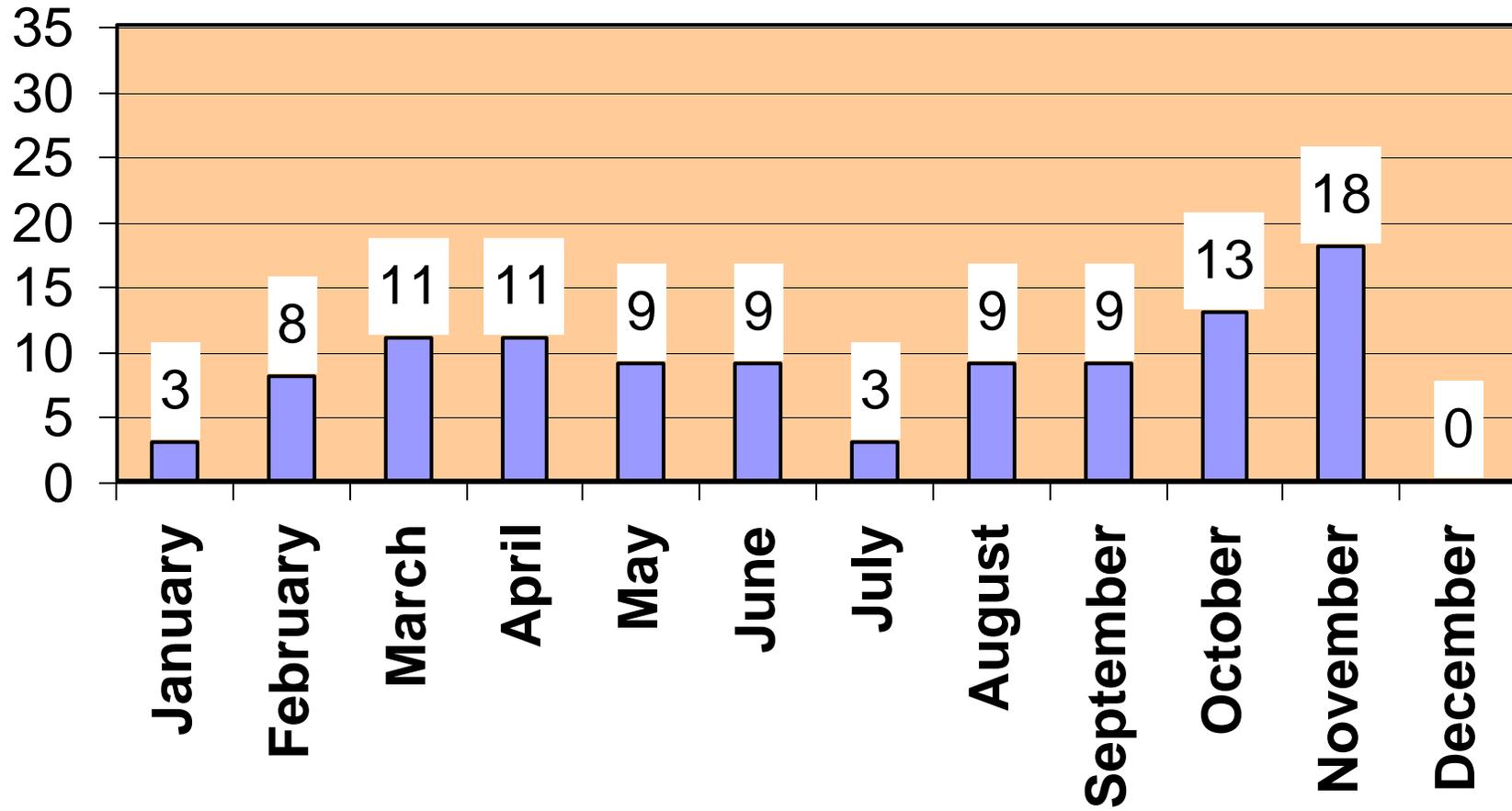
LICENSES & REGISTRATIONS ISSUED DURING THE MONTH OF NOVEMBER 2002

	NO.	LICENSE FEE
Mech. Contr.-Reg.	36	\$180.00
Elec. Contr.-Reg.	23	\$345.00
Master Plmb.-Reg.	11	\$11.00
Sewer Inst.-Reg.	4	\$200.00
Sign Inst. - Reg.	4	\$40.00
E. Sign Contr-Reg.	1	\$15.00
Fence Inst.-Reg.	1	\$10.00
Bldg. Contr.-Reg.	20	\$200.00
F.Alarm Contr.-Reg.	3	\$45.00
TOTAL	103	\$1,046.00

BUILDING PERMITS ISSUED

	BUILDING PERMITS <u>2001</u>	PERMIT VALUATION <u>2001</u>	BUILDING PERMITS <u>2002</u>	PERMIT VALUATION <u>2002</u>
JANUARY	119	\$9,498,180	125	\$21,945,624
FEBRUARY	100	\$49,679,118	106	\$24,049,206
MARCH	136	\$6,942,449	121	\$10,452,003
APRIL	204	\$19,831,458	123	\$9,240,105
MAY	207	\$26,481,050	180	\$6,860,859
JUNE	196	\$20,081,116	225	\$12,585,296
JULY	236	\$11,804,808	193	\$7,968,796
AUGUST	211	\$10,626,177	186	\$31,423,350
SEPTEMBER	186	\$11,077,729	173	\$12,714,701
OCTOBER	194	\$13,410,222	189	\$12,832,019
NOVEMBER	129	\$6,658,087	122	\$8,532,727
DECEMBER	102	\$5,197,916	0	\$0
TOTAL	2020	\$191,288,310	1743	\$158,604,686

SINGLE FAMILY DWELLING PERMITS 2002



BRIEF BREAKDOWN OF NON-RESIDENTIAL BUILDING PERMITS
ISSUED DURING THE MONTH OF NOVEMBER 2002

Type of Construction	Builder or Company	Address of Job	Valuation
Commercial, Add/Alter	RONSEN CO INC	2078 E BIG BEAVER	200,000.00
Commercial, Add/Alter	E D C	600 JOHN R	617,217.00
Commercial, Add/Alter	ALBERSON, DAVID	575 W BIG BEAVER	2,000,000.00
Commercial, Add/Alter	CHRISTOPHER JOSEPH	1301 W LONG LAKE 340	160,000.00
Total Commercial, Add/Alter			2,977,217.00
Industrial, Add/Alter	SCHENCK PEGASUS	2890 JOHN R	135,000.00
Industrial, Add/Alter	ALAN NELSON	1145 ROCHESTER	120,000.00
Total Industrial, Add/Alter			255,000.00
Records 7			Total Valuation: 3,232,217.00

CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY

FINANCIAL STATEMENTS

JUNE 30, 2002



DOEREN MAYHEW

Certified Public Accountants and Consultants

C O N T E N T S

	<u>Page</u>
FINANCIAL STATEMENTS	
Independent auditor's report	1
Balance sheet	2
Statement of revenues, expenditures and changes in fund balance	3
Statement of revenues, expenditures and changes in fund balance - budget and actual	4
Notes to financial statements	5



Independent Auditor's Report

To the Honorable Mayor and City Council
of City of Troy, Michigan
Brownfield Redevelopment Authority

We have audited the accompanying general purpose financial statements of the City of Troy, Michigan Brownfield Redevelopment Authority, (a component unit of the City of Troy) as of June 30, 2002, and for the year then ended. These general purpose financial statements are the responsibility of the City of Troy, Michigan Brownfield Redevelopment Authority's management. Our responsibility is to express an opinion on these general purpose financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of the City of Troy, Michigan Brownfield Redevelopment Authority as of June 30, 2002, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 13, 2002, on our consideration of the City of Troy, Michigan's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants.

DOEREN MAYHEW

September 13, 2002
Troy, Michigan

CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY

BALANCE SHEET
JUNE 30, 2002

ASSETS

	GOVERNMENTAL FUND TYPES	SPECIAL REVENUE FUND
Assets	\$	-

LIABILITIES AND FUND BALANCE

Liabilities and Fund Balance	\$	-
------------------------------	----	---

See accompanying notes to financial statements

**CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY**

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE YEAR ENDED JUNE 30, 2002

	GOVERNMENTAL FUND TYPES <hr/> SPECIAL REVENUE FUND <hr/>
Revenues	
Property taxes	\$ 61,225
Expenditures	
Economic and Physical Development	<u>61,225</u>
Excess of revenues over expenditures	-
Fund Balance - July 1, 2001	<hr/> -
Fund Balance - June 30, 2002	\$ <u><u>-</u></u>

See accompanying notes to financial statements

**CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY**

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2002

	SPECIAL REVENUE FUND		
	Amended Budget	Actual	Variance Favorable (Unfavorable)
Revenues			
Property taxes	\$ 61,300	\$ 61,225	\$ (75)
Investment income	1,700	-	(1,700)
Total revenues	\$ 63,000	\$ 61,225	\$ (1,775)
 Expenditures	 \$ 63,000	 \$ 61,225	 \$ (1,775)
Excess of revenues over expenditures	\$ -	\$ -	\$ -
 Fund Balance - July 1, 2001	 -	 -	 -
 Fund Balance - June 30, 2002	 -	 -	 -

See accompanying notes to financial statements

CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies

The City of Troy's Brownfield Redevelopment Authority was formed for the purpose of providing assistance for the redevelopment of abandoned, idled or under-utilized industrial or commercial properties which are complicated by real or perceived environmental contamination.

Fund Accounting

The accounts of the Brownfield Redevelopment Authority are organized on the basis of the fund in order to report on its financial position and results of its operations. Fund accounting is designated to demonstrate legal compliance and to aid financial management by segregating transactions related to certain functions or activities. A fund is a separate accounting entity with a self-balancing set of accounts.

The Special Revenue Fund is grouped, in the financial statements in this report, into the following fund category as follows:

Governmental Fund

Special Revenue Fund

Special Revenue Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for the financing of public improvements within the Authority's district.

This Brownfield Redevelopment Authority Fund is also included in the combined financial statements of the City of Troy, Michigan.

The accounting policies of this Fund conform to generally accepted accounting principles as applicable to governmental units. The following is a summary of the significant accounting policies:

CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

The modified-accrual basis of accounting is used. Modifications in such method from the accrual basis are as follows:

- a. Revenue that is both measurable and available for use to finance operations is recorded as revenue when earned. Other revenue is recorded when received.
- b. Normally, expenditures are not divided between years by the recording of prepaid expenses.
- c. Fixed assets are recorded as expenditures at the time of purchase or construction and are subsequently accounted for in the General Fixed Assets Group of Accounts of the City.
- d. Payments for inventoriable types of supplies are recorded as expenditures at the time of purchase.

**CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY**

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

Budget Information

The City is legally subject to the budgetary control requirements of the State of Michigan P.A. 621 of 1978 (the Uniform Budgeting Act). The following is a summary of the requirements of this Act according to the State Treasurer's "Bulletin for Audits of Local Units of Government in Michigan" dated April 1984:

1. Budgets must be adopted for the Special Revenue Fund.
2. The budgets must be balanced.
3. The budgets must be amended when necessary.
4. Public hearings must be held before budget adoptions.
5. Expenditures cannot exceed budget appropriations.
6. Expenditures must be authorized by a budget before being incurred.

The City adopts its budget by function, which is in accordance with the State's legal requirement and is the level of classification detail at which expenditures may not legally exceed appropriations.

CITY OF TROY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

Budget Information - Continued

The City follows these procedures in establishing the budgetary data reflected in the financial statements.

1. On or before the third Monday in April, the City Manager submits to the City Council a proposed budget for the fiscal year commencing the following July 1st. The operating budget includes proposed expenditures and the means of financing them.
2. A public hearing on the budget is held before its final adoption.
3. As provided for by the City Charter, on or before the third Monday in May, the budget is legally adopted and by resolution designates the sum to be raised by taxation.
4. The City Manager is authorized to transfer budgeted amounts within budgetary functions; however, any revisions that alter the total expenditure of any budgetary function must be approved by the City Council.

Note 2 - Development Agreement

The Troy City Council created the City's Brownfield Redevelopment Authority on January 18, 1999 and the Board members were appointed on March 29, 1999.

On July 10, 2000, the City's Council approved the Brownfield Redevelopment Plan Number 1 for the redevelopment of the 77-acre former Ford Tractor facility at Coolidge and Maple Roads. This site when fully developed will include 600,000 square feet of commercial and 300 residential units.

On July 2, 2001, the City's Council approved the First Amendment to the Brownfield Redevelopment Plan Number 1 to establish a tax increment financing schedule and a local site remediation revolving fund in accordance with Section 8 of the Public Act 381 of 1986.



To the Honorable Mayor and City Council
of City of Troy, Michigan
Brownfield Redevelopment Authority

We have audited the general purpose financial statements of the City of Troy, Michigan Brownfield Redevelopment Authority as of and for the year ended June 30, 2002, and have issued our report thereon dated September 13, 2002. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

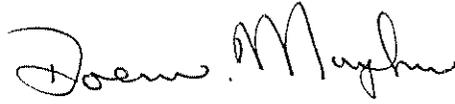
As part of obtaining reasonable assurance about whether the City of Troy, Michigan Brownfield Redevelopment Authority's general purpose financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City of Troy, Michigan Brownfield Redevelopment Authority's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

DOEREN MAYHEW

This report is intended solely for the information and use of the City Council, management and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Doeren Mayhew". The signature is written in a cursive, flowing style.

DOEREN MAYHEW

September 13, 2002
Troy, Michigan

G-02c

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

FINANCIAL STATEMENTS

JUNE 30, 2002



DOEREN MAYHEW

Certified Public Accountants and Consultants

G-2c

C O N T E N T S

	<u>Page</u>
FINANCIAL STATEMENTS	
Independent auditor's report	1
Balance sheet	2
Statement of revenues, expenditures and changes in fund balance	3
Statement of revenues, expenditures and changes in fund balance - budget and actual	4
Notes to financial statements	5
Schedule of indebtedness	14



Independent Auditor's Report

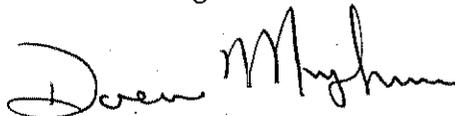
To the Honorable Mayor and City Council
of City of Troy, Michigan
Downtown Development Authority

We have audited the accompanying general purpose financial statements of the City of Troy, Michigan Downtown Development Authority, (a component unit of the City of Troy) as of June 30, 2002, and for the year then ended. These general purpose financial statements are the responsibility of the City of Troy, Michigan Downtown Development Authority's management. Our responsibility is to express an opinion on these general purpose financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of the City of Troy, Michigan Downtown Development Authority as of June 30, 2002, and the results of its operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 13, 2002, on our consideration of the City of Troy, Michigan's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grants.


DOEREN MAYHEW

September 13, 2002
Troy, Michigan

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

**BALANCE SHEET
JUNE 30, 2002**

ASSETS

	GOVERNMENTAL FUND TYPES				Total (Memo- randum Only)
	SPECIAL REVENUE FUND	DEBT SERVICE FUND	CAPITAL PROJECT FUND	ACCOUNT GROUPS	
	Downtown Development Authority Fund	Downtown Development Authority Debt Fund	Downtown Development Authority Construction Fund	General Long-Term Debt	
	Downtown Development Authority Fund	Downtown Development Authority Debt Fund	Downtown Development Authority Construction Fund	General Long-Term Debt	
Cash (note 2)	\$ 671,246	\$ -	\$ 739,644	\$ -	\$ 1,410,890
Investments - at fair value (note 2)	1,184,852	1,355,155	1,305,586	-	3,845,593
Accrued interest receivable	6,837	-	7,534	-	14,371
Delinquent taxes receivable	212,508	-	-	-	212,508
Amount to be provided for retirement of general long-term debt	-	-	-	28,405,000	28,405,000
 Total assets	 \$ 2,075,443	 \$ 1,355,155	 \$ 2,052,764	 \$ 28,405,000	 \$ 33,888,362

LIABILITIES AND FUND BALANCE

	GOVERNMENTAL FUND TYPES				ACCOUNT GROUPS	Total (Memo- randum Only)
	SPECIAL REVENUE FUND	DEBT SERVICE FUND	CAPITAL PROJECT FUND	Downtown Development Authority Debt Fund		
Liabilities						
Deferred revenue	\$ 212,508	\$ -	\$ -	\$ -	\$ -	\$ 212,508
Due to City of Troy General Fund	148,650	-	2,052,764	-	-	2,201,414
Long-term debt and bonds payable (note 4)	<u>-</u>	<u>-</u>	<u>-</u>	<u>28,405,000</u>	<u>28,405,000</u>	<u>28,405,000</u>
Total liabilities	\$ 361,158	\$ -	\$ 2,052,764	\$ 28,405,000	\$ 28,405,000	\$ 30,818,922
Fund Balance						
Reserved for tax appeals	\$ 676,677	\$ -	\$ -	\$ -	\$ -	\$ 676,677
Reserved for debt service	-	1,355,155	-	-	-	1,355,155
Reserved for projects	<u>1,037,608</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,037,608</u>
Total fund balance	<u>\$ 1,714,285</u>	<u>\$ 1,355,155</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,069,440</u>
Total liabilities and fund balance	<u>\$ 2,075,443</u>	<u>\$ 1,355,155</u>	<u>\$ 2,052,764</u>	<u>\$ 28,405,000</u>	<u>\$ 28,405,000</u>	<u>\$ 33,888,362</u>

See accompanying notes to financial statements

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE YEAR ENDED JUNE 30, 2002

	<u>SPECIAL REVENUE FUND</u>	<u>DEBT SERVICE FUND</u>	<u>CAPITAL PROJECT FUND</u>	
	Downtown Development Authority Fund	Downtown Development Authority Debt Fund	Downtown Development Authority Construction Fund	Total (Memo- randum Only)
Revenues				
Property taxes	\$ 3,883,170	\$ -	\$ -	\$ 3,883,170
Investment income	93,772	54,448	5,632	153,852
Miscellaneous	<u>-</u>	<u>1,212,737</u>	<u>-</u>	<u>1,212,737</u>
Total revenues	\$ 3,976,942	\$ 1,267,185	\$ 5,632	\$ 5,249,759
Expenditures				
Downtown Development Authority	\$ 145,039	\$ -	\$ -	\$ 145,039
Debt service costs				
Interest	-	1,717,993	-	1,717,993
Principal	<u>-</u>	<u>7,170,000</u>	<u>-</u>	<u>7,170,000</u>
Total expenditures	\$ 145,039	\$ 8,887,993	\$ -	\$ 9,033,032
Excess (deficiency) of revenues over (under) expenditures	\$ 3,831,903	\$ (7,620,808)	\$ 5,632	\$ (3,783,273)
Other Financing Sources (Uses)				
Operating transfers - in	\$ -	\$ 8,887,993	\$ -	\$ 8,887,993
Operating transfers - out	(5,604,513)	-	(16,956,968)	(22,561,481)
Bond proceeds	<u>-</u>	<u>-</u>	<u>13,042,263</u>	<u>13,042,263</u>
Total other financing sources (uses)	\$ (5,604,513)	\$ 8,887,993	\$ (3,914,705)	\$ (631,225)
Excess (deficiency) of revenues over (under) expenditures and other financing sources (uses)	\$ (1,772,610)	\$ 1,267,185	\$ (3,909,073)	\$ (4,414,498)
Fund Balance - July 1, 2001	<u>3,486,895</u>	<u>87,970</u>	<u>3,909,073</u>	<u>7,483,938</u>
Fund Balance - June 30, 2002	<u>\$ 1,714,285</u>	<u>\$ 1,355,155</u>	<u>\$ -</u>	<u>\$ 3,069,440</u>

See accompanying notes to financial statements

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED JUNE 30, 2002**

	SPECIAL REVENUE FUND Downtown Development Authority Fund			DEBT SERVICE FUND Downtown Development Authority Debt Fund			CAPITAL PROJECT FUND Downtown Development Authority Construction Fund		
	Amended Budget	Actual	Variance Favorable (Unfavorable)	Amended Budget	Actual	Variance Favorable (Unfavorable)	Amended Budget	Actual	Variance Favorable (Unfavorable)
Revenues									
Property taxes	\$ 4,060,645	\$ 3,883,170	\$ (177,475)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Investment income	100,000	93,772	(6,228)	-	54,448	54,448	-	5,632	5,632
Miscellaneous	-	-	-	-	1,212,737	1,212,737	-	-	-
Total revenues	\$ 4,160,645	\$ 3,976,942	\$ (183,703)	\$ -	\$ 1,267,185	\$ 1,267,185	\$ -	\$ 5,632	\$ 5,632
Expenditures									
	\$ 220,000	\$ 145,039	\$ 74,961	\$ 12,780,000	\$ 8,887,993	\$ 3,892,007	\$ -	\$ -	\$ -
Other Financing Sources (Uses)									
Operating transfers - in	\$ -	\$ -	\$ -	\$ 12,780,000	\$ 8,887,993	\$ (3,892,007)	\$ -	\$ -	\$ -
Operating transfers - out	(5,774,410)	(5,604,513)	169,897	-	-	-	(17,500,000)	(16,956,968)	543,032
Bond proceeds	-	-	-	-	-	-	14,000,000	13,042,263	(957,737)
Total other financing sources (uses)	\$ (5,774,410)	\$ (5,604,513)	\$ 169,897	\$ 12,780,000	\$ 8,887,993	\$ (3,892,007)	\$ (3,500,000)	\$ (3,914,705)	\$ (414,705)
Excess (deficiency) of revenues over (under) expenditures and other financing sources (uses)	\$ (1,833,765)	\$ (1,772,610)	\$ 61,155	\$ -	\$ 1,267,185	\$ 1,267,185	\$ (3,500,000)	\$ (3,909,073)	\$ (409,073)
Fund Balance - July 1, 2001	3,486,895	3,486,895	-	87,970	87,970	-	3,909,073	3,909,073	-
Fund Balance - June 30, 2002	\$ 1,653,130	\$ 1,714,285	\$ 61,155	\$ 87,970	\$ 1,355,155	\$ 1,267,185	\$ 409,073	\$ -	\$ (409,073)

See accompanying notes to financial statements

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies

The City of Troy's Downtown Development Authority was formed under Act 197 of the Public Acts of 1975. Act 197 is an act to provide for the establishment of a Downtown Development Authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; and to prescribe the powers and duties of certain state officials.

Fund Accounting

The accounts of the Downtown Development Authority are organized on the basis of funds in order to report on its financial position and results of its operations. Fund accounting is designated to demonstrate legal compliance and to aid financial management by segregating transactions related to certain functions or activities. A fund is a separate accounting entity with a self-balancing set of accounts.

The various funds are grouped, in the financial statements in this report, into fund categories as follows:

Governmental Funds

Special Revenue Fund

Special Revenue Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for the financing of public improvements within the Authority's district.

Debt Service Funds

The Debt Service Funds are used to account for the accumulation of resources for the annual payment of principal, interest and expenditures in connection with certain long-term debt.

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

Governmental Funds - Continued

Capital Projects Fund

Capital Projects Fund is used to account for the development of capital facilities financed under the authority of the Downtown Development Authority.

These Downtown Development Authority Funds are also included in the combined financial statements of the City of Troy, Michigan.

The accounting policies of these Funds conform to generally accepted accounting principles as applicable to governmental units. The following is a summary of the significant accounting policies:

The modified-accrual basis of accounting is used. Modifications in such method from the accrual basis are as follows:

- a. Revenue that is both measurable and available for use to finance operations is recorded as revenue when earned. Other revenue is recorded when received.

Accordingly, delinquent property taxes receivable at June 30th are reported as deferred revenue and will be reported as revenue when payments are received.

- b. Normally, expenditures are not divided between years by the recording of prepaid expenses.
- c. Fixed assets are recorded as expenditures at the time of purchase or construction and are subsequently accounted for in the General Fixed Assets Group of Accounts of the City.
- d. Interest on bonded indebtedness and other debt is not recorded as an expenditure until its due date.
- e. Long-term debt is accounted for in the General Long-term Debt Group of Accounts of the City.

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

Governmental Funds - Continued

- f. Payments for inventoriable types of supplies are recorded as expenditures at the time of purchase.
- g. Noncurrent receivables, such as contracts receivable, are recorded at full value and deferred revenue is recorded for the portion not available for use to finance operations as of year-end.

Account Groups

Account groups are used to establish accounting control and accountability for the Downtown Development Authority's general long-term obligations. The Downtown Development Authority's account groups consist of the following:

General Long-Term Debt Account Group

This account group is used to record unmatured long-term liabilities not recorded in the Proprietary Funds.

Account groups are not funds and do not reflect available financial resources and related liabilities or the measurement of results of operations.

"Memorandum Only" Total Columns

Total columns on the general purpose financial statements are captioned "memorandum only" to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position or results of operations in conformity with generally accepted accounting principles. Neither are such data comparable to a consolidation. Interfund eliminations have not been made in the aggregation of this data.

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 1 - Significant Accounting Policies - Continued

Budget Information

The City is legally subject to the budgetary control requirements of the State of Michigan P.A. 621 of 1978 (the Uniform Budgeting Act). The following is a summary of the requirements of this Act according to the State Treasurer's "Bulletin for Audits of Local Units of Government in Michigan" dated April 1984:

1. Budgets must be adopted for the General Fund, Special Revenue Funds, and Debt Service Funds.
2. The budgets must be balanced.
3. The budgets must be amended when necessary.
4. Public hearings must be held before budget adoptions.
5. Expenditures cannot exceed budget appropriations.
6. Expenditures must be authorized by a budget before being incurred.

The City adopts its budget by function, which is in accordance with the State's legal requirement and is the level of classification detail at which expenditures may not legally exceed appropriations.

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002**

Note 1 - Significant Accounting Policies - Continued

Budget Information - Continued

The City follows these procedures in establishing the budgetary data reflected in the financial statements.

1. On or before the third Monday in April, the City Manager submits to the City Council a proposed budget for the fiscal year commencing the following July 1st. The operating budget includes proposed expenditures and the means of financing them.
2. A public hearing on the budget is held before its final adoption.
3. As provided for by the City Charter, on or before the third Monday in May, the budget is legally adopted and by resolution designates the sum to be raised by taxation.
4. The City Manager is authorized to transfer budgeted amounts within budgetary functions; however, any revisions that alter the total expenditure of any budgetary function must be approved by the City Council.

Note 2 - Deposits and Investments

Deposits

The Downtown Development Authority Funds deposits at June 30, 2002 are recorded at \$1,410,890.

The above deposits were reflected in the accounts of the bank and \$100,000 was covered by Federal Depository Insurance.

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

**NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002**

Note 2 - Deposits and Investments - Continued

Investments

The Authority is authorized by Michigan Public Act 20 of 1943 (as amended) to invest surplus monies in U.S. bonds and notes, certain commercial paper, U.S. government repurchase agreements, bankers acceptances and mutual funds and investment pools that are composed of authorized investment vehicles.

The Authority's investments are categorized below to give an indication of the level of risk assumed by the entity at June 30, 2002. Risk Category 1 includes those investments that meet any one of the following criteria:

- a. Insured
- b. Registered
- c. Held by the Authority or its agent

Risk Categories 2 and 3 include investments that are neither insured nor registered. Category 2 includes investments that are held by the counterparty's trust department (or agent) in the Authority's name. Category 3 includes investments held by:

- a. The counterparty or
- b. The counterparty's trust department (or agent) but not in the Authority's name

At June 30, 2002, the Authority held investments with a carrying value of \$3,845,593 (which approximates fair value). These investments are categorized as Risk Category 2.

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 3 - Development Agreement

On January 25, 1995, the Downtown Development Authority of the City of Troy, Michigan and Frankel/Forbes-Cohen Associates entered into a development agreement for the construction and financing of a public parking facility.

On September 17, 1998, the Downtown Development Authority Development Plan was amended to include the Civic Center Project and the Kmart Project. These projects are in the development stages at June 30, 2002.

On February 7, 2000, the Downtown Development Authority Development Plan was amended to include the widening of Rochester Road and Big Beaver Road.

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 4 - Long-Term Debt and Bonds Payable

Defeased Debt

Refunding and Defeasance of the Downtown Development Authority of the City of Troy Series 1995 A and 1995 B Bonds.

Series 1995 A Bonds

On July 19, 2001, the Downtown Development Authority of the City of Troy (the "DDA") issued \$24,000,000 Development and Refunding Bonds, Series 2001, a portion of which (\$9,796,280) was deposited in the 1995A Escrow Account for the purchase of State and Local Governments Securities ("SLUGS") to advance refund the 1995 Development Bonds, Series A of the Downtown Development Authority dated June 1, 1995. The escrow provided for the purchase of sufficient SLUGS to pay to maturity, the following bonds:

<u>November 1,</u>	<u>Interest Rate</u>	<u>Principal Amount</u>
2001	5.20%	\$ 300,000
2002	5.30%	315,000
2003	5.40%	335,000
2004	5.50%	355,000
2005	5.60%	375,000

Additionally, the Escrow provided for the Advance Refunding to the first call date, (November 1, 2005), bonds as follows:

<u>November 1,</u>	<u>Interest Rate</u>	<u>Principal Amount</u>
2010	6.10%	\$ 2,030,000
2018	6.375%	5,325,000

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2002

Note 4 - Long-Term Debt and Bonds Payable - Continued

Defeased Debt - Continued

Series 1995 B Bonds

Additionally, the DDA deposited, from Funds on Hand, in the DDA, the amount of \$6,937,279 into the 1995B Escrow Fund to defease to maturity the following:

<u>November 1,</u>	<u>Interest Rate</u>	<u>Principal Amount</u>
2001	7.35%	\$ 380,000
2002	7.45%	440,000
2003	7.55%	505,000
2004	8.00%	575,000

and to defease to the first call date, (November 1, 2005) Series B Bonds due November 1, 2009, which carry an interest rate of 8.00% and the amount is \$4,200,000.

That portion of the proceeds from the Series 2001 bonds that were issued to defease the 1995 Series A bonds and the cash on hand from the DDA that was used to defease the 1995 Series B bonds was used to purchase SLUGS which were deposited in an irrevocable trust, for each Series with the Escrow Agent (Fifth Third Bank) and provides sufficient monies, without reinvestment, to meet the debt service payments on each Series of the 1995 bonds until the bonds either mature or are callable, in the case of the term bonds, on November 5, 2005. Both the Advance Refunding Bonds (Series A) and the cash deposit for the Series B Bonds met the requirements for an in substance debt defeasance, bonds are removed from the City's government wide financial statements.

A result of the Advance Refunding of the Series A Bonds and the Defeasance of the Series B Bonds, the DDA has reduced its total debt service requirements from \$15,083,181 to \$14,636,373, which results in an economic gain (the difference between the present value of the debt service payments on the old and the new debt) of \$293,726 for the 1995 Series A Bonds.

A result of the cash contribution for the Series B Bonds, the DDA has reduced its total debt service requirements from \$8,683,454 to \$8,002,454, which results in an economic gain of \$681,000 for the 1995 Series B Bonds.

CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY

SCHEDULE OF INDEBTEDNESS
JUNE 30, 2002

Serviced by the Downtown Development Authority Fund

	<u>Interest Rate</u>	<u>Principal Amount</u>		<u>Outstanding June 30, 2002</u>	<u>Amount of Annual Interest</u>
		<u>Maturity Date</u>	<u>Annual Maturity</u>		
Development Bonds:					
Date of issue 7/19/01;					
original issuance amount	4.00%	11/1/02	\$ 545,000	\$ 545,000	\$ 649,070
\$14,255,000; bearing	4.00	11/1/03	565,000	565,000	626,870
interest as indicated	4.00	11/1/04	590,000	590,000	603,770
	4.00	11/1/05	615,000	615,000	579,670
	5.00	11/1/06	640,000	640,000	551,370
	4.00	11/1/07	670,000	670,000	521,970
	4.10	11/1/08	700,000	700,000	494,220
	5.00	11/1/09	730,000	730,000	461,620
	5.00	11/1/10	770,000	770,000	424,120
	4.40	11/1/11	805,000	805,000	387,160
	5.50	11/1/12	850,000	850,000	346,075
	5.50	11/1/13	895,000	895,000	298,088
	5.50	11/1/14	945,000	945,000	247,488
	5.50	11/1/15	1,000,000	1,000,000	194,000
	5.00	11/1/16	1,055,000	1,055,000	140,125
	5.00	11/1/17	1,110,000	1,110,000	86,000
	5.00	11/1/18	1,165,000	1,165,000	29,125
				<u>13,650,000</u>	<u>6,640,741</u>
Refunding Bonds:					
Date of issue 7/19/01;					
original issuance amount	4.00%	11/1/02	\$ 380,000	\$ 380,000	\$ 441,265
\$9,745,000; bearing	4.00	11/1/03	395,000	395,000	425,765
interest as indicated	4.00	11/1/04	415,000	415,000	409,565
	4.00	11/1/05	430,000	430,000	392,665
	5.00	11/1/06	410,000	410,000	373,815
	4.00	11/1/07	430,000	430,000	354,965
	4.10	11/1/08	450,000	450,000	337,140
	5.00	11/1/09	470,000	470,000	316,165
	5.00	11/1/10	495,000	495,000	292,040
	4.40	11/1/11	560,000	560,000	267,345
	5.50	11/1/12	590,000	590,000	238,800
	5.50	11/1/13	620,000	620,000	205,525
	5.50	11/1/14	655,000	655,000	170,463
	5.50	11/1/15	690,000	690,000	133,475
	5.00	11/1/16	725,000	725,000	96,375
	5.00	11/1/17	765,000	765,000	59,125
	5.00	11/1/18	800,000	800,000	20,000
				<u>9,280,000</u>	<u>4,534,493</u>
Total development bonds				<u>\$ 22,930,000</u>	<u>\$ 11,175,234</u>

**CITY OF TROY, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

**SCHEDULE OF INDEBTEDNESS
JUNE 30, 2002**

Serviced by the Downtown Development Authority Fund - Continued

	<u>Interest Rate</u>	<u>Principal Amount</u>		<u>Outstanding June 30, 2002</u>	<u>Amount of Annual Interest</u>
		<u>Maturity Date</u>	<u>Annual Maturity</u>		
Michigan Transportation Fund Bonds serviced by the Downtown Development Authority Fund: Date of issue 4/1/95; original issuance amount \$3,125,000; bearing interest as indicated	5.00%	11/1/02	\$ 200,000	\$ 200,000	\$ 109,225
	5.10	11/1/03	225,000	225,000	98,487
	5.10	11/1/04	250,000	250,000	86,375
	5.20	11/1/05	250,000	250,000	73,500
	5.20	11/1/06	275,000	275,000	59,850
	5.30	11/1/07	300,000	300,000	44,750
	5.40	11/1/08	325,000	325,000	28,025
	5.50	11/1/09	350,000	350,000	9,625
				<u>2,175,000</u>	<u>509,837</u>
Michigan Transportation Fund Bonds serviced by the Downtown Development Authority Fund: Date of issue 2/1/00; original issuance amount \$5,600,000; bearing interest as indicated	4.75%	5/1/03	\$ 1,300,000	\$ 1,300,000	\$ 164,538
	4.70	5/1/04	125,000	125,000	103,438
	4.80	5/1/05	150,000	150,000	97,438
	4.90	5/1/06	175,000	175,000	90,088
	5.00	5/1/07-09	175,000	525,000	217,764
	5.10	5/1/10	175,000	175,000	54,912
	5.15	5/1/11	175,000	175,000	45,900
	5.25	5/1/12	200,000	200,000	36,712
	5.35	5/1/13	225,000	225,000	26,012
	5.45	5/1/14	250,000	250,000	13,750
				<u>3,300,000</u>	<u>850,552</u>
				<u>5,475,000</u>	<u>1,360,389</u>
Total long-term debt, being serviced by the Downtown Development Authority Fund				<u>\$ 28,405,000</u>	<u>\$ 12,535,623</u>



To the Honorable Mayor and City Council
of City of Troy, Michigan
Downtown Development Authority

We have audited the general purpose financial statements of the City of Troy, Michigan Downtown Development Authority as of and for the year ended June 30, 2002, and have issued our report thereon dated September 13, 2002. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the City of Troy, Michigan Downtown Development Authority's general purpose financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City of Troy, Michigan Downtown Development Authority's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

DOEREN MAYHEW

This report is intended solely for the information and use of the City Council and management, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink, appearing to read "Doeren Mayhew". The signature is fluid and cursive, with the first name "Doeren" written in a larger, more prominent script than the last name "Mayhew".

DOEREN MAYHEW

September 13, 2002
Troy, Michigan

CITY OF TROY
MONTHLY FINANCIAL REPORT
30-Nov-02

CITY OF TROY
 Monthly Financial Report
 General Fund
 For the Period Ending November 30, 2002

CITY OF TROY GENERAL FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
GENERAL FUND REVENUES					
TAXES	29,085,526	30,313,690	164	30,313,461	100.00
BUSINESS LICENSES & PERMITS	41,334	47,200	1,756	8,410	17.82
NON-BUS. LICENSES & PERMITS	1,480,799	1,525,500	96,098	561,442	36.80
FEDERAL GRANTS	69,453	88,400	11,760	117,284	132.67
STATE AGENCIES	8,492,956	8,138,000	1,540,657	2,776,825	34.12
CONTRIBUTIONS-LOCAL	159,268	95,800	0	3,645	3.80
CHARGES FOR SERVICES - FEES	1,030,349	983,600	171,628	267,637	27.21
CHARGES FOR SERVICES - REND.	1,888,342	1,519,100	23,568	203,893	13.42
CHARGES FOR SERVICES - SALES	163,712	122,500	14,660	10,350	8.45
CHARGES FOR SERVICES - REC	1,833,253	2,324,000	77,642	724,841	31.19
FINES & FORFEITS	1,171,749	905,000	63,233	334,234	36.93
INTEREST AND RENTS	1,155,235	1,317,700	42,133	242,853	18.43
OTHER REVENUE	364,693	330,200	5,420	87,349	26.45
OTHER FINANCING SOURCES	8,987,970	7,870,950	0	1,082,000	13.75
TOTAL GENERAL FUND REVENUE	55,924,639	55,581,640	2,048,719	36,713,524	66.05
EXPENDITURES					
LEGISLATIVE	1,705,181	1,872,490	127,128	674,293	36.01
FINANCE	3,919,479	4,602,740	374,104	1,643,540	35.71
OTHER GEN GOVERNMENT	1,979,299	2,239,420	145,256	720,247	32.16
POLICE	19,673,920	20,575,040	1,434,196	7,703,186	37.44
FIRE	3,313,576	3,480,250	497,638	1,757,053	50.49
BUILDING INSPECTION	1,697,480	1,893,800	131,579	687,562	36.31
STREETS	4,495,513	5,420,550	339,912	1,723,887	31.80
ENGINEERING	2,634,796	2,960,850	191,145	1,046,546	35.35
RECREATION	6,182,359	7,789,320	571,331	3,098,096	39.77
LIBRARY	4,042,658	4,737,180	284,538	1,497,776	31.62
TRANSFERS OUT	2,919,290	10,000	0	10,000	100.00
TOTAL GEN FUND EXPENDITURES	52,563,551	55,581,640	4,096,827	20,562,186	36.99

CITY OF TROY
 Monthly Financial Report
 Refuse Fund
 For the Period Ending November 30, 2002

REFUSE FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	3,636,077	3,793,000	0	3,804,318	100.30
CHARGES FOR SERVICES - REND.	195	0	0	205,650	.00
CHARGES FOR SERVICES - SALES	726	500	57	369	73.80
INTEREST AND RENTS	88,981	80,000	7,340	22,583	28.23
OTHER FINANCING SOURCES	0	280,340	0	0	.00
TOTAL REVENUE	3,725,979	4,153,840	7,397	4,032,920	97.09
EXPENDITURES					
CONTRACTORS SERVICE	3,504,018	3,965,000	372,952	1,444,390	36.43
OTHER REFUSE EXPENSE	44,674	51,280	1,996	15,060	29.37
RECYCLING	122,584	137,560	8,963	46,478	33.79
TOTAL EXPENDITURES	3,671,276	4,153,840	383,911	1,505,928	36.25

CITY OF TROY
 Monthly Financial Report
 Capital Fund
 For the Period Ending November 30, 2002

CAPITAL FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
TAXES	7,228,347	7,405,000	0	7,425,295	100.27
FEDERAL GRANTS	30,964	92,000	0	0	.00
STATE AGENCIES	2,930,151	3,265,850	30,000	164,454	5.04
CHARGES FOR SERVICES - REND.	292,350	175,000	17,768	87,178	49.82
INTEREST AND RENTS	581,734	600,000	35,986	175,859	29.31
OTHER REVENUE	268,193	573,000	140	283,008	49.39
OTHER FINANCING SOURCES	28,849,908	36,138,710	0	12,425,000	34.38
TOTAL REVENUE	40,181,647	48,249,560	83,894	20,560,794	42.61
EXPENDITURES					
FINANCE	179,548	59,700	0	0	.00
OTHER GEN GOVERNMENT	66,904	1,016,000	11,163	11,163	1.10
POLICE	148,061	1,663,790	73,382	134,877	8.11
FIRE	628,392	1,342,020	0	52,276	3.90
BUILDING INSPECTION	1,597	163,000	4,500	10,555	6.48
STREETS	21,866,829	26,031,350	440,031	4,916,972	18.89
ENGINEERING	66,741	70,940	0	8,003	11.28
RECREATION	4,435,493	12,968,850	972,050	4,210,348	32.47
LIBRARY	621,894	719,030	0	5,951	.83
MUSEUM	281,845	1,655,350	24,285	71,056	4.29
PLANNING	0	25,000	0	0	.00
STORM DRAINS & RET PONDS	2,691,789	1,386,980	43,129	195,855	14.12
INFORMATION TECHNOLOGY	272,893	1,147,550	9,624	22,749	1.98
TOTAL EXPENDITURES	31,261,986	48,249,560	1,578,164	9,639,805	19.98

CITY OF TROY
 Monthly Financial Report
 Golf Course
 For the Period Ending November 30, 2002

SYLVAN GLEN GOLF COURSE FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - SALES	42,183	46,200	1,024	22,116	47.87
CHARGES FOR SERVICES - REC	1,142,797	1,243,800	29,511	648,267	52.12
INTEREST AND RENTS	83,851	100,000	9,827	43,414	43.41
OTHER REVENUE	768-	0	93-	15,784-	.00
OTHER FINANCING SOURCES	178,440	180,690	0	0	.00
TOTAL REVENUE	1,446,503	1,570,690	40,269	698,013	44.44
EXPENDITURES					
SYLVAN GLEN GREENS	853,995	914,600	78,947	413,947	45.26
SYLVAN GLEN PRO SHOP	340,820	404,090	19,939	137,857	34.12
SYLVAN GLEN CAPITAL	162,161	252,000	0	78,021	30.96
TOTAL EXPENDITURES	1,356,976	1,570,690	98,886	629,825	40.10

CITY OF TROY
 Monthly Financial Report
 Aquatic Center
 For the Period Ending November 30, 2002

AQUATIC CENTER FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - REC	359,840	371,000	0	124,822	33.64
INTEREST AND RENTS	28,653	24,600	0	13,753	55.91
OTHER REVENUE	14	0	0	24	.00
TOTAL REVENUE	388,507	395,600	0	138,599	35.04
EXPENDITURES					
AQUATIC CENTER	534,176	609,700	27,483	229,148	37.58
CAPITAL	14,148	50,000	0	0	.00
TOTAL EXPENDITURES	548,324	659,700	27,483	229,148	34.74

CITY OF TROY
 Monthly Financial Report
 Sewer Fund
 For the Period Ending November 30, 2002

SEWER FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	161,126	250,000	9,928	92,892	37.16
CHARGES FOR SERVICES - REND	7,635,479	8,060,000	1,021,929	3,008,059	37.32
INTEREST AND RENTS	501,018	775,000	29,762	100,060	12.91
OTHER REVENUE	762,994	10,000	0	0	.00
TOTAL REVENUE	9,060,617	9,095,000	1,061,619	3,201,011	35.20
EXPENDITURES					
ADMINISTRATION	6,853,994	7,269,870	566,936	3,692,663	50.79
MAINTENANCE	1,356,648	1,622,770	40,354	478,344	29.48
CAPITAL	3,109,914	3,315,020	9,715	515,494	15.55
TOTAL EXPENDITURES	11,320,556	12,207,660	617,005	4,686,501	38.39

CITY OF TROY
 Monthly Financial Report
 Water Fund
 For the Period Ending November 30, 2002

WATER FUND

Description	Last Year Actual	2002-03 Budget	Current Month	Year To Date	%
REVENUES					
CHARGES FOR SERVICES - FEES	832,099	576,000	89,057	452,784	78.61
CHARGES FOR SERVICES - SALES	8,803,580	9,228,000	1,187,130	3,562,617	38.61
INTEREST AND RENTS	630,238	894,000	152,362	223,139	24.96
OTHER REVENUE	1,148,080	0	0	0	.00
TOTAL REVENUE	11,413,997	10,698,000	1,428,549	4,238,540	39.62
EXPENDITURES					
ADMINISTRATION	7,048,086	8,214,050	1,084,907	3,406,825	41.48
TRANS AND DISTRIBUTION	141,616	145,370	6,069	36,205	24.91
CUSTOMER INSTALLATION	0	104,680	0	0	.00
CONTRACTORS SERVICE	175,735	195,290	15,280	75,625	38.72
MAIN TESTING	92,429	183,170	5,286	23,543	12.85
MAINTENANCE OF MAINS	355,461	326,370	29,110	143,958	44.11
MAINTENANCE OF SERVICES	219,095	191,760	28,658	109,886	57.30
MAINTENANCE OF METERS	173,203	246,970	16,376	77,589	31.42
MAINTENANCE OF HYDRANTS	267,294	327,130	26,226	110,358	33.74
METERS AND TAP-INS	220,830	344,720	10,743	72,708	21.09
WATER METER READING	79,156	80,770	14,609	70,336	87.08
ACCOUNTING AND COLLECTING	42,215	55,550	8,526	37,305	67.16
CAPITAL	3,813,342	8,654,300	273,670	1,404,874	16.23
TOTAL EXPENDITURES	12,628,462	19,070,130	1,519,460	5,569,212	29.20

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
101	2002	12	9	7	STAND FED	2002	11	8	1.300	CD	1,129,419		1,129,419.07
	2003	1	2	7	REPUBLIC	2002	9	30	1.900	CD	255,532		255,531.83
TOTAL												1,384,950.90	
112	2002	12	5	9	ML	2002	7	25	1.650	TBILL	2,196,000		2,182,856.94
	2002	12	5	7	FITB	2002	9	18		CD	1,000,000		1,000,000.00
	2002	12	5	7	FITB	2002	9	23	1.720	CD	1,000,000		1,000,000.00
	2002	12	5	7	STAND FED	2002	10	7	1.700	CD	7,481,029		7,481,029.14
	2002	12	9	7	STAND FED	2002	11	8	1.300	CD	2,046,461		2,046,461.65
	2002	12	12	9	ML	2002	7	30	1.680	TBILL	1,753,000		1,742,153.31
	2002	12	19	9	ML	2002	8	2	1.640	TBILL	2,788,000		2,770,668.71
	2002	12	19	9	ML	2002	8	23	1.600	TBILL	2,095,000		2,084,184.56
	2002	12	19	7	REPBLC	2002	9	18	2.000	CD	1,000,000		1,000,000.00
	2002	12	26	9	ML	2002	8	8	1.550	TBILL	2,139,000		2,126,356.13
	2002	12	26	7	FLAGSTAR	2002	9	10	1.950	CD	1,000,000		1,000,000.00
	2003	1	2	9	ML	2002	8	15	1.620	TBILL	2,090,000		2,077,076.83
	2003	1	2	7	FLAGSTAR	2002	8	28	2.150	CD	1,000,000		1,000,000.00
	2003	1	9	7	FLAGSTAR	2002	8	28	2.150	CD	1,000,000		1,000,000.00
	2003	1	9	9	ML	2002	8	30	1.610	TBILL	3,620,000		3,598,869.26
	2003	1	16	7	FLAGSTAR	2002	9	3	2.050	CD	2,027,892		2,027,892.40
	2003	1	16	9	ML	2002	9	13	1.670	TBILL	2,473,000		2,458,917.64
	2003	1	23	7	FLAGSTAR	2002	9	3	2.050	CD	3,000,000		3,000,000.00
	2003	1	24	7	MIDW	2002	11	21	1.600	CD	1,003,556		1,003,556.00
	2003	1	30	7	FLAGSTAR	2002	9	3	2.050	CD	3,000,000		3,000,000.00
	2003	2	3	7	FITB	2002	11	21	1.600	CD	1,002,819		1,002,819.00
	2003	2	5	7	FLAGSTAR	2002	11	7	1.910	CD	2,005,305		2,005,305.56
	2003	2	6	7	FLAGSTAR	2002	9	3	2.050	CD	2,000,000		2,000,000.00
	2003	2	6	7	FLAGSTAR	2002	9	10	1.950	CD	1,000,000		1,000,000.00
	2003	2	13	7	REPUBLIC	2002	9	3	2.050	CD	1,000,000		1,000,000.00
	2003	2	13	7	FITB	2002	9	23	1.720	CD	1,000,000		1,000,000.00
	2003	2	20	7	MIDW GUART	2002	9	3	2.000	CD	2,073,058		2,073,058.72
	2003	2	27	9	ML	2002	9	5	1.590	TBILL	2,413,000		2,394,701.42
	2003	2	27	7	COMERICA	2002	9	18	1.710	CD	1,000,000		1,000,000.00
	2003	2	27	7	FITB	2002	9	23	1.720	CD	1,000,000		1,000,000.00
	2003	3	6	7	FLAGSTAR	2002	9	18	1.950	CD	2,000,000		2,000,000.00
	2003	3	6	9	ML	2002	9	19	1.650	TBILL	2,467,000		2,448,349.48
	2003	3	13	7	REPUBLIC	2002	9	23	2.050	CD	1,000,000		1,000,000.00
	2003	3	13	9	ML	2002	9	26	1.590	TBILL	2,095,000		2,079,748.40
	2003	3	20	7	REPUBLIC	2002	9	23	2.050	CD	2,000,000		2,000,000.00
	2003	3	20	9	ML	2002	10	3	1.490	TBILL	2,069,000		2,054,903.21
	2003	3	27	9	ML	2002	10	10	1.510	TBILL	3,538,000		3,513,564.21
	2003	4	3	9	ML	2002	10	21	1.660	TBILL	2,929,000		2,907,250.55
	2003	4	10	9	ML	2002	10	25	1.650	TBILL	2,462,000		2,443,498.07
	2003	4	17	9	ML	2002	10	31	1.440	TBILL	2,824,000		2,805,286.29
	2003	4	24	9	ML	2002	11	7	1.250	TBILL	2,859,000		2,842,589.34
	2003	5	1	9	ML	2002	11	14	1.240	TBILL	3,040,000		3,022,692.27

7 = CD 8 = Paper 9 = T-Bills

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
112	2003	5	8	9	ML	2002	11	21	1.260	TBILL	3,466,000		3,445,943.41
	2003	5	13	7	FLAGSTAR	2002	11	14	1.770	CD	1,003,521		1,003,520.83
	2003	5	15	7	FLAGSTAR	2002	11	27	1.600	CD	1,004,225		1,004,225.00
	2003	6	30	7	FITB	1998	12	4	1.000	LUG	1,440,088		1,440,088.12
	2003	6	30	7	HUNT BANK	2001	11	20	1.250	LUG	510,572		510,572.23
	2003	6	30	8	STAND FED	2002	11	12	1.270	MM	9,002,892		9,002,891.58
	2003	12	18	8	NATL CITY	2002	9	18	2.000	FED FCB	1,000,000		1,000,000.00
	2004	3	1	8	FITB	2002	2	4		KENT DTAN	1,407,000		1,407,000.00
	2004	3	1	8	FITB	2002	9	20		KENT DTAN	1,110,000		1,110,000.00
	2004	3	12	8	FITB	2002	3	12	2.800	FHLM	2,000,000	15,800.00	2,000,000.00
	2004	4	8	8	NAT CITY	2002	10	9	2.000	FHLB	1,000,000		1,000,000.00
	2005	3	1	8	FITB	2002	9	20		KENT DTAN	1,480,000		1,480,000.00
	2005	3	1	8	FITB	2002	9	30		KENT DTAN	695,000		695,000.00
	2005	3	1	8	FITB	2002	10	9		KENT DTAN	1,250,000		1,250,000.00
	2005	7	1	8	FITB	2002	9	4		WAYNE CTY	590,000		590,000.00
	2005	7	1	8	FITB	2002	9	12		WAYNE CTY	2,831,000		2,831,000.00
	2005	10	21	8	FITB	2002	11	1	3.000	FHLM	850,000		850,000.00
	2005	10	24	8	FITB	2002	10	24	3.000	FHLM	1,000,000		1,000,000.00
	2005	10	28	8	FITB	2002	10	28	3.000	FHLB	1,000,000		1,000,000.00
	2006	11	14	8	FITB	2002	11	14	3.000	FHLB	1,685,000		1,685,000.00
										TOTAL		15,800.00	121,499,030.26
590	2003	1	31	7	STAND FED	2002	10	28	1.700	CD	416,637		416,637.00
										TOTAL			416,637.00
591	2002	12	9	7	STAND FED	2002	11	12	1.300	CD	1,129,028		1,129,028.35
	2002	12	23	7	STAND FED	2002	10	31	1.700	CD	1,507,374		1,507,373.84
	2002	12	26	7	NATL CITY	2002	9	25	1.440	CD	1,479,967		1,479,967.34
	2003	1	2	7	REPUBLIC	2002	9	30	1.900	CD	134,877		134,877.21
	2003	6	30	7	COMERICA	1997	7	1	1.400	GOV'T POOL	1,809,072		1,809,072.50
	2003	6	30	7	HUNT BANK	2001	11	21	1.250	LUG	148,870		148,869.50
										TOTAL			6,209,188.74
688	2002	12	5	7	STAND FED	2002	10	7	1.700	CD	749,327		749,327.25
	2002	12	9	7	STAND FED	2002	11	12	1.300	CD	596,294		596,293.62
	2003	1	31	7	STAND FED	2002	10	28	1.700	CD	835,861		835,861.00
	2003	6	30	7	BANK ONE	1997	7	1	1.500	GOV'T POOL	1,284,229		1,284,229.82
										TOTAL			3,465,711.69
701	2003	2	24	7	MIDW GUART	2002	11	25	1.600	CD	520,796		520,796.00
										TOTAL			520,796.00

7 = CD 8 = Paper 9 = T-Bills

12/10/02 14:51:21

12/10/02

T-Bills, Commercial Paper, C.D. etc.

Ref.: INVG012
Page: 3

PAGE 3

Fund	Mat Yr.	Mat Mo.	Mat Day	Type	Loc	Pur Yr.	Pur Mo.	Pur Day	Rate	Name	Face	Accrue 6/30	Book
											TOTAL	15,800.00	133,496,314.59

*** END OF REPORT ***

7 = CD 8 = Paper 9 = T-Bills

Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Total Cash and Money Accounts				1,169		1,169			12	1.07
Government Securities										
2,196,000	U.S. TREASURY BILL ZERO% DEC 05 2002	07/25/02	99.40	2,182,856	99.98	2,195,560	N/A			
1,753,000	U.S. TREASURY BILL ZERO% DEC 12 2002	07/30/02	99.38	1,742,153	99.95	1,752,246	N/A			
2,788,000	U.S. TREASURY BILL ZERO% DEC 19 2002	08/02/02	99.37	2,770,668	99.93	2,786,132	N/A			
2,095,000	U.S. TREASURY BILL ZERO% DEC 19 2002	08/23/02	99.48	2,084,184	99.93	2,093,596	N/A			
4,883,000	Security Sub-Total			4,854,853		4,879,728				
2,139,000	U.S. TREASURY BILL ZERO% DEC 26 2002	08/08/02	99.40	2,126,356	99.90	2,137,010	N/A			
2,090,000	U.S. TREASURY BILL ZERO% JAN 02 2003	08/15/02	99.38	2,077,076	99.88	2,087,638	N/A			
3,620,000	U.S. TREASURY BILL ZERO% JAN 09 2003	08/29/02	99.41	3,598,869	99.86	3,615,149	N/A			
2,473,000	U.S. TREASURY BILL ZERO% JAN 16 2003	09/13/02	99.43	2,458,917	99.84	2,469,142	N/A			
2,413,000	U.S. TREASURY BILL ZERO% FEB 27 2003	09/05/02	99.24	2,394,701	99.69	2,405,688	N/A			
3,538,000	U.S. TREASURY BILL ZERO% MAR 27 2003	10/10/02	99.30	3,513,564	99.60	3,524,095	N/A			
2,069,000	U.S. TREASURY BILL ZERO% MAR 20 2003	10/03/02	99.31	2,054,903	99.62	2,061,282	N/A			
2,467,000	U.S. TREASURY BILL ZERO% MAR 06 2003	09/18/02	99.24	2,448,349	99.67	2,458,957	N/A			
2,095,000	U.S. TREASURY BILL ZERO% MAR 13 2003	09/26/02	99.27	2,079,748	99.65	2,087,730	N/A			
2,929,000	U.S. TREASURY BILL ZERO% APRIL 03 2003	10/21/02	99.25	2,907,250	99.57	2,916,581	N/A			

+ CITY OF TROY



Current Portfolio

Quantity	Security Description	Date Acquired	Adjust/Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Accrued Interest	Estimated Annual Income	Current Yield %
Government Securities										
2,462,000	US TREASURY BILL ZERO% APRIL 10 2003	10/24/02	99.24	2,443,498	99.54	2,450,896	N/A			
2,824,000	U.S. TREASURY BILL ZERO% APR 17 2003	10/30/02	99.33	2,805,286	99.52	2,810,473	N/A			
2,859,000	U.S. TREASURY BILL ZERO% APR 24 2003	11/06/02	99.42	2,842,589	99.49	2,844,504	N/A			
3,040,000	U.S. TREASURY BILL ZERO% MAY 01 2003	11/14/02	99.43	3,022,692	99.46	3,023,857	N/A			
3,466,000	U.S. TREASURY BILL ZERO% MAY 08 2003	11/21/02	99.42	3,445,943	99.44	3,446,590	N/A			
Total Government Securities				48,999,610		49,167,133				
Total of Long Portfolio				49,000,779		49,168,303	*		12	1.07

* - Excludes N/A Items

Monthly Activity

Date	Transaction	Quantity	Description	Price	Debit	Credit
Security Transactions						
11/07	Purchase	2,859,000	U.S. TREASURY BILL ZERO% APR 24 2003 FACE VALUE 2859000.0000 PRICE 99.426000	99.426	2,842,589.34	
11/07	Redeemed	-2,843,000	U.S. TREASURY BILL ZERO% NOV 07 2002			2,843,000.00
11/14	Purchase	3,040,000	U.S. TREASURY BILL ZERO% MAY 01 2003 FACE VALUE 3040000.0000 CASH TRADE PRICE 99.430666	99.430	3,022,692.27	
11/14	Redeemed	-3,023,000	U.S. TREASURY BILL ZERO% NOV 14 2002			3,023,000.00
11/21	Purchase	3,466,000	U.S. TREASURY BILL	99.421	3,445,943.41	



CITY OF TROY

HARRY W. CYPHERS
2301 GOLFVIEW DRIVE
TROY, MICHIGAN 48084

G-05a

248 810-643-6226

November 23, 2002

Charles Craft, Chief of Police
City of Troy
Police Headquarters
Troy, Mi 48084

Dear Sir,

I am writing to commend Troy police officer Nicolette Kaptur for her public service in addition to her police role. In her November 15 appearance before the Senior Men's Club of Birmingham (I am a member) she was very well informed about security measures and cautions against senior citizen scams. I know we all benefitted.

As a Somerset resident I also appreciate seeing our Troy police cars patrolling this area. Somerset streets are cut-offs for many drivers, and some busses and trucks. Your police cars are a welcome presence.

With best wishes to you and your department,

Sincerely,

Harry Cyphers

RECEIVED
Chief of Police
11/26/2002 CTC



380 South Bates
(The Community House)
Birmingham, Michigan 48009
(248) 644-5832

November 22, 2002

Officer Nicolette Kaptur - Community Relations
City of Troy Police Department
500 W. Big Beaver Road
Troy, MI 48084

Dear Nicolette:

On behalf of the Birmingham Senior Men's Club, I want to thank you for taking the time from your busy schedule to come and speak to us on Friday, November 15, 2002.

Your excellent, informative and timely presentation on "Scams and Pranks Against Seniors" was very thought provoking for our 250 members in attendance. The "Telemarketing Fraud" brochures and the video added much to your presentation. The questions and your answers were indicative of audience interest and approval.

We wish you continued success in your important Community Relations work with the Troy Police Department.

Sincerely,

Tom Van Voorhis

cc: Sgt. Dave Swanson - Troy Police Department
Charles Craft - Troy Chief of Police



Lance T. Ross
469 Arms Drive
Rochester Hills, MI 48307
Sunday, November 24, 2002

G-05c

Troy Police Department
Attn.: Chief Craft
500 West Big Beaver
Troy, MI 48084

Dear Chief Craft,

On Friday, November 15th, Officer Jay Reynolds gave an informative seminar at the office of PPG Industries in Troy regarding identify theft. Officer Reynolds outlined a number of ways that we can lower the chances of being a victim of ID theft/ financial fraud. The presentation was extremely useful and persuasive enough to send me to the office supply store that evening to purchase a firewall and a document shredder for home use. Please convey to Officer Reynolds my appreciation for his time. The ID theft presentation is a great service your office provides to the community.

Best regards,


Lance Ross

CC: Mayor Matt Pryor



Katherine Bogush G-05d
5916 Patterson Dr.
Troy, Mi. 48065-3355
Nov 2002

Police Dept.
Troy, Mich.

RECEIVED
Chief of Police

11/21/02 CTC

Dear Sir:

As a Senior Citizen, I am glad to be living in Troy - we are well taken care for, and appreciated. In return we greatly appreciate the help we receive from our city officials.

A couple of days ago, two very pleasant young girls Nicole and Claire came to our home to rake leaves.

They worked hard, and said that they were glad to help Seniors.

They raked 10 large bags full of leaves. My husband was

recuperating at home after 10 days in the hospital, so he

welcomed these kind young girls with open arms. Thank

you so much for the help.

Sincerely,
Katherine Bogush



OFF. KAPTUR'S
PROGRAM

11-28-02

I just want to complement
the Troy Police Officer who come
to my accident Thus 11/21/02 -
Officer KULKA.

It was a "bad raining dark night,"
and this man pulled out in front
of me - and I hit him. Thanks
Dad, he got a ticket.

But this officer was very
professional + yet kind !!

Thanks again for your
help,

Lonnie Meier

RECEIVED

Chief of Police

12/02/2002 CZ

November 23, 2002

Chief Charlie Craft
Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

Dear Chief Craft,

On October 26th, at approximately 11:30 e.s.t., I was awakened from my sleep by the security alarm blaring and since Guardian didn't respond I phoned 911. I want to share with you how grateful I am for the Troy Police Department and its employees.

The phone responder when I called was Officer Goralczyk. In a very reassuring manner he got all the facts, advised me to stay with him on the phone, assured me he would not leave me, and apprised me when the officers had arrived on my street and were approaching my home. Talking with him gave me a sense of security - I was fearful someone had broken into my home as I had had a garage sale that day and had not deposited the money into the bank.

The two officers who investigated and searched both my home and the outside perimeter were great also. They were professional, very thorough in their search, and helpful with suggestions to prevent a future similar incident - my front door was not latched properly and had blown open. My sense of security was restored. Later Candace Rocke from the Police Dept. gave me their names: Officer Steve Brozel and Officer Brian Warzecha. Please tell them I took their advice: the blinds are now in the bow windows - Guardian Alarm repaired the faulty wiring - the front door latch is secured. Thank them again for their professional and caring manner.

Sincerely,

Zoe Alpern

Zoe Alpern (Mrs. Robert B.)
3163 Kingsley Drive
Troy, Michigan 48084



PSA GORALCZYK
OFF. BRAZEL
OFF. WARZECHA

Enid Hilton Brown, M.P.A.
Consultant and Pattern Scientist
Licensed Private Investigator
30666 Oakleaf
Franklin, Michigan 48025
PHONE (248) 737-0914 FAX (248) 737-2109
E-mail: enidbrown@voyager.net

G-05g

September 17, 2002

Sergeant Don Ostrowski
SRU/WMD Threat Assessment Team
500 W. Big Beaver Road
Troy, MI 48084

Dear Don:

On behalf of the Oakland Criminal Justice Association, I'd like to thank you for giving such an interesting presentation on Explosives at our September 10th meeting. Not only was the topic timely, your vivid video clips and first hand experiences served to enrich the technical data immensely. A number of members commented about your skill in sharing your knowledge. Personally, your presentation stimulated my interest in exploring more on the Internet. I did find the Titan *brand* supplies listed in a Canadian mining supply site, for example. And, the JAMA site with related free articles also was worth visiting.

Again, thank you for your participation in our kick-off for the fall. We hope you come back for future programs.

Sincerely,



Enid Brown
Secretary
Oakland Criminal Justice Association

RECEIVED
Chief of Police
12/9/2002 CTC

Mary F Redden

To: Mary F Redden

Subject: FW: Thank You

-----Original Message-----

From: Computar2000@aol.com [mailto:Computar2000@aol.com]

Sent: Thursday, December 05, 2002 6:06 PM

To: needwr@ci.troy.mi.us

Cc: richnaktl@ci.troy.mi.us

Subject: Thank You

Mr. Need and Mr. Richnak,

I am the one who wrote to Cynthia Stewart concerning the drainage hole in front of my house (6774 Donaldson Dr.). I wish to thank you for your prompt and professional response to my concerns.

The drainage hole was permanently capped early today.

Thank you again,

Darlene A. Russell

November 20, 2002

G-05i

Marianne R. Murray
2251 Norton
Rochester, MI 48307

Chief Charles T. Craft
Troy Police Department
500 West Big Beaver
Troy, MI 48084

Dear Chief Craft:

Thank you for allowing me to observe some of your officers for my class project. It was a real pleasure to get honest answers to every question I had about being a police officer. The information they provided will assist me in completing my Field Project Class at Oakland Community College.

Each officer had a professional approach to law enforcement. This experience was very refreshing and reassured my commitment to become a law enforcement officer.

Thank you again for this wonderful experience.

Sincerely,

Marianne R. Murray

Marianne R. Murray



December 2002

December 2002						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2003						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					December 1
2	3	4	5	6	7
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Study (Conference Room LL)	8:30am Building Code Board of Appeals (City Hall (LL)) 7:00pm Adv Comm Per/Disabilities (City	10:00am Advisory Comm/Senior Citizens (Community Center)		8
9	10	11	12	13	14
7:30pm City Council Study Session (Council Boardroom)	7:30pm Planning Commission-Regular Session (Council Cha 7:30pm Historical Society (Community Center)	3:00pm Employee Retirement System (City Hall (C))	7:30pm Parks & Recreation Board (Community Center) 7:30pm Library Board of Trustees (Library)		15
16	17	18	19	20	21
7:30pm City Council-Regular (Council Chambers)	7:30pm Board of Zoning Appeals (Council Chambers) 7:30pm Historic District Commission (City Hall	7:30am Downtown Development Authority (Co 7:30pm Traffic Committee (City Hall (LL))			22
23	24	25	26	27	28
	Christmas-City Offices Closed				
	7:30pm Planning Commission-Study (Conference Room LL)				29
30	31				
	New Year-City Offices Closed				

12/12/028:54 AM

67-6

12/16 PH - Street Vac. App., Sec 2
 12/16 PH - Street Vac. App., Sec 27
 12/16 PH - Rezon. App., Empire Electronics
 12/16 PH - Parking Var. App., Polish Market
 12/16 PH - Downtown Devel Auth Plan #5

January 2003

January 2003

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2003

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		January 1, 03	2	3	4
		New Year-City Offices Closed			5
6	7	8	9	10	11
7:30pm City Council - Regular Meeting (Council Chambers)					12
13	14	15	16	17	18
7:30pm City Council - Regular Meeting (Council Chambers)					19
20	21	22	23	24	25
					26
27	28	29	30	31	

12/12/028:54 AM

G-6

February 2003

February 2003

S	M	T	W	T	F	S
	3	4	5	6	7	1
2						8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2003

S	M	T	W	T	F	S
	3	4	5	6	7	1
2						8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					February 1
					2
3	4	5	6	7	8
7:30pm City Council - Regular Meeting (Council Chambers)					9
10	11	12	13	14	15
					16
17	18	19	20	21	22
7:30pm City Council - Regular Meeting (Council Chambers)					23
24	25	26	27	28	
7:30pm Liquor Violation Hearings (Council Chambers)		7:30pm Liquor Violation Hearings (Council Chambers)			

12/12/028:54 AM

6-6



December 3, 2002

TO: John Szerlag, City Manager
FROM: Laura Fitzpatrick, Assistant to the City Manager
SUBJECT: Background Re: Beach Road

Per your request, here is a report on the Scenic Road designation for Beach Road, including a chronology of events and references to sidewalks.

SUMMARY:

- **State Designation:** It is worth noting that Beach Road is not designated by the State as a Natural Beauty Road because it is a collector road. An overview of this state designation is attached.
- **Sidewalk Waivers:** Per resolution contained in the chronology that follows, sidewalk requirements for Oak River Subdivision No. 2 are waived. Note that a temporary waiver was suggested, but the amendment failed.
- **Sidewalks in Beach Road Study:** The 1976 Beach Road Study does not prohibit sidewalks. The study does, however state the goal of minimizing negative impacts on the natural environment. In order to achieve this goal, "it is necessary to apply unique standards as to curvature, construction materials, cross-section of both road and roadway area, and attendant facilities such as drainage and **walkways**."

CHRONOLOGY:

April 1, 1976:

Beach Road Study Published

Study contains a recommendation that a roadway standard or concept known as "scenic parkway" be adopted and utilized in areas such as the subject portion of Beach Road. Such a designation should be added to the **Master Thoroughfare Plan**.

For complete language, including scenic parkway definition, see attached "Conclusions and Recommendations."

March 9, 1981:

Resolution #80-184 re: rebuilding Beach Road Bridge

RESOLVED, that the City Manager is hereby directed to solicit bids to rebuild the Beach Road bridge over the Rouge River, Project 80.117.5, as recommended in his report dated March 6, 1981, regarding design alternatives, and that alternate bids be taken for construction without the sidewalk on the West side.

Yeas: All – 5

Absent: Doyle, McKenna

September 28, 1987:

Resolution #87-1137 re: traffic committee recommendation

Moved by Taucher

Supported by Husk

RESOLVED, That appropriate warning signs remain posted at Beach and Hidden Pine as recommended by the Transportation Engineer and no cutting be done on Beach Road.

Yeas: All-6

Absent: Doyle

February 22, 1988:

FAILED Resolution #88-169 re: waiver of sidewalk installation

Request for Waiver of Sidewalk Installation -Manchester Woods Subdivision, Northwest Corner of Beach Road and Square Lake Road B-2

Resolution #88-169

Moved by Husk

Supported by Stine

RESOLVED, that the waiver of sidewalk installation as required by Article 4.06 of Chapter 41, Subdivision Control, Troy Codes, for Manchester Woods Subdivision, along Beach Road and Square Lake Road, in the Southwest one-quarter of Section 6, is hereby granted as requested by the land subdivider.

Yeas: Husk, Schilling, Stine

Nays: Doyle, Liebrecht, Pallotta, Taucher

Motion FAILED

September 19, 1988: Resolution #88-1041 re: Waiver of sidewalk requirement

Requested Resolution to Waive Sidewalk Requirement, Oak River Subdivision No. 2, East Side of Beach Road South of Long Lake Road C-3

*Resolution #88-1041
Moved by Stine
Supported by Husk*

RESOLVED, that appropriate provisions of Chapter 41, Subdivision Control Ordinance, requiring placement of sidewalks along the east side of Beach Road within the plat of Oak River Subdivision No. 2 are hereby waived and escrow deposits in the amount of \$10,500 as posted by the proprietor of the plat shall be released to the plat proprietor.

*3 Amend To Waive for Five Years
Moved by Pallotta
Supported by Johnson*

RESOLVED, That the resolution be amended to provide for a waiver for a period of five (5) years.

*Yeas-. Johnson, Pallotta
Nays: Husk, Schilling, Stine, Taucher
Absent: Doyle
Amendment FAILED*

Vote on Original Resolution #88-1041

*Yeas: Husk, Johnson, Schilling, Stine, Taucher
Nays: Pallotta
Absent: Doyle*

January 8, 2002:

Future Land Use Plan Adopted

Beach Road Scenic Parkway designation included in this plan. The 1976 Beach Road Study is referenced in this plan.

C: Gary Shripka, Assistant City Manager/Services
William Need, Director of Public Works
Mark Miller, Director of Planning

Excerpt from Beach
Rd study 4/11/76

The segment of Beach Road between Square Lake and South Boulevard is in relatively better condition than the two mile area south of I-75, having received successive seal-coat treatments through the years. The existing and potential density of adjacent development is also somewhat less than that in the initial study area. Nevertheless, it is felt that the character of this area could be better served, while still providing adequate traffic carrying ability, through the utilization of the Scenic Parkway improvement concept rather than through the utilization of the standard Secondary Thoroughfare approach. It is therefore recommended that the study area be expanded to include that portion of Beach Road between Square Lake and South Boulevard, and thus that the Thoroughfare Plan and improvement concept recommendations which follow be applied to the total 3-mile area between Wattles Road and South Boulevard.

SV CONCLUSIONS AND RECOMMENDATIONS SV

The unique natural character of the Beach Road area, between Wattles Road and South Boulevard, warrants special consideration as to means by which roadway improvements can be carried out in this area, while having minimum effects on the natural environment. The increasing level of development in this area, and the collector and local road function which Beach Road, by its location and configuration, is destined to serve, coupled with the decreasing ability of the roadway surface to adequately handle its traffic loads, show that a pavement improvement of Beach Road is essential.

The present Master Thoroughfare Plan designation, and collector road function served by Beach Road throughout this area, would indicate that a typical improvement would be based upon a 3-lane concrete pavement standard. As such an improvement, utilizing conventional standards relative to horizontal and vertical curvature, drainage, etc. would destroy many of the natural features which make the Beach Road area unique, and would thus detract from the scenic qualities of the roadway area and adjacent areas, an alternative improvement concept must be developed and utilized.

In response to this need, it is recommended that a roadway standard or concept known as "Scenic Parkway" be adopted and utilized in areas such as the subject portion of Beach Road. Such a designation should be added to the Master Thoroughfare Plan, and applied in appropriate areas. The definition of "Scenic Parkway" should generally be as follows:

Scenic Parkway

A roadway which, while generally serving a collector road function, is designed so as to enhance and thus have minimum negative effects on the natural environment through which it moves. In order to achieve this goal, it is necessary to apply unique standards as to curvature, construction materials, cross-section of both road and roadway area, and attendant facilities such as drainage and walkways. The right-of-way for such roads must be at least equivalent to that of Secondary Thoroughfares, in order to assure adequate area for retention of the natural environment within the roadway area, and a proper relationship between the roadway area and adjacent developed areas.

Overview of Natural Beauty Roads Designation

Excerpt from the Michigan Department of Natural Resources Web Site

<http://www.michigan.gov/dnr>

Specific Procedures are to be followed by interested citizens when recommending the designation of potential natural beauty roads or streets to their respective CRC or city/village legislative body.

Roads must be county-local roads, city streets or village streets to be considered for designation. They must not be collectors or primary roadways. Status of roads may be obtained from the CRC or city/village legislative body.

At least twenty-five of 1.) landowners in a township, 2.) residents of a city or 3.) residents of a village may apply by petition to their CRC or respective legislative body for designation of a county-local road or street (or portion thereof) as a natural beauty road. Signers do not need to live on this road. Petitions should state clearly the name, location, length and exact beginning and ending points of the road and should be supported by a statement of justification for the request for designation.

Within six months after the petition is received the CRC or legislative body will hold a public hearing to consider the described road or street as a natural beauty road. Within 30 days after the public hearing, the CRC or legislative body will announce its decision as to whether the road or street shall or shall not be designated as a natural beauty road.

The designation of a road or street as a "Natural Beauty Road" will not curtail or cut-back on existing road maintenance programs; will not prohibit the application of sound forest management in the right-of-way/ and will not affect the right of a public utility to control vegetation in connect with the maintenance, repair or replacement of facilities which were constructed in a road or across a road, prior to its designation.

December 9, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Lori Grigg Bluhm, City Attorney
John Lamerato, Assistant City Manager – Finance/Administration
Tonni Bartholomew, City Clerk
Nino Licari, City Assessor

Re: P.I.L.O.T. (Payment in lieu of Taxes) Ordinance Chapter 99 & Oakland Park Towers refinancing

Recommendation:

Staff recommends that the City Council approve the consolidation of various ordinances agreements under the proposed Chapter 99 – Payment in Lieu of Taxes Ordinance.

Staff also recommends that the adoption of Chapter 99 include the suggested language that the Payment in Lieu of Taxes amount shall be 10% of 95% of the shelter rent, as defined.

After adoption of Chapter 99, staff will recommend the approval of the new P.I.L.O.T. agreement between the City of Troy, and Oakland Grand Haven Limited Dividend Housing Association LLC (hereafter referred to as Oakland Park Towers), at the existing payment of 10% of 95% of the shelter rent.

Background on existing P.I.L.O.T.'s:

The State Housing Development Authority Act of 1966 (1966 PA 346, MCL Section 125.1401 et.seq., attached) encourages low cost housing availability to low-income residents, throughout the State of Michigan, by offering low interest loans to associations that provide housing to low-income residents.

The law also encourages local units to accept a Payment In Lieu Of Taxes (P.I.L.O.T.), that can be any amount, up to the actual taxes that would be generated by such a project. The P.I.L.O.T.'s are allowed to be in effect as long as the project has an existing loan with the Housing Authority, or, the Authority has an interest in the project, not to exceed 50 years.

The City of Troy currently has two such P.I.L.O.T. projects, Oakland Park Towers, and Magnolia Gardens (now called American House).

Both of these projects are on the east side of John R, between Maple and 14 Mile Road (accessed off of Grand Haven).

The payment is a percentage of the shelter rent at the facilities. The shelter rent is defined as “..(T)he total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges.”

The Oakland Park Tower P.I.L.O.T. is 10% of 95% of the shelter rent (effectively, 9.5% of the shelter rent). The 5% reduction in shelter rent was to compensate for utilities paid for by the association. Only one of the towers has the P.I.L.O.T.

Oakland Park Towers has requested adoption of a resolution for a new P.I.L.O.T. They are about to refinance the property with the Authority, over 40 years (letter attached). They are not requesting any changes to the original terms. They have provided updated language for the agreement, in keeping with changes adopted by the Authority.

The current agreement exempts both of the towers (11 stories, 300 rooms, 251,735 square feet, each). However, only one of the towers is used for low-income senior housing, and pays the percentage of shelter rent. This will not change. Per the terms of the agreement, the tower that does not provide housing to low-income seniors, pays taxes equal to those that would be generated for the tower with no exemption (effectively negating the exemption on one tower).

For 2002, the P.I.L.O.T. for the low-income tower was \$70,864.00. In contrast, the tower without the P.I.L.O.T. will pay \$298,200.91.

The Magnolia Gardens P.I.L.O.T. is 4% of the shelter rent, minus utilities. The 4% payment was acceptable to Council for specific reasons. First, the association petitioned for this amount on the basis that the project would not be economically feasible for them, at a higher percentage fee. Secondly, the Magnolia Gardens project is far less dense than Oakland Park Towers (3 stories, 147 units, 135,137 square feet; 24.5% of the density of Oakland Park Towers), and it was felt that this project would require far less of City services, because of the lack of comparable density. In addition, the Magnolia Gardens agreement requires them to provide transportation services to its residents, and they were also required to make \$140,000 worth of improvements to Grand Haven (improving the existing road, and extending it into their project).

The Magnolia Garden P.I.L.O.T. amounted to \$53,070.67 for 2002. Estimated taxes on the project, without the P.I.L.O.T. would be \$229,145.00.

Rationale for adoption of the new ordinance:

In reviewing the request for the extension of the P.I.L.O.T. for Oakland Park Towers, three different Council approvals were found, because of delays in financing, construction, or both. Magnolia Gardens had two such approvals, for the same reasons. All of the approvals are scattered, by year and date, and not easily located.

Review by the Clerk's Office and the City Attorney's Office emphasized the need for a Chapter devoted to these P.I.L.O.T.'s, where any current, or future approvals could be filed. This will also help immensely with the public's ability to locate them, either in person, or through the City's web page.

Also, by standardizing the language, in keeping with the State law, Council's ability to act on these requests, will be simplified.

By adopting the payment amount suggested (10% of 95% of the shelter rent), future applicants will have a clear picture of the City expectations.

Please bear in mind that the adoption of this new chapter will not change the existing agreement with Magnolia Gardens (4% of the shelter rent less utilities), as this is an existing agreement, and there has been no request to modify, or extend it.

Summary:

City Council will be asked to adopt Chapter 99 – Payment In Lieu Of Taxes Ordinance, with the suggested payment amount of 10% of 95% of the shelter rent. Council may change the payment percentage.

Once the Chapter is adopted, at a different meeting, Oakland Park Towers will be requesting approval of an agreement that mandates a payment of 10% of 95% of the shelter rent.

Council may approve the agreement as suggested, or modify the payment percentage.

**MICHIGAN COMPILED LAWS ANNOTATED
CHAPTER 125. PLANNING, HOUSING, AND ZONING
STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966
CHAPTER 1. DEFINITIONS AND GENERAL PROVISIONS**

Copr. © West Group 2002. All rights reserved.

Current through P.A.2002, No. 595

125.1415a. Housing project; tax exemption; service charge for public services

Sec. 15a. (1) If a housing project owned by a nonprofit housing corporation, consumer housing cooperative, limited dividend housing corporation, mobile home park corporation, or mobile home park association is financed with a federally- aided or authority-aided mortgage or advance or grant from the authority, then, except as provided in this section, the housing project is exempt from all ad valorem property taxes imposed by this state or by any political subdivision, public body, or taxing district in which the project is located. The owner of a housing project eligible for the exemption shall file with the local assessing officer a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file the certified notification of the exemption with the local assessing officer before November 1 of the year preceding the tax year in which the exemption is to begin.

(2) The owner of a housing project exempt from taxation under this section shall pay to the municipality in which the project is located an annual service charge for public services in lieu of all taxes. Subject to subsection (6), the amount to be paid as a service charge in lieu of taxes shall be for new construction projects the greater of, and for rehabilitation projects the lesser of, the tax on the property on which the project is located for the tax year before the date when construction or rehabilitation of the project was commenced or 10% of the annual shelter rents obtained from the project. A municipality, by ordinance, may establish or change, by any amount it chooses, the service charge to be paid in lieu of taxes by all or any class of housing projects exempt from taxation under this act. However, the service charge shall not exceed the taxes that would be paid but for this act.

(3) The exemption from taxation granted by this section shall remain in effect for as long as the federally-aided or authority-aided mortgage or advance or grant from the authority is outstanding, but not more than 50 years. The municipality may establish by ordinance a different period of time for the exemption to remain in effect.

(4) Except as otherwise provided in this subsection, any payments for public services received by a municipality in lieu of taxes under this section shall be distributed by the municipality to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. For payments in lieu of taxes collected after June 30, 1994, the distribution to the several units shall be made as if the number of mills levied for local school district operating purposes were equal to the number of mills levied for those purposes in 1993 minus the number of mills levied under the state education tax act, Act No. 331 of the Public Acts of 1993, being sections 211.901 to 211.906 of the Michigan Compiled Laws, for the year for which the distribution is calculated. For tax years after 1993, the amount of payments in lieu of taxes to be distributed to a local school district for operating purposes under this subsection shall not be distributed to the local school district but instead shall be paid to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(5) Notwithstanding subsection (1), a municipality may provide by ordinance that the tax exemption established in subsection (1) shall not apply to all or any class of housing projects within its boundaries to which subsection (1) applies. If the municipality makes that provision, the tax exemption established in subsection (1) shall not apply to

Copr. © West 2002 No Claim to Orig. U.S. Govt. Works

the class of housing projects designated in the ordinance. If the ordinance so provides, the ordinance shall be effective with respect to housing projects for which an exemption has already been granted on December 31 of the year in which the ordinance is adopted, but not before. A municipality that has adopted an ordinance described in this subsection may repeal that ordinance, and the repeal shall become effective on the date designated in the repealing ordinance.

(6) Notwithstanding subsection (2), the service charge to be paid each year in lieu of taxes for that part of a housing project that is tax exempt under subsection (1) and that is occupied by other than low income persons or families shall be equal to the full amount of the taxes that would be paid on that portion of the project if the project were not tax exempt. The benefits of any tax exemption granted under this section shall be allocated by the owner of the housing project exclusively to low income persons or families in the form of reduced housing charges.

(7) For purposes of this section only, "low income persons and families" means, with respect to any housing project that is tax exempt, persons and families eligible to move into that project. For purposes of this subsection, the authority may promulgate rules to redefine low income persons or families for each municipality on the basis of conditions existing in that municipality.

(8) This state shall not reimburse any unit of government for a tax exemption granted to any housing project under this section.

CREDIT(S)

1997 Main Volume

Amended by P.A.1982, No. 534, § 1, Imd. Eff. Dec. 31, 1982; P.A.1983, No. 217, § 1, Imd. Eff. Nov. 16, 1983; P.A.1994, No. 363, § 1, Imd. Eff. Dec. 27, 1994.

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1997 Main Volume

Source:

P.A.1966, No. 346, § 15a, added by P.A.1968, No. 334, § 1, Imd. Eff.

July 14, 1968.

C.L.1948, § 125.1415a.

P.A.1969, No. 109, § 1, Imd. Eff. July 24, 1969.

C.L.1970, § 125.1415a.

P.A.1979, No. 49, § 1, Imd. Eff. July 7, 1979.

The 1982 amendment, in subsec. (1), in the first sentence inserted ", mobile home park corporation, or mobile home park association".

The 1983 amendment, in subsec. (1), in the first sentence deleted "or" preceding "limited dividend housing

Copr. © West 2002 No Claim to Orig. U.S. Govt. Works

CHAPTER 99 – PAYMENT IN LIEU OF TAXES ORDINANCE

99.01 **Short Title.** This ordinance shall be known and may be cited as the enactment of Chapter 99, Payment in Lieu of Taxes Ordinance of the Code of the City of Troy. It incorporates Ordinance Agreement No. 83, amended by Ordinance Agreement No. 85, amended by Ordinance Agreement No. 87, established by Resolution #97-885-C-21, adopted on December 15, 1997 (Schedule 1), which establishes a service charge in lieu of taxes for the Magnolia Gardens Housing Development project. It also replaces Ordinance Agreement No. 55, dated January 22, 1973, amended by Ordinance Agreement No. 55-1, dated November 22, 1976 (Schedule 2), which establishes a service charge in lieu of taxes for Oakland Grand Haven Limited Dividend Housing Association LLC (Oakland Park Towers).

99.02 **Purpose.** The City of Troy has determined that providing housing for elderly persons of low income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemptions for such housing is a valid public purpose. The City of Troy is authorized, under the State Housing Development Authority Act, Public Act 346 of 1966 of the State of Michigan (Mich. Comp. Laws Section 125.1401 et. seq.), as amended, to establish or change the service charge to be paid in lieu of property taxes by any or all classes of housing exempt from taxation under the Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. The continuance of the provisions of this Ordinance during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

99.03 **Definitions.** The following definitions are to be used in this Chapter:

- (1) **Act** means the State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan (Mich. Comp. Laws Section 125.1401 et. seq), as amended.
- (2) **Annual Shelter Rent** means the total collections during the agreed annual period from all occupants of a housing development representing rent or occupancy charges.
- (3) **Authority** means the Michigan State Housing Development Authority.
- (4) **Contract Rents** are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to the U.S. Housing Act of 1937, as amended.
- (5) **Elderly Persons** means a single person who is 55 years of age or

older or a household in which at least one member is 55 years of age or older and all of the members are 50 years of age or older.

- (6) Housing Development means a development which contains a significant element of housing for elderly persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improved the quality of the development as it relates to housing for elderly persons of low income.
- (7) Mortgage Loan means a loan to be made by the Authority to the Sponsor for the construction, permanent financing, or refinancing of the Housing Development.
- (8) Sponsor means a person or entity that has applied to the Authority for a mortgage loan to finance or re-finance a Housing Development.
- (9) Utilities means fuel, water, sanitary sewer service and/or electrical service that are paid by the Housing Development.

99.04 Class of Housing Developments. The class of eligible Housing Developments qualifying for payments in lieu of taxes under this Ordinance is limited to housing for Elderly Persons of low income, which are financed or assisted pursuant to the Act. Oakland Park Towers and Magnolia Gardens have previously been determined to fall within this eligible class of Housing Developments.

99.05 Establishment of Annual Service Charge. Except as otherwise provided below, an annual service charge of 10% of 95% of the Annual Shelter Rents actually collected will apply to any future agreements under the provisions of this Ordinance.

99.05.01 Magnolia Gardens. Pursuant to Ordinance Agreement 87, (December 15, 1997), the contract which is incorporated herein, the Sponsor of the Housing Development identified as Magnolia Gardens agreed to pay to the City of Troy, on account of the Housing Development, an annual service charge for public services in lieu of all property taxes from and after the commencement of construction of the Housing Development, so long as the Mortgage loan remains outstanding and unpaid or the Authority has any interest in the property. Pursuant to Ordinance Agreement No. 87, incorporated herein, the annual service charge for the Magnolia Gardens Housing Development is 4% of the difference between the Annual Shelter Rents actually collected and annual Utilities. This service charge is to be paid on or before April 15 of each calendar year. Ordinance Agreement No. 87, incorporated herein, also required the Sponsor to provide transportation for the residents of Magnolia Gardens,

and to make a \$140,000 contribution to improvements to Grand Haven Avenue.

99.05.02 Oakland Park Towers. Pursuant to Ordinance Agreement No. 55 (November 22, 1976), the contract which is incorporated herein, the Sponsor of the Housing Development identified as Oakland Park Towers agreed to pay to the City of Troy, on account of the Housing Development, an annual service charge for public services in lieu of all property taxes from and after the commencement of construction of the Housing Development, so long as the Mortgage loan remains outstanding and unpaid or the Authority has any interest in the property, and for a period not longer than 40 years. Pursuant to Ordinance Agreement No. 55, incorporated herein, the annual service charge for the Oakland Park Towers Housing Development is 10% of 95% of the total rental or occupancy charges collected or to be collected by the Mortgagor annually as to each of the living units within the Development. This service charge is to be paid on or before August 15 of each calendar year. Ordinance Agreement No. 55 may be replaced by a subsequent agreement concerning the same property.

99.06 Limitation on the Payment of Annual Service Charge. Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the Housing Development which is tax exempt and which is occupied by the other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the Housing Development if the Housing Development were not tax exempt.

99.07 Payment of Service Charge. Except as otherwise provided, the service charge in lieu of taxes as determined under the Ordinance shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before March 1 of each year.

99.08 Duration. This Ordinance shall remain in effect and shall not terminate so long as a Mortgage Loan, entered into with reliance on the enactment and continuing effect of the Ordinance and the qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, remains outstanding and unpaid or the Authority has any interest in the property, not to exceed for (40) years.

99.09 Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be

declared by any court or competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid. All ordinance or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

99.10 Effective Date. This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver Rd., Troy, MI on the _____ day of _____
_____ 2002.

Matt Pryor, Mayor

Tonni Bartholomew, City Clerk

ORDINANCE NO. 55 - 1

AN ORDINANCE AUTHORIZING REAL ESTATE TAX EXAMPTION
OF OAKLAND PARK TOWERS

THE CITY OF TROY ORDAINS:

WHEREAS, it is the public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low and moderate income, with such purpose and policy being enunciated in Act No. 346 of the Public Acts of 1966 of the State of Michigan, as amended (herein called the "Act"); and

WHEREAS, Section 15a of the Act, being Mich. Comp. Laws '48 Section 125.1415a, provides for exemption from all property taxation of those housing developments for persons of low and moderate income financed with a mortgage loan made by the Michigan State Housing Development Authority (herein called the "Authority"); and

WHEREAS, such property tax exemption will serve to stimulate the development of housing for citizens of low and moderate income; and

WHEREAS, the City of Troy (herein called the "City") will be benefited and improved by the development of such housing; and

WHEREAS, Oakland Park Towers, a Non-Profit Corporation (Herein called the "Mortgagor"), has erected, owns and operates

a housing development identified as Oakland Park Towers (herein called the "Development"), in certain property located at and more particularly described as follows, to-wit:

Part of the South half of the Northwest quarter of Section 36, T2N, R11E, City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at a point in the East line of John R Road distant North 88 degrees, 25 minutes 19 seconds East 53 feet and North 01 degrees 27 minutes 41 seconds West along said East line 578.0 feet and North 01 degrees 24 minutes 38 seconds West 315.00 feet from the West quarter corner of said section 36; thence continuing North 01 degrees 24 minutes 38 seconds West 380.0 feet; thence North 87 degrees 23 minutes 12 seconds East 642.90 feet; thence South 01 degrees 46 minutes 19 seconds East 379.95 feet; thence South 87 degrees 23 minutes 12 seconds West 645.30 feet to point of beginning. Containing 5.6176 acres more or less. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

in the City (herein called the "Property"), which Development has been financed with a mortgage loan made by the Authority (herein called the "Mortgage Loan") and which Development is intended to serve persons of low and moderate income; and

WHEREAS, the Mortgagor has agreed to pay to the City on account of the Development annual service charge for public services in lieu of all property taxes from and after the commencement of construction of the Development so long as the Mortgage loan remains outstanding and unpaid or the Authority has any interest in the Property; and

WHEREAS, the City Council of the City understands that the

Mortgagor and the Authority are relying upon the qualification of the Development for exemption from all property taxes in order to establish the operational feasibility of the Development; and

WHEREAS, pursuant to the authority vested in the City Council of the City by the Act and by the Charter of the City, the City Council hereby determines that the Development is qualified for exemption from all property taxes as provided in the Act.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ESTABLISHED by the City Council of the City that, acknowledging the reliance of the Mortgagor and the Authority on exemption from all property taxes as described above, the Property and the Development to be constructed on the Property shall be exempt from all property taxes as provided in the Act from and after the commencement of construction of the Development, and, in consideration of the foregoing and on behalf of the City, the City Council hereby agrees to accept payment of an annual service charge for public services in lieu of all property taxes, to be paid by the Mortgagor to the City on or before August 15 of each year in an amount equal to ten (10%) per cent of the annual shelter rents as defined in the Act collected or to be collected by the Mortgagor as to each of the living units within the Development during the then current calendar year from low and moderate income citizens as defined in the Act and a service charge equal to the full

amount of the property taxes that must be paid on that portion of the Development occupied by citizens other than low and moderate income citizens as defined in the Act.

IT IS HEREBY FURTHER ORDAINED AND ESTABLISHED that this Ordinance shall remain in effect and shall not terminate so long as the Mortgage Loan remains outstanding and unpaid or the Authority has any interest in the Property, not to exceed forty (40) years.

IT IS HEREBY FURTHER ORDAINED AND ESTABLISHED that the various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any Court of competent jurisdiction to be unconstitutional or invalid, the same shall not effect the validity of this Ordinance as a whole or any section or provision hereof other than the section or provision so declared to be unconstitutional or invalid.

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of said City Council held at the Troy City offices, 500 West Big Beaver, Troy, Michigan, on the 22nd day of November

CONSENT AGENDA -CONTINUEDAPPROVAL OF EASEMENT AGREEMENT BETWEEN THE CITY OF TROY AND
MAGNA INTERNATIONAL

C-20

Resolution #97-885-C-20

RESOLVED, that the Easement Agreement between the City of Troy and Magna International, to permit use of a City-owned parcel for driveway and landscaping purposes by Magna International, is hereby approved, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original minutes of this meeting.

ORDINANCE APPROVING REQUEST FROM THE LOCKWOOD GROUP FOR
EXTENSION OF TIME TO COMMENCE CONSTRUCTION PURSUANT TO
ORDINANCE 85 ESTABLISHING "PAYMENT IN LIEU OF TAXES (PILOT)"
FOR MAGNOLIA GARDENS PROPOSED CONGREGATE CARE COMMUNITY
ADJACENT TO OAKLAND PARK TOWERS I AND II, JOHN R ROAD

C-21

Resolution #97-885-C-21

BE IT ORDAINED, that Ordinance No. 87 to provide a service charge in lieu of taxes for a proposed multiple family dwelling project, identified as Magnolia Gardens on property located adjacent to Oakland Park Towers I and II on John R Road, for persons of low and moderate income to be financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1996 is hereby approved and adopted; and

BE IT FURTHER ORDAINED, that a copy of the Ordinance shall be attached to the original minutes of this meeting.

CONSIDERATION OF ITEM REMOVED FROM CONSENT AGENDA

D-4

REQUEST FROM VETERANS MEMORIAL COMMITTEE FOR SUPPORT OF
CONCEPT OF PLACEMENT OF VETERANS MEMORIAL AND AUTHORIZATION
FOR CITY STAFF TO WORK WITH COMMITTEE TO DETERMINE
APPROPRIATE SITE AT CIVIC CENTER COMPLEX FOR PLACEMENT OF
MEMORIAL

C-3

Resolution #97-886
Moved by Pallotta
Seconded by Allemon

RESOLVED, that the City Council of the City of Troy supports the concept of the placement of a Veterans Memorial on the Civic Center site as proposed by the Veterans Memorial Committee, and authorizes City staff to work with the Committee to determine an appropriate location for placement of the memorial.

Yeas: All-7



CITY OF TROY
DEC 12 1997
CLERK'S OFFICE

December 9, 1997

Mr. James C. Bacon
City Manager
City of Troy
500 W. Big Beaver Road
Troy, MI 48084

**RE: CITY OF TROY ORDINANCE NO. 85
TAX EXEMPTION ORDINANCE FOR MAGNOLIA GARDENS**

Dear Mr. Bacon:

I am writing to request an extension of the above referenced ordinance as a result of further delays in obtaining final loan commitment from the Michigan State Housing Development Authority and unexpected delays in obtaining right-of-way control required by the City as a condition to the issuance of building permits.

A year ago I was granted the same extension as a result of the progress we were making with MSHDA and the City. I am pleased to inform you that we received MSHDA's Mortgage Loan Commitment in August 1997 and have been diligently pursuing all necessary permits. All of the required plans have been submitted to the City Building Department and have been reviewed and revised. The Building Permits should issue shortly upon the submission of some additional documentation, which we anticipate submitting within the next few weeks.

We have also received and are reviewing MSHDA loan closing documents and anticipate a loan closing shortly. However with the current ordinance expiring 12/31/97 and MSHDA proceeds not releasing from escrow until after the Attorney General's office approves all documentation construction will not commence until 1998. The MSHDA loan amount depends upon the ordinance being in effect at the time of disbursement.

As a result of our progress I would respectfully request that this item be placed on the next regularly scheduled City Council meeting agenda (December 15, 1997) for consideration of amending the Effective Date of Ordinance #85 to December 15, 1997.

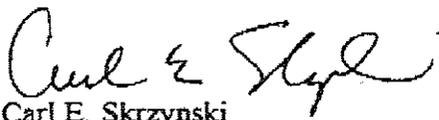
C-21

12-09-1997 12:13 PM FROM LOCKWOOD GROUP 240 240 2000

Mr. James C. Bacon
City Manager
City of Troy
December 9, 1997
Page -2-

I thank you for your anticipated cooperation concerning this matter and would appreciate a confirmation from your office addressing this request.

Sincerely,



Carl E. Skrzyński
Partner

CES/tt

Enclosure

cc: Larry Keisling
Ernie Reschke

Ces/Magnolia/Gov/Corr/Bacon

CITY OF TROY ORDINANCE NO. 85

TAX EXEMPTION ORDINANCE

An Ordinance to provide for a service charge in lieu of taxes for a proposed multiple family dwelling project for persons of low or moderate income, to be financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966.

THE CITY OF TROY ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "City of Troy Tax Exemption Ordinance."

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low or moderate income, and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCLA Section 125.1401 et. seq., MSA Section 116,114 (1) et seq.). The City of Troy is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low or moderate income is a public necessity, and as the City of Troy will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

The City of Troy acknowledges that The Lockwood Group (the "Sponsor") has offered subject to receipt of a Mortgage Loan from the Michigan State Housing Development Authority, to erect, own and operate a housing development identified as Magnolia Gardens on certain property located adjacent to Oakland Park Towers I & II, (See Section 12. Property Description) in the City of Troy to serve persons of low or moderate income, and that the Sponsor has offered to pay the City of Troy on account of this housing development an annual service charge for public services in lieu of all taxes.

SECTION 3. Definitions.

- A. Authority means the Michigan State Housing Development Authority.
- B. Act means the State Housing Development Authority Act, being Public Act 346 of 1966, of the State of Michigan, as amended.
- C. Annual Shelter Rent means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.
- D. Housing Development means a development which contains a significant element of housing for persons of low or moderate income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low or moderate income.
- E. Mortgage Loan means a loan to be made by the Authority to the Sponsor for the construction and/or permanent financing of the Housing Development.
- F. Utilities means fuel, water, sanitary sewer service and/or electrical service which are paid by the Housing Development.
- G. Sponsor means person(s) or entities which have applied to the Authority for a Mortgage Loan to finance a Housing Development.

SECTION 4. Class of Housing Developments.

It is determined that the class of Housing Developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be a multiple family dwelling project for elderly persons as defined by the Act, which are financed or assisted pursuant to the Act. It is further determined that Magnolia Gardens is of this class.

SECTION 5. Establishment of Annual Service Charge.

The Housing Development identified as Magnolia Gardens and the property on which it shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The City of Troy, acknowledging that the Sponsor and the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, and in consideration of the Sponsor's offer, subject to receipt of a Mortgage Loan from the Authority, to construct, own and operate the Housing Development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to 4% of the difference between the Annual Shelter Rents actually collected and Utilities.

SECTION 6. Sponsor's Obligations

The Sponsor agrees to provide transportation for the residents of Magnolia Gardens. The Sponsor also agrees to make \$140,000 dollar improvements to Grand Haven Avenue.

SECTION 7. Contractual Effect of Ordinance.

Notwithstanding the provisions of Section 15(a)(5) of the Act, to the contrary, a contract between the City of Troy and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 8. Payment of Service Charge.

The service charge in lieu of taxes as determined under the ordinance shall be payable in the same manner as general property taxes are payable to the City of Troy except that the annual payment shall be paid on or before April 15th of each year.

SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as the Mortgage Loan remains outstanding and unpaid or the Authority has any interest in the property; provided, that construction of the Housing Development commences within one year from the effective date of this Ordinance.

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Effective Date.

This Ordinance shall become effective on December 31, 1996, or as otherwise provided in the Charter. All ordinances or parts of ordinances in conflict with the Ordinance are repealed to the extent of such conflict.

SECTION 12. Property Description

88-20-36-100-061

T2N,R11E, SEC 36 PART OF NW 1/4 BEG AT PT DIST N 88-53-00-E 53.00 FT & N 01-27-41 W 578.00 FT & N 87-23-12 E 646.90 FT & N 01-46-58 W 122.78 FT & N 88-08-39 E 468.74 FT FROM W 1/4 COR, TH N 01-46-58 W 435.43 FT, TH N 88-08-39 E 403.86 FT, TH S 01-36-14 E 480.41 FT, TH S 88-06-54 W 236.57 FT, TH N 01-43-41 W 45.10 FT, TH S 88-08-39 W 165.84 FT TO BEG 4.27 A

88-20-36-100-062

T2N, R11E, SEC 36 PART OF NW 1/4 BEG AT PT DIST N 87-27-11 E 1910.55 FT & N 01-45-19 W 646.25 FT FROM W 1/4 COR, TH S 88-06-54 W 339.80 FT, TH N 01-36-14 W 480.41 FT, TH S 88-08-09 W 359.56 FT, TH N 01-46-58 W 261.26 FT, TH N 88-32-30 E 122.40 FT, TH N 01-44-43 W 8.41 FT, TH N 88-55-14 E 578.82 FT, TH S 01-31-34 E 741.17 FT TO BEG 8 A 1-15-86 COR L9234 P708

Adopted:



Jeanne M. Stine, Mayor



Tamara A. Renshaw, City Clerk

CITY OF TROY ORDINANCE NO. 87

TAX EXEMPTION ORDINANCE

An Ordinance to provide for a service charge in lieu of taxes for a proposed multiple family dwelling project for persons of low or moderate income, to be financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966.

THE CITY OF TROY ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "City of Troy Tax Exemption Ordinance."

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low or moderate income, and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCLA Section 125.1401 et. seq., MSA Section 116,114 (1) et seg.). The City of Troy is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low or moderate income is a public necessity, and as the City of Troy will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

The City of Troy acknowledges that The Lockwood Group (the "Sponsor") has offered subject to receipt of a Mortgage Loan from the Michigan State Housing Development Authority, to erect, own and operate a housing development identified as Magnolia Gardens on certain property located adjacent to Oakland Park Towers I & II, (See Section 12. Property Description) in the City of Troy to serve persons of low or moderate income, and that the Sponsor has offered to pay the City of Troy on account of this housing development an annual service charge for public services in lieu of all taxes.

SECTION 3. Definitions.

- A. Authority means the Michigan State Housing Development Authority.
- B. Act means the State Housing Development Authority Act, being Public Act 346 of 1966, of the State of Michigan, as amended.
- C. Annual Shelter Rent means the total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.
- D. Housing Development means a development which contains a significant element of housing for persons of low or moderate income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines improve the quality of the development as it relates to housing for persons of low or moderate income.
- E. Mortgage Loan means a loan to be made by the Authority to the Sponsor for the construction and/or permanent financing of the Housing Development.
- F. Utilities means fuel, water, sanitary sewer service and/or electrical service which are paid by the Housing Development.
- G. Sponsor means person(s) or entities which have applied to the Authority for a Mortgage Loan to finance a Housing Development.

SECTION 4. Class of Housing Developments.

It is determined that the class of Housing Developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be a multiple family dwelling project for elderly persons as defined by the Act, which are financed or assisted pursuant to the Act. It is further determined that Magnolia Gardens is of this class.

SECTION 5. Establishment of Annual Service Charge.

The Housing Development identified as Magnolia Gardens and the property on which it shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The City of Troy, acknowledging that the Sponsor and the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, and in consideration of the Sponsor's offer, subject to receipt of a Mortgage Loan from the Authority, to construct, own and operate the Housing Development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to 4% of the difference between the Annual Shelter Rents actually collected and Utilities.

SECTION 6. Sponsor's Obligations

The Sponsor agrees to provide transportation for the residents of Magnolia Gardens. The Sponsor also agrees to make \$140,000 dollar improvements to Grand Haven Avenue.

SECTION 7. Contractual Effect of Ordinance.

Notwithstanding the provisions of Section 15(a)(5) of the Act, to the contrary, a contract between the City of Troy and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 8. Payment of Service Charge.

The service charge in lieu of taxes as determined under the ordinance shall be payable in the same manner as general property taxes are payable to the City of Troy except that the annual payment shall be paid on or before April 15th of each year.

SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as the Mortgage Loan remains outstanding and unpaid or the Authority has any interest in the property; provided, that construction of the Housing Development commences within one year from the effective date of this Ordinance.

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Effective Date.

This Ordinance shall become effective on December 31, 1997, or as otherwise provided in the Charter. All ordinances or parts of ordinances in conflict with the Ordinance are repealed to the extent of such conflict.

SECTION 12. Property Description

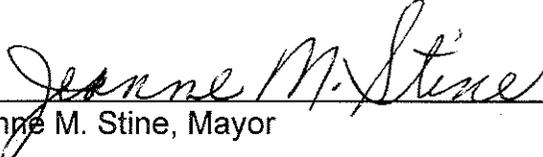
88-20-36-100-061

T2N,R11E, SEC 36 PART OF NW 1/4 BEG AT PT DIST N 88-53-00-E 53.00 FT & N 01-27-41 W 578.00 FT & N 87-23-12 E 646.90 FT & N 01-46-58 W 122.78 FT & N 88-08-39 E 468.74 FT FROM W 1/4 COR, TH N 01-46-58 W 435.43 FT, TH N 88-08-39 E 403.86 FT, TH S 01-36-14 E 480.41 FT, TH S 88-06-54 W 236.57 FT, TH N 01-43-41 W 45.10 FT, TH S 88-08-39 W 165.84 FT TO BEG 4.27 A

88-20-36-100-062

T2N, R11E, SEC 36 PART OF NW 1/4 BEG AT PT DIST N 87-27-11 E 1910.55 FT & N 01-45-19 W 646.25 FT FROM W 1/4 COR, TH S 88-06-54 W 339.80 FT, TH N 01-36-14 W 480.41 FT, TH S 88-08-09 W 359.56 FT, TH N 01-46-58 W 261.26 FT, TH N 88-32-30 E 122.40 FT, TH N 01-44-43 W 8.41 FT, TH N 88-55-14 E 578.82 FT, TH S 01-31-34 E 741.17 FT TO BEG 8 A 1-15-86 COR L9234 P708

Adopted:



Jeanne M. Stine, Mayor



Tamara A. Renshaw, City Clerk

NOV 20 2002

LOOMIS, EWERT, PARSLEY, DAVIS & GOTTING

CITY OF TROY
CITY MANAGER'S OFFICEA PROFESSIONAL CORPORATION
232 SOUTH CAPITOL AVENUE, SUITE 1000

LANSING, MICHIGAN 48933-1525

TELEPHONE: (517) 482-2400 FACSIMILE: (517) 482-4313
Email address: klgotting@loomislaw.com

JACK C. DAVIS, PC
KARL L. GOTTING, PC
DAVID M. LICK
HARVEY J. MESSING
JAMES R. NEAL
KENNETH W. BEALL
MICHAEL G. OLIVA
JEFFREY W. BRACKEN
CATHERINE A. JACOBS
RONALD W. BLOOMBERG
MICHAEL H. RHODES
HOWARD J. SOIFER

JEFFREY L. GREEN
GARY L. FIELD
SHERRI A. WELLMAN
KELLY K. REED
JEFFREY S. THEUER
DANIEL L. PULTER
ELDONNA M. RUDDOCK
KEVIN J. RORAGEN
THERESA A. SHEETS
LISA A. HANSON
MICHAEL C. RAMPE

PLUMMER SNYDER
(1900-1974)

GEORGE W. LOOMIS
QUENTIN A. EWERT
WILLIAM D. PARSLEY
OF COUNSEL

PETER J. KULICK
OF COUNSEL-SPECIAL PROJECTS

November 19, 2002

John Lamarato
City Manager's Office
500 W. Big Beaver Road
Troy, Michigan 48084

Re: Oakland Park Towers

Dear Mr. Lamarato:

Thank you for forwarding to me Ordinance No. 55. We had several people at the City looking for this as it was referenced in the Tax Abatement Agreement between the City and Oakland Park Towers dated April 27, 1976. No one could seem to locate it. In reviewing the Ordinance it provides that it shall remain in effect so long as the mortgage loan with the Authority remains outstanding and unpaid or the Authority has an interest in the property not to exceed 40 years. The current mortgage on the property will be refinanced with a new 35 year mortgage from the Authority to Oakland Grand Haven Limited Dividend Housing Association LLC. It is anticipated that this financing will be approved at the November 20, 2002 Authority Board Meeting and that closing will take place within 90 days thereafter.

I am enclosing herewith a draft PILOT Ordinance which would replace the current Ordinance No. 55. The draft is in the form as adopted and used by MSHDA. It provides that the current PILOT will continue so long as the Authority mortgage is on the property or the Authority has an interest but not for more than 40 years. The MSHDA Board Report requires a continuation of the PILOT for the life of the new mortgage loan. I have not included in the Ordinance reference to the existing Ordinance which I assume will be replaced. I was not sure how you might want to handle that. The same is probably true with the Tax Abatement Agreement of April 27, 1976 between the City and Oakland Park Towers Limited Dividend Partnership. In the event that the transfer does not take

LOOMIS, EWERT, PARSLEY, DAVIS & GOTTING

Letter to John Lamarato

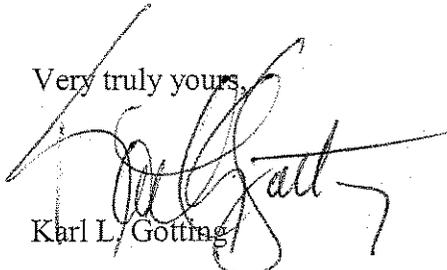
Page two

November 19, 2002

place then neither the Authority nor the current owner would want the contract or the ordinance to expire.

Based on our conversation it was my impression that this matter could be presented to the City Council as early as December. This would be helpful in getting this matter to closing as that will not occur absent the PILOT. Finally, you should know that a substantial rehabilitation is being proposed including rehabilitation of the boilers, hot water heaters and peripheral systems. Also, additional work will involve the mechanical and electrical systems, site work and other modifications. After you have reviewed the enclosed, please call me so we can discuss the same further.

Very truly yours,



Karl L. Gotting

KLG:lse

cc/enc.

Charles Allen

Steve Nolan, Esq.

Richard Eusani, Esq.

December 10, 2002

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Douglas Smith, Real Estate & Development Director

RE: Possible SmartZone in Troy

An article in the December 2, 2002 Crain's Detroit Business, outlined the proposed newest SmartZone, which would include Troy, Michigan. While the article is a little premature, it's important that Council be kept informed as to the discussions that staff has been having with Oakland County and Automation Alley regarding this.

Last month the Legislature created a new SmartZone and invited Oakland County to submit a proposal. Southfield has taken a lead on submitting the proposal and proposed that Auburn Hills, Rochester Hills, and Troy be included.

While all the benefits of a SmartZone are not clearly enumerated, it is likely that marketing of the site for attraction of high technology companies would be a regional and statewide effort. The local community would benefit by those marketing efforts. Central to Troy's inclusion in this proposal, would be to designate an area as a "certified industrial park" (attached is the proposed site which would include Liberty Property Trust's technology park, and the old Preston Trucking facility). This zone would then be created as an LDFA Local Development Finance Authority, and some of the tax increment would be used to support the effort of attracting high technology companies to this certified industrial park.

There has been no requirement of Council approval to date, and we are now only firming-up with Southfield the ability to designate a multi-jurisdictional LDFA, and will bring a full proposal to Council after the first of the year for consideration of Troy's participation in the SmartZone.

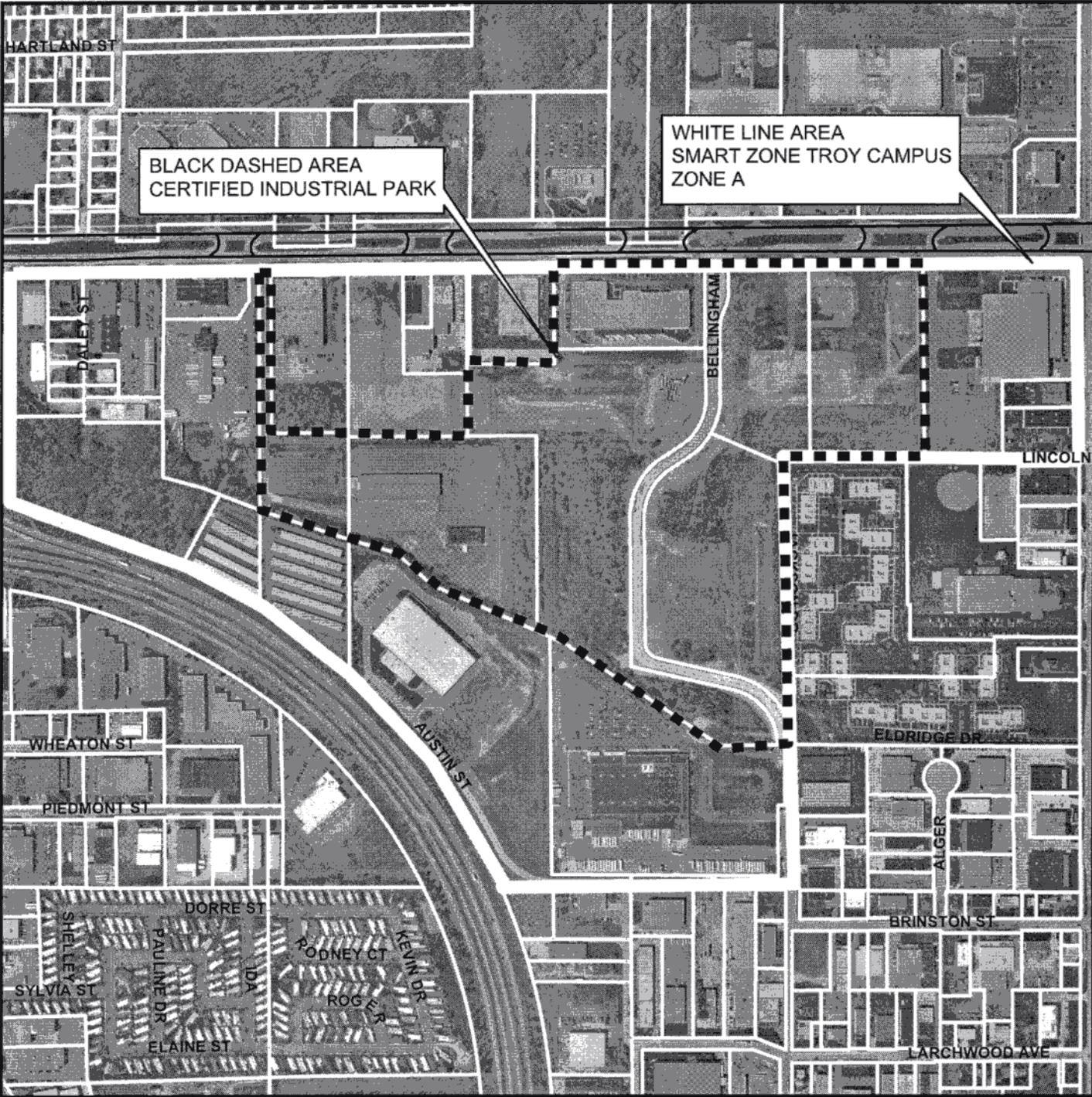
DS/tja

Attachments:

1. Map
2. Crain's article
3. MEDL Newsletter
4. Letter for Automation Alley

SMART ZONE TROY CAMPUS ZONE A

ATTACHMENT E



CITY OF TROY OAKLAND COUNTY MICHIGAN

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



Oakland splits up tech zones

Auburn Hills, Rochester Hills, Troy likely to join Southfield

BY ANDREW DIETDERICH
CRAIN'S DETROIT BUSINESS

Three Oakland County communities soon could join Southfield under the Oakland Automation Alley SmartZone umbrella.

Troy, Auburn Hills and Rochester Hills each is a candidate to host areas that would be part of the Automation Alley SmartZone. Only Southfield is officially part of the SmartZone now.

Ken Rogers, deputy county executive and director of Automation Alley, said plans should be revealed by the end of the year.

Troy would house the headquarters of a business accelerator that would coordinate the regional services and technology promotion that are the hallmarks of the SmartZone. Parts of Auburn Hills and Rochester Hills also could become part of the umbrella by designating portions of their land as SmartZones, Rogers said.

Under the SmartZone umbrella, communities, businesses and universities work together to attract technology companies and promote the county as a major tech hub, Rogers said.

"The Oakland Automation Alley

SmartZone presents a wonderful opportunity for us to help grow our tech businesses and help us continue to move away from our rust image to more of a tech image," Rogers said.

Gov. John Engler created SmartZones when he signed Act 248 of 2000 into law. The law allows the Michigan Economic Development Corp. to designate 10 SmartZones throughout the state.

The zones are intended to stimulate growth of technology-based companies and jobs by helping create clusters of small to midsize businesses. The businesses in the zone work

toward commercializing ideas, developing patents and tapping the research of surrounding universities or private research institutes.

Partnering in the Oakland County Automation Alley SmartZone are Oakland County, Automation Alley, Lawrence Technological University, Oakland University, the state of Michigan and the communities that house the zones.

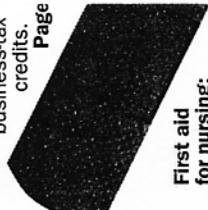
Oakland County's SmartZone is different from the others because it will be spread over several communities. For example, Southfield already

See SmartZone, Page 31

CRAIN'S INDEX

Marriott exits: 100 in Warren await work what company plan do with distribution business. **Page 6.**

Renaisance-zone: Proposed change reduce value of sing business-tax credits. **Page 21.**



First aid for nursing: Hospitals hope that showing student their inner workings help with shortage. **Page 21.**

Legal fees taking o Commission's cost fight over airport col still mounts. **Page 2**

These organizations appear week's Crain's Detroit Bush

- Accountemps
- Ann Arbor ODA
- Ann Arbor Twp. Planning Comm
- Automation Alley
- Big Boy Restaurants Int'l Inc.
- Booth Newspapers
- BRG Development
- Brill Media Co.
- Brody Homes Inc.
- Café Milano
- Chris Marshall's BBQ
- Clayco Construction Co.
- CMIS Energy Corp.
- Crittendon Hospital
- CSM Worldwide Inc. in North
- Curt Enterprises Inc.

Toyota plans track, building at tech center in Ann Arbor Twp.

News chain's owner plans for next act

SmartZone: Oakland to add sites to tech area

■ From Page 3

has three sections that are part of the SmartZone.

Dan Casey, business-development assistant for the city of **Southfield**, said the business accelerator for the SmartZone would be in Troy. The business accelerator is a team of full-time employees responsible for coordinating collaboration between the public- and private-sector members of the SmartZone.

For example, he said, **Lear Corp.** could have an idea for a new product, and Lawrence Tech could have experts and lab space that the two could share, saving money for both.

Casey said the accelerator program would have at least four full-time staff, including a director and a grant writer who are expected to be hired in the next two to three years. An initial investment of \$2 million from the state will help launch the program, Rogers said.

"In my view, there are two main benefits to the SmartZone," Casey said. "One is the potential for collaboration that may otherwise not occur, and the other is how it helps market the area."

Another benefit is the opportunity to capture taxes and reinvest in the community in which the SmartZone is located.

State law allows zones to capture property taxes for infrastructure and other purposes rather than send them to the state. Up to 50 percent of school taxes also may be captured for up to 15 years. The

state reimburses the school tax money.

Southfield currently does not allow for property-tax capture in its SmartZones. But the city is examining whether to allow the zones to capture property taxes from new developments as opposed to existing businesses, Casey said.

City officials in Southfield expect to decide the matter early next year.

Andrew Dietderich: (313) 446-0315, adietderich@crain.com



Out
Is

Kn

Sh

Mo

Call 1-

Aon: Survey finds health care



October 2002

The MEDC Minute is a brief snapshot of the current happenings in state economic development. For more information on the majority of these stories, please visit our Web site at www.michigan.org, or contact customer assistance at (517) 373-9808.

NextEnergy Moving to Downtown Detroit: NextEnergy Center has announced a permanent location in the Woodward Technology Corridor, a Michigan SmartZone in the city of Detroit. The center will serve as the nucleus for the NextEnergy Initiative, facilitating collaborative research, incubating alternative energy technology companies, and providing industry collaboration for this new technology. Original plans to locate the center in York Township were changed due to the costs and time required to prepare and open the center quickly to meet market demands.

Hundreds Seek Life Sciences Funding: The MEDC has received 197 responses requesting more than \$767 million in funding from the Michigan Life Sciences Corridor Fund. The MLSC fund will award \$45 million in the next year to research projects. The American Association for the Advancement of Science (AAAS) is organizing the evaluation of the pre-proposals using review criteria developed by the Michigan Life Sciences Steering Committee. The AAAS will recommend some of the pre-proposals for further consideration. Selected applicants will be invited to submit full proposals for peer review by the AAAS. The deadline for full proposals is February 12, 2003, with award decisions expected in May. Since its inception in 1999, the Michigan Life Sciences Corridor Fund has awarded 78 projects totaling \$145 million.

MEDC Awards SmartZone Marketing Grants: The MEDC has awarded \$175,000 in marketing grants to seven Michigan SmartZones. The money will be used for direct mail and a Web site in Grand Rapids; online and radio marketing in Kalamazoo; direct mail and research at Michigan Technological University in Houghton; newspaper, magazine, radio, and direct mail advertising in Mt. Pleasant; Web development, printed materials, and a marketing CD-ROM in Muskegon; trade show exhibits, Web development, direct mail, newspaper, and magazine advertising in Oakland County; and Web development, direct mail, and trade shows in Detroit. Each of the \$25,000 grants requires a 100 percent match by the SmartZone recipients. SmartZones are 11 designated areas throughout the state where property taxes may be captured within the boundaries of the zone for use within the zone. Each of the zones has a specific high-tech focus to encourage the clustering of related high-tech ventures. Since their inception in April 2001, 19 companies have located within Michigan SmartZones and six new business incubator facilities are either under construction or operational, for a total investment of \$100 million.

Automation Alley Awards: Doug Rothwell, president and CEO of the MEDC, received the "CEO of the Year" award from Automation Alley on September 13. Rothwell was recognized for his critical role in bringing economic opportunities to Michigan. Delphi Corporation CEO J.T. Battenberg III received the "Legend CEO" award for remaining a strong auto supplier while expanding into more non-automotive markets, many of which are electronics related. Other honorees include EDS, which was named "Technology Company of the Year," and Sue Unger, chief information officer and senior vice president for DaimlerChrysler AG, who was named "Chief Information Officer of the Year."

-more-

Michigan Colleges Among Top 50 in Public Colleges: Three Michigan public universities were named among *U.S. News and World Report's* list of the nation's top 50 public universities in the annual college rankings. The ranking lists the University of Michigan at No. 3, Michigan State University at 31, and Michigan Technological University (MTU) at 50. Michigan Technological University tied with the University of Arizona and the University of Kentucky.

Entrepreneur Receives Award from U.S. Small Business Administration: Michigan-based Sordal Incorporated's CEO Dale Denver has been named a recipient of the United States Small Business Administration's (SBA) "2002 Roland Tibbetts Award." The award recognizes entrepreneurs who have demonstrated outstanding results with improving our nation's ability to compete in today's global economy. Denver is one of 15 individuals in the United States to receive the prestigious award. Award ceremonies will take place in Washington, D.C. on October 2. Sordal Inc., a NASA patent licensee since May 2000, is a highly focused composite materials global technology provider utilizing leading-edge technologies, patents and know-how "to improve the well being and safety of life on land, sea, air, and space."

Michigan's Downtowns To Benefit from New Partnership: The MEDC, Michigan State Housing Development Authority (MSHDA), and the Michigan Municipal League (MML) have created a partnership aimed at ensuring Michigan's core communities and traditional centers of commerce continue to thrive as great places to live and work. The "Downtowns in Michigan" partnership will offer many services to communities, including technical assistance, information on funding sources and educational opportunities, focusing on downtown redevelopment tools, new legislative initiatives, and national best practices. The MML will set up a special 800 number, promotional materials, and a "Downtown Institute," which will provide certified training to those interested in downtown development.

Ann Arbor 10th Best Place to Live and Work: Ann Arbor was ranked 10 on *Employment Review's* eighth annual "Best Places to Live and Work in America" list. The list features cities that are best known as college towns because of the institutions of higher learning in their cities. Other criteria used to select the cities included, unique location, solid community economics, substantial job growth, good schools, recreation, and cultural events. To view the complete list, visit the Web site at www.bestjobsUSA.com.

Business Success Highlights

Here is a look at some of the recent successes the MEDC has assisted, as reported by the companies.

Company	Jobs		Private Investment	County
	Created	Retained		
Vickers Engineering	17	55	600,000	Berrien
South Shore Power LLC	20	-	300,000,000	Berrien
Packaging Direct	26	35	500,000	Gladwin
Munith Products	28	82	519,000	Jackson
Wayne Wire Cloth Products, Inc.	50	150	3,000,000	Kalkaska
Brazeway Inc.	20	200	9,200,000	Lenawee
Motor City Plastics	5	60	1,200,000	Monroe
Cooper-Standard Automotive	50	-	4,500,000	Otsego
Victor Fiber & Supply, Inc.	18	8	1,071,000	St. Clair
Tenaska	27	-	300,000,000	St. Clair
Sturgis Molded Products	50	-	250,000	St. Joseph
Midwest Fastener Corporation	12	-	700,000	Van Buren
TOTALS	323	840	\$621,290,000	

PLEASE NOTE: This will be the last issue of the MEDC Minute. We are working on developing an interactive online version of our bi-monthly magazine, the *Michigan Business Report*, which will consist of a section called "Breaking News" that will replace the MEDC Minute. We will notify you when this new feature is available. In the meantime, if you do not receive a copy of our *Michigan Business Report* magazine, you can view it online at www.Michigan.org, or call 517.335.1847 to be added to the mailing list.

Altair Engineering
Analysts International's Sequoia Svcs. Grp.
ArvinMeritor, Inc.
Autoliv, Inc.
Avaya
Blue Cross Blue Shield
Butzel Long
CATS CO.
Clover Technologies
Comerica Bank
Corp!
Covisint, L.L.C.
DaimlerChrysler Corporation
Detroit Edison
Dickinson Wright, PLLC
EDS Corporation
Energy Conversion Devices
Entech Personnel Services, Inc.
Ernst & Young LLP
Flagstar Bank, FSB
General Motors Corporation
Guardian Industries
Kelly Services
Lawrence Technological University
Miller, Canfield, Paddock & Stone, PLC
Mott Community College
Oakland Community College
Oakland County Government
Oakland Schools
Oakland University
Plante & Moran, LLP
R. L. Polk
SBC Ameritech Michigan
Siemens VDO Automotive
The Oakland Press
TRIO Communications
Troy Design

September 19, 2002

Mr. Doug Smith
City of Troy
500 W. Big Beaver Road
Troy MI 48084

Re: Automation Alley Technology Center

Dear Mr. Smith:

We are in the process of evaluating potential sites for the location of the Automation Alley Technology Center. This center will represent the "heart" of Automation Alley. It will provide a physical location to showcase everything that Automation Alley represents. And what does Automation Alley represent? It represents a community whose business and educational institutions are at the absolute cutting edge of technology development. Application research and business formation is being conducted in Automation Alley that rivals anything being done in the Research Triangle, Silicon Valley and Route 128. This center will promote our community's technology leadership to the world. It will also be a focus for business and education to collaborate on advanced research projects.

You have indicated an interest in having this center located in your community. As several communities have expressed an interest in having the center in their community we are requesting that you provide us with a formal proposal. We ask that your proposal respond to the specific criteria we have established for evaluation. By doing so we will be able to make a decision using a fair, open and unbiased process. The criteria are listed in attachment A.

The evaluation process will be as follows:

Proposal meeting the week of October 7, 2002. This meeting will be with Oakland County/Automation Alley staff. The purpose of the meeting is to discuss your proposal.

October 21. The Automation Alley Board of Directors will select a location for the Automation Alley Technology Center.

The deadline for the submission of a project plan and budget for the development of this center to the MEDC is November 30, 2002. It is an extremely tight timeframe. Having a site identified for this center is a critical first step in meeting that deadline. Therefore, we appreciate your quick response to this request.

Sincerely,

A handwritten signature in black ink that reads "Ken Rogers". The signature is written in a cursive, flowing style.

Ken Rogers
Executive Director

KR:dep

Automation Alley Technology Center Site Location Criteria

Attachment A

The criteria that will be used for evaluating the proposals is as follows:

Indication of Willingness to commit SmartZone TIFA funds

- Indicate if the community would be willing to commit TIFA funds to support the center. In completing this section please include the following:
 - What project costs the funds may be used for
 - Whether the funds will be used to cover all or only a portion of those project costs
 - If the funds will cover only a portion of a project cost, what percentage of the project cost will the funds cover or what is the maximum dollars that will be allocated to that project cost
 - Time frame for formal commitment

Examples of project costs include: infrastructure costs, building costs, possible lease costs, Center operation costs.

NOTE: It is understood that a firm commitment of funds can not be guaranteed until the elected governmental body has approved them.

Site or Building Details

Provide details on the site or building being recommended as the location for the Center. The information should include:

- Size of site or building
- If it is part of a larger research park
- If there is room for expansion
- How the surrounding area will relate to the Center
- Cost of the site or building
- Other unique aspects of site (setting, location, additional plans for site, etc....)
- Timeframe for formal commitment

Other Support for Technology Center/Business Accelerator

Indicate additional services, programs or resources that you will commit to this project.

Relationship of Proposal Partners

Describe what the working relationship will be between the City and land owner.

Desired Return on Your Investment

Simply said, "What are you looking to accomplish by having this center located at your proposed site?" You will be making a significant contribution toward the success of this center. It is critical that your desire to have this center is equal to the contribution you will be making.